



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians  
Resolution #MN-23-025

**TITLE: Calling on Congress to Include Tax Immunity in the ARTIST Act of 2023 and Ensure Beneficiaries of the Indian Arts and Crafts Act are Citizens of Tribal Nations**

**EXECUTIVE COMMITTEE**

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*Shinnecock Indian Nation*

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*Tulalip Tribes of Washington*

**PACIFIC**  
**Jack Potter**  
*Redding Rancheria*

**ROCKY MOUNTAIN**  
**Jennifer Finley**  
*Confederated Salish & Kootenai Tribes*

**SOUTHEAST**  
**Reggie Tupponce**  
*Upper Mattaponi Indian Tribe*

**SOUTHERN PLAINS**  
**Gonzo Flores**  
*Lipan Apache Tribe of Texas*

**WHEREAS**, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States and the United Nations Declaration on the Rights of Indigenous Peoples, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

**WHEREAS**, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

**WHEREAS**, the Senate Committee on Indian Affairs is currently considering amendments to the Indian Arts and Crafts Act, via the Amendments to Respect Traditional Indigenous Skills and Talent (ARTIST) Act of 2023, which aims to update the Indian Arts and Crafts Act to strengthen protections against counterfeit competition and support the creative economies of Native artists; and

**WHEREAS**, the Indian Arts and Crafts Act has been instrumental in protecting Native artists and their cultural heritage, and it is essential to update it to further empower Native artists economically and promote tribal sovereignty; and

**WHEREAS**, NCAI believes that the ARTIST Act of 2023 should include language that would immunize income taxes for Native artists producing their arts and crafts within their reservation, in accordance with a strict interpretation of the U.S. Constitution which recognizes the historic status of "Indians not taxed"; and

**WHEREAS**, NCAI urges the Senate Committee on Indian Affairs to ensure that those who benefit from the Indian Arts and Crafts Act are members of Tribal Nations.

**NOW THEREFORE BE IT RESOLVED**, that NCAI calls on the Senate Committee on Indian Affairs to include tax immunity in the ARTIST Act of 2023; and

**BE IT FURTHER RESOLVED**, that NCAI calls upon Congress to ensure that beneficiaries of the Indian Arts and Crafts Act are members of Tribal Nations; and

**BE IT FINALLY RESOLVED**, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

**CERTIFICATION**

The foregoing resolution was adopted unanimously by the Executive Committee on Friday, June 16, 2023, after a positive recommendation from the relevant Committee at the 2023 Mid Year Convention of the National Congress of American Indians, held June 5-8, 2023, in Prior Lake, MN.



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Fawn Sharp, President

**ATTEST:**



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Stephen Roe Lewis, Recording Secretary