USING THE REGULATIONS

DEMYSTIFYING THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

43 CFR part 10

1

PUBLIC NOTICE

Museums and Federal agencies must give public notice prior to disposition or repatriation of human remains or cultural items

- Ensures "due process" and transparency
- Allows time for lineal descendants, Indian Tribes, and NHO to make a claim or request before "irrevocable waiver of any right" (43 CFR 10.1(g))
- Protects lineal descendants, Indian Tribes, and NHOs as well as for museums and Federal agencies

due process - rules and principles that have been established in a system of jurisprudence for the enforcement and protection of private rights and recognized safeguards for the protection of individual rights.

WHAT NOTICES ARE REQUIRED?

The type of notice required depends on the human remains or cultural items involved.

For	Submit a	To identify
PROTECTION on Federal or Tribal lands	Notice of Intended DISPOSITION	lineal descendant, Indian Tribe, or NHO with priority for disposition
REPATRIATION of human remains or associated funerary objects	Notice of INVENTORY Completion	cultural affiliation of human remains or associated funerary objects
REPATRIATION of unassociated funerary objects, sacred objects, or objects of cultural patrimony	Notice of INTENDED Repatriation	a request for repatriation has been received and accepted

3

WHAT MUST BE DONE TO PUBLISH A NOTICE?

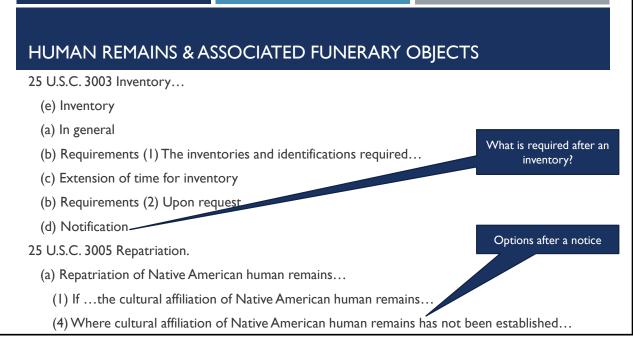
Submit notices to the National NAGPRA Program (nagpra_info@nps.gov)

The notice must conform to the mandatory format of the Federal Register and include required information.

Notice templates are available for each kind of notice.

No later than 21 days after receiving a notice, the Manager, National NAGPRA Program, must:

- 1. Approve for publication in the Federal Register any submission that conforms to the mandatory format and requirements, or
- Return to the museum, Federal agency, or DHHL any submission that does not conform to the mandatory format or requirements. No later than 14 days after the submission is returned, the museum, Federal agency, or DHHL must resubmit the notice to the National NAGPRA Program.



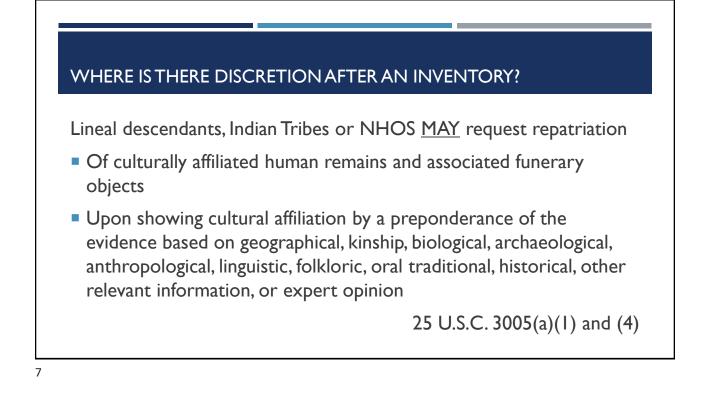
WHAT IS REQUIRED AFTER AN INVENTORY?

Six months after completion of the inventory, notify the Indian Tribes and NHOS and identify:

- <u>Each</u> Native American human remains or associated funerary objects and the circumstances surrounding its acquisition
- Those clearly identifiable as to tribal origin
- Those NOT clearly identifiable, but reasonably determined to be culturally affiliated based on circumstances surrounding their acquisition

A copy of each notice is published in the Federal Register by the Secretary of the Interior

25 U.S.C. 3003(d)



WHAT NOTICES ARE REQUIRED?

