

# The INTER-TRIBAL COUNCIL of the FIVE CIVILIZED TRIBES

## *A Resolution Calling on Congress to Strengthen Protections Against Fraudulent “Indian” Artists and Artisans*

### Resolution No. 23-10



Chuck Hoskin Jr.  
Principal Chief



Bill Anoatubby  
Governor



Gary Bolton  
Chief



David W. Hill  
Principal Chief



Lewis J. Johnson  
Chief

**WHEREAS,** the Inter-Tribal Council of the Five Civilized Tribes (ITC) is an organization that unites the tribal governments of the Cherokee, Chickasaw, Choctaw, Muscogee (Creek) and Seminole Nations, representing approximately 815,000 Indian people throughout the United States; and

**WHEREAS,** we have a solemn duty to preserve and defend the sovereignty and culture of our Tribal Nations, and these are threatened when people can falsely represent themselves as American Indians without belonging to any federally-recognized Tribe; this threat is especially serious when individuals claim to represent American Indian arts and culture; and

**WHEREAS,** the landmark Indian Arts and Crafts Act provides important federal protections against fraud and misrepresentation by non-Indian artists who falsely claim Tribal citizenship; and

**WHEREAS,** the definitions of “Indian” and “Indian Tribe” within the Indian Arts and Crafts Act allow members of state-recognized groups to produce and sell arts and crafts associated with our Tribes and culture; and

**WHEREAS,** current law also allows these fraudulent groups to certify non-member individuals as “Indian artisans”; and

**WHEREAS,** the ARTIST Act of 2023, proposed last month by Senate Committee on Indian Affairs Chairman Brian Schatz (D-HI), seeks to strengthen and update the Indian Arts and Crafts Act; and

**WHEREAS,** while the ARTIST Act includes some improvements on current law, it maintains the Indian Arts and Crafts Act’s flawed definitions of “Indian” and “Indian Tribe”; and

**WHEREAS,** the law must be changed in order to protect actual Native American artists, artisans, and craftspeople — those who are citizens of federally-recognized Tribes — and ensure their arts and crafts are the only works permitted to be presented as an “Indian product.”; and

**WHEREAS,** nothing in this resolution diminishes a tribes’ right to determine its own membership; and

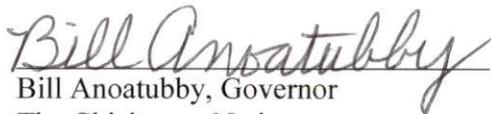
# The INTER-TRIBAL COUNCIL of the FIVE CIVILIZED TRIBES

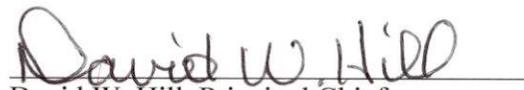
**NOW THEREFORE LET IT BE RESOLVED THAT**, the Inter-Tribal Council of the Five Civilized Tribes calls on Congress to narrow the Indian Arts and Crafts Act's definitions of "Indian" and "Indian tribe" to ensure that only works made by members of federally-recognized Tribes may be called "Indian" arts and crafts.

**BE IT FURTHER RESOLVED**, the Inter-Tribal Council of the Five Civilized Tribes will oppose any update of the Indian Arts and Crafts Act that continues to allow members of state-recognized groups to be defined as "Indian."

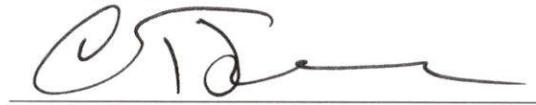
## CERTIFICATION

The foregoing resolution was adopted by the Inter-Tribal Council of the Five Civilized Tribes meeting in Thackerville, Oklahoma on this 14th day of April, 2023, by a vote of All for 0 against and 0 abstentions.

  
Bill Anoatubby, Governor  
The Chickasaw Nation

  
David W. Hill, Principal Chief  
Muscogee (Creek) Nation

  
Gary Batton, Chief  
Choctaw Nation of Oklahoma

  
Chuck Hoskin Jr., Principal Chief  
Cherokee Nation

  
Lewis J. Johnson, Chief  
Seminole Nation of Oklahoma