

ATADA NEWS

A PUBLICATION OF THE ANTIQUE TRIBAL ART DEALERS ASSOCIATION

WINTER 10 Vol. 20 No. 1



Kansas City
Board Retreat

Member Close-Up:
Darlene and Bob Seng

Art and the Law
Comes to the Bay Area



Dedicated to the Highest Standards of Dealing and Collecting Antique Tribal Art

Contents

WINTER ISSUE 2010 VOL. 20, No. 1

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Policy Statement... ATADA was formed to represent professional dealers of antique tribal art. Our objectives are to promote professional conduct among dealers and to educate others in the valuable role of tribal art in the wealth of human experience. We will develop informed opinions and practices by publications, educational grants and legal activism. Those actions will be supported by newsletters, seminars and the formation of action committees. It is our intent to monitor and publicize legislative efforts and government regulations concerning trade in tribal art and to assess public reaction. To attain our objectives, we will actively seek suggestions from other organizations and individuals with similar interests.

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ATADA NEW

A PUBLICATION OF THE ANTIQUE TRIBAL ART DEALERS ASSOCIATION

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Arch Thiessen

Executive Board

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Cover Photo: Tlingit headdress with wooden front-
let, ca. 1820-1850.

Courtesy - The John and Marva Warnock Collection
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Letter From The President



2009 was a year of challenges. The recession was upon us. Show attendance dropped off. Art sales were down everywhere. The FBI raids in the West brought a rain of bad publicity even though their target was prehistoric pottery that is rarely sold by ATADA members.

Our basic goals have not changed. We strive to share our passion for art with others, to create and sustain a market that values authenticity, connoisseurship, and scholarly excellence. Part of the ATADA experience is to ensure ethical behavior and compliance with current law. Another is to enhance educational opportunities for understanding art and cultural heritage for both ATADA members and the general public. In a major rewrite of the ATADA web site, a new page, "Art and the Law", was created. This new page is a guide to the existing laws and their interpretation that affect collectors and dealers alike. It is essential reading for all ATADA members.

The ATADA Board of Directors met in Kansas City, November 20-22 for its first retreat ever. Many issues were discussed. The ATADA committee structure was changed to meet the new challenges. Two new educational committees were created. We started the process of rewriting the Bylaws and reviewed the Articles of Incorporation. This rewrite led to an understanding that the Articles of Incorporation for both ATADA and the ATADA Foundation need to be rewritten, a process which is underway.

The new ATADA committees are subcommittees of the existing Education Committee chaired by Robert Bauver. The first new committee, the Educational Outreach Committee, has a goal of generating positive press by publishing an article per month in a major newspaper or magazine. Initially, this committee will be chaired by John Molloy.

The second new committee, the Legislative Education Committee, has the goal of educating our legislators and the general public to the needs of Collectors, Dealers, and Museums. These goals will be met with a series of public talks and forums on "Art and The Law" and by face to face meetings with influential legislators and their staff. Initially, Robert Gallegos will chair this committee.

In order to better publicize our efforts, we have reorganized our publications. The ATADA News will now be published on the Web and in hard copy simultaneously. The only major change that you will see is that the page format will be single column. The content will not change. The issue format will still consist of a colored cover with black-and-white interior. The issue size will be unchanged. It is possible that the images used for the web may all be in full color. The images in the printed version will continue to be in black-and-white.

The show schedule in San Francisco has changed. All of the Tribal Art shows and the American Indian Art show have been compressed into a single week. The BOD is unable to find a time to meet during this week and has voted to cancel both their meeting and the General Membership Meeting in Marin. The next regularly scheduled BOD meeting and the next General Meeting will be held in Santa Fe in August during show week as in previous years.

In times of crisis, stability is of the essence. Kate Fitz Gibbon has been voted to chair the legal committee and has thus become a member of the BOD. Roger Fry and Len Weakley have agreed to remain on the BOD under the same terms as before, sharing a vote. We have added a strong representative of the collecting community, Clinton Nagy, to the BOD. In recognition of their helpful advice in Kansas City and numerous other occasions, we have appointed Doug and Ramona Morris jointly to share membership on the BOD with one vote between them. The remainder of the BOD will be unchanged in 2010.

None of the changes made by the BOD in Kansas City have, as yet, come to fruition. First drafts are scheduled to be distributed by December 31. Each of these will need one round of minor changes and then will need to be voted on. You are seeing the first issue of The ATADA News in the new format. The BOD has agreed to schedule a second retreat once the effects of this round of changes is understood, perhaps in March or April of 2010.

The first public forum under the auspices of the new Legislative Education Committee will be held on February 11, 2010, in the Marin Civic Center. It will consist of a talk and panel discussion entitled "Art and the Law." Tentatively the panel will consist of a dealer, an artist, a government representative, a museum curator, and a collector. The subject will include both Tribal Art and American Indian Art. Another panel discussion in this series will be scheduled for Santa Fe in August, 2010.

ATADA is moving forward with new and revitalized educational components on our website and in our publications, with plans for panels and other public discussions. In order to confront the myriad of legal, museum and educational policy changes that will be needed to preserve our cultural heritage for generations to come.

We need your help, enthusiasm, and fresh ideas. We challenge every one of our members to become part of the vigorous public debate over the future of ethnographic and tribal arts. Thanks to all members who have contributed good energy to ATADA over the last year and welcome to all members, new and old, who will sustain ATADA and ensure that it remains representative of the finest and most distinguished aspects of the trade. And happy 2010!



Editor's Notebook

ATADA's board of directors weekend-long retreat/meeting in Kansas City left the participants enthused about the future.

