

SENATOR CHAMBERS: So you're of the opinion that even if skeletal remains can be associated with a tribe or relatives prior to that date, those people would just be out in the cold, and they couldn't retrieve the remains of their ancestors.

SENATOR WARNER: My understanding, Senator Chambers, is that there is no, at least based on what I understood to be presented, there are no records that are adequate to be able to make that determination other than those that occurred after 1933. Now if that is incorrect, why, then I'm misstating what I have understood to be the...what, at least some people think.

SENATOR CHAMBERS: Well, Senator Warner, on the record keeping, because of the compromises that have been reached, burial goods would have to be linkable to a specific set of remains, but the fact that they may not be able to link burial goods with a specific set of remains does not say that the remains themselves cannot be linkable to a particular tribe or even to an individual. So I would have to oppose Senator Warner's amendment because it leaves an entire area of human remains that will not be retrievable by the relatives. I had thought our discussion had resolved the issue with reference to the remains, that we were of the opinion that everybody's departed ancestors would be entitled to the same kind of respect and consideration. I don't know whether Senator Warner...and I'm sure this is not what he is saying, but to follow the logic of what he is offering is that anything prior to 1933 is fair game, so to speak. That's a very recent period of time to be dealing with the remains of people and saying that relatives could not be determined. I know he is not saying that a cemetery that had corpses in it predating 1933 would be fair game, I know he is not saying that because we're going to protect those cemeteries. But since we're dealing only with the remains of Native Americans here, again, that standard is placed on a sliding scale and beyond that we're even going to accept an arbitrary date and put it into statute. There is no logical, there is no rational reason to say 1933. What is being attempted by these various amendments is to dig in the heels of those who are opposed to the bill and find every way they can to cut into it and decimate its true intent. The bill was offered, it has been argued on the basis of according respect to the departed ancestors of Native Americans that is routinely accorded to all others. Senator Warner would say that after 1933 they are entitled to that respect, but prior to 1933 they are not. And I