OPPOSITION TO HOUSE RESOLUTION 6043, CONGRESSIONAL LEGISLATION THAT WOULD ADVERSELY AFFECT TRIBAL RIGHTS UNDER THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

WHEREAS, United South and Eastern Tribes, Incorporated (USET) is an intertribal organization comprised of twenty-four (24) federally recognized Tribes; and

WHEREAS, the actions taken by the USET Board of Directors officially represent the intentions of each member Tribe, as the Board of Directors comprises delegates from the member Tribes’ leadership; and

WHEREAS, The Native American Graves Protection and Repatriation Act (NAGPRA) of 1990 and the regulations (43 CFR Part 10) that allow for its implementation address the rights of lineal descendants, Indian tribes, and Native Hawaiian organizations (parties with standing) to Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony, and cultural items; and

WHEREAS, the statute requires federal agencies and museums to provide information about Native American cultural items to parties with standing and, upon presentation of a valid claim, ensure the item(s) undergo disposition or repatriation; and

WHEREAS, the sanctity of the land and extant of ancient ancestral territories are paramount considerations in Tribal responsibility to safeguard the ancient burial sites of our shared ancestors; and

WHEREAS, since passage of NAGPRA and the discovery of Kennewick Man, elements of the scientific community have actively sought to limit the right of American Indian/Alaska Native Tribes/Villages to assume control of ancient AI/AN remains, so that the scientists themselves may examine those remains for personal and professional gains; and

WHEREAS, AI/AN Tribes/Villages have a sacred obligation to care for these ancient remains and denial of their right to do so prohibits them from exercising their religious practices; and

WHEREAS, scientific examination of these ancient remains is deeply offensive to AI/AN people and due to the lack of consent of the deceased, violates basic human rights; and

WHEREAS, NAGPRA was put in place to defend AI/AN rights, knowledge, understanding and interpretations, not amoral scientific values; and

WHEREAS, Congressman Doc Hastings (R-WA) introduced legislation on September 7, 2006 (H.R. 6043) that would create a new definition for “Native American” and would have the effect of eliminating the Tribal right to care for ancient AI/AN remains; therefore, be it

RESOLVED the USET Board of Directors strongly opposes passage of H.R. 6043 or any legislation with similar goals introduced in the 109th or any other Congress; and, be it further

RESOLVED the USET Board of Directors supports the passage of legislation to assure that the Tribal interest in protecting ancient remains is fully recognized and supported; and, be it further

RESOLVED the USET Board of Directors instructs the Executive Director and USET Culture and Heritage Committee to develop and implement a strategy to support Tribal rights and interpretations under NAGPRA in the Congress.

"Because there is strength in Unity"
CERTIFICATION

This resolution was duly passed at the USET Annual Meeting, at which a quorum was present, in Choctaw, MS, on Thursday, October 12, 2006.

Keller George, President
United South and Eastern Tribes, Inc.

Eddie L. Tullis, Secretary
United South and Eastern Tribes, Inc.