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Sustaining Tribal Fisheries: U.S. Economic Relief Policies during COVID-19

Kelsey Leonard 

School of Environment, Resources and Sustainability, University of Waterloo, Waterloo, ON N2L 3G1, Canada; kelsey.leonard@uwaterloo.ca

Abstract: This article reviews the individual spend plans of U.S. states granted a funding allocation under Sec. 12005 of the Coronavirus Aid Relief and Economic Security (CARES) Act to identify consistency with legislative mandates to support Tribal commercial, subsistence, cultural, or ceremonial fisheries negatively impacted by the COVID-19 pandemic. Utilizing critical discourse analysis, this study identifies state discursive practices in supporting Tribal sovereignty in fisheries management for the advancement of Indigenous Ocean justice. State spending plans ($n = 22$) publicly available and submitted to the National Oceanic and Atmospheric Administration before July 2021 were reviewed. Few of the state spend plans listed impacts to Tribal fisheries due to the pandemic. Only two state plans included Tribal consultation and direct economic relief for commercial, subsistence, cultural, and/or ceremonial losses faced by neighboring Tribes and Tribal citizens. Overall, the protections within the CARES Act for Tribal fisheries were not integrated into state spend plans. The article identifies best practices for state fisheries relief policy content that is affirming of Tribal fishing rights and uses them to help address the ongoing pandemic crisis facing Tribal fisheries. These findings have relevance for future emergency relief programs that are inclusive of Tribal Nations. Honoring Tribal sovereignty and the federal trust responsibility must be the cornerstone of shared sustainable fisheries.



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Keywords: COVID-19; U.S. CARES Act; Tribal sovereignty; Tribal fisheries; comparative policy analysis; critical discourse analysis; Indigenous Ocean justice

1. Introduction

COVID-19 has disproportionately impacted Tribal Nations in the United States, with many American Indians/Alaska Natives dying from the virus at twice the rate of white Americans [1–3]. In addition to managing the human health crisis, Tribes also faced economic and cultural crises due to closures and the restructuring of fisheries. However, despite these compounding stressors devastating Tribal resources and responsibilities, emerging studies on the impacts of COVID-19 on U.S. fisheries fail to account for the impacts on Tribal Nations [4–7]. Tribal fisheries are the backbone of many Tribal Nations with rich maritime heritage whose spiritual, political, cultural, and economic existence is tied to the sea's bounty. Tribal fisheries provide economic benefits and are a reliant source of subsistence, cultural, and ceremonial fishing [8,9]. Since the first reporting of the COVID-19 virus and the initial downturn in U.S. fisheries, many Tribal Nations struggled to receive needed economic relief, and confusion emerged around fragmented implementation, absent procedural measures for funding distribution, and lack of nation-to-nation consultation with Tribes.

Indigenous Peoples' rights to manage and develop their own fisheries and to maintain their subsistence and ceremonial fishing activities are protected under the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) Articles 5 and 20 [10]. Tribal Nations in what is currently known as the United States have managed extensive fisheries for thousands of years [11–18]. The purpose of this study is to examine the ways individual

economic relief spending plans of U.S. states granted a funding allocation under Sec. 12005 of the Coronavirus Aid Relief and Economic Security (CARES) Act support or challenge Tribal sovereignty in fisheries management. This article employs a critical discourse analysis of and aims to critically assess spend plan consistency with legislative mandates to support Tribal commercial, subsistence, cultural, or ceremonial fisheries negatively impacted by the COVID-19 pandemic. Tribes were largely not consulted on this process for funds allocation by the U.S. National Oceanic and Atmospheric Administration (NOAA), and it was unclear how state governments would share relief funding with Tribes [19].

This article aims to fill the gap in knowledge on relief funding granted to Tribal fisheries through state funding mechanisms. State spending plans publicly available and submitted to NOAA before July 2021 were reviewed. The article argues that state and federal government agencies must do more to include Tribes in regional and national fisheries management, especially in times of economic crisis. In the following section, Indigenous Ocean justice in support of Tribal sovereignty for fisheries management is conceptualized. Then, subsequent sections explore the economic injustices present in the distribution of economic relief funding for Tribal fisheries under Sec. 12005 of the CARES Act [20]. Then, a presentation of the methodology and study results follows. Lastly, the article concludes with a discussion of the findings along with their implications for future interjurisdictional coordination for collaborative fisheries management.

The article's examination of states' written fisheries policy content is important for understanding how discursive practice can advance or hinder Indigenous Ocean justice. Following the scholarship of Ojibwe/Dakota theorist Scott Richard Lyons (2000), "rhetorical sovereignty" can be chosen to be advanced in lieu of "rhetorical imperialism" or "rhetorical exclusion" [21]. There are numerous definitions of sovereignty in law and politics; however, Lyons (2000) puts forward the following definition:

Sovereignty is the guiding story in our pursuit of self-determination, the general strategy by which we aim to best recover our losses from the ravages of colonization: our lands, our languages, our cultures, our self-respect. For indigenous people everywhere, sovereignty is an ideal principle, the beacon by which we seek the paths to agency and power and community renewal. Attacks on sovereignty are attacks on what it enables us to pursue; the pursuit of sovereignty is an attempt to revive not our past, but our possibilities. Rhetorical sovereignty is the inherent right and ability of peoples to determine their own communicative needs and desires [. . .].

(p. 449) [22]

Through this lens, state support of Tribal sovereignty in fisheries management supports Indigenous Peoples' well-being by insuring protection of Indigenous lands, waters, cultures, languages, and relationality with fish and Ocean kin. Similarly, discursive practice is not simply text on a page but rather an exercise in decolonization captured in the written word. Indigenous consent is not aspirational; it must manifest through affirmations of rhetorical sovereignty for Indigenous Ocean justice.

2. Indigenous Ocean Justice and Tribal Fisheries Management

In the United States, Tribal Nations exercise jurisdiction over marine environments through Tribal sovereignty, self-determination, self-regulation, as well as aboriginal and treaty rights that have never been extinguished. As with many fisheries across the United States and internationally, there is great diversity among Tribal fisheries, and the management thereof is heterogenous and reflective of distinct Tribal relations to unique ecosystems and places. Today, many Tribal Nations have their own natural resources and fisheries departments responsible for the management and protection of Tribal fishing rights and uses. However, these current exercises of regulatory authority represent hard-won legal battles for the enforcement of Tribal fishing rights that have historically and contemporarily been challenged by U.S. state and federal governments. Tribal–state–federal U.S. relations for fisheries management have been characterized as a contested relationship since the for-

mation of the United States, and in many instances, the volatile nature of these interactions dates to first contact and colonization [23–25].

The colonization of Turtle Island (North America) led to the rapid degradation of the land and waters and ultimately aquatic species [14,26]. As U.S. industrialization and colonization continued through the 19th and 20th centuries, settlers recognized the need for the establishment of public management agencies to protect existing species and prevent further degradation [14]. States established their own regulatory entities with the first state-level fish commission formed in 1856 in Massachusetts [14]. Subsequent states followed suit, and by 1932, there were state commissions in all 48 states with Alaska's and Hawaii's established upon statehood in 1949 and 1959, respectively [14,27]. As states recognized the transboundary nature of aquatic species management in marine environments, interstate commissions for fisheries were formed through interstate compacts approved by Congress [27]. The Atlantic States Marine Fisheries Commission was the first interstate fisheries commission formed in 1942, which was followed by the Pacific States Marine Fisheries Commission in 1947, the Gulf States Marine Fisheries Commission in 1949, and the Great Lakes Fishery Commission in 1955 [14,28,29]. Tribes were not consulted in the establishment of these interstate fisheries commissions nor permitted to serve as representatives. Moreover, during the period of formation of the interstate fisheries commissions (1940s–1960s), U.S. Federal Indian Policy was categorized as an era of termination where the federal government, often stemming from state government pressure, attempted to terminate the government-to-government relationship with Tribes and extinguish Tribal rights, especially those pertaining to natural resources [30–33].

As U.S. national fisheries management policy evolved, regional fisheries governance systems emerged, prioritizing states' rights [14,34]. In the aftermath, a complex web of Federal Indian Law litigation surfaced, securing treaty Tribes' fishing rights and curtailing state challenges to Tribal sovereignty [13,34–37]. However, state challenges to Tribal sovereignty persist, especially concerning Ocean and fisheries management. Today, despite there being 578 federally recognized Tribes in a government-to-government relationship with the United States [38], Tribal Nations still are largely absent from the U.S. interstate fisheries commissions, including the governance boards for the Atlantic States Marine Fisheries Commission (ASMFC); the Gulf States Marine Fisheries Commission (GSMFC); the Pacific States Marine Fisheries Commission (PSMFC); and the Great Lakes Fishery Commission (GLFC) [29,39–41].

With the absence of representation on existing interstate fisheries commissions, Tribal Nations in some regions developed their own fisheries commissions (see Table 1). In the Pacific Northwest, the Northwest Indian Fisheries Commission (NWIFC) was formed in 1974 after the Boldt Decision (*U.S. v. Washington*) recognized the inherent treaty fishing rights of Tribes and acknowledged their role as co-managers [42]. Today, NWIFC serves 20 Treaty Tribes in natural resource management in Washington [43]. Soon thereafter in 1977, the Columbia River Inter-Tribal Fish Commission (CRITFC) was established for the protection of treaty fishing rights and protection of tribal fisheries [44]. Other intertribal institutions that have formed in recent years for Tribal fisheries management include the Chippewa Ottawa Resource Authority (CORA) in 1981, the Upper Columbia United Tribes (UCUT) in 1982, and the Great Lakes Indian Fish and Wildlife Commission (GLIFWC) in 1984 [23,45–47]. Many of these Tribal fisheries commissions formed after lengthy legal battles to affirm Tribal fishing rights. In the case of GLIFWC, it “is an agency of eleven Ojibwe nations in Minnesota, Wisconsin, and Michigan, who retain off-reservation treaty rights to hunt, fish, and gather in treaty-ceded lands” [46]. In Maine, the Houlton Band of Maliseet Indians, Passamaquoddy Tribe, and Penobscot Nation formed the Maine Indian Tribal-State Commission (MITSC) in 1980 after the passage of the Maine Implementing Act [48]. The commission is charged with “adopting fishing rules for certain ponds, rivers, and streams adjacent to or within Indian Territory, making recommendations about fish and wildlife management policies on non-Indian lands to protect fish and wildlife stocks” [48]. Outside of Maine in the remainder of the Atlantic and Gulf regions, intertribal fisheries

commissions have yet to form, although United South and Eastern Tribes, Inc. (USET) does support the efforts of 33 federally recognized Tribes to protect Tribal fishing rights and uses from the Northeastern Woodlands to the Everglades and across the Gulf of Mexico [49]. One of the most recent intertribal fish commissions to form is the Kuskokwim River Inter-Tribal Fish Commission (KRITFC) founded in 2015 for the purpose of protecting Kuskokwim River fisheries resources in Alaska [50].

Table 1. Description of Tribal fisheries commissions.

Tribal Fisheries Commission Name	Founded	Geographical Area	Number of Tribal Nation Members
Northwest Indian Fisheries Commission (NWIFC)	1974	Pacific (Washington)	20
Columbia River Inter-Tribal Fish Commission (CRITFC)	1977	Pacific	4
Maine Indian Tribal-State Commission (MITSC)	1980	Atlantic (Maine)	3
Chippewa Ottawa Resource Authority (CORA) *	1981	Great Lakes	5
Upper Columbia United Tribes (UCUT)	1982	Pacific	5
Great Lakes Indian Fish and Wildlife Commission (GLIFWC)	1984	Great Lakes	11
Kuskokwim River Inter-Tribal Fish Commission (KRITFC)	2015	Pacific (Alaska)	33

Source: Author's own coding based on Tribal fisheries commission websites [43–48,50]. * Originally founded as Chippewa Ottawa Treaty Fishery Resource Authority (COTFMA) became CORA in 2000.

As Oberly (2014) notes regarding the formation of GLIFWC, very rarely prior to the formation of the intertribal fisheries commissions did non-Indigenous natural resource entities think to “ask the Indians” [23] (p. 48). Since the intertribal fisheries commissions’ formation, co-management has evolved with greater engagement and cooperation with Tribes although varied across regions [42]. Notably, the Pacific States Marine Fisheries Commission does list NWIFC as an advisor on their website for the State of Washington in the state’s role as a commissioner [41]. Outside of NWIFC’s advisory role, there exists no formal representation of Tribes on the interstate fisheries commissions. Furthermore, despite the longstanding presence of these Indigenous institutions in Tribal fisheries management, few outside of the Northwest Indian Fisheries Commission were identified in the coordination of decision making for the allocation of funds under Sec. 12005 of the Coronavirus Aid Relief and Economic Security (CARES) Act. Moreover, the power for funds distribution was delegated by NOAA to the three interstate commissions ASMFC, GSMFC, and PSMFC. Tribal leaders rebuked this decision as one of the greatest injustices of the 2020 relief process both for its lack of rationale in delegating authority to interstate commissions that do not represent Tribes and for its seeming dereliction of the federal trust responsibility [19]. The next section introduces the economic relief policies developed to assist U.S. fisheries in response to the COVID-19 pandemic. However, to adequately understand the scope of injustices Tribal Nations faced in relation to fisheries economic relief, we must first discuss the principles of Ocean justice.

