

1 A MEMORIAL

2 REQUESTING THE OFFICE OF THE ATTORNEY GENERAL, THE CULTURAL  
3 AFFAIRS DEPARTMENT AND THE INDIAN AFFAIRS DEPARTMENT TO WORK  
4 WITH PUEBLOS, NATIONS AND TRIBES OF NEW MEXICO TO ENHANCE THE  
5 PROTECTION OF PUEBLO, NAVAJO, APACHE AND INTERTRIBAL DANCES  
6 AND SONGS AS PROTECTED STATE CULTURAL RESOURCES.

7  
8 WHEREAS, New Mexico will safeguard Pueblo, Navajo,  
9 Apache and intertribal native dances and songs as protected  
10 state cultural resources; and

11 WHEREAS, New Mexico officially acknowledges Pueblo,  
12 Navajo and Apache tribal nations and other Native American  
13 groups as legitimate heirs, owners and originators of their  
14 unique cultural and spiritual traditions of dances and songs  
15 that constitute the original dances and songs of New Mexico;  
16 and

17 WHEREAS, New Mexico acknowledges the historical,  
18 cultural and regional distinctiveness of the customs,  
19 practices and religious obligations of the Pueblo, Navajo and  
20 Apache people and other tribal groups pursuant to their  
21 unique dances and songs; and

22 WHEREAS, New Mexico acknowledges that native dances and  
23 songs are culturally and spiritually crucial elements to the  
24 core identities of Pueblo, Navajo and Apache people and other  
25 Native American groups; and

1           WHEREAS, native dances and songs embody who and what  
2 native people are, and this reverence creates a collective  
3 bond among Pueblo, Navajo, Apache and other Native American  
4 people; and

5           WHEREAS, native dances and songs do not belong to any  
6 one individual but are considered divinely ordained  
7 inheritances to all who are legitimately affiliated with  
8 their pueblo, nation or tribe; and

9           WHEREAS, New Mexico acknowledges that significant Native  
10 American cultural events take place on state-operated  
11 properties, as well as pueblo and tribal lands, attracting  
12 visitors worldwide who bring significant tourist revenue and  
13 gross receipts taxes to the state; and

14           WHEREAS, New Mexico acknowledges pueblo and tribal  
15 performers who share their unique cultural identities through  
16 traditional, intertribal and contemporary dances and songs,  
17 and Native American dance groups and individuals are hired by  
18 and receive stipends from various state-operated departments;  
19 and

20           WHEREAS, the tourism department uses traditional and  
21 intertribal dance images to promote New Mexico as a major  
22 tourist destination, and these images should include an  
23 intellectual property clause recognizing native dances and  
24 songs as state cultural resources; and

25           WHEREAS, the federal Indian Arts and Crafts Act of 1990

1 protects Native American arts and crafts that are part of  
2 actual pueblo and tribal dances and songs and arts and crafts  
3 that are worn, displayed and handled and that are required to  
4 complete authentic dances and songs indigenous to the Pueblo,  
5 Navajo and Apache people and Native American groups; and

6 WHEREAS, the federal Bald and Golden Eagle Protection  
7 Act allows enrolled Pueblo, Navajo and Apache people and  
8 other Native American groups to use eagle feathers and parts  
9 of other federally protected birds and animals in native  
10 dances and songs; and

11 WHEREAS, native spiritual practitioners, healers and  
12 society leaders use these federally protected items and pass  
13 them down through biological lineage and tribal affiliation;  
14 and

15 WHEREAS, the office of the attorney general, the  
16 cultural affairs department and the Indian affairs department  
17 are requested to work collectively with pueblos, nations and  
18 tribes to create legal mechanisms that encourage the  
19 appropriate and sensitive use of Native American dances and  
20 song;

21 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
22 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the office of  
23 the attorney general, the cultural affairs department and the  
24 Indian affairs department be requested to collaborate with  
25 pueblos, nations, tribes and others to further strengthen,

1 protect and preserve the sanctity of actual Pueblo, Navajo,  
2 Apache and intertribal dances and songs; and

3 BE IT FURTHER RESOLVED that copies of this memorial be  
4 transmitted to the secretary of cultural affairs, the  
5 secretary of Indian affairs, the governor, the office of the  
6 attorney general, the New Mexico congressional delegation, the  
7 all pueblo council of governors, the Navajo Nation, the  
8 Jicarilla Apache Nation, the Mescalero Apache Tribe and the  
9 Fort Sill Apache Tribe. \_\_\_\_\_

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