

IMPORTANT DEFINITIONS

“Alaska Native person” means an individual who is a state resident and who is an enrolled member of an Alaska tribe.

“Alaska tribe” means an organized group or community in Alaska that is an Indian tribe.

“Indian tribe” has the meaning given in 25 U.S.C. 450 b (e) Indian Self – Determination and Education Assistance Act.

“Authentic Alaska Native Art” means a work of art that is created or crafted in the state by an Alaska Native person.

“Council” means the Alaska State Council on the Arts as described in AS44.27.040.

“Identification seal” means the seal authorized by AS 45.65.010.

“Original” means new, unique, not a reproduction, and created or crafted by one person without the use of mechanized duplication instruments, electronic duplication instruments, or other devices or systems for copying large numbers of articles, except that “original” includes etched prints, lithographic prints, serigraphic (silk screen) prints, and prints from photographs, if the prints are made by hand by the person who created or crafted the etched plate, etched drawing, etched design, lithographic plate, lithographic stone, serigraphic (silk) screen, or photograph from which the prints were made.

“State resident” means an individual who is physically present in the state with the intent to remain indefinitely in the state under AS 1.10.055. Or, if the individual is not physically present in the state, intends to return to the state and remain indefinitely in the state under AS 01.10.055.

“Work of art” means creation or crafting of a visual article, including a painting, a sculpture, a drawing, a mosaic, a photograph, an etching, a lithograph, and a serigraph (silk screen); calligraphy; clay, textile, fiber, wood, metal, plastic, or glass, or a combination of these materials; traditional Alaska Native materials, including ivory, bone, grass, baleen, animal skins or gut, wood or furs; or a collage or combination of two or more of the categories identified in this paragraph.

“Knowingly” has the meaning given in AS 11.81.900

PROHIBITED CONDUCT

The seal or a representation of that seal may not be used in a false or misleading manner, modified, incorporated into a business, company, product logo or seal, or sold as art or as a dominant feature of art unless approved in writing by the Council Chair. An individual may not; affix or attach the seal to an article that is not an original article of authentic Alaska Native art created or crafted in the state; or sell or offer for sale an article that has an identification seal affixed or attached but is not an original article of authentic Alaska Native art created or crafted in Alaska; or alter, change, or counterfeit an identification seal. Anyone may confidentially and anonymously report alleged violations and unlawful use of the Silver Hand seal to the Council.

PENALTIES FOR PERMIT OR SEAL MISUSE

A person who knowingly or willfully issues the document for or affixes or attaches the identification seal to an article knowing that it is not authentic Alaska Native art, is guilty of a class B misdemeanor. Sec. 45.65.060. A person who knowingly or willfully sells or offers for sale an article with the seal affixed or attached, knowing that it is not authentic Alaska Native art, is guilty of a class B misdemeanor. A person who knowingly or willfully alters, changes, or counterfeits an identification seal, is guilty of a class B misdemeanor. A person who has been issued a permit is guilty of a class B misdemeanor if the person knowingly or willfully issues a permit for an article that is not authentic Alaska Native art under AS 45.65.030(a)

PERMIT REVOCATION OR DEBARMENT

A person authorized to use the Silver Hand seal who is convicted of an offense under AS 45.65.060 will have their permit privileges automatically revoked on the date of conviction; and is barred from any further participation in the Silver Hand program. After notice and opportunity for hearing, the Council will, in the Council's discretion, revoke a permit for failure to comply with requirements of AS 45.65.010 – 45.65.070 including the payment of fees, and this chapter.



ALASKA STATE COUNCIL ON THE ARTS SILVER HAND PROGRAM & PERMIT APPLICATION

ALASKA STATE COUNCIL ON THE ARTS

is a state arts agency that fosters development of arts for all Alaskans through education, partnerships, grants and services. The Alaska State Council on the Arts is the sole administrator of the Silver Hand Program and manager of Silver Hand permits.