Ocean justice focuses on the unequal distribution of Ocean resources in management and planning in society as supported by social institutions suffering from systemic racism and colonialism [51–53]. Moreover, Ocean justice is concerned with the recognitional, procedural, distributional, and relational advancement of justice for Ocean well-being. In the context of Indigenous Peoples and Tribal Nations, Indigenous Ocean justice ensures that Tribal Nations are (1) recognized as rightsholders and nations with sovereignty in marine environments; (2) leaders in decision making and co-management of shared ocean resources; (3) equitable beneficiaries of ocean benefits and not bearers of disproportionate

burden due to ocean uses; and (4) empowered to fulfill responsibilities for ocean kinship and stewardship. Thus, the disenfranchisement of Tribal Nations from participation nationally in fisheries management regimes is rooted in imperialism, colonialism, and the continued desire for *Oceanus nullius*—an ocean prime for usurpation by human exploitation. Devaluing and dehumanizing Tribal Nations as non-participants in fisheries decision making is a storied tactic of environmental racism [54].

Notably, of the 411 federally recognized Tribal Nations eligible for direct relief through state spend plans, only 31 received a direct allocation under two state spend plans: Washington ($n_{\text{Tribes}} = 29$) and Louisiana ($n_{\text{Tribes}} = 2$) (see Figure 1).

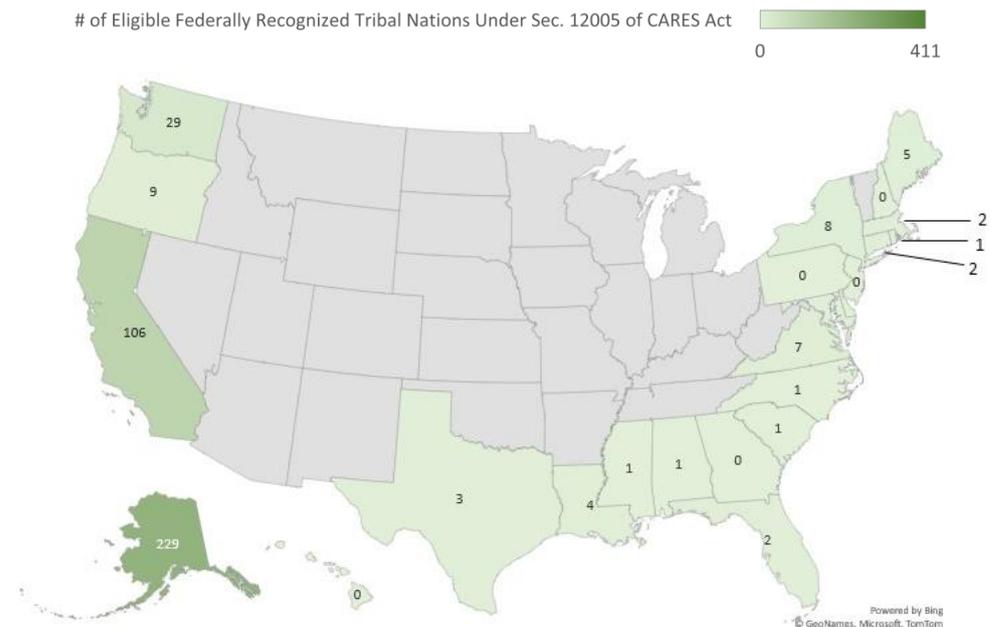


Figure 1. A map of the distribution of federally recognized Tribal Nations eligible for economic relief under Sec. 12005 of CARES Act. Great Lakes federally recognized Tribal Nations are absent from the map, as they were excluded from eligibility under Sec. 12005 of the Coronavirus Aid Relief and Economic Security (CARES) Act for fisheries relief funding. Additionally, the map does not include state-recognized Tribes and other Indigenous communities who were also excluded from funding eligibility. Author created.

The absence of formal Tribal representation on all U.S. interstate fisheries commissions limits Tribal opportunities for participation in U.S. fisheries management at regional and national scales. Moreover, without Tribal representatives with official appointments to commissions, there is little incentive for state actors to include Tribal interests and knowledge for fisheries co-management [23,24]. These distributive, participatory, and procedural injustices contributed to fragmented economic relief policies provided to Tribes evidenced in state spend plans during the COVID-19 Pandemic.

3. U.S. Fisheries Economic Relief Policy—The CARES Act

Many Tribal Nations throughout the United States faced devastating impacts to not only commercial fisheries because of COVID-19 but also to subsistence, cultural, and ceremonial fisheries. More broadly, the economic shocks to U.S. fisheries resulted in the allocation of \$300,000,000 in relief funding under Sec. 12005 of the Coronavirus Aid Relief and Economic Security (CARES) Act, of which Tribal Nations are listed as eligible participants. The CARES Act stated that relief would be provided for not only Tribal commercial fisheries but also for “any negative impacts to subsistence, cultural, or ceremonial fisheries” (Sec. 12005 (b) (2)) [20]. However, based on the review of state spend plans undertaken in this study, very few Tribal fisheries received relief for subsistence, cultural, or ceremonial

fisheries in practice. It begs the question: Why were Tribes not included in state spend plans for CARES Act fisheries relief funding despite legislative mandates for inclusion?

Many Tribal fisheries rely on an “informal economy” and cash transactions, which became difficult to quantify for CARES Act relief due to poor record keeping and lack of formal data collection by many Tribes, scientists, or federal agencies, including NOAA [3]. Tribal fishers are often beholden to a system of wholesalers who do not provide them with an accurate accounting of their purchases. Without documented data of a Tribal fishery’s economic losses, many Tribes and Tribal citizens were perceived to have had no negative impacts due to the pandemic. However, a lack of data does not equate to no negative impacts. Rather, it is emblematic of a broken system that does not prioritize or value Tribal data. This fragmented system has taken advantage of Tribal informal economies and proven costly for Tribes in the middle of a global crisis [19]. Only Tribes in regions with data requested by NOAA were provided a direct allocation (e.g., West Coast and Alaska). According to Tribal Leaders in other regions of the U.S., such as the Great Lakes and East Coast, they were surprised to learn that NOAA had contacted West Coast Tribes months before the CARES Act fisheries funding announcement requesting data on impacts to Tribal fisheries [19]. NOAA likely relied on existing relationships with Tribes in regions such as the West coast and Alaska due to the need for a quick assessment of negative impacts. However, this amplifies the existing inequalities across NOAA fisheries service in its policies and procedures for Tribal engagement and consultation that would amplify some Tribal voices over others. NOAA did not contact all Tribal Nations with fishery participants outside of the West Coast and Alaska for data before setting funding allocation determinations. Instead, Great Lakes and other Tribal Nations learned about their ineligibility for funding or that they would have to apply through the state programs to receive relief during Tribal listening sessions NOAA hosted shortly after the funding announcement in May 2020.

In May and June 2020, NOAA held a series of Tribal “consultation” webinars to explain the CARES Act Sec. 12005 funding allocations that had already been determined to disburse the \$300 million based on existing fisheries data [20]. Tribal leaders who attended the sessions expressed concern that it was not a formal Tribal consultation to negotiate the funding allocations and distribution process. Instead, NOAA officials presented an allocation scheme predetermined for Tribes without their input. Additional confusion arose during the webinars over the limited details on how funds would be disbursed to Tribes and that, shockingly, Great Lakes and inland freshwater fishery Tribal Nations would not be eligible for any of the economic relief funding [19,55]. Notably, Sec. 12005 did not solely exclude Great Lakes Tribal fisheries but all inland freshwater fisheries throughout the United States listing eligible fisheries as only those within coastal states with marine or anadromous fisheries and/or marine shellfish or finfish aquaculture operations. During these sessions, Tribes were further notified that West Coast federally recognized Tribes and Alaska federally recognized Tribes received separate direct relief funding allocations determined by NOAA (see Table 2). All other Tribal Nations outside of those regions were advised that they would receive information from the interstate fisheries commissions and states about relief available to Tribes for commercial, subsistence, cultural, and ceremonial fisheries under the allocation of state funding.

Under the CARES Act Sec. 12005, each state must create a spending plan with detailed objectives on how it will disburse the funds allocated under the relief program [20]. Once the plan was drafted, it was sent to NOAA for approval before funds could be disbursed. During the NOAA consultations in May/June 2020, many Tribal leaders assumed that state spending plans would be developed in consultation with Tribes to ensure that sufficient relief was also provided to Tribal fisheries. In this study, the state CARES Act spending plans were reviewed to assess whether Tribes were or were not included based on written policies. Through critical discourse analysis, the article highlights many of the endemic discursive Ocean injustices facing shared fisheries management, planning, and policy across the Tribal–state–federal U.S. relations.

Table 2. Summary of allocations, eligible federally recognized Tribes, and spend plans.

Entity	Allocation of Sec. 12005 Funding	Eligible Federally Recognized Tribes	Spend Plan Analyzed in Study
Alaska	\$50,000,000	229 **	Yes
Washington	\$50,000,000	29 **	Yes
Massachusetts	\$28,004,176	2	Yes
Florida	\$23,636,600	2	Yes
Maine	\$20,308,513	5	Yes
California	\$18,350,586	106 **	Yes
Oregon	\$15,982,827	9 **	Yes
Louisiana	\$14,785,244	4	Yes
New Jersey	\$11,337,797	0	Yes
Texas	\$9,237,949	3	Yes
New York	\$6,750,276	8	Yes
North Carolina	\$5,460,385	1	Yes
Federally Recognized Tribes on the West Coast	\$5,097,501	144	Not Available
Virginia	\$4,520,475	7	Yes
Hawaii	\$4,337,445	0	No
Maryland	\$4,125,118	0	Yes
Pennsylvania	\$3,368,086	0	Yes
Alabama	\$3,299,821	1	Yes
Rhode Island	\$3,294,234	1	Yes
New Hampshire	\$2,732,492	0	Yes
American Samoa	\$2,553,194	0	No
Georgia	\$1,921,832	0	Yes
Connecticut	\$1,835,424	2	Yes
Mississippi	\$1,534,388	1	Not Available
South Carolina	\$1,525,636	1	Yes
Delaware	\$1,000,000	0	Yes
Puerto Rico	\$1,000,000	0	No
United States Virgin Islands	\$1,000,000	0	No
Federally Recognized Tribes in Alaska *	\$1,000,000	229	Not Available
Guam	\$1,000,000	0	No
Commonwealth of the Northern Mariana Islands	\$1,000,000	0	No
Total	\$300,000,000	411	N = 22

Adapted with permission courtesy: NOAA Fisheries from ref. [56]. 2021. NOAA Fisheries. * NOAA determined allocation based on data from the only federally recognized Tribe in the state with Tribally managed commercial fishery. ** Eligible under separate allocation for West Coast or Alaska federally recognized Tribes.

4. COVID-19 Negative Impacts on Tribal Fishing Rights and Uses

The experiences of Tribal fishers and Tribal fisheries are largely absent from U.S. fisheries studies on COVID-19 impacts [5–7]. Tribal Nations are diverse, and the evolution of Tribal fisheries across what is currently known as the United States varies. Prior to exploring state-discursive approaches to the inclusion of Tribes and Tribal fisheries participants in the development of fisheries relief plans, it is important to examine a few snapshots of Tribal fishers' pandemic experiences of negative impacts. Tribal fisheries participants' experiences inclusive of "narratives and stories" are often captured through interviews, storytelling, and reporting in a variety of media ([57] p. 427). Stories of negative impacts to Tribal fisheries during the pandemic are discussed in the following sections and underscore the disconnect between state policy content as drafted in relief spend plans and policy outcomes for many Tribal fisheries when needed relief goes unmet.

4.1. Impact on Commercial Fishing

The COVID-19 pandemic impacted many Tribal commercial fisheries throughout the United States [58]. In the Columbia River Basin, Tribal fishers have been negatively impacted by the decreased demand for salmon and the limited ability to socially distance at fishing sites given existing building and space limitations to reduce community spread [3]. Many fishing sites do not have adequate water and sanitation facilities to help combat the spread of the virus ([3]. In Maine, the elver fishery was severely impacted by the pandemic, including a delay in the start of the season, and many Tribal Nations worried that travel to ancestral fishing spots would increase the spread of the virus [59,60]. Tribal fishers were also unable to socially distance while fishing given the size of their boats and the number of people needed to operate the equipment. These factors, along with fishers potentially coming from multiple households or other regions and traveling to fishing sites, increases the likelihood of spread of COVID-19 among an already vulnerable population ([3]. In 2020, COVID-19 vaccines were not yet available to Tribal fishers. Recognizing the inability to socially distance on vessels and at fishing sites in many locations, Tribal Nations had to ensure COVID-19 testing was available for all Tribal fishers and crew and ensure all had access to a PPE to ensure mask wearing at all time [61]. This amounted to a significant financial burden for many Tribes and fishers.

