



US Department of the Interior

**Indian Arts and Crafts Board**

# Best Practices

- Support federally recognized Indian artists and communities
- Honest representation
- Promote authentic Indian handicrafts in the NPS system



Darrel Growing  
Thunder,  
Assiniboine-Sioux,  
*Couple Riding*,  
©2012



## ATTENTION INDIAN ARTISTS AND ARTISANS OPPORTUNITY TO PROMOTE YOUR AUTHENTIC INDIAN ART

Gilmore Scott, Navajo (Diné), Painting, "Through the Color of Rain She Moves" ©2020



- The IACB maintains an online *Source Directory of American Indian and Alaska Native Owned and Operated Arts and Crafts Businesses* on its website, providing free listings to businesses owned by enrolled members of federally recognized Indian Tribes, or Alaska Native villages or corporations
- <https://www.doi.gov/iacb/source-directory>

**Cool Ice Marketing, LLC**

1731 Cedrus Circle  
Anchorage, Alaska 99507  
Tel: (907) 929-7736 or (907) 575-9180  
Artist/Owner: Bryon Amos (Cup'ig Eskimo)  
E-mail: [lloydamos62@yahoo.com](mailto:lloydamos62@yahoo.com)

**Products:** Traditional ivory masks, fossilized whalebone and soapstone sculptures, including Native people, sea mammals, and land animals. Specializing in personal and corporate arts. Transactions by appointment only.



Nunivak Island Loon Mask and Nunivak Island Dancing Stick. © Bryon Amos.

# IACB Museum Exhibitions

The IACB operates three museums: the **Southern Plains Indian Museum** (Anadarko, OK), **Sioux Indian Museum** (Rapid City, SD), and **Museum of the Plains Indian** (Browning, MT)

*I'm Still Here: Changed, Growing, Healing*  
featuring  
Evans Flammond, Sr.



*Seventh Generation*  
Prismacolor pencil on antique ledger paper  
© 2020 Evans Flammond, Sr.

May 19 - August 1, 2021

## SONG OF THE SEA:

CARVINGS OF ST. LAWRENCE ISLAND



featuring

Edwin Noongwook,  
Ike Kulowiyi,  
& Ben Pungowiyi



February 28 to May 4, 2020

Ayveq (Walrus), New walrus ivory © 2019, Ben Pungowiyi

*Woodland Quill & Beadwork*

Featuring

Monica Raphael



*Debwaywin (Her Berry Feast),*  
Traditional Attire  
Porcupine Quills, Glass Beads, Horse Hair, Brass, Buckskin and Birch Bark  
© 2019 Monica Raphael

January 31 to March 27, 2020

# The Indian Arts and Crafts Act

Under the Act, it is unlawful to offer or display for sale, or sell, any art or craft product in a manner that falsely suggests it is Indian produced, an Indian product, or the product of a particular Indian Tribe.



# Definition of Indian

- Enrolled member of a federally recognized American Indian Tribe, Alaska Native Village, or Alaska Native Corporation as defined under the Alaska Native Claims Settlement Act
- Enrolled member of an *officially* State recognized Tribe
- Certified non-member Indian artisan

# Definition of State Recognized Tribe

- “any Indian group that has been formally recognized as an Indian Tribe by a State legislature or be a State commission or similar organization legislatively vested with State tribal recognition authority”
- Must have the “force of law”
- Governor’s proclamation is inadequate

# Documenting Enrollment

**Tribal Identification Card**  
**THE SHOSHONE-BANNOCK**  
**TRIBES**  
 P.O. Box 306  
 Fort Hall, Idaho 83203

**RESIDENT**

**Janie De he ya Wa' ai pe Doe**  
 101 Bottoms Street

Fort Hall ID 83203

Enrollment	DOB	Weight	Height	District
0018-X	09/27/1961	205	6'3"	Fort Hall

**RESIDENT**

*Janie Doe*  
Signature

The person identified on this card is an enrolled member of the Shoshone-Bannock Tribes, Fort Hall, Idaho and thereby has rights provided in the 1868 Fort Bridger Treaty (15 Stat. 673). This card is the property of the Tribes and must be signed by the member and the Tribal Chairman to be valid. If the Tribal member improperly exercises their Treaty Rights they agree to surrender this card to the Tribes. If found please return to the Tribes at P.O. Box 306, Fort Hall, Idaho 83203.


