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Senator Udall, Senator Heinrich and members of the Committee - thank you for the opportunity to appear today to discuss the State Department's diplomatic role in advocating for the recovery and repatriation of Native American cultural items, including items of special cultural and religious significance to U.S. tribes that are offered for commercial sale overseas.

I am delighted to be part of a panel featuring representatives from our principal federal government partners in defending the interests of Native American tribes overseas. I am honored to meet and hear from tribal leaders and other Native American representatives who are here today. The challenge of recovering important tribal cultural items and repatriating them, whenever possible, to tribal custody

is a subject of importance to all of us who care about preserving and protecting our own country's cultural heritage, in all of its richness and diversity.

Traditionally, the State Department's emphasis in cultural heritage matters has been centered on helping other countries better preserve and protect their own cultural patrimony. As a State Party to the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (or "the 1970 UNESCO Convention"), the United States is an acknowledged leader internationally in this area. Under the 1983 implementing legislation -- the Convention on Cultural Property Implementation Act (the CCPIA) -- the United States has entered into some 15 bilateral agreements that create import restrictions on categories of cultural property from other countries and whose cultural heritage is under threat from pillage and trafficking.

We negotiate and implement these cultural property agreements in partnership with the Departments of Treasury and Homeland Security, which have authority over, respectively, the imposition and enforcement of import restrictions in the United States. We have cultural property agreements today with countries ranging from Italy, Greece and China to Mali, Guatemala and Cambodia. A common element of all our partnerships is our steadfast efforts to block the illegal importation into the United States of their irreplaceable cultural property.

Under the CCPIA, including through the work of the Presidentially appointed Cultural Property Advisory Committee, we strive to balance the interests and equities of a wide range of stakeholders, including archaeologists, museums and the private art market. We believe that fostering this type of balanced discussion of stakeholder interests should remain a key feature of

the U.S. approach to cultural property protection, whether overseas or in the United States itself.

But what of the loss of our own cultural heritage, and especially the endangered heritage of U.S. tribes? What can we at the State Department do to counter the trade and commercialization of U.S. tribal items in overseas markets?

This issue has been put into sharp relief since 2013 by a series of commercial auctions of Native American sacred items in Paris, such as the Pueblo of Acoma shield, which attracted considerable diplomatic and media attention earlier this year, and resulted in the shield being pulled from the auction. The sales have put on the auction block hundreds of items representing the cultural patrimony of numerous U.S. tribes. These auctions have rightfully raised an outcry internationally - and even within France - but have continued periodically despite our best diplomatic efforts.

The Department of State, in close coordination with the affected tribes, their legal representatives, and the Department of Interior, has encouraged consultation between private auction houses in Paris and tribal representatives in advance of these auctions. Unfortunately, in many cases the auction houses have not engaged in meaningful prior consultation about the provenance of culturally significant items prior to offering them for sale. Legal challenges to the sale of Native American sacred items are difficult matters, involving an attempt to recreate transfers that may have taken place decades ago. To date we do not have a successful record.

In March of this year, the State Department proposed to the French government the formation of a bilateral working group to identify legal and policy issues, in both countries, that could be addressed in

order to restrict and finally bring to an end this ongoing commercialization of U.S. tribal items. We continue to raise the issue with French interlocutors at various levels and are hopeful for a reply soon.

While we are waiting for a reply, we intend to remain vocal about our concerns - as we have been on other occasions on behalf of U.S. tribal interests - and to encourage others in the United States and internationally to speak out. In particular, we believe that the voices of Native American tribal leaders and their representatives are especially compelling, including with foreign audiences which admire Native American culture and support repatriating these items to the tribes themselves. Similarly, we appreciate the interest and support of Congress in working with the Department of State to highlight our shared concerns about the importance of protecting cultural heritage. Raising international awareness of U.S. tribal concerns about cultural heritage and repatriation issues at every opportunity and through active public diplomacy remains a key part of our strategy.

Thank you again for inviting me to testify today. I want to assure you that the State Department will continue to play a strong role on behalf of U.S. tribes in advocating for the recovery and repatriation of tribal cultural items illegally trafficked overseas. Likewise, we remain committed to looking for ways to strengthen our links to U.S. tribes and Native American institutions, directly and as participants in ongoing consultative bodies chaired by other U.S. federal agencies.

I look forward to answering your questions.