Tribal Nation fisheries are the primary source of income for many Tribal citizens across Indian Country [3]. Some of the impacted Tribal commercial fisheries included but are not limited to clam, crab, eels/elvers, geoduck, lobsters, oysters, prawn/shrimp, salmon, scallops, sockeye, whitefish, and more. Tribal fishers were reliant on Sec. 12005 CARES Act funding because many did not qualify for other relief programs such as the Paycheck Protection Program, small business loans, or unemployment assistance programs [20,55]. Bennett et al. (2020) identified that one of the top actions governments can take to support fisheries, including Tribal fisheries, is to provide “targeted economic relief” ([4] p. 342). Despite facing devastating impacts due to COVID-19, including decreased demand from restaurants and limited export opportunities, Great Lakes Tribal Nations were not listed as eligible “fishery participants” in the initial \$300 million economic relief package under the CARES Act announced in May 2020 [19]. Great Lakes Tribal fishers also have treaty-protected fishing rights and robust commercial fisheries that had to bear significant financial burden from market shocks and meet new requirements for PPE and cleaning materials [19]. With limited relief coming from the CARES Act funding in a timely manner, some Tribal Nations created processes for direct payments [62,63].

In addition to commercial impacts related to wholesale and direct market sales, there were also significant tourism impacts on Tribal fisheries [64]. Many Tribal Nations provide licenses to non-Tribal members to fish in areas located within their territorial boundaries. Charter boat operation and for-hire tourism fishing are also vital economic endeavors for many Tribal citizens throughout the United States. Decreases in tourism likely impacted a variety of commercial and economic fisheries activities of Tribes. However, commercial fisheries were not the only Tribal fishery impacted by COVID-19; as Poe et al. (2015) underscore, many Tribal fisheries are examples of mixed fisheries that include commercial fisheries and symbiotic and resilient maritime heritages built through subsistence, cultural, and ceremonial fisheries [65].

4.2. Impact on Subsistence

Subsistence fishing is a significant portion of Tribal fisheries in non-COVID times [65]. However, it is even more of a necessity during the pandemic, as many Tribal fishers looked to traditional fishing practices to feed their families and communities, especially those out of work or fearful of traveling long distances to their nearest grocery store to purchase food. Some Tribal Nations also issue traditional subsistence or sustenance fishing permits for Tribal citizens, such as the Penobscot Nation. Additionally, Tribal Nations such as the Upper Mattaponi Indian Tribe and Pamunkey Indian Tribe harvest American shad for subsistence and cultural fisheries maintenance. Subsistence fishing is embedded within the

socio-ecological systems of Tribal Nations across the United States [8,9]. Tribal pandemic narratives of subsistence fishing highlighted the systemic racism many Tribal subsistence fishers still face today. Mashpee Wampanoag Tribal citizens were the victims of harassment early on during the pandemic as they exercised their aboriginal fishing rights. However, with more people at home and frequenting open spaces for COVID-19-friendly outdoor activities, the “self-deputized” settlers were vicious in targeting Mashpee subsistence fishers, deeming their fishing activities illegal and calling the police [66]. Evidence shows that Tribal Nations and Tribal citizens were often limited in their ability to carry out traditional subsistence fishing during the pandemic and had to adapt their ceremonial fishing practices in response to the pandemic.

4.3. Impact on Ceremonial

The inability to gather publicly due to public health and social distancing guidelines impacted many Tribal ceremonial and cultural practices among Indigenous coastal communities. The height of the first wave of the COVID-19 pandemic in March 2020 also marked the arrival of Spring and, for many Tribal Nations along the west coast, the time of year for the annual celebrations of the First Salmon Ceremony [61]. Some Tribal Nations had to cancel their annual fishing ceremonies due to the pandemic with hopes to be able to return to the ceremony in the coming years [67]. Some Tribal Nations were able to postpone their ceremonies or adjust to accommodate social distancing and other health guidelines. As Lorraine Loomis, chair of the Northwest Indian Fisheries Commission, states about the impacts COVID-19 on her Tribal Nation:

[T]he Swinomish Indian Tribal Community holds a First Salmon Ceremony and Blessing of the Fleet in May each year. It is our largest community celebration. We welcome the salmon with drums, songs, and prayers. We invite our neighbors to share this food that has always sustained us, and we pray for the safety of our fishermen and their boats. Like many Tribes, we had to make some changes this year, but were able to prepare salmon meals and deliver them to Tribal members in their homes.

[67]

Tribal Nations are resilient, and many adapted their ceremonies to include drive-through food pick-ups and live streaming through social media platforms such as Facebook for Tribal members to participate in the ceremony from the safety of their homes [61,67]. These narratives of negative impacts on Tribal commercial, subsistence, and ceremonial fisheries due to the COVID-19 pandemic stand in stark contrast to the discourse presented in state spend plans that there were no known impacts to Tribal fisheries resulting from the pandemic. These narratives underscore the Ocean injustice facing many Tribal Nations across the United States and the failure of existing fisheries management regimes to ensure recognition, procedural, distributional, and relational justice for Ocean well-being. This article aims to fill some of these gaps through an Indigenous Ocean justice approach to critical discourse analysis of state spend plans.

5. Methods

This article analyzes the strengths and weaknesses of the CARES Act spend plans across twenty-two U.S. states, which delegated authority to distribute economic relief funds to Tribal commercial, subsistence, cultural, and ceremonial fisheries negatively impacted by COVID-19. Critical discourse analysis (CDA) in conjunction with comparative policy analysis was used to assess spend plans across state jurisdictions [68]. Comparative public policy analysis is often used to analyze policy documentary evidence in the areas of natural resource management and local environmental planning [68–70]. Within comparative analysis studies, policies can be assessed based on the policy process, policy content, policy quality, policy change, and policy outcomes [71]. Given the ongoing nature of pandemic impacts on Tribal fisheries, policy change or the long-term evolution of fisheries relief for Tribes is beyond the scope of the article. Similarly, assessment of policy process and quality

are areas for future research. However, to build a baseline for such future research, this article focuses on a critical analysis of policy content and policy outcomes.

Policy content includes the types of actions and activities undertaken by state governments and interstate fisheries commissions in developing spend plans under the CARES Act and the differences across jurisdictions [72]. Policy outcomes focus on uncovering opportunities for best practices in fisheries policy making that are inclusive of Tribal Nations. The spend plan text was read and closely analyzed through Critical Discourse Analysis (CDA) to identify themes and assess discursive trends [73–75]. CDA scholar Van Dijk (1999) highlights that one of the advantages of CDA is its ability to “be used to discuss more loosely, but also more freely, the many ways power, dominance and inequality are expressed, enacted and reproduced in discourse, both in its structure and its contents” ([75] p. 460). The purpose of this study is to examine the discursive practices of states as presented in the economic relief spend plans—a distinct form of policy content.

First, all spend plans had to be gathered across the eligible states ($n = 22$). Spend plans were deductively analyzed for their mention of Tribal eligible claims (commercial, subsistence, cultural, and ceremonial), identification of eligible Tribes in the region by specific name (federally recognized and state-recognized Tribes), provision of direct relief allocation to Tribe(s) or Tribal citizens, and inclusion of an appeal process specific to Tribes or Tribal citizens. Plans included in the study were those available publicly online. MAXQDA, a mixed methods software, was utilized to organize spend plans and code for qualitative portions in alignment with legislative themes previously mentioned. Plans were analyzed for legislative consistency based on explicit statements in the document text. Next, CDA of state spend plans was utilized to determine the discursive themes of inclusion and exclusion of Tribes relative to the legislative protections afforded to Tribal fisheries. Spending plans detail the fishery participant categories eligible for relief from the state and the decision of how to distribute funds either through direct payments, fishery-related infrastructure, and fishery-related education related to impacts from COVID-19 [41]. The CDA revealed four main discursive themes that highlighted the power dynamics and inequality facing Tribes present in the policy content across the states' spend plans.

This study is limited in its national scope given that there are 578 federally recognized Tribes, each with a distinct nation-to-nation relationship with the U.S. government that shapes the evolving history of fisheries management at the Tribal Nation level and across governance scales. The national scale of the pandemic and scope of this article prevents a complete and detailed analysis at the individual Tribal Nation scale, but future research that includes this level of detail is needed. Nevertheless, this qualitative analysis fills a gap in the literature and provides a strong foundation for further study. Additionally, the spend plan for Mississippi was not publicly available for review as of July 2021. This study relied on publicly available data, critical discourse analysis of spend plans, and narratives of Tribal fishery participants captured in the media and gray literature of Tribal governments. Despite these limitations, given the already rapid impacts of COVID-19 on Tribal fisheries, this research provides a critical and necessary study of the efficacy of existing economic relief efforts by states to meet the mandates of the congressional legislation for the protection of Tribal fisheries. In comparing state spend plans for fisheries relief, we can assess similarities and differences in policy content for addressing negative impacts to Tribal fisheries. In doing so, this empirical account draws out lessons to improve future economic relief policies to benefit all impacted fisheries.

6. Results

In total, twenty-two ($n = 22$) state spend plans under Sec. 12005 of the CARES Act were reviewed (see Table 2). Overall, Tribes and Tribal fishery participants were not included in the spend plans of state governments provided an allocation of Sec. 12005 funding by NOAA. Hawaii, Guam, Commonwealth of the Northern Mariana Islands, American Samoa, Puerto Rico, and the United States Virgin Islands were beyond the scope of this study despite having significant Indigenous populations and sovereign Indigenous nations fighting

continued occupation by the U.S. government [76,77]. Moreover, Indigenous Peoples in these regions are not included within the federal register of federally recognized Tribes.

Freshwater fisheries are vital to commercial, subsistence, ceremonial, and cultural practices of Tribal Nations and were also devastated by the COVID-19 pandemic. The Great Lakes Fishery Commission states that the “Great Lakes commercial, recreational, and Tribal fisheries are collectively valued at more than \$7 billion annually and support more than 75,000 jobs” [40]. However, according to guidance published by NOAA in May 2020, Tribes in non-coastal states with freshwater fisheries were not eligible for Sec. 12005 funds. This resulted in many Tribal Nations with freshwater fisheries impacted by COVID-19 receiving no federal economic relief under the CARES Act Sec. 12005. In the Great Lakes, this meant that 36 Tribal Nations whose communities depend on commercial and subsistence fishing and who also faced negative impacts on cultural and ceremonial practices were absent from any federal economic relief for fisheries [19,55].

In determining the allocation decisions for the CARES Act fisheries funding, NOAA admitted that they used data readily available to make the funding allocations as “quickly as possible while accounting for regional variability” [56]. The state allocations were based on commercial fishing, aquaculture, seafood sector, and for-hire fishing revenues. Based on the total average annual revenue across all sectors, a proportional allocation was assigned using the following formula (see Figure 2):

$$\$300,000,000 \times \frac{\text{State/Territory/ Tribes Total Average Annual Revenue (all sectors)}}{\text{Total Average Annual Revenue across all States/Territories/ Tribes}}$$

Figure 2. NOAA Sec. 12005 Allocation Formula. Reprinted with permission courtesy: NOAA Fisheries from ref. [56]. 2021. NOAA Fisheries.

Notably, Tribal fisheries data were only collected from the west coast and Alaska federally recognized Tribes. The omission of representative Tribal data from all eligible 411 Tribes to inform allocation determinations represented recognitional, procedural, and distributive injustices throughout the relief process. Additionally, the distribution of funding to affected fisheries was not immediate, leaving many fishers across Tribes and the states without relief late into 2020 [62]. According to a General Accounting Office report, as of October 23, 2020, only \$16.5 million of the \$300 million in CARES Act funding for fisheries relief had been disbursed [78].

In developing their spend plan, the State of Washington, according to a press release issued on 8 December 2020, met with the “24 treaty Tribes to learn about their COVID-19 impacts to subsistence, cultural and ceremonial fisheries” [79]. In contrast to how other states developed their spend plans, Washington was among the few states that consulted with Tribal Nations in their region impacted by COVID-19 and eligible for funds according to the CARES Act. Despite Washington Tribes being eligible under the direct allocation for West Coast federally recognized Tribes, they were also awarded a direct allocation of 22% under the state plan. Among the state entities that received a direct allocation from NOAA under sec. 12005, there are 411 eligible federally recognized Tribes overall. Some federally recognized Tribes ($n = 144$) are eligible for funding through the west coast federally recognized Tribes allocation, and Alaska Native Tribes ($n = 229$) were also eligible under their own allocation. However, the remaining 38 Tribal Nations and their citizens across the Atlantic and Gulf states were promised funding through state allocations. Overall, only two (2) Tribal Nations of the 38 were provided a direct allocation through state relief. These Tribes were consulted by and provided an allocation by the State of Louisiana. Additionally, across the state spend plans reviewed ($n = 22$), there are a total of 54 state-recognized Tribes, none of which received direct allocation or explicit mention for relief in state spend plans.

To assess levels of inclusion and support for Tribal sovereignty and fishing rights, the spend plans were reviewed for explicit mention of identification of the following: eligible Tribes in the region by specific name (federally recognized and state-recognized Tribes);

Tribal eligible claims (commercial, subsistence, cultural, and ceremonial); provision of direct relief allocation to Tribe(s) or Tribal citizens; and inclusion of an appeal process specific to Tribes or Tribal citizens (See Table 3).

Table 3. Critical analysis of state submitted Sec. 12005 CARES Act spend plans.

