

LUMBEE TRIBE OF NORTH CAROLINA

CLLR-2023-0518-02

DATE: MAY 18, 2023

“INDIAN ARTS AND CRAFTS ACT”

WHEREAS, The Lumbee Tribe of North Carolina (“Lumbee Tribe”) is a recognized American Indian Tribe of the State of North Carolina, subject to the Constitution of the Lumbee Tribe of North Carolina (“Tribal Constitution”) and its inherent powers and self-government, and;

WHEREAS, Article VII, Section 1 of the Tribal Constitution delegates all legislative authority to the Tribal Council of the Lumbee Tribe of North Carolina (“Tribal Council”), and;

WHEREAS, the Preamble to the Lumbee Constitution charges the Tribal Government to “...preserve for all time the Lumbee way of life and community, promoting the educational, cultural, social, and economic well being of Lumbee people...”

WHEREAS, according to the United States Census, approximately five percent of the Lumbee People occupational income is derived from the art industry, and;

WHEREAS, U.S. Senator Brian Schatz, Chairman of the Senate Committee on Indian Affairs, has released a discussion draft bill entitled Amendments to Respect Traditional Indigenous Skills and Talent (ARTIST) Act of 2023 that support inclusion of Lumbee artists and craft workers, by defining Indian as found in Section 103 of the Native American Languages Act, and;

WHEREAS, there are efforts within the Indian Arts and Crafts Board to revise the definition of Indian within the Indian Arts and Crafts Act of 1935 to the detriment of Lumbee artist, by excluding its protections only federal recognized tribes within the Bureau of Indian Affairs, within the Department of Interior, and;

WHEREAS, Section 103 of the Native American Languages Act, as amended by 25 U.S.C 2902, in subsection 2 defines the term “Indian” as having the meaning given to such term under section 6151(3) of the Elementary and Secondary Education Act of 1965, and;

WHEREAS, Section 6151(3) of the Elementary and Secondary Education Act of 1965 as amended by 20 U.S.C 7491, defines Indian to mean an individual who is a member of an Indian tribe or band, as membership is defined by the tribe or band, including any tribe or band terminated since 1940 and any tribe or band recognized by the State in which the tribe or band resides; and;

WHEREAS, the comment period for the ARTIST Act has been extended until May 19, 2023 and this legislation supports Lumbee Artists and Craft Workers.

NOW THEREFORE BE IT RESOLVED, the Lumbee Tribal Council is vehemently opposed to any legislation that would remove state recognized tribes or tribes terminated after 1940 from the federal Arts and Crafts Act of 1935, and;

BE IT FURTHERMORE RESOLVED that the Lumbee Tribal Council does hereby support the current ARTIST Act which preserves state recognized tribes or tribes terminated after 1940.

CERTIFICATION

THIS **CLLR-2023-0518-02**, ADOPTED AT A MEETING OF THE TWENTY-ONE (21) MEMBER TRIBAL COUNCIL OF THE LUMBEE TRIBE OF NORTH CAROLINA WHERE 21 MEMBERS WERE PRESENT, CONSTITUTING A QUORUM, THIS THE 18TH DAY OF MAY, 2023 BY A VOTE OF 21 YES, 0 NO, AND 0 ABSTENTION(S) 0 RECUSE(S)

Sharon Hunt

5/18/23

ATTEST: SHARON HUNT
Speaker, Tribal Council of the Lumbee Tribe of North Carolina

DATE

Nanci Locklear

5/18/23

ATTEST: Nanci Locklear
Secretary, Tribal Council of the Lumbee Tribe of North Carolina

DATE

ROLL CALL VOTE RESULTS TO ADOPT

CLLR-2023-0518-02 "INDIAN ARTS AND CRAFTS ACT"

21 FOR, 0 AGAINST, 0 ABSTENTION(S) 0 RECUSE(S)

District 1:	Billy Oxendine	YES
District 2:	Sharon Hunt	YES
	Gerald Goolsby	YES
District 3:	Harold Smith	YES
	Pam Hunt	YES
District 4:	Jody Bullard	YES
District 5:	Wendy Moore	YES
	Carrington Locklear	YES
District 6:	Kristie Hunt	YES
	Richard Jones	YES
District 7:	Nanci Locklear	YES
	Yvonne Dial	YES
	Rudy Locklear	YES
District 8:	Kathy Hunt	YES
District 9:	Dewey J McNeill	YES
District 10:	Bobby Emanuel	YES
District 11:	Chocajuana Oxendine	YES
District 12:	Josephine Doss	YES
	Annie Taylor	YES
District 13:	Alex Baker	YES
District 14:	Homer Fields	YES