*Ladd Edrus*  
**Chairman, Shoshone Bannock Tribes**

**Original**

Issued 10/02/2019 Expires   /  /  

The above dates are for administrative purposes only. A card possessed by a tribal member is still valid past the renewal date.

Exhibit "B"



**THE NAVAJO NATION**

JOE SHIRLEY, JR.  
PRESIDENT

BEN SHELLY  
VICE PRESIDENT

UNACCEPTABLE IF ALTERED

**CERTIFICATE OF NAVAJO INDIAN BLOOD**  
 PART A (To be used if applicant is enrolled)

XXXX  
 AGENCY  
 xx/xx/xx  
 DATE

I certify that       XXXX XXXX       is listed on the Navajo Indian Census Roll, dated       xx/xx/xx      , which is an official record of this office as being of       x/x       Degree Navajo Indian blood, with Roll Number,       xxx,xxx      , Date of Birth       xx/xx/xx      .

RECORDED:

XXXX XXXX  
 Fort/Vital Statistics Manager  
 Office Assistant

THE INFORMATION CONTAINED ON THIS DOCUMENT  
 HAS BEEN TAKEN FROM THE OFFICIAL TRIBAL ROLL OF THE NAVAJO NATION

VITAL RECORDS & TRIBAL ENROLLMENT PROGRAM  
 THE NAVAJO NATION • P.O. BOX 3240 • WINDOW ROCK, ARIZONA 86516



# Documenting Enrollment

<b>THE BLACKFEET NATION</b> ENROLLED MEMBER OF THE BLACKFEET TRIBE BROWNING, MONTANA	<b>A Member of the Blackfoot Confederacy</b> <b>AMSKAPI PIKUNI</b>
ENROLLMENT NUMBER: 201-U00000	BLACKFEET BLOOD: 4/4
DOB: 00/00/00	TOTAL DEGREE: 4/4
EYES: BROWN WT: 000 HT: 0'00"	<b>BLACKFEET NATION</b>  <b>PIKUNI</b>
CHIEF OF THE BLACKFEET TRIBE P.O. BOX 000 BROWNING, MT 59417	
<i>Jane Doe</i> DOE FOOT, JANE	ISSUED: 03/05/2012 EXPIRES: 00/00/0000

<b>Crow Tribal Membership Identification</b> ISSUED: 11/30/2007	EXPRES: 11/30/2011		Issuing Department: Crow Tribal Administration
<b>JANE DOE</b> <b>SOME WHERE</b> <b>MONTANA, USA 00000</b>		4749	Name & Title of Issuing Officer: Carl E. Venne Chairman of the Crow Tribe
ENROLLMENT NUMBER: 202U20200000	BLOOD DEGREE: 4/4	Signature of Issuing Officer: <i>Carl E. Venne</i>	IF FOUND DROP IN ANY U.S. MAILBOX Postmaster - Postage Guaranteed, Return To: Crow Tribal Council, P.O. Box 159, Crow Agency, MT 59022 PROPERTY OF CROW TRIBAL COUNCIL
FAMILY #: 00000	BIRTHDATE: 00/00/0000	COLOR OF EYES: BLACK	
SEX: F	HEIGHT: 0'0"	WEIGHT: 000	COLOR OF HAIR: BLACK
<i>Jane Doe</i>			

# Certified non-member Indian Artisan

- Certification by the governing body of a Tribe or by a certifying body delegated this function by the governing body of the Indian Tribe
- Individual is of Indian lineage of one or more enrolled members of the certifying Indian Tribe
- Certification must be in writing
- A Tribe may not impose a fee for certifying an Indian artisan