Spend Plan Entity	Identify Tribes Eligible by Name		Tribal Eligible Claims				Provide Direct Relief Allocation	Tribal Appeal Process
	Federally Recognized	State Recognized	Commercial	Cultural	Subsistence	Ceremonial		
Alabama	No	No	No *	No	No	No	No	No
Alaska	No ***	N/A	No	No	Yes	No	No	No
California	No **	No	No *	No	No	No	No	No
Connecticut	No	No	No *	No	No	No	No	No
Delaware	N/A	No	No	No	No	No	No	No
Florida	No	N/A	No	No	No	No	No	No
Georgia	N/A	No	No	No	No	No	No	No
Louisiana	Yes	No	Yes	Yes	Yes	Yes	Yes	No
Maine	Yes	N/A	No *	No	No	Yes	No	No
Maryland	N/A	No	No	No	No	No	No	No
Massachusetts	No	No	No *	No	No	No	No	No
New Hampshire	N/A	N/A	No	No	No	No	No	No
New Jersey	N/A	No	No *	No	No	No	No	Yes
New York	No	No	No *	No	No	No	No	No
North Carolina	Yes	Yes	No *	No	No	No	No	No
Oregon	No **	N/A	No	No	No	No	No	No
Pennsylvania	N/A	N/A	No	No	No	No	No	No
Rhode Island	No	N/A	No *	No	No	No	No	No
South Carolina	No	No	No	No	No	No	No	No
Texas	No	No	No	No	No	No	No	No
Virginia	No	No	No *	No	No	No	No	No
Washington	Yes **	N/A	Yes	Yes	Yes	Yes	Yes	No

Author created. N/A listed for states in which there is either no federally recognized and/or state recognized Tribes. However, there may still be unrecognized Indigenous communities present in the region. * No commercial claim allocation made available to Tribe. Individual Tribal members who meet the same state requirements as other residents of the state may apply under general state relief program. ** Identified Tribes eligible under separate West Coast federally recognized Tribes allocation through NOAA. *** Identified Tribes eligible under separate Alaska federally recognized Tribes allocation through NOAA.

6.1. Identify Tribes Eligible by Name (Federally Recognized/State Recognized)

Many state spend plans claimed that either because they had no federally recognized Tribes and or there were no known ceremonial fisheries, there was no need to provide a direct allocation to Tribes [80–84]. Some states, such as New Jersey and Delaware, do not have federally recognized Tribes, but they have state-recognized Tribes with likely impacted Tribal fisheries participants. However, Delaware's spend plan did not include any mention of subsistence or ceremonial fisheries impacts nor the potential impact on state-recognized Tribes in the region [85]. Even still in states with federally recognized Tribes such as Connecticut, the state's spending plan did not mention impacts on subsistence or ceremonial fisheries despite two federally recognized Tribes, the Mashantucket Pequot Tribal Nation and the Mohegan Tribe [86]. New York did not mention any of the federally recognized or state-recognized Tribes directly, including the federally recognized coastal Shinnecock Indian Nation and the state-recognized coastal Unkechaug Indian Nation on Long Island [81]. Florida and South Carolina did not mention Tribes, subsistence, cultural, or ceremonial fishing in their plan despite numerous Tribes in the region [87,88]. North Carolina included mention of state-recognized Tribes through a map of federal and

state-recognized Tribes, although they indicated they did not believe there had been any negative impacts to Tribal fisheries [89]. Maine was the only state to mention the rights of the Passamaquoddy Tribe, the Penobscot Nation, the Aroostook Band of Micmacs, and the Houlton Band of Maliseet Indians to provide commercial, cultural, and sustenance licenses to their Tribal citizens [90]. The following section explores those eligible claims identified by states who recognized negative impacts from COVID-19 on Tribal fisheries.

6.2. Mention of Tribal Eligible Claims

Under Sec. 12005 of the CARES Act, state spend plans were to include eligible relief for Tribal Nations or Tribal citizens for commercial fishing, aquaculture, for-hire fishing, seafood processors/dealers, cultural, ceremonial, or subsistence fishing. In reviewing, the 22 state plans publicly available, Louisiana and Washington were the only states to explicitly acknowledge that the cultural, ceremonial, subsistence, and commercial claims from Tribal Nations and Tribal citizens were eligible under the state spend plan [91,92]. Massachusetts, Rhode Island, New York, and Virginia recognized the Aboriginal and Tribal fishing rights of Tribes explicitly in their plans [80–83]. However, these states' spend plans did not identify an eligible Tribal claim for economic relief given the state had not issued any executive orders prohibiting Indigenous ceremonial or subsistence fishing. Alaska included a general population subsistence eligibility [93]. Massachusetts found no negative impact on Tribal fisheries ([83], but this stands in stark contrast to narratives of Mashpee Wampanoag Tribe fishers explored earlier. North Carolina's spend plan noted that although the state issues a Subsistence Coastal Recreational Fishing License, they found that subsistence fishing was not impacted due to COVID-19, as the state did not issue any restrictions or regulations on this activity [89].

6.3. Provided Direct Relief Allocation

Louisiana and Washington were the only states to explicitly mention in their spend plan that they engaged in consultation with federally recognized Tribes (although they did not name them specifically) and provided a direct allocation for Tribal fisheries. Louisiana allocated 2% of the overall CARES funding allocation of \$14,785,244 [91]. Washington allocated 22% of the overall CARES funding of \$50,000,000 to Tribes in which the Northwest Indian Fisheries Commission will submit separate spend plans for Treaty Tribes [92]. No other state provided a direct relief allocation to federally or state-recognized Tribes through their spend plans. Additionally, of the spend plans reviewed, Louisiana and Washington were the only states to meet with the Tribes in their region to determine how best to disburse the state allocation. This level of intergovernmental coordination is a bright spot of consultative best practice for fisheries management and Tribal–state relations that is not evidenced in any of the other study findings.

6.4. Included Appeal Process

For approval, spend plans must explain the appeals process by which claimants who are denied CARES Act fishery economic relief funding may appeal the decision. All the state spend plan appeal processes detailed in their spend plans were reviewed for explicit mention of Tribes and Tribal eligible claims under commercial, cultural, ceremonial, or subsistence fishing. New Jersey was the only state to specifically provide grounds for an appeal based on Tribal or subsistence eligibility [94]. Although New Jersey has no federally recognized Tribes, they provided language in their appeal process by which a citizen of a federally recognized or state-recognized Tribe could appeal the eligibility determinations of the state. The inclusion of Tribes in the appeal process was an additional best practice bright spot toward achieving more equitable outcomes.

The analysis documented the number of states that afforded direct relief, provided an appeals process, listed Tribal eligible claims, and identified Tribes by name. However, to go beyond the numbers, the study also examined how state policy content discourse shaped their overall support of Tribal sovereignty in marine environments.

7. Discourses

Through an analysis of publicly available state spend plans submitted under Sec. 12005 CARES Act, four main discursive themes related to Tribal eligibility for fisheries economic relief were identified with associated subdiscourses (see Figure 3). The first discourse identified is “consult”, which of those found in state spend plans represents the highest level of support for Tribal sovereignty and fishing rights. The second discourse “acknowledge” is characterized by those states that acknowledge the presence of adjacent Tribes by name and their associated rights but do not provide economic relief direct to Tribes rather require Tribal citizens to apply under general population rules for state residents. The third discourse, “exclusionary”, does not mention Tribes specifically by name, but it acknowledges that Tribes have protected rights and uses, and it includes a statement that Tribes are not eligible for economic relief without an explicit state violation of Tribal fishing rights or uses. The last discourse, “erasure”, captures those state spend plans that do not mention Tribes or Tribal rights and uses despite legislative requirements and represents the least level of support for Tribal sovereignty and well-being. The following discussion of discursive themes provides an overview of the characteristics of these discourses identified through state spend plan textual analysis.



Figure 3. Discourses present in state spend plans ($n = 22$) for Tribal fisheries economic relief under Sec. 12005 of the Coronavirus Aid Relief and Economic Security (CARES) Act.

7.1. Theme 1: Consult

Proponents of this discourse identify Tribal Nations as partners in co-management of fisheries. Moreover, this discursive praxis not only acknowledges Tribal sovereignty but actively works to support Indigenous rights to self-determination and free, prior, and informed consent as protected under international law by the United Nations Declaration on the Rights of Indigenous Peoples [10]. Co-management conceptually emerged as a practice among state governments after it was mandated by the courts following litigation battles with Tribes [36,42,95]. It should be noted that many Tribes view their role in relation to the natural world and fisheries as beyond management. The relationship is based on responsibility to marine environments, and it is inclusive of the fish, water, and Ocean as kin [96–99]. This responsibility-based approach centers the environment and humanity’s duty to be caring, compassionate relations to the natural world.

Tribes are not stakeholders [37,100]. They are nations and rights holders. To adequately assess negative impacts to Tribal fisheries, this discourse supports consulting with Tribes to meaningfully determine impacts through interjurisdictional coordination. Consultation is a tool to support the effective fulfilment of the government-to-government relationship [95]. Moreover, consultation is not the end goal but the means to develop

effective Tribal–state–federal relationships for fisheries management. In advancing Indigenous Ocean justice, Tribes also have a “procedural right to consultation” under the federal trust responsibility ([36] p. 298). Even for non-federally recognized Tribes, Article 28 of the United Nations Declaration on the Rights of Indigenous Peoples states that Indigenous Peoples have the right “to redress, by means that can include restitution [. . .] for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent” [10]. As such, Indigenous Peoples including state-recognized Tribes have a right to free, prior, and informed consent for projects and resource takings inclusive of fisheries. When these rights are ignored, Indigenous communities are violated. United Houma Nation scholar Adam Crepelle (2020) highlights how the failure to adequately consult state-recognized Tribes in environmental governance can lead to disastrous policy outcomes for Indigenous Peoples as seen with the botched climate relocation efforts for Louisiana coastal Indigenous communities [101]. Louisiana’s state spend plan although categorized under a higher level of support for Tribal sovereignty among federally recognized Tribes failed to mention or consult with any Louisiana state-recognized Tribes or other Indigenous communities. The plan met the CARES Act Sec. 12005 legislative mandate for Tribal inclusion but could have gone further to advance discursive principles of Indigenous Ocean justice.

After consulting with Tribes through negotiated and mediated processes based in mutual respect, spend plans characterized by this discourse allocate direct economic relief packages for Tribes (see Table 4). This practice represents an advancement in distributional justice ensuring Tribes are not only equitable beneficiaries but decision-makers [36,52]. However, consultation is not consent. The consultative discourse is typified by consultation that leads to the exercise of Tribal sovereignty through consent-based processes and or negotiated cooperative terms that represent the consensus of all entities [102]. Tribal consultation fails when federal and state governments claim to “listen” to Tribal concerns without recognition of Tribal Nations as sovereigns and actionable commitments to address Tribal objections. The duty to consult and co-manage aboriginal and treaty rights are interwoven strands of the “eco-social structure” of settler colonialism that informs interjurisdictional fisheries coordination and cooperation in the U.S. [103]. Despite the “consult discourse” representing the highest level of support in the state spend plans reviewed, there is still more growth needed by settler–colonial governments to fully recognize and support Tribal self-determination and sovereignty in fisheries.

Table 4. Examples of discursive themes on Tribal eligibility for fisheries relief present in state spend plans.

	Examples
Theme	Bold emphasis added to highlight features of the theme. Tribal Nations and Intertribal Fish Commissions underlined where specifically named.
Consult	Louisiana: “LDWF has determined that there are currently four federally recognized tribal communities in LA. Of those four, only two are near the coastal zone. LDWF has contacted each tribal community to determine if they would qualify for this project and each of them have stated that they have not experienced negative impacts to subsistence, cultural, or ceremonial marine fisheries. To ensure funding is available should this determination change, LDWF has allocated funds for two tribes. It is likely that these funds will go unused and will be redistributed back to the other sectors prior to dispersal of the second payments. Sub-sector allocations and criteria will not be utilized for tribes.” ([91], p. 8)

Table 4. Cont.