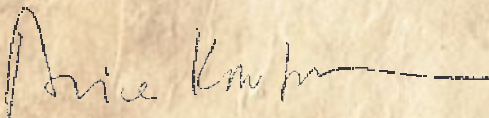
One of the first manifestations of that future is our Art and the Law panel discussion on February 11. As she did in Santa Fe in August, ATADA's new legal committee chair Kate Fitz Gibbon will lead the discussion. We plan to publicize this event and hope to draw a crowd - and some publicity. The discussion will take place at noon on Thursday, February 11, in a meeting room at the Exhibit Hall at the Marin Country Civic Center in San Rafael, the venue for Kim Martindale's February show. Plans include a panel featuring members of the judicial, legal, and academic fields, as well as a representative from the tribal dealer community. The event is timed in conjunction with the Bay Area shows in February. Admission is free.

A highlight of the Kansas City board retreat was an after-hours tour guided by Gaylord Torrance of the new Indian art installation at the Nelson-Atkins Museum. The material was absolutely splendid (with several of the pieces very familiar to some of the board members) and the exhibit itself was gorgeous - Indian art as art. Thank you again, Gaylord!

Because of the timing of the Tribal & Textile & Arts show and Kim's Marin Show: Art of the Americas, we will not schedule a general members' meeting or a board meeting this February. If the board needs to meet before our traditional August meeting, we will schedule another retreat. By the way, board members pay their own retreat-related expenses.

For the first time, the ATADA News is being published in both print and online editions. See www.atada.org for the full color online version.

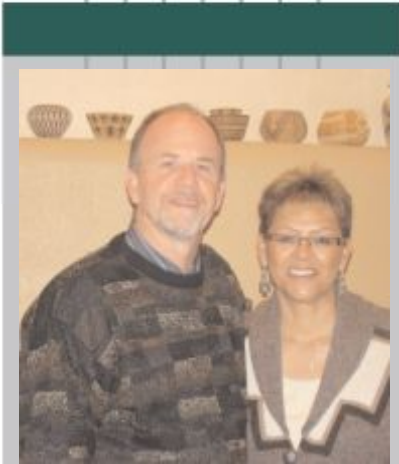
See you at Fort Mason for the tribal show and in San Rafael for Kim's show.



Alice Kaufman



Member Close-Up



Darlene and Bob Seng

Darlene and Bob Seng moved from careers in banking and real estate to become American Indian art dealers, at first part-time, then - gradually - full time. Success selling on eBay led Darlene to her first public sales in 1998. Two years later, Bob ended his 30-year career at the Bank of America when he accepted a retirement buyout package and used the income to transition into the American Indian art business. Today, the Sengs operate as Transitional Arts Trading Company, are full members of the American Indian art dealers' community, and can be seen at most auctions and shows.

Darlene and Bob Seng met when they were both working for the Bank of America in Livermore, California, about an hour east of San Francisco. "We didn't work at a retail branch, but at a service and supply facility which supported the retail branch network" says Darlene. She was in purchasing, processing orders from branch banks, and Bob had various positions including security/surveillance, computer support and facilities management.

"It was a very social environment," says Bob, "and we knew of each other, but things changed when we were paired off in a horseshoe tournament at the company picnic."

"It took off from there," says Darlene.

She grew up in Northern California, where she "spent a lot of time on the Round Valley Indian reservation" with her Sherwood Pomo and Nomlaki relatives. She went to Humboldt State University, and was in the Ukiah area when her cousin, who worked at the Livermore Bank of America service facility, called to tell her about a job opening.

Bob grew up in Tucson and moved to San Francisco to attend Simpson Bible College. After two years, he decided bible college was "not for me," and took the first of many positions he would hold over the next 30 years, "climbing the ladder" at the Bank of America. "I also got interested in electronics and took courses in the evenings and got a degree in computer technology.

"The landscape changed with when interstate banking came along," he remembers. "It became impractical to provide our services for branches coast to coast and those services we once provided began to be outsourced, so I moved into facilities management in Livermore."

About twelve years ago, the Sengs took a vacation trip to Santa Fe. Bob recalls, "We were sightseeing on Canyon Road, when we saw a Hupa fancy plaque at Morningstar Gallery. Darlene had been around Pomo baskets growing up, but we had never been collectors. I couldn't believe I would ever spend \$200 on a basket, a lot of money to us at the time, but we bought it."

Newly receptive to the beauty - and value -- of baskets, the Sengs continued up Canyon Road, finding more they liked at Kania-Ferrin Gallery and meeting John and Joe who would become "good friends and valued resources." Then they walked into Anthony Sobin Fine Art, where they saw a number of baskets they liked, including a Nomlaki/Southern Wintu basket made by Mrs. Tony Bill.

"I'd never seen a Nomlaki basket before, and it really captivated me," says Darlene. "We had baskets all around the house when I was growing up - my great-great-grandmother was a weaver - but I'd never seen any except Pomos. We were fondling it, Bob was talking pictures of it, but at \$3200, we couldn't afford to buy it."

"About two weeks after we got home, we got a letter from Anthony saying we were crazy if we didn't buy this basket, and it's not like we would ever have the chance to buy another Nomlaki basket," says Bob. "He said he would sell it for full price in Santa Fe that summer but would rather see the basket 'go home'. He said he was going to send it to us and told us to keep it for two weeks, at which point we could either buy it for \$1600 or send it back."

"We decided the basket would be our Christmas presents and birthday presents to each other for the year," says Darlene.

"Recently," adds Bob, "we found a photograph of the weaver's husband posing with a group of his family's baskets, and our Nomlaki basket is in the picture."

"I'm looking at it now," said Darlene with a smile in her voice.