# Criminal Penalties

## Initial Penalties for a Violation

if the total sale amount is **LESS** than \$1,000

### Individual

- fines up to \$25,000 and/or
- imprisonment not to exceed one year

### Corporate

- fines up to \$100,000

# Criminal Penalties

## Initial Penalties for a Violation

if the total sale amount is **MORE** than \$1,000

### Individual

- fines up to \$250,000 and/or
- Imprisonment not to exceed five years

### Corporation

- fines up to \$1,000,000

# Criminal Penalties

Subsequent Violations,  
regardless of total amount for sale

## Individual

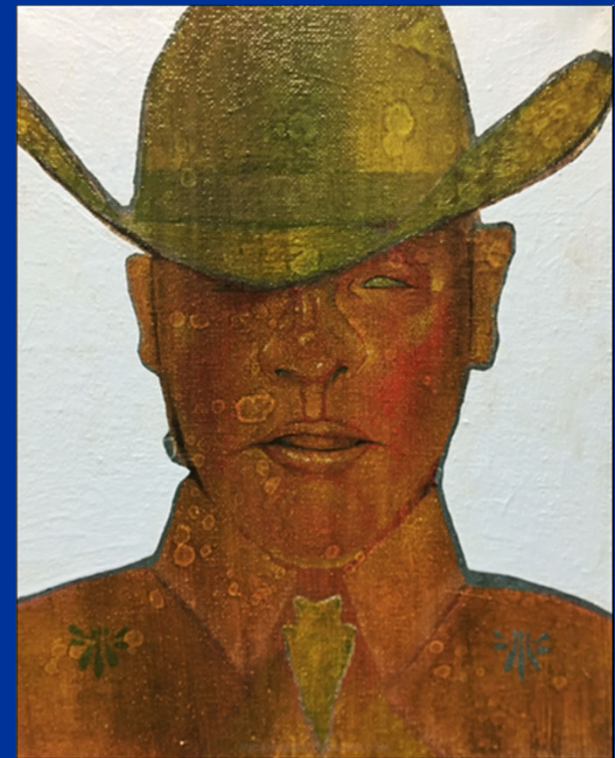
- fines up to \$1,000,000 and/or
- Imprisonment not to exceed 15 years

## Corporation

- fines up to \$5,000,000

# IACB/FWS IACA Enforcement Collaboration

- Through the Indian Arts and Crafts Amendments Act of 2010, Congress authorized any federal law enforcement officer to conduct IACA investigations
- IACA cases have had a nexus with FWS statutes such as the Marine Mammal Protection Act, Migratory Bird Treaty Act, and Bald and Golden Eagle Protection Act
- In March 2012 IACB entered into a Memorandum of Agreement (MOA) with FWS Office of Law Enforcement for IACA investigations



Micah Wesley, Kiowa, *Reckoning 2*, © 2020

# Civil Penalties

- Injunctive or other equitable relief
- Treble damages, or no less than \$1,000 for each day of offer or display for sale
- Punitive damages
- Costs of suit

# Civil Suits – Who Can Sue?

- Indian Tribe
- Indian Arts and Crafts Organization
- Individual Indian
- Attorney General of the United States  
(on behalf of the above)



# Navajo Nation vs. Urban Outfitters

- Filed by Navajo Nation in February 2012, against Urban Outfitters and several of its subsidiaries
- Urban Outfitters marketed several products as “Navajo” or “Navaho,” including clothing, jewelry, and household accessories
- Complaint alleged both Trademark infringement and Indian Arts and Crafts Act violations
- Case settled in November 2016. Urban Outfitters and Navajo Nation entered into a supply and licensing agreement