	Examples
	Washington: “PSMFC will distribute 22% of the available Washington state funding to spend plans developed by the Washington treaty tribes, as set forth in the tribal set-aside addendum, and the remaining 78% of the funds according to the main body of this plan. [. . .] The plan was developed by the Office of Governor Jay Inslee with assistance from the Washington Department of Fish and Wildlife, Washington Department of Agriculture, Washington Department of Commerce, Office of Financial Management, and in conjunction with the treaty tribes. The state spend plan provides for the submission of separate individual tribal government spend plans. The Northwest Indian Fisheries Commission will submit an addendum on behalf of the treaty tribes.” ([92], p. 1)
	Maine: “All members of the Passamaquoddy Tribe, Penobscot Nation, Aroostook Band of Micmacs and Houlton Band of Maliseet Indians who meet the general eligibility criteria and the sector specific criteria described below will receive a letter from Maine DMR regarding the application and appeal processes. [. . .] No regulatory actions were taken to constrain saltwater sustenance or ceremonial tribal use as a result of the coronavirus. ([90], p. 4)
Acknowledge	North Carolina: “North Carolina has one federally recognized Tribe and several state-recognized Tribes (see Figure 1). In North Carolina, there are no fishery-specific allocations. NCDMF is unaware of any tribal subsistence or ceremonial fisheries that take place outside of the state’s current fishery management system in coastal fishing waters. [. . .] Issuance of this fishing waiver was not restricted or constrained by the COVID-19 pandemic or by any state regulation or executive order in response to the COVID-19 pandemic. [. . .] Just as the general population is instructed in this proposal, the tribal businesses and tribal members are limited to applying for assistance from one of the five groups within the three eligible stakeholder categories.” ([89], p. 4)
	New York: “In New York, there are no fishery-specific quotas for federally recognized tribes or identified ceremonial fisheries that were affected. New York acknowledges Tribal fishing rights that may take place in the State for subsistence purposes such as the harvest and consumption of various types of marine resources (e.g., fish, shellfish, crustacea) by tribal members and their families. This activity was not restricted by the pandemic or by any State Executive Order enacted due to COVID-19.” ([81], p. 4)
Exclusionary	Massachusetts: “In Massachusetts there are no fishery-specific allocations (e.g., quotas) for tribes or known ceremonial fisheries that were affected. The Commonwealth recognizes aboriginal fishing rights allow the taking of fish for subsistence purposes, notably the harvest and consumption of those fish and shellfish by the harvester and his/her family. Fishing for these purposes was not restricted or constrained by the pandemic or by any state rules enacted in response to the pandemic.” ([83], p. 4).
	New Jersey: “The State of New Jersey does not have any Federally-recognized tribes, nor does the State of New Jersey have any agreements with State-recognized tribes regarding subsistence fishing. Therefore, the State of New Jersey will not be allocating money for any tribal and subsistence fishing that may have been impacted by COVID-19.” ([94], p. 3)
Erasure	Florida: “The goal of this federal assistance package submitted by FWC is to provide financial relief to commercial fishermen, seafood wholesale dealers, charter fishing businesses, and marine aquaculture businesses.” ([87], p. 2)
	South Carolina: “Eligible fishery participants include fishery-related businesses who have incurred, as a direct or indirect result of the COVID-19 pandemic...” ([88], p. 2)

7.2. Theme 2: Acknowledge

This discourse acknowledges Tribes by name and includes sufficient background to recognize the government-to-government relationship. The process of recognition of Tribes explicitly in fisheries policy content by settler governments is a strategic practice that can support Tribal sovereignty and rights of self-determination. However, recognition can also be strategically wielded as a tool of oppression to normalize settler-colonial domination [104]. These politics of recognition are embedded within the fabric of colonialism, but there are different ways in which these politics emerge globally and present themselves for Indigenous Peoples [105–108]. Notably, the North Carolina spend plan's acknowledgment of state-recognized Tribes through the inclusion of a map of all Tribes federal and state recognized was a unique plan feature not present in other state spend plans. This acknowledgment may be the result of Tribal advocacy in recent years for environmental and water justice [109]. However, overall, the remaining state spend plans did not mention or acknowledge state-recognized Tribes.

Attempts to recognize Tribal fisheries have historically been met with hostility from state and federal powers, resulting in lengthy and costly litigation battles [13,15,17,23,102,110]. The acknowledge discourse while conveying the recognition of Tribal fishing rights and uses fails to disrupt the status quo, which advantages state powers in fisheries management. This is emblematic in state spend plans, such as Maine, where Tribes although explicitly named and identified as having protected rights were not provided direct economic relief, maintaining the status quo of states as beneficiaries of fisheries funding. These power imbalances brew conflict among Tribal–state–federal relationships for natural resource management [111–113].

Moreover, this discourse also coincides with states not providing direct economic relief to Tribes unless an explicit violation by the state prohibiting Tribal fishing rights or uses occurred. However, Tribal citizens are listed as eligible applicants alongside the general population for requests for relief under the general subsectors of commercial fishing. Endres (2009) highlights that “forcing” Tribal citizens into the same category as the public “also serves to exclude their arguments about land rights, sovereignty and government-to-government negotiations” ([21], p. 50). Thus, state spend plans that only acknowledge Tribes but fail to provide any meaningful accommodation in support of Tribal sovereignty, such as economic relief, further settler colonialism rather than advance Indigenous Ocean justice.

7.3. Theme 3: Exclusionary

This discourse captures those states that acknowledge the presence of Tribes but do not mention any federally or state-recognized Tribes specifically by name. The practice of naming Tribes individually recognizes their inherent sovereignty, acknowledges the government-to-government relationship, and dismantles the fabrication of a Tribal monolith [114]. The absence of this Indigenous naming praxis furthers settler colonialism [11,115]. Emanuel and Wilkins (2020) argue that Indigenous “Exclusion from governance spaces has shackled the efforts of Native nations to manage many aspects of existence” inclusive of Tribal relationships to marine environments and the fishing knowledge embedded therein ([109], p. 5). The rhetorical exclusion of Tribes is a weapon of colonialism wielded to provide greater legitimacy to U.S. federal and state governments [21,22,116].

Within this discourse, there is often a performative acknowledgement of Tribal fishing rights or uses in spend plans directly followed by the rejection of any economic relief for Tribes unless an explicit violation by the state prohibiting Tribal fishing rights or uses occurred. Endres (2009) argues that settler-colonial regimes use “strategic silence” to silence Indigenous voices, especially those presenting an opposing viewpoint to those in power ([21], p. 53). Rhetorical exclusion through strategic silence is part of the discourse of colonialism. Acknowledging Tribal fishing rights or uses while excluding recognition of negative impacts that warrant economic relief is a supremacist, dehumanizing, and colonizing attempt to silence Indigenous Peoples. Furthermore, this exclusionary discourse

presents state governments as disinterested and detached from Tribal suffering. This connects to larger bodies of Indigenous scholarship that highlight the settler–colonial logics of Indigenous violability mirroring environmental degradation [117,118]. Tribal interests and values were not prioritized in state spend plans characterized by exclusionary discourse underscoring a deficiency in democracy, inclusivity, and justice in the process [119].

As such, proponents of this discourse furthered Tribal exclusion with explicit statements in spend plans that Tribes were not eligible for economic relief due to lack of showing of negative impacts. State spend plans characterized by the exclusionary discourse did not provide any data to support their determinations of no negative impacts on Tribal fisheries. State governments could have consulted with Tribes rather than stating they were unaware of any negative impacts. In the cases where states did reach out to Tribes (Louisiana and Washington), direct allocations to Tribal Nations were provided.

7.4. Theme 4: Erasure

This discursive theme articulated the least amount of support for Tribal sovereignty and did not meet the legislative mandate for fisheries relief for ceremonial and subsistence fishing. Erasure is a tactic of settler colonialism [120]. Indigenous Peoples and Tribes have a unique relationship to coastal areas and marine environments. According to Orr et al. (2019), Indigenous erasure “is motivated by a desire to remove indigenous peoples in order to access resources and land” ([121], p. 2079). State spend plan discourse characterized by erasure included no mention of Tribes. Southern state spend plans such as Florida, South Carolina, Alabama and Georgia generally included no mention of Indigenous Peoples [87,88,122,123]. The erasure of Tribes in state spend plans monopolized fisheries relief funding for the benefit of the state. Koban (2020) notes, “When Indigenous sovereignty is recognized and respected, it fundamentally challenges settler colonial attempts to erase Indigenous life and lifeways” ([120], p. 324). Following Koban’s argument, the erasure discourse present within state spend plans by not mentioning Tribes propagates ideologies of *Oceanus nullius* and furthers settler colonialism. Moreover, state spend plans that do not mention state-recognized Tribes or other Indigenous communities further exacerbate the erasure of marginalized Indigenous Peoples. States without federally recognized Tribes, but with state recognized Tribes and significant urban Indigenous populations, such as Maryland and Pennsylvania respectively, did not include mention of Indigenous Peoples or Tribal eligible claims in state spend plans [124,125]. As Lumbee scholars Emanuel and Wilkins (2020) highlight, the attempted erasure of state-recognized Tribes in North Carolina water governance severely impacted those Tribes’ efforts to fight environmental racism and injustice in their territories [109]. In essence, the discursive policy content embedded in state spend plans is not merely a rhetorical practice; it serves to further settler–colonial logics and the subjugation of oppressed peoples. In describing Bacon’s [103] scholarship on settler colonialism, Mauer [11] captures that the settler colonialism process is an “eco-social structure that continues to undermine Indigenous eco-social relations through such processes such as dispossession, environmental degradation and contamination, disruptions to ecological knowledge, and the erasure of Indigenous place names” (p. 5). This description underscores how state discursive practices in fisheries relief can be emblematic of larger processes of marine dispossession, degradation, and disruption of Indigenous fishing knowledge, further colonizing Indigenous Peoples.

In addition to not mentioning Tribal Nations or citizens, these spend plans were also absent of any mention of Tribal rights or uses including subsistence and ceremonial fishing. This discursive theme of erasure is often present in settler rhetoric due to ongoing impacts of colonialism on Tribes and Tribal fisheries [11,120,126,127]. As Tribal Critical Race Theory (TribCrit) scholar Bryan Brayboy contends, natural resource management (inclusive of fisheries) remains a racialized space through which Tribal Nations and citizens continue to experience colonialism ([57]. In alignment with TribCrit, non-Indigenous fisheries participants have little incentive to remedy the existing fisheries management system that favors them economically over Indigenous fishers. Furthermore, a lack of

coordination and insufficient Tribal fisheries data drive resource scarcity and increase the potential for violation of Tribal fishing rights. The failures of state governments to recognize Tribes as sovereigns in marine environments with jurisdiction over fisheries is what Potawatomi scholar Kyle Whyte [115] identifies as “technologies of disappearance that feed into settler erasure of Indigenous persons” (p. 13). Thus, Indigenous erasure in U.S. fisheries management furthers settler–colonial attempts to remake Indigenous waters into settler property [120,128].

8. Discussion

The lack of representation of Tribal Nations in regional and national fisheries management institutions, although disheartening, also indicates there is ample opportunity for improving U.S. fisheries management through advancements in Indigenous Ocean justice. Even though legislation such as Sec. 12005 of the CARES Act may mandate the inclusion of subsistence and ceremonial fishing and recognize Tribes as fishery participants, the analysis shows there is a tendency among states to exclude Tribal governments. State discourse in spend plans matters for the realization of Indigenous Ocean justice. As Lyons [22] underscores, “the duplicitous interrelationships between writing, violence, and colonization developed during the nineteenth-century [. . .] would set into motion a persistent distrust of the written word in English [. . .]” (p. 449). This distrust is still present today, and the rhetorical exclusion and imperialism highlighted in the analysis are likely not improving Tribal–state–federal relations. The study findings suggest that changes in states’ fisheries management discourse to be inclusive of Tribes would advance Indigenous Ocean justice through recognitional, procedural, distributive, and relational justice processes. Fisheries managers across the U.S. should work to promote consultative processes that are supportive of Tribal sovereignty and well-being.

In large part, the Ocean injustices facing Tribal Nations evident in the CARES Act Sec. 12005 fisheries relief funding distribution are the failure of inter-jurisdictional coordination and lack of infrastructure to support Indigenous data sovereignty in fisheries management. This study fills a gap in the literature, as most research to date excludes Tribal fisheries from U.S. fisheries management research. This omission of Tribes has been especially pronounced in pandemic-related research. For example, Smith et al. [6] led a study on the impacts of COVID-19 on commercial fishers in the northeast U.S., and none of the survey respondents were Native American. This is indicative of the data vacuum that exists within fisheries sciences. White et al. [7] underscore how existing data gaps for US fisheries slow crisis response, as evidenced with the COVID-19 pandemic. The data gaps were most pronounced for Tribal fisheries in the U.S. who were not afforded separate economic relief allocations under the CARES Act as reported due to a lack of data on Tribal fisheries, especially those Tribal Nations located outside Alaska, California, Washington, and Oregon.

The NOAA Fisheries Service also neglected its federal fiduciary responsibility under Sec. 12005 of the CARES Act to affirm Tribal sovereignty and fishing rights when it approved state spend plans that did not meaningfully consult with Tribal Nations nor provide adequate processes for Tribal fishery participants’ relief. For example, the Mashpee Wampanoag Tribe did not receive any Sec. 12005 funds under the Massachusetts spend plan approved by NOAA but reported negative impacts throughout the pandemic. Despite this exclusionary practice and without receiving eligible funds, the Mashpee Wampanoag still created a process by which Mashpee Wampanoag fishers could apply for direct economic relief from the Tribe [63]. Within the “NOAA Procedures for Government-to-Government Consultation With Federally Recognized Indian Tribes and Alaska Native Corporations” policy document, it clearly states that NOAA has a “moral” and legal obligation to consult and coordinate with Tribes in carrying out “the mandates of Federal law with fiduciary consideration for the rights and interests of American Indian and Alaska Native tribes and villages” ([129], p. 3). The interests and rights of Tribal fisheries were not upheld in the majority of state spend plans approved by the agency.