"We somehow became aware of and began attending Ron Milam's auctions in the Bay Area, and that was just when eBay was starting up," she continues. "I was in real estate then, and Bob and I had at that point started buying a few things at auction for our collection. As our taste improved, we no longer wanted the beginning pieces and wondered if we could sell them on eBay."

"That was early in eBay's history," Bob says, "and there were more buyers than sellers because it was easy to buy in those days, but you had to know quite a bit about computers to post something on the site for sale, and I knew about computers."

Initially they had no thoughts of becoming dealers, they just wanted to sell what they no longer wanted. They started selling things on eBay, and it was working: "We were selling for more than we'd paid," says Darlene. "At some point we decided to try buying things simply for resale to make a little extra money and

Early Hopi turtle gourd resonator by Wilson Tawaquaptewa



Large Yosemite area Miwok/Paiute polychrome figurative basket by Lucy Telles. Displayed in 1939 Golden Gate International Exposition and photographed in *Tradition and Innovation*.

help support our developing habit. After a while, we were earning decent money, and I got so busy that I quit my job and did eBay full time."

"I was still at the Bank of America then," says Bob. "In 1999 Ron Munn encouraged Darlene to set up in a room at the Embassy Suites during Kim Martindale's Marin show. We didn't have enough inventory or experience, and our things weren't in the same ballpark as what the other dealers had. In those days we bought what we could afford, which wasn't much. But we decided Darlene could set up while I worked at the bank and we'd see what happened."

Says Darlene, "We were a bit intimidated because we had low end merchandise, but we wanted to give it a try. We had pretty good sales at the hotel, and met a lot of people," including Kim Martindale's sister. Kim's sister called Darlene the next day to say they'd had a cancellation at Kim's show and invited her to take the space. "Ron Munn told me to 'just do it,' so even though it was expensive, we took a small booth. It was pretty pitiful, back in the corner with no lights."

"But we sold enough at that show to come back the next year," says Bob.

"Now we've been doing shows for ten years," says Darlene.

Growing their business was, says Bob, "slow going, a progression towards wanting and being able to afford better quality things. As we sold and had more money, it was a natural evolution. When you develop a clientele and you have had some success, you are more comfortable spending money on costlier material."

Bob's personal specialty is western baskets. "I appreciate the form, the art, the materials, the craftsmanship and the skill required to produce a well-woven basket." The Sengs also specialize in Pueblo and Navajo jewelry and "matriarchal pottery." Darlene is the jewelry specialist. Why? "I'm a girl," she explains. "The more I saw of the older, cruder jewelry, the more I liked it," she continues. "Like Bobby, I'm attracted to the craftsmanship, the skill. Certain pieces can be hard to find, and I love to hunt for a piece no one has seen."

"The romance of the Fred Harvey era with native craftsmen selling their work to the tourists at the train stations is suggested by and reflected in the jewelry," adds Bob.

Although they sell to other dealers, the Sengs are lucky - and good enough at what they do - to have loyal collector customers. "They call and ask what I have that is new for them," says Darlene. "They called last week to ask what I'd bought at the December Bonhams auction. I love the thrill of the hunt when they ask me to find them a special piece."

Washoe 3 rod polychrome degikup basket by Maggie Mayo James c1920s. 12 inches in diameter and 7 1/4 inches tall.

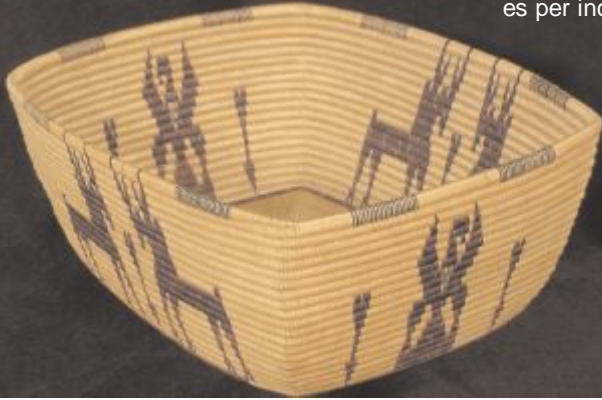


Large, finely woven Mono Lake Paiute polychrome basket by Carrie Bethel. Measuring 17" in diameter and 8" tall, this basket won First Prize at the 1928 June Lake Field Days competition. Published in *Tradition and Innovation* by Craig Bates and Martha Lee.

Bob characterizes the Sengs' basket clientele as "part of the older set, people whose kids are raised and who have some money they can spend to put something beautiful and valuable on the shelf to enjoy. Now that we are able to buy high-end material," he adds, "it has become much harder to get. Collectors buy these things because they love them, and if they aren't forced to sell, they don't. And for the most part, their things have held their value or appreciated."

As of late December, 2009, Bob Seng says, "even though we're in trying economic times, we are fortunate to still have regular basket buyers, who are spending between \$1000 and \$10,000 for nice baskets and a couple other clients who are still buying high-end baskets. Our jewelry sales have continued to be a real staple at the shows we do."

Panamint rectangular figurative basket by Sarah Hunter c1920s. Designs include 4 deer, 2 perched eagles and 6 arrows and measures 9 1/2" long, 8 1/2" wide and 4" tall. Exquisitely woven with 40 stitches per inch.



When asked about personal heroes in the American Indian art business, both Bob and Darlene immediately mention the entire Munn family as having been "very encouraging" (Darlene) and "influential to our business" (Bob). "We've had a lot of experience at many different auction houses," Bob continues, "and we always felt the Munns had a lot of integrity and 'right' material that was represented correctly. We also felt like they could be trusted to handle absentee bids correctly. We both

appreciated their guidance as we learned the business."

