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FISCAL IMPACT REPORT

SPONSOR Tsosie DATE TYPED 02/04/04 HB _____

SHORT TITLE Increased Funding to Bureau of Indian Affairs SB SJM 36

ANALYST Weber

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Indian Affairs

SUMMARY

Synopsis of Bill

Senate Joint Memorial 36 states that Native American sacred places are being desecrated or threatened by development, pollution, poisons, recreation, looting and vandalism and by federal or federally authorized undertakings.

In addition, numerous laws intended to protect Native American sacred places and additional laws that could be used to do so are in existence, but most of these laws are being ignored. Unscrupulous dealers, looters and collectors affiliated with New Mexico's galleries are trafficking Native American ancestral remains and sacred objects. Internet sites sell and auction Native American ancestral remains and sacred objects, and a lack of federal staff exists to enforce current statutes, with only one bureau of Indian affairs officer having responsibility for monitoring the theft and sale of Native American sacred objects throughout the entire country.

The memorial requests that the New Mexico Legislature petition Congress to increase funding to the bureau of Indian affairs for additional enforcement officers to enforce current repatriation statute. Copies of this memorial should then be transmitted to the members of the New Mexico

Senate Joint Memorial 36 -- Page 2

Congressional delegation, the Bureau of Indian Affairs, the New Mexico Office of Indian Affairs, the Museum of Indian Arts and Culture, the Institute of American Indian Arts, and the New Mexico Historic Preservation Division.

Significant Issues

The Department of Indian Affairs adds.

According to a BIA special agent who spoke at a fall conference co-sponsored by the Office of Indian Affairs, commercial looting of sacred articles is rampant and it impacts state, federal, tribal and private property. It is an \$8 billion industry. The Internet is often used to auction remains and sacred objects. A human skull was auctioned on E-Bay and a certificate of authenticity and documentation was sold along with the item. It is also not illegal to own or collect artifacts from private land with permission of the landowner.

MW/prr