



April 30, 2021

The Honorable Brian Schatz
Chairman, Senate Committee
on Indian Affairs
838 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Lisa Murkowski
Vice Chair, Senate Committee
on Indian Affairs
838 Hart Senate Office Building
Washington, D.C. 20510

Dear Chairman Schatz and Vice Chair Murkowski,

The undersigned organizations strongly endorse the Safeguard Tribal Objects of Patrimony Act of 2021 (STOP Act). This badly-needed legislation would allow the U.S. to take strong steps toward halting the overseas auctions of illicitly-procured tribal objects, and in encouraging the voluntary return of such items to their rightful owners.

Under current law, the U.S. government and Native American tribes have a disadvantage in trying to halt sales of illicitly-procured tribal cultural patrimony in overseas auctions. Foreign governments cite the lack of a specific prohibition in U.S. law against the export of looted tribal objects. Without such explicit export restrictions, many sacred and cultural tribal items end up abroad. At that point it becomes very difficult to repatriate them, and their loss becomes permanent.

Over the past decade, tribal organizations and preservation groups have worked to solve this problem, and prevent auctions of objects of questionable provenance both in the U.S. and Europe, by supporting the STOP Act. This legislation creates the required explicit prohibition on the export of objects of cultural patrimony obtained in violation of the Native American Graves Protection and Repatriation Act (NAGPRA) and the Archaeological Resources Protection Act (ARPA). The bill would also facilitate the legitimate trade in legally-acquired materials by establishing an export certification system. Collectively, these measures will make it possible for plaintiff tribes to access other countries' law enforcement mechanisms to regain their stolen property.

The bill reasserts the U.S. President's authority under the 1970 UNESCO Convention to request the return of illicitly-procured cultural property; increases penalties for violations of NAGPRA; facilitates more coordination within the federal government and between the federal government and tribes to protect tribes' cultural heritage and facilitate its return; and because a great many sacred tribal objects of dubious provenance are held in private collections, it establishes a federal framework to support voluntary returns.

The STOP Act does not criminalize any currently legal activity, or extend federal protections to articles that are not already protected under NAGPRA and ARPA. It merely reinforces and enhances current law by providing heightened penalties for violations, and by specifying under federal law that traffickers may not export their contraband.

The STOP Act is the product of years of consultation and input between tribal leaders, federal agencies, archaeologists, art dealers, and others who care about America's heritage. Passage is critical to ending illegal trafficking in tribes' cultural heritage and bringing home objects that have been separated from their communities for far too long. Our organizations support the STOP Act and its goals, and urge the Senate Committee on Indian Affairs to approve the measure as quickly as possible.

Sincerely,

Society for American Archaeology
American Anthropological Association and AAA Archaeology Division
American Cultural Resources Association
Archaeological Institute of America
National Trust for Historic Preservation
Society for Historical Archaeology
SRI Foundation

American Anthropological Association

Founded in 1902, the American Anthropological Association is the world's largest scholarly and professional organization of anthropologists. The Association is dedicated to advancing human understanding and applying this understanding to the world's most pressing problems.

American Cultural Resources Association

ACRA is the national trade association supporting the common interests of cultural resource management (CRM) firms of all sizes, types, and specialties. ACRA member firms undertake much of the legally mandated cultural resource studies and investigations in the United States and employ thousands of professionals, including archaeologists, architectural historians, historians, ethnographers, and an increasingly diverse group of other specialists in the museum and non-profit sectors.

Archaeological Institute of America

Founded in 1879, the Archaeological Institute of America is North America's oldest and largest archaeological organization. Today, the AIA has over 200,000 members and 110 local societies in the United States, Canada, and overseas. The AIA promotes archaeological inquiry and public understanding of the material record of the human past to foster an appreciation of diverse cultures and our shared humanity. The AIA supports archaeologists, their research and its dissemination, and the ethical practice of archaeology. The organization educates people of all ages about the significance of archaeological discovery and advocates for the preservation of the world's archaeological heritage.

National Trust for Historic Preservation

Congress chartered the National Trust for Historic Preservation in 1949 to "facilitate public participation in historic preservation" and further the purposes of federal historic preservation laws. With headquarters in Washington, D.C., 28 historic sites, more than one million members and supporters, and a national network of partners in states, territories, and the District of Columbia, the National Trust works to save America's historic places and advocates for historic preservation as a fundamental value in programs and policies at all levels of government.

Society for American Archaeology

The SAA is an international organization that, since its founding in 1934, has been dedicated to research about and interpretation and protection of the archaeological heritage of the Americas. With nearly 7,000 members, SAA represents professional and avocational archaeologists, archaeology students in colleges and universities, and archaeologists working at Tribal agencies, museums, government agencies, and the private sector.

Society for Historical Archaeology

Formed in 1967, the Society for Historical Archaeology (SHA) is the largest scholarly group concerned with the archaeology of the modern world (A.D. 1400-present). The main focus of the society is the era since the beginning of European exploration. SHA promotes scholarly research and the dissemination of knowledge concerning historical archaeology. The society is specifically concerned with the identification, excavation, interpretation, and conservation of sites and materials on land and underwater. Geographically the society emphasizes the New World, but also includes European exploration and settlement in Africa, Asia, and Oceania.

SRI Foundation

The SRI Foundation is a non-profit organization that seeks to enrich society by fostering historic preservation. The Foundation achieves this mission by creating an understanding and appreciation of our shared past and by improving the practice of historic preservation.