"I don't think we'd be here without their encouragement," adds Darlene. "They often gave us pointers on things to look out for, the type of inventory to keep, and how to deal with people."

"And," says Bob, "they did these things selflessly, knowing that as dealers we would eventually likely be in competition with them to some degree. We both remember talking with Ron for hours and listening to his many stories about his experiences in the business over the years. It made us wish that we had been in the business earlier, when the times and material availability were very different from the way things are today."

"In the basket area," Bob continues, "John Kania's knowledge and willingness to share helped me a lot. I wanted to know technical details for identification and attribution purposes, and he has a large photo and document archive that he is willing to share. John loves baskets and has done a lot of research and I consider him a valuable resource."

When it comes to jewelry, Darlene says she really appreciated Jay Evetts as she learned the business "for his knowledge and his willingness to share. He was always friendly and happy to teach what he knew, which was considerable."

The Indian art business has changed a lot in the time since the Sengs first started selling on eBay in the late 90s. "While we began on eBay and would not be in the business but for eBay, it of course had a profound impact on the overall



Panamint 4 color polychrome bottleneck basket measuring 7" in diameter and 4 1/4" high. Finely woven with 30-34 stitches per inch and 8 coils per inch. Willow, yucca root, bulrush and quill.

antiques business, mostly in a bad way for those dealers in the business before eBay came along." Bob continues, "eBay gave everyone an outlet for their collectibles; anyone could sell their own things without involving a dealer. We no longer sell on eBay because the level of the inventory that we enjoy now doesn't seem to work as well there, and the fees get too expensive. Besides, it's too much work and the shows are much more fun!

"I don't know how the business will change in the next 10 years," Bob says. "While many auction houses are going online with internet bidding, we've seen a few move away from online bidding to strictly live auctions. Years ago, there was a real advantage to being at an auction to view and bid in person, since there were often addendum lots that weren't in the catalog and weren't available to be seen unless you were there at the auction in person. Now, most everything is online so there's more visibility, more competition, and bidders in the room are not as likely to get those great deals. I suspect the online trend will continue, and probably increase as technology continues to improve, because the audience is vastly improved for the auction house. As for the brick and mortar galleries, I hope they're able to survive these times. I can only imagine the pressure imposed by gallery overhead when things are slow, but I think they are a real asset to our business."

The Nomlaki basket they bought in Santa Fe in 1998 and a basket Darlene bought from a family member that was made by her great-great-grandmother remain at the emotional center of their own, personal collection, but they own a lot of other baskets now too. "We have baskets everywhere," says Darlene, "just like when I grew up." She also has a collection of small/miniature baskets, a small collection of Navajo and Pueblo jewelry and a group of Fred Harvey era copper stamped trays and boxes along with a few other things.

"We kept the things we liked and could afford to keep, which isn't NEARLY enough," says Bob.

As for the future of the Seng's business, Bob says "we're going to keep plugging away. With the recent economic downturn, business for us (as for most) has been softer over the past two years, but still decent. But we still have collectors with the appetite and the ability to buy so we're still buying."

"We both love what we are doing so much," says Darlene. "Any dealer feels the same. What could be better than doing something you love?"



Hopi gourd and cottonwood chicken by Wilson Tawaquaptewa



ATADA

Board Meeting Notes

Kansas City, November 20-22, 2009

Attending:
Bob Bauver
Kate Fitz Gibbon
Roger Fry
Bob Gallegos
Alice Kaufman
Mike McKissick
John Molloy
Doug Morris
Ramona Morris
Tom Murray
Arch Thiessen
Len Weakley



Friday, November 20, 2009

President Arch Thiessen opened the meeting. Early agenda items included deciding on the amount for 2010 dues, crafting a new mission statement and reworking/rewording the bylaws.

Kate Fitz Gibbon was voted new chair of the Legal Committee. Roger and Len are now committee members. If approved, they will stay on the Board, sharing one Board vote.

It was agreed that dues will remain at the present level - \$300 for Full members, \$150 for Associates - for 2010, then go back to the previous \$400/\$200 in 2011. It was also agreed that museum members will no longer pay \$25 per year, but would not be charged at all. In addition, every museum that receives a grant from ATADA will be offered a membership in ATADA at no charge.

Full membership standards were then discussed. It was decided to use the words "predominantly antique" in reference to Full members' inventory. Approving new members by the Board should be done in "a timely manner" - Board comments, either pro or con, should be submitted within 10 days of receiving an email proposing a new Full member. Members have a chance to comment when the applicant's name is published in the ATADA news. Board members are encouraged to contact ATADA members who have recommended or sponsored the applicant if they do not know the applicant either personally or by reputation.

The issue of the election of Board members was also discussed. Once a slate of directors is proposed to the membership, any Full member may propose an alternate slate; all slates can then be voted on by the membership.

There is already a provision that new dealers, if they wish, can join as Associates for two years. After that, they must apply for Full member status and be approved by the Board to become a Full member.

Membership is open to all qualified applicants. U.S. Residence is not a requirement.



Mike McKissick and Thomas Murray enjoying Kansas City barbecue

Board committees were then discussed: It was then determined that ATADA should have the following committees: Membership, Legal, Web, International Trade, Nominating, and Education/Museum. All committee chairs automatically serve on the Board, which can have up to 16 directors.

As it stands, the membership can now vote for Board members and/or offer their own nominees. The vote is done via email. Board members elect/appoint officers. Bob Gallegos will send out a ballot with the 2010 dues invoice in early December. Nominations should be received by January 1, 2010. Ballots will be counted by January 31. It is anticipated that the new Board will meet, at least briefly, in San Rafael in February. It is recognized, however, that with the Tribal Show and the

Antique Indian Show both occurring in February, and overlapping to some extent, that it may be difficult for the new Board to meet. If it is unable to meet at that time, other appropriate arrangements will be made.