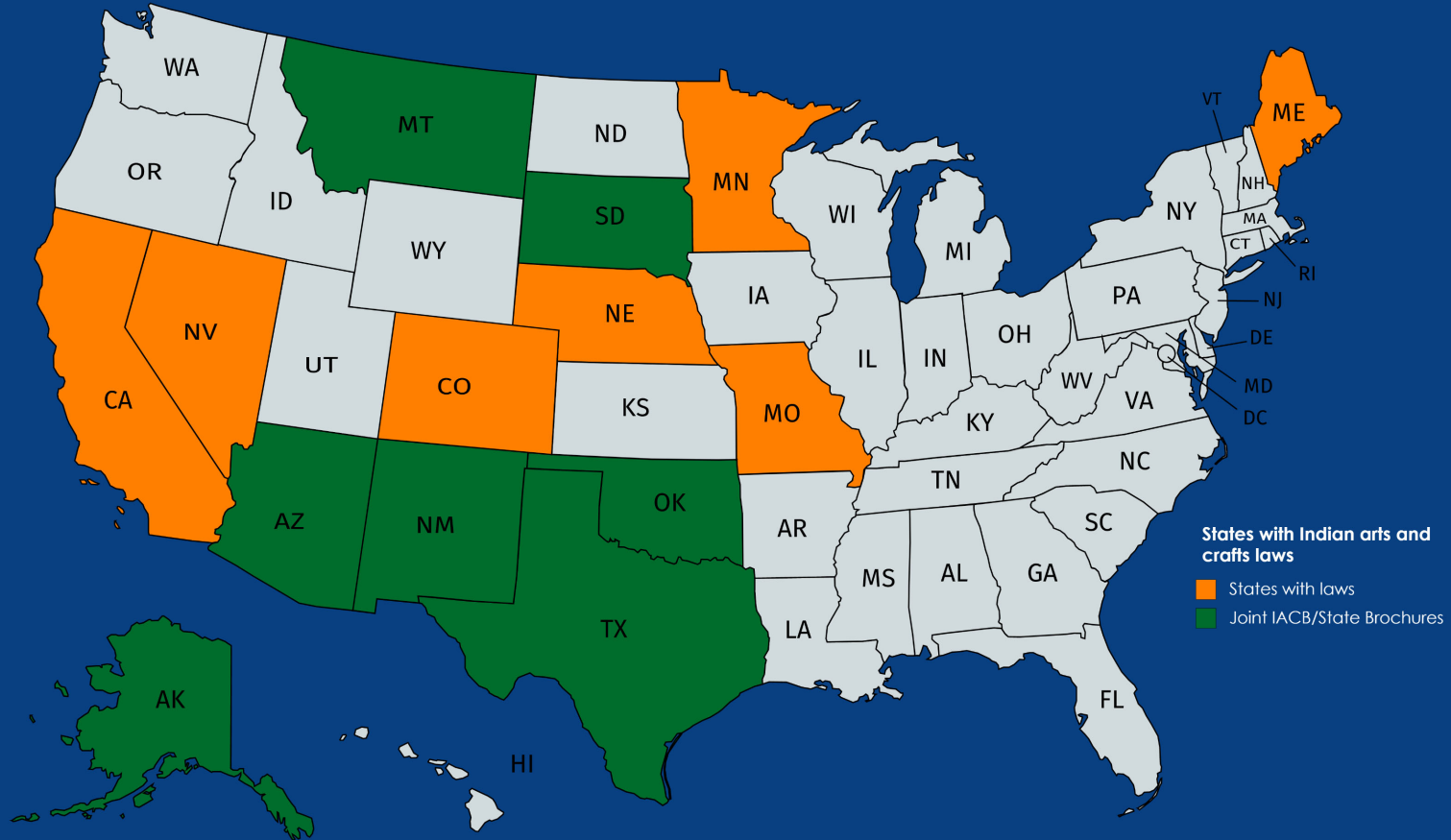


# Pendleton Woolen Mills (Settlement, 2013)


- Pendleton Woolen Mills marketed products using the unqualified terms “Sioux” and “Lakota”
- December 9, 2013, settlement agreement between IACB, U.S. Department of Justice, and Pendleton
- Pendleton donated \$41,250 to the Heritage Center at the Red Cloud Indian School in Pine Ridge, South Dakota, for the promotion of authentic Sioux art; revised its website and catalogs to clarify its advertising language; and added information about the Act to its catalogs and website



