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June 9, 2015

BY EMAIL & TELEFAX

John McCain
U.S. Senator for the State of Arizona
U.S. Senate
241 Russell Senate Office Building
Washington, DC 20510

RE: AUCTION SALE OF SACRED HOPI OBJECTS

Dear Members of the Arizona Delegation:

The ongoing sales of Hopi artifacts in auction houses in Paris are disturbing. Despite the efforts made by and on behalf of the Hopi Tribe, the French auction houses continue to illegally sell Hopi sacred materials. Many constituencies have requested, though to no avail, that the auction houses withdraw the sacred objects from sales and that these sacred, communally owned, objects be promptly returned to their rightful owners, the Hopi and other Pueblo tribes.

The Center for Art Law hereby expresses its support for stopping these sales. We strongly encourage you to join in efforts made by the Hopi Tribe to halt the ongoing sales of their religious materials by French auction houses.

The Hopi sacred objects are communal property and cannot be sold by any tribal individual. Under both tribal custom and tribal state and federal law, the objects cannot be sold or given away by any individual. Legal title under tribal state and federal law can never pass to anyone other than the applicable tribe. As a result, individual collectors and institutions cannot legitimately own them. Thus, transferring and selling these objects across state lines and outside of the United States constitutes a sale of stolen property, which is legally prohibited both in the United States and around the world. While the Hopi Tribe first enacted statutes specifically prohibiting the sale of the sacred objects in the 1970s, the Hopi and other tribes have openly and strongly prohibited such sales by communal law and custom since the first contact with non-Natives in the Southwest.

The ongoing sales are in violation of various federal, state, and tribal statutes that protect the United States' cultural resources and tribal property, and prohibit trafficking in stolen goods

as well as various species of birds. We are not alone in our concern that despite the persistent efforts to suspend these auction sales in Paris, maintained by a government body called the "*Conseil des Ventes Volontaires*," the sales have been permitted to continue.

We feel that there is a significant prejudice leveled against American parties, including Native American Tribes, in the French legal system. French museum institutions on the other hand enjoy the impartial benefits of the American legal system. They are able to seek and successfully commence adjudication of their claims involving cultural property stolen in France and subsequently transferred to the United States.

Together with other concerned art and cultural property organizations, we request your official intervention to stop the ongoing auction sales of the sacred objects, and do everything in your power to swiftly return them to the Hopi people. Thank you in advance for your prompt action in this important and time-sensitive matter.

Sincerely,

A handwritten signature in cursive script that reads "Tarsis, I".

Irina Tarsis, Esq.
Founder & Director
Center for Art Law

cc. Members of the Arizona Delegation; U.S. Embassy in France; United States Department of Justice; Secretary of the Interior; Holocaust Art Restitution Project.