THE SILVER HAND PROGRAM

is the only state sanctioned Alaska Native artists and arts authentication program. The Council is responsible for the design, method of affixing, preparation, issuance, and control of the Silver Hand seal; issuance of permits to use the seals and fee collection; supervision of the use of seals; enforcement of the law regarding seals; establishment of forms and fees for the applicants and permits to be used or issued; period for which the permits are valid; and procedures for renewing the permits. An Alaska Native person who creates or crafts an original article of authentic Alaska Native art in the state and who is a resident of the state may obtain a permit to identify their work. The Silver Hand registry is public record.

THE SILVER HAND SEAL

guarantees consumers that an article bearing the seal is an original piece of art created in the state by an Alaska Native artist living in Alaska. The seal may only be affixed to original articles of authentic Alaska Native art. The seals may only be used after receiving a permit from the Council.

TO APPLY

an eligible Alaska Native person must submit an application, required support documents and permit fee to the Council. Applications are reviewed within 30 days of receipt. Incomplete applications are not accepted. Documents and fees are returned to ineligible applicants.

APPLICANTS

are awarded a two year permit to help promote and market their artwork. A two year permit card is issued and 100 free tags are provided annually. It is the permit holder's responsibility to reorder the second year supply of free tags by submitting a reorder form provided by the Council. Additional tags may be purchased at 20 cents/tag.

PERMITS

expire two years from the date issued. A permit must be renewed by submitting a completed renewal application 30 days prior to the expiration date of the current permit. The permit holder may use a representation of the Silver Hand seal only in advertising of that permit holder's art, which may include; personal catalogs, letterhead, business cards, in-store and other advertising, and for other similar purposes related to the permit holder's artwork for the duration of an active permit. The permit and tags are non – transferable and may not be shared with, bartered or sold to any other individual or any business.

OTHER ALASKA BRANDING PROGRAMS

Alaska Native artists may be eligible for a Made in Alaska permit. Call 907-272-5634 for information.

FOR OFFICIAL ASCA USE ONLY

Approved by: _____
Date: _____
Tags received: _____
Amount received: _____ (check, M.O.)
Check number: _____

SILVER HAND PERMIT APPLICATION (Please print)

- ☐ First time applicant
- ☐ Renewing applicant, permit #: _____
- ☐ Email me the ASCA newsletter

How did you hear about the program?

First: _____

Last: _____

Address: _____

City: _____ Zip: _____

Tel: _____ Cell: _____

Email: _____

Website: _____

List all types of art you produce: _____

I, the undersigned, certify I am Alaska Native, an enrolled member of an Alaska tribe, a resident of the state, and at least 18 years old. I agree I will only affix the Silver Hand seal – which features a silver hand and the words, "Authentic Alaska Native Art from Alaska" – to original art that has been or will be made entirely by me and within the state of Alaska. I have read the information present in this permit application. I agree to abide by the Silver Hand Program requirements as described in this permit application and in accordance with AS 45.65. I understand this program is underwritten with public funds and information provided on this application becomes public record upon submission.

Applicant Signature

Date

REQUIRED SUPPORT DOCUMENTS

- ☐ Documentation proving the applicant is Alaska Native which includes one or more of the following:
- a) Tribal enrollment card showing membership with a federally recognized tribe; or
 - b) An official letter from an Alaska Native village council or tribe in which the applicant is a member; or
 - c) An official letter from a village or regional corporation established under 43 U.S.C. 1606-43 U.S.C. 1607 (Alaska Native Claims Settlement act of 1971, sec. 7 & 8) confirming membership with a federally recognized tribe; or
 - d) A United States Department of Interior, Bureau of Indian Affairs certificate (not required).

- ☐ Copy of a current photo I.D. to confirm residency and age of at least 18 years which includes:

- a) Alaska State drivers license; or
- b) State of Alaska current I.D. card

- ☐ Images (CD/email/photos) of original work

- ☐ \$20 (check or MO)

Personal documents remain confidential

MAIL APPLICATION & REQUIRED MATERIALS TO

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Tel: (907) 269-6610 Fax: (907) 269-6601
Toll Free in Alaska: 1-888-278-7424
Email: asca.info@alaska.gov