The first round of CARES Act fisheries relief funding excluded many Tribal Nations; however, on December 27, 2020, an additional \$30 million was provided for Tribes nationally under the Consolidated Appropriations Act 2021 coronavirus response and relief funding [64,130]. Notably, this additional money set aside for Tribal Nations now affords eligibility for Great Lakes Tribal Fisheries. This time, the NOAA Fisheries Service in determining how best to allocate the Tribal funding did not rely on state governments; rather, they went directly to the Tribes. It is a necessary first step in fulfilling the government-to-government relationship between Tribes and the U.S. federal government. In April 2021, NOAA held a consultation with Tribes to determine the application, allocation, and distribution process for this round of funding. The session was held via webinar, and those Tribes who could not attend were also able to submit their feedback via written comments to the NOAA Fisheries Service. The \$30 million allocation was split evenly by allocating \$15 million to Tribal commercial and for-hire sectors and \$15 million for ceremonial and subsistence losses to account for Tribal fisheries heterogeneity. Additionally, NOAA Fisheries also solicited data from all eligible Tribes through the application process, which they previously had not done under the Sec. 12005 CARES Act funding. The allocation, application, and distribution processes emphasized equitable distribution to Tribes for ceremonial and subsistence impacts likely in recognition of the inability to set an economic value for these losses. NOAA held additional information sessions in June 2021 to assist Tribes with the application process, which following Tribal leader guidance did not require Tribal Nations to draft a spend plan or work through an interstate fishery commission. In further support of Tribal self-determination, intertribal fisheries commissions with Tribal delegated authority were also allowed to apply on behalf of their member Tribes. These revised processes reflect substantial procedural and distributional changes that advance Indigenous Ocean justice. However, it is important to note that state-recognized Tribes and other Indigenous communities remained ineligible for a direct allocation under the Consolidated Appropriations Act 2021. Coastal states and territories received an additional \$255 million allocation under this new relief funding [130]. In light of this new funding, future research could analyze whether state processes for spend plans changed in the new funding cycle to better support Tribal sovereignty, well-being, and principles of Indigenous Ocean justice.

The findings of this article demonstrate that Tribal Nations have never ceased or ceded management of Tribal fisheries as evidenced through their individual exercise of Tribal sovereignty in protection of fishing rights and uses or through collective intertribal fisheries commissions [14,23]. The rhetorical exclusion and erasure of Tribes that advances notions of state or federal supremacy in marine environments is an ongoing act of colonialism. Koban [120] argues that rhetorical erasure can be combatted with compassion. In this way, state governments embroiled in erasure discourses could build reconciliation pathways through compassionate approaches to Tribal fisheries finding ways to embrace “invitational rhetoric grounded in feeling, shared responsibility, and mutual respect, one that works counter to the resentment cultivated by settler colonialism” ([120], p. 325). International environmental legal scholar Merrell-Ann Phare [131] describes this as a process of breaking down imagined borders and building models of shared sovereignty.

Following the study findings, states can advance Indigenous Ocean justice in fisheries management through rhetorical and other means that (1) recognize Indigenous Peoples as rightsholders and nations with sovereignty in marine environments; (2) ensure Indigenous Peoples are leaders in decision making and co-management of shared Ocean resources; (3) guarantee Indigenous Peoples are equitable beneficiaries of Ocean benefits and not bearers of disproportionate burden due to Ocean uses; and (4) empower Indigenous Peoples to fulfill responsibilities for Ocean kinship and stewardship. Many of these justice principles are Ocean-centric but apply within a variety of Tribal freshwater and marine environments, as the Ocean connects all water and life on Mother Earth. These principles are applicable to marine/coastal waterscapes with whom Indigenous Peoples are kin.

9. Conclusions

This study has highlighted through critical discourse analysis of Sec. 12005 CARES Act state spending plans the levels of inclusion or erasure of Tribal Nations as well as subsistence and ceremonial fishing. Few state spend plans listed impacts to Tribal fisheries due to the pandemic, and only two state plans included Tribal consultation and direct economic relief for commercial, subsistence, cultural, and/or ceremonial losses faced by neighboring Tribes. Most plans used the absence of any state regulation expressly prohibiting Tribal commercial, subsistence, cultural, or ceremonial fishing to justify that there was no negative impact that the state was aware of for inclusion of Tribes in the economic relief spending. Overall, the study shows that the protections within the CARES Act for Tribal fisheries were not integrated in state spend plans as promised in the legislation and during NOAA informational sessions with Tribes. The ongoing pandemic and crisis facing Tribal fisheries requires that the regional inconsistencies in the treatment of Tribes by state and federal agencies be immediately addressed.

The pandemic exacerbated an already fractured and fragmented system of U.S. fisheries management that has historically excluded Tribes and often only after hefty litigation battles have new institutions been created to support Tribal sovereignty and fishing rights [14,24,110]. Intertribal fisheries commissions such as the Northwest Indian Fisheries Commission have advocated on behalf of Tribes for nearly half a century, and their leadership has been invaluable for Tribal fisheries protection. However, many Tribes in the Atlantic and Gulf coast regions without intertribal fisheries commissions remain underrepresented in regional fisheries management. A key implication here is the need for increased advocacy for the recognition of Tribal maritime and fishing rights across the U.S. in alignment with protections afforded under international law and the United Nations Declaration on the Rights of Indigenous Peoples. In doing so, governments not only acknowledge but work to protect all Tribal fishing rights and uses whether they be treaty, aboriginal, and or responsibility based.

There is a need for improved fisheries data systems by and for Tribal Nations [5]. Cash and informal economies are commonplace among Tribal fisheries, and they produce barriers for effective data-driven decision making. Moreover, no standardized data system or capacity-building initiative for data collection in partnership with Tribes has been developed by NOAA. NOAA should allocate resources for Tribal fisheries data infrastructure. Tribal fishing data must be prioritized moving forward and calibrated with data collection efforts by federal and state fisheries to ensure an equal understanding of the scope, nature, and needs of Tribal fisheries. A new federal program is needed to research and improve Tribal fishing data survey methods. Lastly, Tribal Nations need to establish guidelines to improve Tribal fishing data collection and calibration with support from NOAA.

This article would be remiss not to mention the intergenerational impacts COVID-19 had and will continue to have on Tribal Nations and Tribal fisheries due to the loss of Tribal leaders, knowledge holders, and language speakers because of the virus [2,3,132]. These losses will continue to ripple across Tribal Nations, and in many ways, no amount of economic relief can remedy the systemic injustices and ongoing colonialism that has resulted in disproportionate health impacts to Tribal Nations throughout this pandemic. Therefore, the response moving forward must be a multipronged approach that not only provides economic relief but emboldens policy changes that transform existing piecemeal practices to nationally recognize and implement Tribal maritime authority and jurisdiction for the future preservation of Tribal cultural, subsistence, ceremonial, and commercial fisheries.

These findings have relevance for future emergency relief programs that are inclusive of Tribal Nations. Future research should examine the disparate impacts of COVID-19 on Tribal fisheries management and consider the barriers faced across individual Tribal, regional, national, and international scales. Additionally, future research should prioritize Indigenous-led studies on impacts to Tribal fisheries. Honoring Tribal sovereignty and the federal trust responsibility must be the cornerstone of shared sustainable fisheries.

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References

1. Arrazola, J.; Masiello, M.M.; Joshi, S.; Dominguez, A.E.; Poel, A.; Wilkie, C.M.; Bressler, J.M.; McLaughlin, J.; Kraszewski, J.; Komatsu, K.K.; et al. COVID-19 Mortality Among American Indian and Alaska Native Persons—14 States, January–June 2020. *MMWR. Morb. Mortal. Wkly. Rep.* **2020**, *69*, 1853–1856. [CrossRef]
2. Rodriguez-Lonebear, D.; Barceló, N.; Akee, R.; Carroll, S.R. Research Full Report: American Indian Reservations and COVID-19: Correlates of Early Infection Rates in the Pandemic. *J. Public Health Manag. Pract.* **2020**, *26*, 371. [CrossRef] [PubMed]
3. Stover, D. COVID-19 Restaurant Downturn, Health Risks Pack Double Blow to Tribal Fishers, Salmon Business. *The Oregonian*. 12 January 2021. Available online: <https://www.oregonlive.com/business/2021/01/covid-19-restaurant-downtown-health-risks-pack-double-blow-to-Tribal-fishers-salmon-business.html> (accessed on 1 May 2021).
4. Bennett, N.J.; Finkbeiner, E.; Ban, N.; Belhabib, D.; Jupiter, S.; Kittinger, J.; Mangubhai, S.; Scholtens, J.; Gill, D.; Christie, P. The COVID-19 pandemic, small-scale fisheries and coastal fishing communities. *Coast. Manag.* **2020**, *48*, 336–347. [CrossRef]
5. Froehlich, H.E.; Gentry, R.; Lester, S.; Cottrell, R.; Fay, G.; Branch, T.; Gephart, J.; White, E.; Baum, J. Securing a sustainable future for US seafood in the wake of a global crisis. *Mar. Policy* **2021**, *124*, 104328. [CrossRef]
6. Smith, S.L.; Golden, A.; Ramenzoni, V.; Zemeckis, D.; Jensen, O. Adaptation and resilience of commercial fishers in the Northeast United States during the early stages of the COVID-19 pandemic. *PLoS ONE* **2020**, *15*, e0243886. [CrossRef] [PubMed]
7. White, E.R.; Froehlich, H.; Gephart, J.; Cottrell, R.; Branch, T.; Bejarano, R.; Baum, J. Early effects of COVID-19 on US fisheries and seafood consumption. *Fish Fish.* **2021**, *22*, 232–239. [CrossRef] [PubMed]
8. Dellinger, M.J.; Ripley, M. Mercury risks versus nutritional benefits of Tribal commercial fish harvests in the Upper Laurentian Great Lakes. *Hum. Ecol. Risk Assess. Int. J.* **2016**, *22*, 1036–1049. [CrossRef]
9. Upton, H. COVID-19 and the U.S. Seafood Sector. Congressional Research Service R46535. 21 September 2020. Available online: <https://crsreports.congress.gov/product/pdf/R/R46535> (accessed on 1 May 2021).
10. UN General Assembly. United Nations Declaration on the Rights of Indigenous Peoples: Resolution/Adopted by the General Assembly, 2 October, A/RES/61/295. 2007. Available online: <http://www.refworld.org/docid/471355a82.html> (accessed on 10 December 2020).
11. Mauer, K.W. Unsettling Resilience: Colonial Ecological Violence, Indigenous Futurisms, and the Restoration of the Elwha River. *Rural Sociol.* **2020**, *86*, 611–634. [CrossRef]
12. McGreavy, B.; Ranco, D.; Daigle, J.; Greenlaw, S.; Altvater, N.; Quiring, T.; Michelle, N.; Paul, J.; Binette, M.; Benson, B.; et al. Science in indigenous homelands: Addressing power and justice in sustainability science from/with/in the Penobscot River. *Sustain. Sci.* **2021**, *16*, 937–947. [CrossRef]
13. Wilkinson, C. The Belloni Decision: A Foundation for the Northwest Fisheries Cases, the National Tribal Sovereignty Movement, and an Understanding of the Rule of Law. *Environ. Law* **2020**, *50*, 331.
14. Whelan, G.E.; Day, D.M.; Casselman, J.M.; Gephart, L.; Hall, C.J.; Lichatowich, J.; Matylewich, M.; Miranda, L.; Roulson, L.; Shirey, P.D.; et al. Tracking fisheries through time: The American Fisheries Society as a historical lens. *Fisheries* **2020**, *45*, 392–426. [CrossRef]
15. Kozich, A.T.; Gagnon, V.S.; Mensch, G.; Michels, S.; Gehring, N. Walleye Ogaawag Spearing in the Portage Waterway, Michigan: Integrating Mixed Methodology for Insight on an Important Tribal Fishery. *J. Contemp. Water Res. Educ.* **2020**, *169*, 101–116. [CrossRef]
16. von der Porten, S.; Corntassel, J.; Mucina, D. Indigenous nationhood and herring governance: Strategies for the reassertion of Indigenous authority and inter-Indigenous solidarity regarding marine resources. *Altern. Int. J. Indig. Peoples* **2019**, *15*, 62–74. [CrossRef]
17. Marass, P. Balancing the Fishes’ Scales: Tribal, State, and Federal Interests in Fishing Rights and Water Quality in Maine. *Vt. L. Rev.* **2016**, *41*, 853. [CrossRef]
18. Lewis, D.R. Native Americans and the environment: A survey of twentieth-century issues. *Am. Indian Q.* **1995**, *19*, 423–450. [CrossRef]
19. LaFond, K. Tribal Fishers Left Waiting for Federal Aid. In Record Eagle. 3 May 2020. Available online: https://www.record-eagle.com/news/local_news/Tribal-fishers-left-waiting-for-federal-aid/article_14ce9674-8cbc-11ea-8e1d-5fd78b58b5ec.html (accessed on 1 May 2021).

