

"I may not agree with a word you say but I will defend unto death your right to say it." — Voltaire

Tundra Times



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'Sanctity of Burial Sites'— State, Federal Laws Protect Cemeteries

(EDITOR'S NOTE: The following letter was written by Area Director Morris Thompson for Alaska operation of the Bureau of Indian Affairs. The letter is timely and it is aimed toward protection of the Native cultural and spiritual heritage such as burial sites. The letter has been sent to each of the 12 regional corporation presidents.)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
Juneau Area Office
P.O. Box 3-8000
Juneau, Alaska 99801

June 5, 1973

Mr. Robert Marshall
President
AHTNA Incorporated
Box 823
Copper Center, Alaska 99573

Dear Mr. Marshall:

To help preserve the cultural and spiritual heritage of Alaska Natives it is important that Native cemetery and historical sites be protected from further destruction. Many sites have already been ruined; graves destroyed and artifacts carried away. It is more than likely that with the growth and expansion of industry, tourism and population this already critical situation will be intensified. Every effort must be made to stop this destruction, thus safeguarding cultural and historical treasures and ensuring the sanctity of burial sites.

Pillaging cemeteries, grave sites or other historical sites is against both State and Federal law. Historical sites located on lands controlled or owned by the United States are protected by the Congressional Act of June 8, 1906 (16 U.S.C. 432 et seq.). According to this Act, to steal from, or otherwise disturb, a site on Federal land is a Federal offense.

Historical sites found on State-owned or controlled property are protected by the Alaska Historic Preservation Act. The Act states:

"... it is unlawful for a person to appropriate, excavate, remove, injure, or destroy, without a permit from the commissioner (of Natural Resources), and historic or archeological resources of the State.

"No person may unlawfully destroy, mutilate, deface, injure, remove or excavate a gravesite or a tomb, monument, grave-stone or other structure or object, even though the gravesite appears to be abandoned, lost or neglected." (Quotes from A.S. 41.35.200 (a) (c).)

The Act goes on to name these penalties:

"A person who violates a provision of this chapter is guilty of a misdemeanor, and upon conviction is punishable by a fine of \$1,000, or by imprisonment for not more than six months, or by both."

Persons violating these laws can be arrested by the local law enforcement officer or an Alaska State trooper in cases involving either State or Federally controlled lands. Even if the land is owned or controlled by the United States, the local police, or a State trooper, ordinarily are empowered to make the arrest; also, an FBI agent or a U.S. Marshal may be contacted.

Under normal circumstances violations of Federal laws will be prosecuted by the U.S. Attorney (G. Kent Edwards, Box 680, Anchorage) and violations of State laws by the local District Attorney.

To inform each community of these laws protecting cemetery and historical sites this letter may be reprinted and circulated in the villages in your region.

Sincerely yours,

Morris Thompson
Area Director

Special Needs of Indian Children—

Three Native Women to Conduct Interviews in State

By JACQUELINE GLASGOW
Staff Writer

Three Alaskan Native women members of the North American Indian Women's Association, will be conducting interviews throughout the state as part of a national study on special needs of Indian children living away from home.

Mary Jane Fate, Athabascan; Daphne Gustafson, Eskimo; and Gertrude Wolfe, Tlingit, will travel and conduct interviews to document these special needs under a grant from two agencies of the Bureau of Indian Affairs: Social Services and the Education Department.

"But this is not a BIA study conducted by BIA people," said Mrs. Fate. Under the new policies of the BIA, the data will be gathered by the members of NAIWA, a national organization established to improve the quality of home life, education, health needs, intertribal communication, awareness of culture, and fellowship among Indian people.

President Marie Cox called a seminar last April 24 - 26 to launch the project for determining the needs of Indian children living away from home.

"The needs of these children have NEVER before been documented," said Mrs. Gustafson, who attended the seminar with Mrs. Fate.

"Indian children live away from home for many reasons and sometimes for many years.

"This includes delinquent children, boarding home children, foster children, children in jails, all children that are away from home and from their natural parents."

The three Alaska women will be in contact with all regions in the state, gathering data and conducting interviews. All of the work is on a volunteer basis, Mrs. Fate pointed out and they will need support and assistance in each area.

NAIWA is greatly concerned about Indian children who are orphans, delinquents, retarded, abandoned, and those who have social problems.

These children are in need of special facilities such as foster parents, dormitory personnel, and personnel to aid in their development and growth.

The survey, conducted entirely by Indian women, will address these needs and make recommendations to the Bureau of Indian Affairs, and seek funds

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