

"I may not agree with a word you say but I will defend unto death your right to say it." — Voltaire



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Member of the American Indian Press Association

On Imitations of Native Crafts Law— FTC Announces Enforcement

The Commission has been concerned recently with acts and practices of manufacturers, importers and distributors in passing off as Indian made, goods which have not been produced by American Indian artisans or craftsmen.

The Commission believes it necessary to prescribe guidelines in the interests of the purchasing public and to assist the manufacturers, importers, and distributors of these products to avoid possible violations of the Federal Trade Commission Act.

The Commission's staff has investigated the practices of a number of importers, manufacturers, and distributors of articles sold or offered for sale as curios, souvenirs, gifts, novelties, and toys which resemble or simulate, because of their appearance, design, or nature, products ordinarily associated with American Indian Craftsmanship.

This merchandise includes but is not limited to such articles as tom-toms, tomahawks, dance rattles, headdresses, power horn whistles, totem poles, dolls, spears, arrows, mocassins, whips, belts, beadwork, pottery, necklaces, bracelets, rings, and other jewelry. Frequently these articles are decorated with symbols, markings, and designs which have an ethnic significance associated with American Indians.

Many of the foregoing products are made in whole or in part by machine. Although in some cases American Indians have been employed to finish or to assemble the product, in many instances they have not participated in its production at all.

Other products of this type are comprised entirely or in part of components which have been imported from foreign countries. While some of the foreign made merchandise bears markings which disclose its foreign origin, these markings are frequently so small and placed so inconspicuously upon the article that they are not readily discernible by the public.

The nature and appearance of both the domestic and imported products, and the representations made in connection with their sale, lead the public to believe that they are hand-made products of Indian craftsmanship.

Typically, manufacturers, importers, and distributors sell and ship these products to various retail dealers located throughout the United States. Many of these

dealers operate so-called "Trading Posts" or "Indian Craft Shops" in the vicinity of areas where Indians are known to reside.

In the course and conduct of their business the manufacturers, importers, and distributors, affix to or place on the products symbols and markings of a kind and character associated with American Indians and depictions of Indians or Indian scenes.

Certain words, phrases, statements, and representations are used in catalogs, trade journals, labels, and in other media, which directly or by implication convey the impression that the articles are products of Indian craftsmanship.

Examples of such words and phrases include the following: "American Indian Made," "Made by Chief Deerfoot," "Genuine Indian Made," "Indian," "Genuine Indian (name of product)," "Handicraft Indian (name of product)," and "Reservation Made."

Through the use of these false and misleading representations, and deceptive acts and practices, manufacturers, importers and distributors enable retailers and others to deceive and mislead the consuming public as to the source of this type of merchandise.

As the manufacturers, importers, and distributors of these products compete in commerce with corporations, firms and individuals manufacturing or selling curios, souvenirs, gifts, novelties and toys which are genuine products of Indian craftsmanship and with those selling simulated Indian products which are so marked and advertised as to disclose their true origin and nature, the existence of unfair competition is evident.

The Commission has noted the long-standing public policy of assisting Indians to become self-supporting members of society. In 1935, the Indian Arts and Crafts Board was created by statute in the Department of Interior (see 25 U.S.C. 305) to promote the development of Indian arts and crafts, and to expand the market for products of Indian arts and craftsmanship.

According to information received by the Commission, more than 6,000 Indian and Eskimo artists and craftsmen earn annually a total of over \$2,000,000 from the sale of handcraft products, and it is expected that this volume will increase substantially as larger markets are

(Continued on Page 6)

Letters from Here and There

Village Suffers Severe Power Problems

Selawik, Alaska 99770
December 4, 1974

State of Alaska Human Rights Commission
Executive Director
MacKay Building
338 Denali Street
Anchorage, Alaska 99501

Dear Sir:

On behalf of the citizens of Selawik and the consumer members of the Alaska Village Electric Cooperative I would like to take this opportunity to file a complaint against the Alaska Village Electric Cooperative.

For the second time in the last six months this community of over 500 people has experienced a lengthy total power outage. The first occurrence took place in early July. The community endured a ten day outage at this time. The community was without emergency communication and many people lost their food supplies when frozen food thawed and rotted.

The second, and longer, total outage began November 16 and the power was not restored until December 4, when the new governor, Jay Hammond, took the necessary measures to apparently cause A.V.E.C. to take the long overdue corrective measures. The temperature during this outage were at times below -40 degrees F. Thousands of dollars in damage occurred to the school and health clinic facilities in addition to both being out of operation during this time. Communications were completely cut off, fire alarms were inoperable, and the population in general was considerably burdened, with some experiencing severe discomfort and illness from the cold.

All communities experience power outages from time to time. Usually unless a disaster of major proportions has occurred, power is quickly and expeditiously restored. In the case of Selawik this was not the case. Evidence indicates that there has been a deliberate and vicious attitude of neglect and discrimination on the part of certain officials in the Alaska Village Cooperative administrative organization. A.V.E.C. officials have been overheard to say, "Let them suffer. We'll fix their generator when we get around to it." Consequently summer heat and spoiled food were all the Selawik residents received from A.V.E.C. during the first outage.