# States with Indian Arts and Crafts Laws




# IACB/State Collaborations

 **Indian Arts and Crafts Act**  
U.S. Department of the Interior


56416/13, "Two Kachino Masks", 1999, R. Montoya, Sonobio San, Jon

Take home a treasure  
from Indian Country:

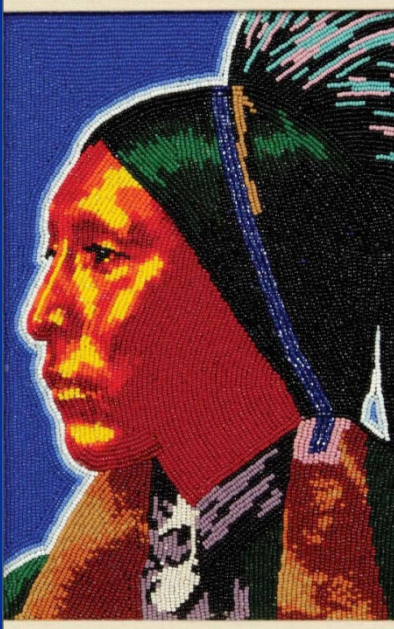
Buy Authentic  
New Mexico Indian  
Arts and Crafts



Marcus Amerman, Choctaw, Chief Twohatchee, Kiowa, © 1986

 **Indian Arts and Crafts Act**  
U.S. Department of the Interior

Buy Authentic Oklahoma  
Indian Art and Craftwork




Marcus Amerman, Choctaw, Chief Twohatchee, Kiowa, © 1986


 **Indian Arts and Crafts Act**  
U.S. Department of the Interior



5702/72, Venti Beads, 1980, unknown artist, Zuni Pueblo


Buy Authentic Indian  
Arts and Crafts from  
Members of Federally  
Recognized Tribes




 U.S. Department of the Interior  
**INDIAN ARTS & CRAFTS BOARD**

TAKE HOME A TREASURE FROM ALASKA - BUY AUTHENTIC ALASKA NATIVE ART


# Consumer Education



**HOW TO BUY AUTHENTIC NAVAJO (DINÉ) WEAVINGS**  
U.S. DEPARTMENT OF THE INTERIOR • INDIAN ARTS AND CRAFTS BOARD



*Unraveling the Mystery  
of **Turquoise***



Indian Arts and Crafts Act  
U.S. Department of the Interior



**ALASKA NATIVE IVORY**  
U.S. DEPARTMENT OF THE INTERIOR • INDIAN ARTS AND CRAFTS BOARD  
In collaboration with Alaska State Council on the Arts

**SUSTAINABLE  
TRADITION**  
THE BEAUTY OF THE NORTHERN  
SEA OTTER IN ALASKA NATIVE ART



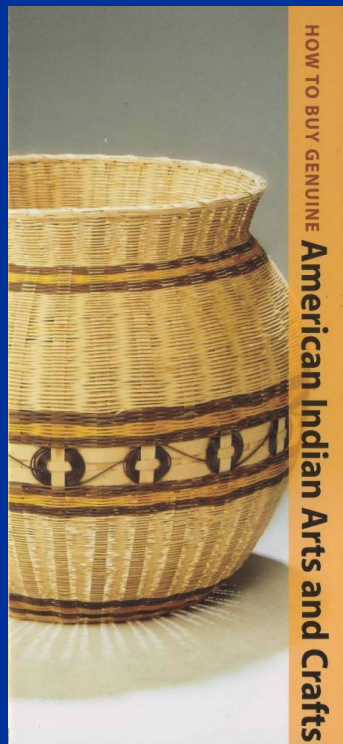
U.S. Department of the Interior  
**INDIAN ARTS & CRAFTS BOARD**  
In collaboration with U.S. Fish & Wildlife Service