Officers of ATADA are to be elected by the Board. Kate Fitz Gibbon suggested that the Board elect officers via teleconferencing soon after the election of the Board. Kate indicated she would work on a policy that would more clearly set forth how and when the Board of Directors is elected and how the Board will elect officers of ATADA.

The guarantee provided by ATADA members was discussed. The Legal Committee will review the various guarantees that have been utilized in the past, and will formulate a recommended guarantee.

The Friday meeting was adjourned.

Saturday, November 21, 2009

The Board discussed "the Number One issue," the government's interpretation of federal laws regarding dealers and collectors, the newspaper stories stemming from the Utah and Santa Fe raids, and ATADA's reactions to this, past, present and future. Legal ramifications of the situation were also discussed.

Although several members suggested forming a political action committee ("PAC"), the Board did not believe that the forming of a PAC would be consistent with the purpose for which ATADA was formed. Board member John Molloy stated that contacting legislators is something that must be considered.

Kate suggested that we also try to educate people on the prosecutorial side. What would be our avenue of discussion? The object: not to criminalize the actions of thousands of people who collect and deal in Tribal objects. Our approach should be educational, not lobbying. ATADA will continue to work within the law; however, we need a more clear understanding of it and a uniform application of the law. We do not believe, from a prosecutorial side, that we are seeing uniform interpretations or applications.

There was a discussion of people who might help us, who know and respect Native traditions, and who recognize the importance and contributions of dealers and collectors in preserving antique tribal art. Contacts need to be made with these people.

It was emphasized that it is not illegal to deal in prehistoric material. If a dealer or collector can establish that the item did not come from BLM or other protected land, there should be no issue with it. There is a concern, however, that if the government cannot prove the origin of the piece, prosecutors will now attempt to shift the burden of proof to the dealer or collector/owner. This is a major concern in view of the fact that so many pieces collected years ago simply have no provenance. It was the view of the Legal Committee that the burden of proof could not be shifted to the owner.

The discussion continued: We must meet with legislators, and need people who have relevant contacts to make themselves known. ATADA should be a resource that people consider calling when these issues come up. We plan to organize meetings to explain our position and educate the public. We propose forming a committee to educate people in politics and government, a Legislative Education Committee, a sub-committee of the Education Committee. The objective: to create a working dialogue with the government. Bob Gallegos will chair this sub-committee, and we will ask Steve Elmore to be a committee member. The first thing to do: to come back to the Board with a workable plan to educate legislators, etc. It is hoped that by implementing such a plan, we could communicate with representatives and senators, both on the state and national levels. We are looking for people who can assist us in educating others about the need for clarity and uniformity in the laws and the benefits and value of collecting.

ATADA was asked by a newspaper how it has been affected by the now-infamous raids. The answer: We have not been affected. We support the law. The recession has far more effect on business than the raids. The Board's weekend-long meeting is one response to the situation.

The government has, however, created an aura of uncertainty, leaving legitimate dealers looking for clarification. NAGPRA, for instance, is poorly defined and should be clarified. "It's an important law," said one director, "but the lack of clarity makes it a problem for archeologists, and for cultural/historical preservation."

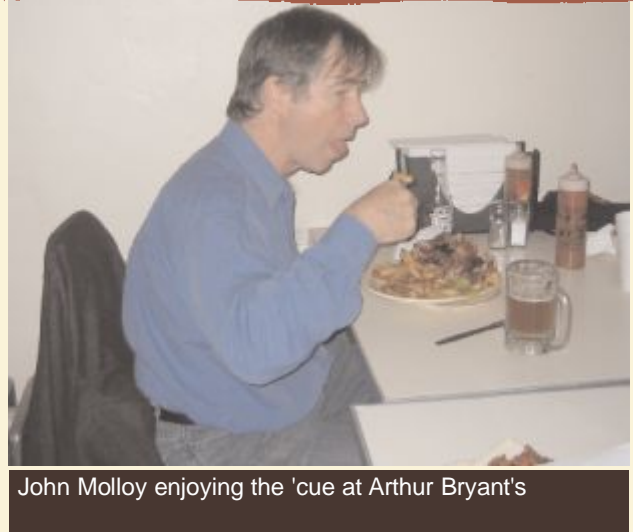
At this point, the Board turned its attention to rewording ATADA's Mission Statement. The result:

ATADA's Mission:

- To educate ATADA members, art collectors, museums, educators, students, and the general public on the history, art, and culture of indigenous people worldwide, and the importance of preserving and studying objects of material culture;
- To educate ATADA members and the public on laws impacting the trade and collection of ethnographic and tribal art and to advocate the fullest compliance with existing law;
- To promote responsible, professional, and ethical conduct in the trade and collecting of ethnographic and tribal art.

In addition, the Board voted unanimously to award a \$1,000 grant to the Nelson-Atkins Museum in recognition of their new American Indian exhibit. \$1,000 grants were also awarded to the A:shiwí A:wán Museum in Zuni, New Mexico and the Fort Nisqually Foundation, which is housed in a restored Hudson Bay trading post in Tacoma, Washington.

Arch Thiessen and Kate Fitz Gibbon will create an Art and the Law page on www.atada.org (a draft



John Molloy enjoying the 'cue at Arthur Bryant's

already exists). The page will be constantly revised and updated and links will be added. This page is, as of the end of November, a "work in progress," and will not provide legal advice, but will provide clarification.