20. CARES Act Sec. 12005. Available online: <https://www.congress.gov/116/bills/hr748/BILLS-116hr748enr.pdf> (accessed on 1 May 2021).
21. Endres, D. The rhetoric of nuclear colonialism: Rhetorical exclusion of American Indian arguments in the Yucca Mountain nuclear waste siting decision. *Commun. Crit. Cult. Stud.* **2009**, *6*, 39–60. [CrossRef]
22. Lyons, S.R. Rhetorical sovereignty: What do American Indians want from writing? *Coll. Compos. Commun.* **2000**, *51*, 447–468. [CrossRef]
23. Oberly, J.W. GLIFWC: The Founding and Early Years of The Great Lakes Indian Fish and Wildlife Commission. In *Indigenous Perspectives of North America: A Collection of Studies*; Sepsi, E., Nagy, J., Vassányi, M., Eds.; Cambridge Scholars Publishing: Newcastle-upon-Tyne, UK, 2014; pp. 32–50.
24. Sanders, J. tiny fish and big problem: Natives, elvers, and the Maine Indian claims settlement act of 1980. *William Mary Law Rev.* **2016**, *57*, 2287–2328.
25. Wilson, D. European Colonisation, Law, and Indigenous Marine Dispossession. Law, and Indigenous Marine Dispossession. 21 January 2021. Available online: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3802486 (accessed on 1 May 2021).
26. Whyte, K.P. Is it colonial déjà vu? Indigenous peoples and climate injustice. In *Humanities for the Environment*; Routledge: Abingdon, UK, 2016; pp. 102–119.
27. Alperin, L.M. Interstate Marine Compact Commissions Role in Fisheries Management: 8–11. 1976. Available online: http://aquaticcommons.org/11808/1/gcfi_28-3.pdf (accessed on 1 May 2021).
28. Criddle, K.R. The legal context of United States fisheries management and the evolution of rights-based management in Alaska. *FAO Fish. Tech. Pap.* **2008**, *504*, 369.
29. Gulf States Marine Fisheries Commission (GSMFC). CARES Act. 9 November 2020. Available online: <https://www.gsmfc.org/cares-act.php> (accessed on 1 May 2021).
30. Ford, J.K.; Giles, E. Climate change adaptation in Indian Country: Tribal regulation of reservation lands and natural resources. *William Mitchell Law Rev.* **2015**, *41*, 519.
31. Kelly, C.R. Orwellian language and the politics of tribal termination (1953–1960). *West. J. Commun.* **2010**, *74*, 351–371. [CrossRef]
32. Suagee, D.B. The tribal right to protect the environment. *Nat. Resour. Environ.* **2012**, *27*, 52–54.
33. Wilkinson, C.F.; Biggs, E.R. The evolution of the termination policy. *Am. Indian Law Rev.* **1977**, *5*, 139–184. [CrossRef]
34. Craig, R.; Danley, C. Federal fisheries management. *J. Land Use Environ. Law* **2017**, *32*, 381–422.
35. Sanders, A.H. Damaging Indian Treaty Fisheries: A Violation of Tribal Property Rights. *Public Land Resour. Law Rev.* **1996**, *17*, 153–176.
36. Goodman, E. Protecting habitat for off-reservation tribal hunting and fishing rights: Tribal comanagement as a reserved right. *Environ. Law* **2000**, *30*, 279.
37. Singleton, S. Native people and planning for marine protected areas: How “stakeholder” processes fail to address conflicts in complex, real-world environments. *Coast. Manag.* **2009**, *37*, 421–440. [CrossRef]
38. BIA. Featured Services. 2021. Available online: www.bia.gov (accessed on 1 May 2021).
39. Atlantic States Marine Fisheries Commission (ASMFC). CARES Act Disaster Relief Resources—Atlantic States Marine Fisheries Commission. 13 November 2020. Available online: <http://www.asmfc.org/home/cares-act-resources> (accessed on 1 May 2021).
40. GLFC. The Great Lakes Fishery: A World-Class Resource! 2020. Available online: <http://www.glf.org/the-fishery.php#:~:text=The%20Great%20Lakes%20commercial%2C%20recreational,support%20more%20than%2075%2C000%20jobs> (accessed on 1 May 2021).
41. Pacific States Marine Fisheries Commission (PSMFC). *Commissioners, Advisors and Coordinators*; Pacific States Marine Fisheries Commission: Portland, OR, USA, 2021; Available online: <https://www.psmfc.org/commission-members/member-list> (accessed on 1 May 2021).
42. Day, S. Implications of Tribal Sovereignty, Federal Trust Responsibility, and Congressional Plenary Authority for Native American Lands Management. In *Environ. Politics Policy West. Public Land the Environmental Politics and Policy of Western Public Lands*; Oregon State University: Corvallis, OR, USA, 2020; pp. 171–182.
43. Northwest Indian Fisheries Commission (NWIFC). About Northwest Indian Fisheries Commission. 2021. Available online: <https://nwifc.org/> (accessed on 1 May 2021).
44. Columbia River Inter-Tribal Fish Commission (CRITFC). *Founding of CRITFC: Treaty of 1855, Fishing Rights*; CRITFC: Portland, OR, USA, 2021. Available online: <https://www.critfc.org/about-us/critfcs-founding/> (accessed on 1 May 2021).
45. Chippewa Ottawa Resource Authority (CORA). *Treaty Timeline*; Chippewa Ottawa Resource Authority: Marie, MI, USA, 2021. Available online: <http://www.1836cora.org/treaty-timeline/> (accessed on 1 May 2021).
46. Great Lakes Indian Fish and Wildlife Commission (GLIFWC). *About—Great Lakes Indian Fish and Wildlife Commission (GLIFWC)*; GLIFWC: New Odanah, WI, USA, 2021. Available online: <http://glifwc.org/About/> (accessed on 1 May 2021).
47. Upper Columbia United Tribes (UCUT). About UCUT. 2021. Available online: <https://ucut.org/about/> (accessed on 1 May 2021).
48. Maine Indian Tribal-State Commission (MITSC). About MITSC. 2021. Available online: <https://www.mitsc.org/about-mitsc> (accessed on 1 May 2021).
49. United South and Eastern Tribes, Inc. (USET). Our Roots Go Deep. USET About—United South and Eastern Tribes. 2021. Available online: <https://www.usetinc.org/about/> (accessed on 1 May 2021).

50. Kuskokwim River Inter-Tribal Fish Commission (KRITFC). *History and Mission*; Kuskokwim River Inter-Tribal Fish Commission: Bethel, AK, USA, 2021. Available online: <https://www.kuskosalmon.org/mission-history> (accessed on 1 May 2021).
51. Armstrong, C. Ocean justice: SDG 14 and beyond. *J. Glob. Ethics* **2020**, *16*, 239–255. [CrossRef]
52. Bennett, N.J.; Katz, L.; Yadao-Evans, W.; Ahmadi, G.N.; Atkinson, S.; Ban, N.C.; Dawson, N.M.; de Vos, A.; Fitzpatrick, J.; Gill, D.; et al. Advancing Social Equity in and Through Marine Conservation. *Front. Mar. Sci.* **2021**, *8*, 994. [CrossRef]
53. Bennett, N.J.; Blythe, J.; White, C.; Campero, C. Blue growth and blue justice: Ten risks and solutions for the ocean economy. *Mar. Policy* **2021**, *125*, 104387. [CrossRef]
54. Norgaard, K.M.; Reed, R.; Van Horn, C. *A Continuing Legacy: Institutional Racism, Hunger, and Nutritional Justice on the Klamath*; MIT Press: Cambridge, MA, USA, 2011.
55. Krupp, L.; Congress Gave \$300 Million to Help Fisheries. The Great Lakes Got Zero. *Interlochen Public Radio*. 21 September 2020. Available online: <https://www.interlochenpublicradio.org/post/congress-gave-300-million-help-fisheries-great-lakes-got-zero> (accessed on 1 May 2021).
56. National Oceanic and Atmospheric Administration (NOAA). Commerce Secretary Announces Allocation of \$300 Million in CARES Act Funding. 7 May 2020. Available online: <https://www.fisheries.noaa.gov/feature-story/commerce-secretary-announces-allocation-300-million-cares-act-funding> (accessed on 1 May 2021).
57. Brayboy, B. Toward a Tribal critical race theory in education. *Urban Rev.* **2005**, *37*, 425–446. [CrossRef]
58. Regional Economic Partnership (REP). The Economic Impacts of COVID-19 on the Lummi Nation and Whatcom County Fishing Industry. June 2020. Available online: <https://www.portofbellingham.com/DocumentCenter/View/9455/Economic-Impacts-of-COVID-19-on-the-Lummi-Nation-and-Whatcom-County-fishing-industry-June-2020> (accessed on 1 May 2021).
59. Houk, E. Elver Season Starts, But Prices Plunge. *Lincoln County News*. 2 April 2020. Available online: <https://lcme.com/currentnews/elver-season-starts-but-prices-plunge/> (accessed on 1 May 2021).
60. Molyneaux, P. Coronavirus Concerns Delay Maine’s \$20 Million Elver Fishery. *National Fisherman*. 23 March 2020. Available online: <https://www.nationalfisherman.com/northeast/coronavirus-concerns-delay-maines-20-million-elver-fishery> (accessed on 1 May 2021).
61. Northwest Treaty Tribes (NTT). Tribal Fishermen, Natural Resources Staff Adapt to Impact of COVID on Harvests, Culture. *Northwest Treaty Tribes*. 30 June 2020. Available online: <https://nwtreatyTribes.org/Tribal-fishermen-natural-resources-staff-adapt-to-impact-of-covid-on-harvests-culture/> (accessed on 1 May 2021).
62. Chase, C. As COVID Impacts Continue to Hurt US Fisheries, CARES Act Funding Still Stuck in Limbo. *SeafoodSource*. 7 December 2020. Available online: <https://www.seafoodsource.com/news/supply-trade/as-covid-impacts-continue-to-hurt-us-fisheries-cares-act-funding-still-stuck-in-limbo> (accessed on 1 May 2021).
63. Mashpee Wampanoag Tribe (MWT). Mashpee Wampanoag Tribal Fishermen/Women COVID-19 Relief Funding. 28 December 2020. Available online: <https://mashpeewampanoagTribe-nsn.gov/news/2020/12/28/mashpee-wampanoag-Tribal-fishermenwomen-covid-19-relief-funding> (accessed on 1 May 2021).
64. Spratt, D. Federal Relief: Great Lakes fisheries finally get a cut of COVID-19 relief funds. *Great Lakes Now*. 21 January 2021. Available online: <https://www.greatlakesnow.org/2021/01/great-lakes-fisheries-federal-covid-19-relief-funds/> (accessed on 1 May 2021).
65. Poe, M.R.; Levin, P.; Tolimieri, N.; Norman, K. Subsistence fishing in a 21st century capitalist society: From commodity to gift. *Ecol. Econ.* **2015**, *116*, 241–250. [CrossRef]
66. Spencer, R. Tribal Members Call for More Education on Aboriginal Rights to Prevent Harassment. 15 May 2020. Available online: https://www.capenews.net/mashpee/news/Tribal-members-call-for-more-education-on-aboriginal-rights-to-prevent-harassment/article_1974db6b-c099-5b1d-95e5-9e9d719a7ecb.html (accessed on 1 May 2021).
67. Loomis, L. Guest Opinion: COVID-19 Impacts Tribal Natural Resources Management, Traditions. *Sequim Gazette*. 8 July 2020. Available online: <https://www.sequimgazette.com/opinion/guest-opinion-covid-19-impacts-Tribal-natural-resources-management-traditions/> (accessed on 1 May 2021).
68. Weimer, D.L.; Vining, A.R. *Policy Analysis: Concepts and Practice*; Taylor & Francis: Abingdon, UK, 2017.
69. Fischer, R.; Hargita, Y.; Günter, S. Insights from the ground level? A content analysis review of multi-national REDD+ studies since 2010. *For. Policy Econ.* **2016**, *66*, 47–58. [CrossRef]
70. Vogel, B.; Henstra, D. Studying local climate adaptation: A heuristic research framework for comparative policy analysis. *Glob. Environ. Chang.* **2015**, *31*, 110–120. [CrossRef]
71. Dunn, W.N. *Public Policy Analysis*; Routledge: Abingdon, UK, 2015.
72. Froman, L.A. *The categorization of policy contents. Political Science and Public Policy*; Markham Pub. Co.: Chicago, IL, USA, 1968; pp. 41–52.
73. Fairclough, N. Critical discourse analysis. In *How to Analyse Talk in Institutional Settings: A Casebook of Methods*; Continuum: New York, NY, USA, 2001; pp. 25–38.
74. Fairclough, N. Critical discourse analysis: The critical study of language. In *The Routledge Handbook of Discourse Analysis*; Gee, J.P., Handford, M., Eds.; Routledge: Abingdon, UK, 2013.
75. Van Dijk, T.A. Critical discourse analysis and conversation analysis. *Discourse Soc.* **1999**, *10*, 459–460. [CrossRef]
76. Na’Puti, T.R.; Rohrer, J. Pacific moves beyond colonialism: A conversation from Hawai’i and Guåhan. *Fem. Stud.* **2017**, *43*, 537–547.

