

July 14, 2005

Senate Committee on Indian Affairs
United States Senate
836 Hart Office Building
Washington, DC 20510
FAX: (202) 224-5429

Re: Proposed NAGPRA Amendment

Dear Committee Members:

I would like to express my dismay at Senator McCain's proposal to amend the definition of the term "Native American" as it is used in the Native American Graves Protection and Repatriation Act (NAGPRA).

If this proposed amendment is adopted by Congress, it will preclude archaeologists and other scientists from obtaining information that could be critical for understanding the people who lived in this country thousands of years ago. All of us, laypersons as well as scientists, will be the poorer for the resulting loss of knowledge about the country's heritage. One particularly disturbing aspect to Senator McCain's proposed legislation is that it will usher in, for the second time, a systematic attempt to annihilate Indian culture. As you undoubtedly know, in the 19th century, EuroAmericans forced Indians onto reservations, into boarding schools, or at the very least, into a society foreign to them. At the schools, non-Native attire and the speaking of non-Native language was often mandatory. The cultural ways of the American Indian population were to be dismissed and forgotten.

Thanks to the hard work of archaeologists and ethnographers, many customs and languages were recorded and preserved that otherwise might have been lost forever. The knowledge that they gathered has made it possible for many groups of Native People who had long since lost their cultural identity to reestablish their traditional beliefs and ways of living. The McCain bill would be a first step toward again ripping culture away from the Indians, but this time, it would be under the pretext of “repatriation”. Call it what you will, the effect of the proposed amendment is the same: to obliterate knowledge of peoples and cultures that do not conform to how those in power wish to view the past. Only two words in the bill are at issue (i.e., “or was”), but those two words would reverse carefully researched court opinions that reaffirmed that NAGPRA should not be interpreted to prohibit scientific study of ancient skeletons and objects that predate existing tribes. By changing the law in this way, Congress would be saying the past does not matter and that it is acceptable to destroy knowledge. The proud heritage and deeds of the many people who preceded us would be forever eliminated from the record that we bequeath to future generations.

I hope that the Committee will take this letter to heart, even briefly, and will carefully consider the interests of all Americans. If you do, I am confident that you will not fail to recognize that the end result of this bill may be woefully negative, and may be something that future generations will come to regret very deeply.

I would be happy to respond by telephone or e-mail to any questions that the Committee might have concerning this matter. The necessary contact information is given below.

Thank you so much for your time.

Respectfully submitted,

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