

**Resolution 1606 in Response to Oklahoma House Bill 2261 on Excluding
Participation**

Under the American Indian Arts and Crafts Acts

From the Oklahoma Indian Missionary Conference of the United Methodist Church

In a spirit of inclusion and fair play, this resolution calls for rescinding HB 2261 put in place by Oklahoma lawmakers this week that would exclude Yuchis, Lumbees and others from selling or performing as American Indians and punish them with fines and/or “imprisonment for not less than thirty (30) days”

WHEREAS, The United Methodist Church and the Oklahoma Indian Missionary Conference have a long-standing practice of Inclusiveness and a proud history of standing up for underrepresented groups; and

WHEREAS, House Bill No. 2261 seeks to bypass the standing Federal Law commonly known as the American Indian Arts and Crafts Act of 1990 by harking back to an earlier piece of Federal legislation from 1974; and it does this by excluding all “American Indians” who are not identifying with the list of federally recognized tribes;

WHEREAS, HB 2261 encompasses all artistic production, including “*any visual or performing arts or literature*”; and

WHEREAS, the State of Oklahoma’s attempt to define and regulate American Indian identity is in direct contradiction to the National 1990 law which uses a more inclusive and appropriate language for an “Indian Tribe” in *Section 309.2*:

(1) Any Indian tribe, band, nation, Alaska Native village, or any organized group or community which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians; or (2) Any Indian group that has been formally recognized as an Indian tribe by a State legislature or by a State commission or similar organization legislatively vested with State tribal recognition authority; and

WHEREAS, House Bill No. 2261 effectively eliminates a large number of current Indian artists, including those in visual and performing arts or literature, from continuing to produce their art and writings as Indian people without the threat of **financial penalty and prison time**; and

WHEREAS, the United Methodist Church has many congregations within Oklahoma and nationwide whose membership is composed in full or in part of members of both federally-recognized and state recognized (historic “non-federally recognized” tribes) such as the Yuchi Tribe of Oklahoma, Nanticoke Indian Tribe of Delaware, Lumbee Nation of North Carolina, MOWA Choctaw of Alabama, and other tribes; and

WHEREAS, members of the Yuchi Tribe of Oklahoma will experience extreme prejudice with the implementation of HB 2261 as they are not federally recognized. If passed, Yuchi artists will not be able to represent themselves according to who they are and how God made them. The elimination of Yuchi representation within the state is an egregious act committed against a tribe with identifiable and fluent speaking tribal members. The entire Yuchi tribe are now unable to label themselves as Yuchi Indians under the parameters of this new law; and

WHEREAS, individuals with multiple tribal lines from higher blood quantum tribes in Oklahoma and beyond who require $\frac{1}{2}$, $\frac{1}{4}$, and $\frac{1}{8}$ degree for enrollment, but because of not possessing enough Indian ancestry from one particular tribe are unable to enroll and thus will be eliminated as being defined as Indian. Many people in Oklahoma fall under this reality despite being $\frac{1}{4}$ or more total Indian by blood; and

WHEREAS, members of over 20 historic “non-federal” tribes who attended federal Indian boarding schools, including Chilocco in Oklahoma, will be eliminated from being able to represent their artistic creations as American Indian made; and

WHEREAS, members of First Nations in Canada as well as Indigenous people from Mexico and Central and South America will be also be punished under this needless exclusionary law; and

WHEREAS, House Bill No. 2261 authors did not consult the majority of Oklahoma Indian Nations and tribal organizations and the Bill did not have the support of the majority of Oklahoma Indian Nations; and

WHEREAS, the Oklahoma Indian Missionary Conference believes that we are called to social justice, equity, and honesty in our relations with others;

THEREFORE, BE IT RESOLVED, that we stand united in our support of the diversity and richness of our God-given tribal identities and, thereby, request the removal of House Bill No. 2261.

CERTIFICATION

The foregoing resolution was unanimously adopted by the Oklahoma Indian Missionary Conference general membership and leadership at the 2016 Conference held in Oklahoma City, Oklahoma on June 10 - 2016, with a quorum present.

Submitted by:

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Lay Delegate, Pickett Chapel United Methodist Church