Moving on to discuss the ATADA guarantee, Kate, Len, and Roger will formulate, circulate, and propose a guarantee form. Use of the ATADA guarantee is not mandatory, and it can be used as a template, or be individually tailored by and for each member. If there is a dispute relating to a sale (or anything else), a third party will decide the case through arbitration, if necessary. The final version will be a limited guarantee for one year, and will be published in the ATADA News.

On the subject of educating our members and the public, Arch Thiessen observed that we may be able to expand ATADA's public image through some of the social websites that are available now. Karen Riley, who is working with Arch, will be asked by Arch to look into that and advise Arch, and, in turn, the Board. Also, Wilbur Norman is putting together an Art and the Law session for Marin in February, and we hope he will put together additional seminars at colleges/universities and shows. ATADA will give him the "framework to operate." Let Wilbur come up with a plan, and we can help him execute it.

Talking about business, Bob Gallegos said that many members have been primarily selling to one another and older collectors. We must, he said, expand the market, and should aim at a younger market.

To help do so, John Molloy envisions a series of articles, not specifically Native American or tribal, but describing the general roles of dealers and collectors. John also mentioned a possible story on the role of collections as a national heritage. Thomas Jefferson, he told the Board, bought Lewis and Clark material. Most things in museums come from collectors. John also envisions a dialogue between anthropologists and museums. He complimented the Nelson-Atkins and other museums that show Native material as art, not natural history.

What is the role of the collector? In the case of collecting American Indian material, preserving the national heritage. The more you collect, a director said, the more you appreciate Native American culture and realize the hardship involved in producing this material. Cultures are in part defined by their art and artifacts, which need to be preserved. A series of articles is called for. John Molloy will oversee this and will be calling on members to contribute.

There was a suggestion from a member that the ATADA News be published only online. It was decided that it would be published both in the print edition and online.

The Saturday meeting was adjourned.

Sunday, November 22, 2009

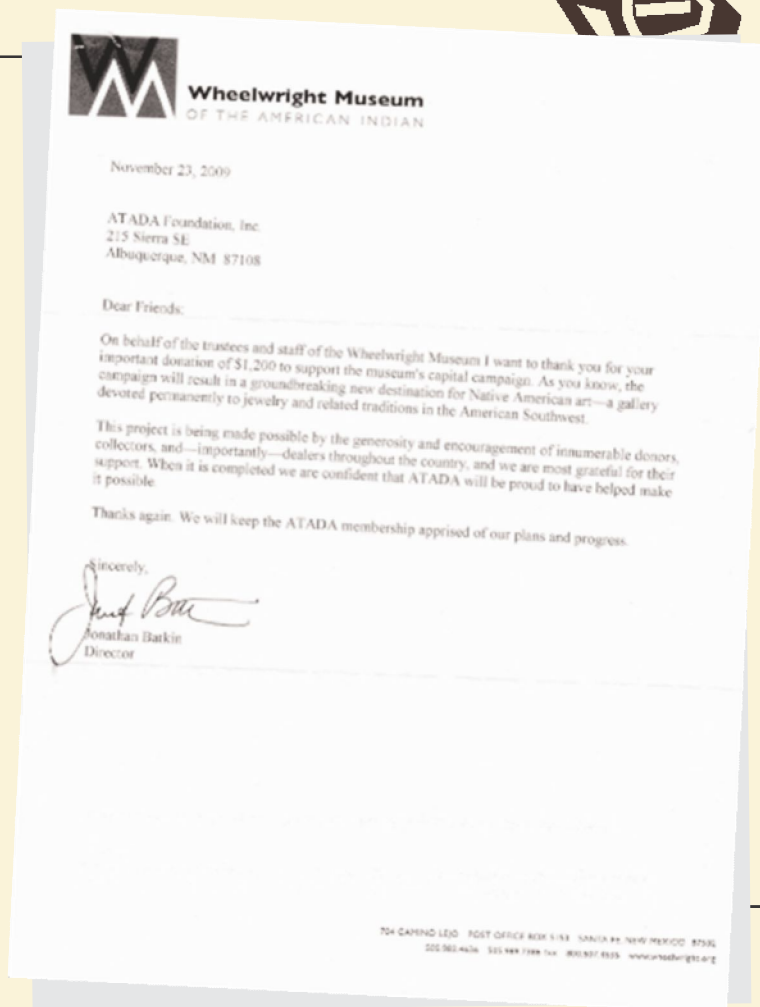
Arch wrapped up the three-day meeting:

1. Len and Roger will re-do the Bylaws (again!). Then the Board and membership can comment.
2. Two new sub-committees of the Education Committee were created: Bob Gallegos has volunteered to chair the Legislative Education Committee, and John Molloy will chair the Educational Outreach Comity, which everyone hopes will result in a collecting story about the connection from Jefferson to Warnock.
3. Kate Fitz Gibbon was voted onto the Board and was voted chairman of the Legal Committee.
4. Alice Kaufman and Ramona Morris were nominated to serve as directors of the ATADA Foundation. The affirmative vote was unanimous.

5. Policies of governance were proposed and passed.
6. A suggestion that all members be invited to submit to the ATADA news a few paragraphs (or longer) describing a story about collecting/dealing was endorsed by all.
7. All public relations, education and informal lobbying efforts will increase and continue.

The meeting was adjourned.

From ATADAs Mailbox:



Art and the Law

ATADA will sponsor an Art and the Law panel discussion on Thursday, February 11 at noon. The event is timed in conjunction with the Bay Area shows in February. It will take place at a meeting room at the Exhibit Hall at the Marin County Civic Center in San Rafael, the traditional venue for Kim Martindale's February show. Plans include a panel featuring members of the judicial, legal, academic fields, as well as a representative from the tribal dealer community. The event is directed toward the general public in hopes to increase awareness of laws as well as responsibilities of collectors. Attendance is free. ATADA legal committee chair Kate Fitz Gibbon will participate. Wilbur Norman is planning the event.

