



# PUEBLO OF SANTA ANA

## OFFICE OF THE GOVERNOR

**Testimony of Governor Myron Armijo  
Pueblo of Santa Ana  
Submitted to the  
Senate Committee on Indian Affairs**

**Regarding the Oversight Field Hearing on the Theft, Illegal Possession,  
Sale, Transfer, and Exportation of Tribal Cultural Items**

**Albuquerque, New Mexico  
October 18, 2016**

Thank you for coming to New Mexico to discuss this important issue that affects all tribes in our state, including the Pueblo of Santa Ana. In the early 1980s, the Pueblo of Santa Ana suffered a massive tragedy of the theft of many sacred and cultural items from the family homes of our people, including the home of my own family. Our family homes are located in the old village, a location that was established in the 1500s and which is closed off to the public for most of the year. Thieves broke into these homes at the old village, where our Pueblo was originally located, and stole sacred items and items of cultural patrimony from many, many families.

The thieves crossed the river near our Pueblo and hid our sacred items underneath a large juniper and would later return to their hiding place to retrieve the items to sell to willing buyers. These thefts were happening sporadically for years and through several Administrations. Many nights, tribal sheriffs including the Governor would keep the Pueblo under surveillance in hopes of apprehending the thieves. One day the individuals perpetrating these acts were finally apprehended. My understanding is that they served some jail time and were released with what my people consider to be a slap on the wrist.

Meanwhile, we recovered the items that were left in the thieves' stash. These sacred items are, in fact, not merely "items" to us. They are full of life, they are central to our ceremonies, and they are close to our hearts.

Some "items," however, have still not made it home. But they are not forgotten. Nearly two generations later, our people still discuss these sacred items around the dinner table, wondering what happened to them and where they are, the way one would wonder about the fate of a missing relative. Among the items that have never returned is a shield that was stolen from our home and belonged to my grandfather. Grandfather has long since passed, but our family still remembers the loss of this shield, and although I remember it clearly, I still try to recall its finer details in my memory.

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The Pueblo of Santa Ana strongly supports the Safeguard Tribal Objects of Patrimony (STOP) Act and related federal legislation because we still yearn for the return of our sacred items and because we do not ever want another generation or another tribe to suffer the loss that we have suffered. Theft and the illicit trade of tribal cultural items steals from our people, our families, and our communities our history, our culture, and the legacy we leave for our future generations. Truly, it threatens our very identity and cultural survival—our ways of being as a people and as a tribe.

The STOP Act strengthens existing federal laws, increasing penalties for violations of the Native American Graves Protection and Repatriation Act (NAGPRA). It also prohibits exporting items that were obtained in violation of NAGPRA, the Archaeological Resources Protection Act (ARPA), and the Antiquities Act. These increased penalties and explicit export restrictions are necessary to deter the theft and trafficking of our sacred and cultural items and to aid in their recovery both domestically and internationally.

Also, the STOP Act will protect tribes as well as good faith sellers and purchasers. Illegal trafficking of tribal cultural items corrupts the Native American art market, introducing uncertainty into transactions. Santa Ana vehemently opposes those who work to illegally market items of cultural patrimony, yet we do believe that we can protect tribal cultures and support artists, dealers, purchasers, and others engaged in the legitimate sale of Native American art. It is only a small subset of the items for sale that qualify as federally protected Native American cultural objects, and we fully support the sale and enjoyment of legitimate Native American art. The STOP Act will reduce illegal trafficking in tribal cultural items, allowing buyers and sellers to be confident that they are participating in legitimate transactions that honor Native American arts and culture.

In addition to supporting the STOP Act, we request support for the creation of a Cultural Items Unit within the Bureau of Indian Affairs.<sup>1</sup> Such a unit, and sufficient funding for such a unit, could aid tremendously in Santa Ana's efforts to locate and bring home our still missing sacred and cultural items. We also welcome opportunities to work with collectors to quietly repatriate sacred items.

My most sincere thanks to you the Committee for allowing the Pueblo to provide testimony on this issue but most importantly, for bringing this Field Hearing to New Mexico. We hope that you will take action to remedy the great loss our community has suffered and continues to suffer and that you will work to protect future generations and other tribes from such tragedy. We welcome the opportunity to work with the Committee and others as new ideas come in to address the grave problem of the theft, illegal possession, sale, transfer, and exportation of tribal cultural items. We continue to have faith and hope that one day we all will be able to see and hold those items which were wrongfully taken from us so many years ago.

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<sup>1</sup> House Report 114-632 recommended appropriating \$1,000,000 for the development of a Cultural Items Unit within the Department of Interior.