# Consumer Education

The IACB educates consumers about the Act through:

- Advertisements in Indian art and tourist publications
- Educational brochures available at <https://www.doi.gov/iacb/iacb-publications>



**Take Home A Treasure  
from Indian Country**

**Buy works produced by members  
of federally recognized tribes**

The Indian Arts and Crafts Board (IACB) offers a *Source Directory of American Indian and Alaska Native (Indian) Owned and Operated Arts and Crafts Businesses* that sell authentic Indian art and craftwork, which is available at [www.doi.gov/iacb](http://www.doi.gov/iacb).

Under the Indian Arts and Crafts Act (Act), it is unlawful to offer or display for sale, or sell, any art or craft product in a manner that falsely suggests it is Indian produced, an Indian product, or the product of a particular Indian or Indian tribe or Indian arts and crafts organization.

For a free brochure on the Act, including how to file a complaint, please contact the IACB:

U.S. Department of the Interior  
Indian Arts and Crafts Board  
Toll Free: 1-888-ART-FAKE or 1-888-278-3253  
Email: [iacb@ios.doi.gov](mailto:iacb@ios.doi.gov)  
Web: [www.doi.gov/iacb](http://www.doi.gov/iacb)

Ed Hooker, Omashe, Roundwoven Basket, Painting, ©2017

**TAKE HOME A TREASURE  
FROM INDIAN COUNTRY**

**BUY ART PRODUCED BY MEMBERS  
OF FEDERALLY RECOGNIZED TRIBES**

The Indian Arts and Crafts Board (IACB) offers a *Source Directory of American Indian and Alaska Native Owned and Operated Arts and Crafts Businesses* that sell authentic Native American art and craftwork, which is available at [www.doi.gov/iacb](http://www.doi.gov/iacb).

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Web: [www.doi.gov/iacb](http://www.doi.gov/iacb)



Johnnie Dacan, Miskoke, Painting, *These Are Our Stories*, ©2018

# BUY AMERICAN

# SUPPORT AUTHENTIC AMERICAN INDIAN ART

BUY FROM MEMBERS OF FEDERALLY RECOGNIZED TRIBES



Deborah Magee, Blackfeet, Beadwork/Quillwork, *Song of the Woman Warrior*, ©2020 from the Indian Arts and Crafts Board, Museum of the Plains Indian collection

JANUARY							FEBRUARY							MARCH							
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2022

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U.S. Department of the Interior  
Indian Arts and Crafts Board  
Washington D.C. 20240

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Web: [www.doi.gov/iacb](http://www.doi.gov/iacb)



# Buy American

## Support Authentic Alaska Native Art

### Buy from members of federally recognized Tribes



Christy Ruby, Tingit, 7aa Daa, Capelet, ©2020, from the Indian Arts and Crafts Board Museum collection

JANUARY							FEBRUARY							MARCH							APRIL						
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 Web: [www.doi.gov/iacb](http://www.doi.gov/iacb)

# 2022



# Filing a Complaint



- Contact IACB
- Outline alleged violation
- Documentation of violation
- Contact information for alleged violator
- Complaints may be made online, through IACB website, or via toll-free number:

**1-888-ART-FAKE**

**[www.doi.gov/iacb](http://www.doi.gov/iacb)**

# Handicrafts

- <https://www.nps.gov/subjects/concessions/anh.htm>
- Section 416 of the National Parks Omnibus Management Act of 1998



Katherine Dickerson,  
Kiowa, *German Silver Belt  
and Drag*, ©2005

# Contact the Indian Arts and Crafts Board

1-888-ART-FAKE or 1-888-278-3253

[www.doi.gov/iacb](http://www.doi.gov/iacb)