77. Trask, H. *From a Native Daughter: Colonialism and Sovereignty in Hawaii*; Revised Edition; University of Hawaii Press: Honolulu, HI, USA, 1999.
78. General Accounting Office (GAO). COVID-19: Urgent Actions Needed to Better Ensure an Effective Federal Response. 2020. Available online: <https://www.gao.gov/reports/GAO-21-191> (accessed on 1 May 2021).
79. Couch, E. State Submits Draft Plan to Distribute \$50 Million in Federal Relief Funding to Commercial Fishing, Shellfish and Charter Industry Members for Federal Review, Approval. *WDFW*. 8 December 2020. Available online: <https://wdfw.wa.gov/news/state-submits-draft-plan-distribute-50-million-federal-relief-funding-commercial-fishing> (accessed on 1 May 2021).
80. Atlantic States Marine Fisheries Commission (ASMFC). 2020 COVID-19 Virginia CARES Act Fisheries Relief Funding Proposal. 2020. Available online: http://www.asmfc.org/files/CARESAct/VA_SpendPlan.pdf (accessed on 1 May 2021).
81. Atlantic States Marine Fisheries Commission (ASMFC). Coronavirus Aid, Relief, and Economic Security (CARES) Act New York Fisheries Relief Program Spend Plan. 2020. Available online: http://www.asmfc.org/files/CARESAct/NY_CARES_ActSpendPlan.pdf (accessed on 1 May 2021).
82. Atlantic States Marine Fisheries Commission (ASMFC). Federal CARES Act Fisheries Relief Spend Plan for the State of Rhode Island. 2020. Available online: http://www.asmfc.org/files/CARESAct/RI_CARES_SpendPlan.pdf (accessed on 1 May 2021).
83. Atlantic States Marine Fisheries Commission (ASMFC). Massachusetts' 2020 CARES Act Spending Plan for Fisheries Relief. 2020. Available online: http://www.asmfc.org/files/CARESAct/MA_CARES_SpendPlan.pdf (accessed on 1 May 2021).
84. New Hampshire Fish and Game Department (NHFGD). Coronavirus Aid, Relief, and Economic Security (CARES) Act Section 120005 New Hampshire Fisheries Relief Spend Plan Proposal. 2020. Available online: <https://www.wildlife.state.nh.us/marine/documents/nh-cares-act-spend-plan-final.pdf> (accessed on 1 May 2021).
85. Atlantic States Marine Fisheries Commission (ASMFC). Coronavirus Aid, Relief, and Economic Security (CARES) Act Delaware Application/Spending Plan. 2020. Available online: http://www.asmfc.org/files/CARESAct/DE_CARES_ActSpendPlan.pdf (accessed on 1 May 2021).
86. Atlantic States Marine Fisheries Commission (ASMFC). Connecticut CARES Act Assistance to Fishery Participants Spend Plan. 2020. Available online: http://www.asmfc.org/files/CARESAct/CT_CARES_ActSpendPlan.pdf (accessed on 1 May 2021).
87. Atlantic States Marine Fisheries Commission (ASMFC). Coronavirus Aid, Relief, and Economic Security (CARES) Act Florida Spend Plan for Fisheries Assistance. 2020. Available online: http://www.asmfc.org/files/CARESAct/FL_CARES_ActSpendPlan.pdf (accessed on 1 May 2021).
88. Atlantic States Marine Fisheries Commission (ASMFC). Project and Budget Narrative: 2020 COVID-19 South Carolina CARES Fisheries Relief Funding Proposal. 2020. Available online: http://www.asmfc.org/files/CARESAct/SC_CARES_SpendPlan.pdf (accessed on 1 May 2021).
89. Atlantic States Marine Fisheries Commission (ASMFC). Coronavirus Aid, Relief, and Economic Security (CARES) Act North Carolina Application/Spending Plan. 1 May 2020. (accessed on 1 May 2021).
90. Atlantic States Marine Fisheries Commission (ASMFC). Coronavirus Aid, Relief and Economic Security (CARES) Act Section 12005 State of Maine Spending Plan for Fisheries Relief. 2020. Available online: http://www.asmfc.org/files/CARESAct/ME_CARES_SpendPlan.pdf (accessed on 1 May 2021).
91. Louisiana Department of Wildlife and Fisheries (LDWF). Louisiana CARES Act Application and Spending Plan. 2020. Available online: https://www.wlf.louisiana.gov/assets/Fishing/Commercial_Fishing/Files/LA_CARES_Act_Application_and_Spending_Plan.pdf (accessed on 1 May 2021).
92. Washington Department of Wildlife and Fisheries (WDWF). Washington CARES Act Spend Plan. 2021. Available online: https://wdfw.wa.gov/sites/default/files/2021-02/wa_cares_act_spend_plan.pdf (accessed on 1 May 2021).
93. Alaska Department of Fish and Game (ADFG). Section 12005 CARES Act Relief for Fisheries Participants Final Draft Spend Plan. 2020. Available online: https://www.adfg.alaska.gov/static/home/news/hottopics/pdfs/cares_act_spendingplan_120920.pdf (accessed on 1 May 2021).
94. Atlantic States Marine Fisheries Commission (ASMFC). State of New Jersey COVID-19 Marine Fisheries Assistance Proposal. 2020. Available online: http://www.asmfc.org/files/CARESAct/NJ_CARES_SpendPlan.pdf (accessed on 1 May 2021).
95. Mills, M.; Nie, M. Bridges to a New Era: A Report on the Past, Present, and Potential Future of Tribal Co-Management on Federal Public Lands. *Public Land Resour. Law Rev.* **2021**, *44*, 2.
96. Kanngieser, A.; Todd, Z. 3. from environmental case study to environmental Kin study. *Hist. Theory* **2020**, *59*, 385–393. [CrossRef]
97. Laenui, P.; Indigenous Peoples and Their Relationship to the Environment. Collected by Pōkā Laenui and Presented to the Multi-Cultural Center at California State University Sacramento. 1993. Available online: <http://hawaiianperspectives.org/environ.txt> (accessed on 1 May 2021).
98. Reo, N.J. Inawendiwin and relational accountability in Anishnaabeg studies: The crux of the biscuit. *J. Ethnobiol.* **2019**, *39*, 65–75.
99. Salmón, E. Kincentric ecology: Indigenous perceptions of the human–nature relationship. *Ecol. Appl.* **2000**, *10*, 1327–1332.
100. Leonard, K. Nipi Mamoweenene: Indigenous Water Governance to Protect the Heart of Ohke (Mother Earth) the Great Lakes, Nayanno-Nibiimaang Gichigamiin, Kanyatare’Kó: Wa. Ph.D. Thesis, McMaster University, Hamilton, ON, Canada, 2019.
101. Creppelle, A.C. Tribal Recognition, Consultation, and Lessons from the First Climate Relocation. *Nat. Resour. Environ.* **2020**, *34*, 13–17.
102. Hand, J.P. Co-operating to protect the shining big sea water and its siblings: Consultation with Native Peoples in protecting the Great Lakes. In *Tribes, Land, and the Environment*; Routledge: Abingdon, UK, 2016; pp. 151–170.

103. Bacon, J.M. Settler colonialism as eco-social structure and the production of colonial ecological violence. *Environ. Sociol.* **2019**, *5*, 59–69. [CrossRef]
104. Roth, D.; Boelens, R.; Zwarteveen, M. Property, legal pluralism, and water rights: The critical analysis of water governance and the politics of recognizing “local” rights. *J. Leg. Plur. Unoff. Law* **2015**, *47*, 456–475. [CrossRef]
105. Coulthard, G. Subjects of empire: Indigenous peoples and the ‘politics of recognition’ in Canada. *Contemp. Political Theory* **2007**, *6*, 437–460. [CrossRef]
106. Coulthard, G. *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition*; University of Minnesota Press: Minneapolis, MN, USA, 2014.
107. Daigle, M. Awawanenitakik: The spatial politics of recognition and relational geographies of Indigenous self-determination. *Can. Geogr./Le Géographe Can.* **2016**, *60*, 259–269. [CrossRef]
108. Simpson, A. *Mohawk Interruptus: Political Life across the Borders of Settler States*; Duke University Press: Durham, UK, 2014.
109. Emanuel, R.E.; Wilkins, D.E. Breaching barriers: The fight for indigenous participation in water governance. *Water* **2020**, *12*, 2113. [CrossRef]
110. Day, S. The evolution of elite and societal norms pertaining to the emergence of federal-tribal co-management of natural resources. *J. Nat. Resour. Policy Res.* **2014**, *6*, 291–296. [CrossRef]
111. Cantor, A.; Kay, K.; Knudson, C. Legal geographies and political ecologies of water allocation in Maui, Hawai‘i. *Geoforum* **2020**, *110*, 168–179. [CrossRef]
112. Jackson, S. Water and Indigenous rights: Mechanisms and pathways of recognition, representation, and redistribution. *Wiley Interdiscip. Rev. Water* **2018**, *5*, e1314. [CrossRef]
113. Organick, A.G.; Kowalski, T. From conflict to cooperation: State and Tribal court relations in the era of self-determination. *Court. Rev.* **2009**, *45*, 48.
114. Sabzalian, L.; Shear, S.B.; Snyder, J. Standardizing Indigenous erasure: A TribalCrit and QuantCrit analysis of K–12 US civics and government standards. *Theory Res. Soc. Educ.* **2021**, *49*, 321–359. [CrossRef]
115. Whyte, K.P. Indigeneity and U.S. Settler Colonialism. In *Oxford Handbook of Philosophy and Race*; Zack, N., Ed.; Oxford University Press: New York, NY, USA, 2016; pp. 91–101.
116. Sanchez, J.; Stuckey, M.E.; Morris, R. Rhetorical exclusion: The government’s case against American Indian activists, AIM, and Leonard Peltier. *Am. Indian Cult. Res. J.* **1999**, *23*, 27–52. [CrossRef]
117. Deer, S.; Kronk Warner, E.A. Raping Indian Country. *Colum. J. Gen. L.* **2019**, *38*, 31. [CrossRef]
118. Dhillon, J.K. Indigenous girls and the violence of settler colonial policing. *Decolonization Indig. Educ. Soc.* **2015**, *4*, 1–31.
119. Flannery, W.; Healy, N.; Luna, M. Exclusion and non-participation in Marine Spatial Planning. *Mar. Policy* **2018**, *88*, 32–40. [CrossRef]
120. Koban, J. Walleye Wars and Pedagogical Management: Cooperative Rhetorics of Responsibility in Response to Settler Colonialism. *Rhetor. Soc. Q.* **2020**, *50*, 321–334. [CrossRef]
121. Orr, R.; Sharratt, K.; Iqbal, M. American Indian erasure and the logic of elimination: An experimental study of depiction and support for resources and rights for tribes. *J. Ethn. Migr. Stud.* **2019**, *45*, 2078–2099. [CrossRef]
122. Atlantic States Marine Fisheries Commission (ASMFC). Georgia Spending Plan and Budget Summary. 2020. Available online: <http://www.asmfc.org/files/CARESAct/GASpendingPlan.pdf> (accessed on 1 May 2021).
123. Outdoor Alabama. Alabama CARES Act Spend Plan. Alabama Department of Conservation and Natural Resources. 2020. Available online: <https://www.outdooralabama.com/sites/default/files/AL%20CARES%20Spend%20Plan%20.pdf> (accessed on 1 May 2021).
124. Atlantic States Marine Fisheries Commission (ASMFC). Maryland Department of Natural Resources Section 12005 Spend Plan CARES Act \$300 Million Recovery Package. 2020. Available online: http://www.asmfc.org/files/CARESAct/MD_CARES_ActSpendPlan.pdf (accessed on 1 May 2021).
125. Atlantic States Marine Fisheries Commission (ASMFC). Pennsylvania CARES Fisheries Relief Funding Proposal Pennsylvania Fish and Boat Commission 2020 Fisheries Assistance Program. 2020. Available online: http://www.asmfc.org/files/CARESAct/PA_CARES_SpendPlan.pdf (accessed on 1 May 2021).
126. Norgaard, K.M.; Reed, R.; Bacon, J.M. How environmental decline restructures Indigenous gender practices: What happens to Karuk masculinity when there are no fish? *Sociol. Race Ethn.* **2018**, *4*, 98–113. [CrossRef]
127. Norman, E.S. Standing up for inherent rights: The role of indigenous-led activism in protecting sacred waters and ways of life. *Soc. Nat. Resour.* **2017**, *30*, 537–553. [CrossRef]
128. Tuck, E.; Yang, K.W. Decolonization is not a metaphor. *Decolonization Indig. Educ. Soc.* **2012**, *1*, 1–40.
129. NOAA Procedures for Government-to-Government Consultation with Federally Recognized Indian Tribes and Alaska Native Corporations; NOAA 13175 Policy; National Oceanic and Atmospheric Administration, United States Department of Commerce: Washington, DC, USA, 2013. Available online: https://www.noaa.gov/sites/default/files/legacy/document/2020/May/NOAA_Tribal_Consultation_Handbook_11122013_Final.pdf (accessed on 1 May 2021).
130. National Oceanic and Atmospheric Administration (NOAA). Additional Assistance Funding Under the Consolidated Appropriations Act of 2021. 19 July 2021. Available online: <https://www.fisheries.noaa.gov/national/funding-and-financial-services/additional-assistance-funding-under-consolidated> (accessed on 1 May 2021).

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131. Phare, M. 2. Indigenous Peoples and Water: Governing across Borders. In *Water without Borders?* Norman, E.S., Cohen, A., Bakker, K., Eds.; University of Toronto Press: Toronto, ON, USA, 2019; pp. 27–46. [[CrossRef](#)]
 132. Leonard, K. Medicine lines and COVID-19: Indigenous geographies of imagined bordering. *Dialogues Hum. Geogr.* **2020**, *10*, 164–168. [[CrossRef](#)]