



CENTRAL COUNCIL
Tlingit and Haida Indian Tribes of Alaska
Office of the President • Edward K. Thomas Building
9097 Glacier Highway • Juneau, Alaska 99801

Executive Council of the Central Council
TLINGIT & HAIDA INDIAN TRIBES OF ALASKA

Resolution EC 23-86

Title: Support for Strengthening the Indian Arts and Crafts Act of 1990

WHEREAS, the Central Council of Tlingit & Haida Indian Tribes of Alaska (Tlingit & Haida) is a federally recognized tribe with more than 36,000 citizens; and

WHEREAS, under Article X of the Tlingit & Haida Constitution, the Executive Council is the governing body of Tlingit & Haida when the Tribal Assembly is not in session; and

WHEREAS, the Tribal Assembly is not in session; and

WHEREAS, the Indian Arts and Crafts Act (IACA) of 1990 is a truth-in-advertising law which prohibits misrepresentation in marketing of American Indian or Alaska Native arts and crafts products within the United States and authorizes the IACA board to promote Indian arts and crafts; and

WHEREAS, the law was enacted by the federal government to help protect Indian artisans and craftspeople by making it illegal for non-Indians to claim, or in any way represent, that their artwork was created by an Indian; and

WHEREAS, the U.S. Department of the Interior proposed draft revisions to 25 C.F.R. Chapter II (Indian Arts and Craft Board) including the expansion of the definition of Indian Product; allowing for non-Indian labor to work on Indian Products in certain situations; using a new certification trademark to certify that an item is an Indian Product; and asking the question should Native Hawaiian organization be included in the definition of “Indian Tribe” for purposes of regulations implementing IACA; and

WHEREAS, the U.S. Department of the Interior conducted one consultation session and five consultation-listening sessions hybrid meetings; and

WHEREAS, the sale of Indian arts and crafts and its protections under IACA contributes substantially to the economic livelihood of our citizens; and

WERHEAS, the proposed changes could permit non-Native labor in a business that is at least 50 percent owned by an Indian to be used to produce art and craft products that could allow those products to receive a new certification trademark to certify that an item is an Indian Product; and

WHEREAS, the use of non-Native labor can lead to the mass production of “Indian” art and craft products made by non-Indians and flood the marketplace and undermine the livelihood of Indian artists and craftspeople, who make their own artwork; and

WHEREAS, while it is appropriate to consider the inclusion of Native Hawaiians and artisans under IACA, the proposed revision of the definition of “Indian tribe” needs to be thoughtful and clear;

NOW THEREFORE BE IT RESOLVED, that the Executive Council of the Central Council of Tlingit & Haida Indian Tribes of Alaska hereby supports efforts to improve and strengthen the IACA.

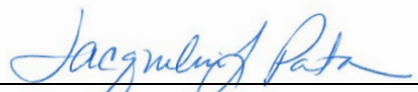
ADOPTED this 13th day of October 2023, by the Executive Council of the Central Council of Tlingit & Haida Indian Tribes of Alaska, by a vote of 5 yeas, 0 nays, 0 abstentions and 1 absence.

CERTIFY



President Richard J. Peterson

ATTEST



Tribal Secretary Jacqueline L. Pata