During the first week of November an A.V.E.C. mechanic was in Selawik to make repairs on obviously faltering plants but A.V.E.C. personnel in Anchorage refused to send him parts, while he sat in the village waiting, and then sent him a message to not bother with Selawik but to go to another village with much less critical needs. A big factor in the dispute was the need of more power in Selawik to enable construction to finish on a much needed new local high school with 115 students while in fact the new priority site established by A.V.E.C. had much less village population, who had power, and a high school enrollment of about ten students.

A few days later an A.V.E.C. official, a Robert Brouillette, arrived in Selawik and demanded without prior notice an im-

mediate meeting with the village city council. Stamping and strutting into the city building with out introducing himself, he proceeded to verbally abuse me, the city council, and the community of Selawik in general. At one point he yelled, "I'll make you pay triple damages if anything happens to that generator."

When asked if he had talked to the local power plant operator (hired by A.V.E.C.) Brouillette had not only not bothered to talk with him but didn't even know who he was. The threat about triple damages, was in reference to the overloaded generator being used to supply power to the high school construction project, as well as the present school and the entire village. A.V.E.C. had known for two years of the coming construction project and the increased demand that would accompany it and the operation of it after completion. A new 250 cilo watt generator sits unconnected, even now after having been here for over a year, yet A.V.E.C. had the audacity to blame and accuse the mayor and the people of Selawik, who have little control over the situation, for A.V.E.C.'s incompetence. A.V.E.C. indicated that they would turn off the power shortly because of a payment misunderstanding involving the school, which meant the village would suffer as a side effect. All this, when in fact A.V.E.C. had never sent the school district a contract to arrange payment and service. Shortly after this point in time, on November 16, the generator did break down and subsequently the entire community including the school of over 200 students, medical services, and communications all ceased operations. The construction crew, with no power, packed up and left in total, leaving a much needed new high school building only a few weeks from completion, to return at some uncertain date in the future.

In the meantime, shortly after the outage date of November 16, spare parts finally arrived to fix the generator, which was a relatively simple operation, but A.V.E.C. refused to send anyone to make repairs. An A.V.E.C. official in Kotzebue told Selawik citizens that Selawik had been warned and they didn't know when they would even think about fixing the generator. This was a response coming from Brouillette. It apparently meant little to him that a hardship was being levied against the Selawik people, that it was hard to keep warm without circulating fans, that there was no power to pump fuel from NANA bulk tanks, that any emergency would be critical, and that the education of over 200 children was being interrupted, and much needed facilities were being left unfinished. There was and is an arrogant, superior attitude in A.V.E.C. treatment of the people they are being subsidized to provide service for.

In addition, the Selawik Schools Director of Education was assured by Lloyd Hodson, manager of A.V.E.C., on November 20 that spare parts and a mechanic would be in Selawik that day to make repairs. Spare parts had arrived but the mechanic did not. Days later in the cold dark the people of Selawik were still waiting for power. It seems to be that A.V.E.C. needs some straightening out.

On December 2, the inauguration day of Governor Hammond, decisive action was taken to correct the ineptitude of A.V.E.C.

The city's declaring itself to be a disaster area was finally answered by action by the Governor, the National Guard and very belatedly, by A.V.E.C. Some of the consequences of A.V.E.C.'s indifference are still very much apparent, such as the unfinished, boarded-up, new high school building.

The people of Selawik have suffered much at the hands of A.V.E.C., even though they are consumer members and must pay the minimum charge whether they receive service or not. I and the people of Selawik respectfully request that the Human Rights Commission conduct an investigation into the discriminatory and unfair practices of A.V.E.C. toward the city of Selawik.

Sincerely,
Allen Tickett, Mayor
City of Selawik
Selawik, Alaska 99770

cc: NANA
AFN
Governor Hammond
Tundra Times, Consumer Protection
REA and Alaska Disaster Office

Phone Line Has Gone to the Dogs

Shageluk, Alaska
December 5, 1974

Dear Howard:

Well I'm sitting by my telephone hoping to get a call from Jay Hammond, Jimmy Huntington, or even Fred Stickman. Trouble is, no one can call me because RCA hasn't hooked up our phone. Said they'd have it hooked up by October but it's December and dead phone.

But they promised us a phone last year too and I waited for a call from Gov. Egan, didn't hear nothing.

We got some short wave radios but can't make a phone call for months sometimes. Tried to congratulate Jay and Lowell but too much static.

They left some wire for the phone to be connected, might make a good run line for the dogs. Maybe I can use the telephone for a toy dog bone for my daughter's dog. Dogs got to get Christmas presents too.

Anyway, I'm waiting by the telephone that they said they'd have in by last October.

Adolph Hamilton
Shageluk

Selawik Seniors Seek Help From Hammond

Box 29
Selawik School
Selawik, Alaska 99770

The Honorable Governor Jay Hammond
Office of the Governor
Juneau, Alaska 99801

Dear Governor Hammond:

The senior class of Selawik would like to thank you for your help in restoring emergency power to Selawik so that we could return to our high school classes. We would like to further request your assistance in urging AVEC to hook up the 250 kw generator so that there would be enough power for the construction crew to complete our new

(Continued on page 7)