



NATIONAL ASSOCIATION OF TRIBAL HISTORIC PRESERVATION OFFICERS

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November 7, 2017

Chairman John H. Hoeven, III  
Hart Senate Office Building, SH-838  
Washington, DC 20510-6450

Vice Chairman Tom Udall  
Hart Senate Office Building, SH-838  
Washington, DC 20510-6450

Re: Support for the Safeguard Tribal Objects of Patrimony Act of 2017

Dear Chairman Hoeven and Vice Chairman Udall:

On behalf of the National Association of Tribal Historic Preservation Officers (NATHPO), we express our strong support for S. 1400, the Safeguard Tribal Objects of Patrimony Act of 2017 (STOP Act). NATHPO is a national organization of Tribal government officials who implement federal and tribal preservation laws. Membership is limited to federally-recognized Tribal government officials who are committed to preserving, rejuvenating, and supporting American Indian, Alaska Native, and Native Hawaiian cultures, heritage, and practices. Tribal Historic Preservation Officers (THPOs) often conduct repatriation activities for their respective tribe.

The illicit trade in Native American tangible cultural heritage poses a grave threat to tribal cultural survival. Our sacred and cultural items are illegally taken from our peoples, threatening our cultures and traditions and deprive us of the legacy we seek to leave our future generations. Meanwhile, a lucrative black market in our tangible cultural heritage thrives, and without explicit export restrictions many of our sacred and cultural items end up abroad.

We support the STOP Act's increased penalties for violations of the Native American Graves Protection and Repatriation Act (NAGPRA) and its explicit prohibition on exporting items obtained in violation of NAGPRA, the Archaeological Resources Protection Act (ARPA), and the Antiquities Act. The Act does not extend the reach of these three laws to tribal cultural heritage that is not already protected, and thus it does not criminalize any currently legal domestic activity. Instead, it merely increases the deterrent effect of current law by imposing heightened penalties and provides that traffickers may not export their contraband. Additionally, the STOP Act creates a structure for federal facilitation of the voluntary return of tribal cultural heritage and engages tribes through a working group to provide input on implementation.

We believe the STOP Act of 2017 will help end illegal trafficking in Native American tangible cultural heritage and bring home our sacred and cultural items that have for too long been separated from our communities.

Sincerely,

D. Bambi Kraus  
President

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NATHPO is a not-for-profit membership association of tribal governments that are committed to preserving, rejuvenating, and improving the status of tribal cultures and cultural practices by supporting Native languages, arts, dances, music, oral traditions, cultural properties, tribal museums, tribal cultural centers, and tribal libraries.