No ATADA Meetings in February

Because of the timing of Caskey-Lees' San Francisco Textile & Tribal Arts show and Kim Martindale's Marin Art of the Americas show, no board or General Membership meetings are scheduled for February.

We look forward to seeing you at the General membership meeting in August in Santa Fe. If you would like to tell the board members anything between now and then, please either get in touch with the executive director at acek33@aol.com/(415) 927-3717 and/or address an email or letter to the Members Forum.

From ATADA's email:

IACA Testifies on Crafts Laws December 2, 2009, Washington, D.C.

(December 1, 2009, Albuquerque NM) - Michael "NaNa Ping" Garcia, President of the Indian Arts and Crafts Association, will testify on Wednesday, December 2, 2009 Legislative Hearing on H.R. 725, "Indian Arts and Crafts Amendments Act of 2009."

The amendments would strengthen enforcement, expanding the existing federal investigative authority by authorizing other federal investigative bodies, such as the BIA Office of Law Enforcement to take action. The bill also revises the requirements for the initiation of civil actions for misrepresentation of Indian produced goods and clarifies the requirements for the initiation of civil actions, as well as penalties for the misrepresentations of such goods

Other witnesses include the Honorable Shan Lewis, Fort Mojave Indian Tribe Vice Chairman and President of the Inter-Tribal Council of Arizona, Inc., Jewell James, Policy Advisor for the Lummi Indian Nation and Larry Parkinson, Deputy Assistant Secretary for Law Enforcement, Security & Emergency Management at the U.S. Department of the Interior, Washington, D.C.

The Hearing is being held before the Committee on Natural Resources Office of Indian Affairs. at 10:00 a.m. in Room 1324 Longworth House Office Building. The Committee provides online public access with live webcasts beginning approximately 10 minutes prior to the start of the hearing at

<http://resourcescommittee.house.gov>,
 Indian Arts & Crafts Association
 4010 Carlisle Blvd NE, Suite C
 Albuquerque, NM 87107
 Phone: 505.265.9149
 Website: www.iaca.com

Members' Forum

This new feature in the ATADA News and the ATADA Web Site provides a place for members to present ideas, suggestions, complaints, etc. to the board and the membership.

What do you think ATADA should do about negative newspaper stories? What can be done to combat fake material in the marketplace and online? How should ATADA go about finding and enrolling new members? What more would you like to see ATADA do for its members?

Your email/letter must be signed, but correspondents can request anonymity for publication if they choose. Please send your comments to acek33@aol.com or in the mail to ATADA, 82 Madrone Avenue, Larkspur, CA 94939

Theft Alert:

Recent Additions to ATADA's Theft Alert page at www.atada.org:

Antique American Indian Jewelry Stolen from Tucson, AZ Gallery, October 14, 2009

A Zia Jar and a Pair of Hi Top Mocs were Stolen from a Santa Fe Gallery, October 2, 2009

Caveat Emptor:

An excerpt from the Caveat Emptor page on www.atada.org. For more information, and for illustrations of fake vs. real jewelry, please access the page on the website.

Replicas and Fakes: Unfortunately, not all sales channels subscribe to the ethical standards of ATADA. There is an ever growing problem of fakes in the Antique and Tribal Art Marketplace. Let's be clear in what is a replica and what is a fake. Replicas of fine art have been produced almost daily since the originals were created. This is an accepted practice worldwide. It is fully ethical and legal in the USA as long as the piece is represented as what it is, a replica, marked with country of origin. Replicas may also be represented as, for example, "Zuni Style" if it is a replica of Zuni Indian art. However, if the country of origin tag is "lost" and/or if the replica is intentionally misrepresented as "American Indian made" or, for example, "Zuni Inlay" and not "Zuni Style Inlay", this is a fake and constitutes fraud fully punishable under the laws of the United States of America.

In the standard contracts of auction houses, "once the hammer falls, you bought it." The buyer has little recourse. Ebay and the auction houses will sometimes help if a piece has been grossly misrepresented, but they are not required to do so under the purchase contract that you sign with them.

There are many dealers who are not knowledgeable about the fakes problem. They simply do not know the difference between replicas and the real thing. Such dealers range from small mom and pop operations to flea market sellers to highly ethical dealers who are operating out of their realm of expertise. Auction houses do not have the staff to eliminate fakes before the sale. There are also a few unethical dealers. In such cases, "let the buyer beware" applies. It is up to the buyer to know what he or she is purchasing and up to the buyer to obtain a written receipt which includes, at least, a description of the item bought which describes the item's material composition, approximate creation date, area of origin, maker, condition, etc. and up to the buyer to obtain a written guarantee of authenticity with return privileges clearly defined. Watch out for the fine print. Many a "Certificate of Authenticity" handed out with American Indian or Tribal Art provides no, or only very limited, guarantee and return privileges, hence is not worth the paper it is printed on.

Calendar of Events 2010

As a service to our members, we post a calendar of events of interest to collectors of either Antique American Indian Arts or Tribal Arts on this page. Please send any suggestions for additions or corrections to Alice Kaufman at Alice@ATADA.org. The Antique Tribal Arts Dealers Association, Inc. can take no responsibility for errors or omissions in this calendar.

February 12 - 14, 2010, San Francisco, California

The San Francisco Tribal and Textile Arts Show - February 12 - 14, 2010, Fort Mason Center, Festival Pavilion, San Francisco, CA. 100 International Dealers Exhibiting Pre-1940 Folk, Textile; Tribal Arts from Around the World; Twenty-Fourth Year to benefit the galleries for Textiles and for the art of Africa, Oceania, and the Americas at the new de Young Museum.

