



# Indian Arts and Crafts Act

U.S. Department of the Interior

Buy Authentic Oklahoma  
Indian Art and Craftwork





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The State of Oklahoma is home to 38 federally recognized Indian Tribes. Oklahoma's Indians are world renowned for their beadwork, jewelry, basket weaving, and fine arts.

If you are considering purchasing any American Indian-made art or craftwork in Oklahoma, there is some important information you should know. As popularity and availability of American Indian art and craftwork increases, so does the sale of items misrepresented as authentic American Indian products. When consumers purchase art or craftwork fraudulently represented as an American Indian product, the market for quality authentic American Indian work is diluted. Purchasing authentic American Indian art and craftwork not only significantly increases economic development in Indian Country, but it also helps preserve a rich cultural and traditional heritage.



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The sale of American Indian art and craftwork in Oklahoma is regulated by both federal and State laws. Protect yourself by becoming familiar with the laws that regulate the sale of American Indian art and craftwork and by considering the shopping tips provided in this brochure.



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## **PROHIBITED BY FEDERAL LAW**

Under the Indian Arts and Crafts Act of 1990 (P.L. 101-644), as amended, it is illegal to offer or display for sale, or sell, any art or craft product in a manner that falsely suggests it is American Indian produced, an American Indian product, or the product of a particular American Indian Tribe.

All products must be marketed truthfully regarding the Indian heritage and Tribal affiliation of the producers so as not to mislead the consumer. It is illegal to market an art or craft product using the name of a Tribe if a member, or certified American Indian artisan\*, of that Tribe did not actually create the art or craft product. Violators of the Act are subject to both civil and criminal penalties.

For example, products sold using a sign claiming "Indian Jewelry-Direct from the Reservation" would be a violation of the Indian Arts and Crafts Act if the jewelry was produced by someone other than a member, or a certified American Indian artisan, of an American Indian Tribe. Additionally, products advertised as "Kiowa Beadwork" would be in violation of the Act if they were produced by someone who is not a member of the Kiowa Tribe.

Covering all American Indian and Indian-style traditional and contemporary art and craftwork produced after 1935, the Act broadly applies to the marketing of art and craftwork by any person within the United States. The Indian Arts and Crafts Act is administered by the Indian Arts and Crafts Board, an agency within the U.S. Department of the Interior.

*\*A certified American Indian artisan is an individual who is certified in writing by the governing body of an Indian Tribe of their direct descent as a non-member artisan.*

## **PROHIBITED BY STATE LAW**

The purpose of the Oklahoma American Indian Arts and Crafts Sales Act of 1974, §§78 71-75, is to protect the public from false representation in the sale of authentic and imitation American Indian art and craftwork.

Under the Oklahoma American Indian Arts and Crafts Sales Act, it is unlawful to distribute, trade, sell, or offer for sale or trade within Oklahoma any article represented as being made by American Indians unless the article actually is made or assembled by American Indian labor or workmanship. Additionally, all articles used in the production of the art or craft product purporting to be made of silver shall be made of coin or sterling silver.

Furthermore, any merchant who knowingly and willfully tags or labels any article as being an American Indian art or craft product when it is not an American Indian-made product shall be guilty of violating the provisions of the Oklahoma American Indian Arts and Crafts Sales Act and is subject to a fine, imprisonment, or both.



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## SHOP WISELY...TIPS FOR BUYING

- When purchasing from a dealer, choose one with a good reputation.
- Request a written guarantee or written verification of authenticity.
- Obtain a receipt that includes all the vital information about your purchase, including price, producer, and producer's Tribal affiliation.
- Familiarize yourself with the different materials and types of American Indian art and craft products, as well as the indicators of a well-made product.
- Realize that authentic product may be expensive...if a price seems too good to be true, be sure to ask more questions about the item and its producer.

## YOUR RIGHTS AS A CONSUMER

If you think a business or an individual is fraudulently marketing art or craftwork as an American Indian product, the action may be a violation of both the federal and State laws regulating the industry. It may also be a violation of the Oklahoma Consumer Protection Act.

For questions, more information, or to file a complaint please contact:



### INDIAN ARTS AND CRAFTS BOARD

U.S. Department of the Interior  
Indian Arts and Crafts Board  
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Washington, DC 20240  
Tel: 1-888-ART-FAKE or 1-888-278-3253  
Fax: 1-202-208-5196  
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### OKLAHOMA ATTORNEY GENERAL'S OFFICE

Oklahoma Attorney General's Office  
Public Protection Unit  
313 NE 21 Street  
Oklahoma City, Oklahoma 73105  
Tel: 1-405-521-2029  
Web: [www.oag.ok.gov](http://www.oag.ok.gov)

### FEDERAL TRADE COMMISSION

Southwest Region  
Tel: 1-214-979-9350  
Web: [www.ftc.gov](http://www.ftc.gov)

*Unless otherwise noted, images are from the collection of the Southern Plains Indian Museum, Indian Arts and Crafts Board, U.S. Department of the Interior.*

- 1 Benjamin Harjo, Jr., Seminole/Shawnee, Statehood Indian, © 1982
- 2 Vanessa Paukeigope Jennings, Kiowa/Gila River Pima, Kiowa man moccasins, © 1988
- 3 Bruce Caesar, Sac & Fox/Pawnee, Apache Fire Dancers, © 1993
- 4 Bessie Russell, Cherokee National Treasure, basket, © 2011 (Image provided by Ms. Bessie Russell)
- 5 Homer Lumpmouth, Arapaho, squash blossom style necklace, © 1973