Many ATADA members/dealers historically participate in this show - come and meet them in person!

February 12 - 14, 2010, Casa Grande, Arizona - date to be confirmed

Annual O'Odham Tash Indian Arts Festival - Casa Grande's largest annual Indian Art event held on President's day weekend. Parades, pow wows, queen's pageant, Indian bands, carnival, largest all Indian rodeo, arts & crafts. Call (520) 836-4723 or (800) 916-1515 for more information.

February 13 - 14, 2010, San Rafael, California

The 26th Marin Show: Art of the Americas by Kim Martindale will be held in the Marin Civic Center and the Embassy Suites hotel adjacent to the Civic Center on Saturday and Sunday, February 13 and 14, 2010. For more information about exhibitors, directions and more, please visit www.MarinShow.com.

Many ATADA members/dealers historically participate in this show - come and meet them in person!

March 5 - 7, 2010, Mesa, Arizona - date to be confirmed

Doug Allard's Big Spring Auction 2010 will be held at the The Holiday Inn Hotel & Suites, 1600 S. Country Club Dr. Mesa, AZ 85210. Day 1: Preview reception: 5:00 p.m.; Day 2: Preview: 8:00 a.m. Auction Start: Noon; Day 3: Preview: 8:00 am; Auction Start: 10:00 am. Telephone: (406) 745-0500 or (888) 314-0343 or visit www.allardauctions.com/ for details.

March 6 - 8, 2010, Alamogordo, New Mexico - date to be confirmed

The R.G. Munn Auction LLC are conducting their auctions from 1000 Zuni Dr, Alamogordo, NM 88310. Please contact R.G. Munn Auction, LLC, PO Box 705, Cloudcroft, NM 88713. Phone (575) 687-3676, fax (575) 687-3592, for more information.

March 6 - 7, 2010, Phoenix, Arizona

The Heard Museum Guild Indian Market is one of the most prestigious art events in the entire Southwest. On Saturday March 6 and Sunday March 7, 2010, the Heard Museum Guild Indian Fair & Market will, for the 52nd consecutive year, be celebrated on the Heard Museum campus on Central Avenue. More than 700 premier Native American artists including potters, katsina doll carvers, basket weavers, jewelers, sculptors, weavers, clothing designers, photographers and painters and more display a stunning selection of unique fine art for viewing and purchase. Fair Saturday and Sunday 9:30 a.m. - 5 p.m. After the 1st of January you will be able to purchase pre-fair tickets to make attending the largest and best market in Arizona easy.

March 13, 2010, Prescott, Arizona - event and date to be confirmed

Smoki Museum Winter Navajo Rug Auction Preview 10 am-12 pm; Auction begins at 1 pm. Over 200 vintage and contemporary weavings. Consignments for this Navajo Rug Auction will be accepted at Oggs Hogan from March 2nd to 11th. For more information, please contact Smoki Museum, 147 N Arizona St., Prescott, AZ 86304; phone (928) 445-1230.

April 3 - 5, 2010, Henderson, Nevada - event and date to be confirmed

The Twentieth Invitational Annual Native American Arts Festival will be held at the Clark County Museum, 1830 South Boulder Highway, Henderson, Nevada. This is a three-day program highlighting the history and artistry of Native American arts, crafts, and cultures. Featured are guest artist demonstrations, dance and music performances, lectures and films, fry bread, and a Native American Arts and Crafts Market. For more information, please call (702) 455-7955 or visit www.accessclarkcounty.com/100/pages/events.aspx

April 4 - 5, 2010, Los Angeles, California - event and date to be confirmed

Autry National Center Appraisal Workshop and Rug Auction Appraisal workshop is conducted on April 4th, 10 am - 4 pm. Auction is on April 5th, preview starting at 10 am., bidding starts at 1 pm. For more information, please call (323) 667-2000

April 21 - 25, 2010, Albuquerque, New Mexico

IACA Spring Wholesale Market The IACA Spring Wholesale Market (open to the trade and IACA members) will be held on April 22-23, followed by the IACA American Indian Art Market on April 24-25, (a retail market open to the public). Both events will be held in the Albuquerque Convention Center in downtown Albuquerque, New Mexico. The Business of Art Seminar will be held on April 21st, from 8:30 am until 4:30 pm. For more information, please call (505) 265-9149 or visit Indian Arts and Crafts Association website.

April 22 - 24, 2010, Albuquerque, New Mexico

Annual Gathering of Nations Powwow, Miss Indian World, and Indian Traders Market ; More than 3,000 dancers compete in Albuquerque, New Mexico, representing more than 500 tribes from Canada, the United States and Mexico. About 800 participate in the Indian Traders Market that weekend. Location: University of New Mexico Football Field, Avenida Cesar Chavez Blvd. SE (Hwy. 25, exit #223), across the street from the "Pit". Phone: (505) 836-2810.



Updates

Address Changes:

Alan and Bronnie Blaugrund
6001 Imperata NE Apt. 1415
Albuquerque, NM. 87111

George Polakoff
P.O. Box 296
Winnetka, IL 60093



Welcome New Members

ATADA would like to welcome...



Full Member

John C. Waller Caravanserai, Ltd
ManagerName: Casey Waller
P.O. Box 420183, Dallas, TX 75342
2050 N. Stemmons Frwy. Suite 10057,
Dallas, TX 75207
(214) 741-2131
caravanserai@att.net
*Specialty: Central Asian carpets, kil-
ims and textiles*

Check out the ATADA web site! www.atada.org



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