The type of notice required depends on the human remains or cultural items involved.

For	Submit a	To identify
PROTECTION on Federal or Tribal lands	Notice of Intended DISPOSITION	lineal descendant, Indian Tribe, or NHO with priority for disposition
REPATRIATION of human remains or associated funerary objects	Notice of INVENTORY Completion	cultural affiliation of human remains or associated funerary objects
REPATRIATION of unassociated funerary objects, sacred objects, or objects of cultural patrimony	Notice of INTENDED Repatriation	a request for repatriation has been received and accepted

Steps to Repatriation Step 1: Compile an itemized list. Step 2: Initiate consultation. Step 3: Consult. Step 4: Complete an inventory. Step 5: Submit a notice. Publication of notice in Federal Register. Step 6: Receive and consider requests. Step 7: Respond to requests. Step 8: Repatriation.

STEP 5: SUBMIT A NOTICE.



Information and determination from inventory Total number individuals and funerary objects Contact information Date when repatriation may occur



Site numbers Accession numbers Age, sex, or other detailed information



Organization Level of detail

STEP 5: SUBMIT A NOTICE.

How long should this step take?



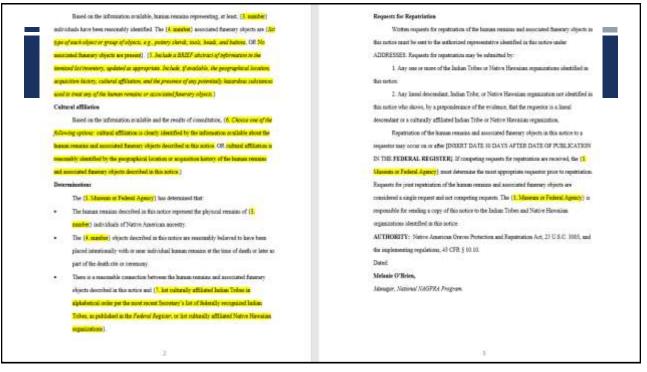
No longer than six months after completing an inventory.



Reviewed/drafted during consultation.

Submitted with a complete or updated inventory.

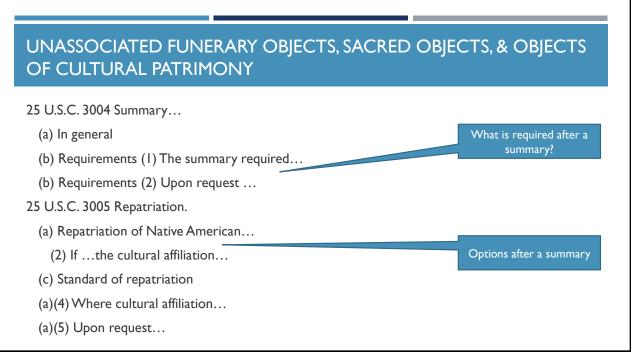
CULTURALI, APPLIATED Updated 1/90/2024	4312-53
	DEPARTMENT OF THE INTERIOR
Use only for human vanasius and associated functory objects that are enforcedly efflicited and lated as a completed as updated NAGERA increasion (see 45 CER [0.1076] Star 4 - Complete an investory of language means of a startistic functory objects)	National Park Service
	[NPS.WASO.NAGPRA-DTSNUMBER; PPWOCRADNI-PCURRPLAE9000]
Use this template to complete <u>41 CFR 10 20/4</u> Exp 3 – Judent a notice of revealery completion within six mentils of completing or updatase an investory as Stot 4. The movem of Federal agency may animale	Notice of Inventory Completion: (I. Manuan or Federal Agency, City, State Abbreviation)
in a single notice any busine remains or associated fastency objects having the same cultural affiliation. determination is these 6 and 7 below.	AGENCY: National Park Service, Interior.
Incert the following seven pieces of information in the appropriate places in this tamplate, indicated by	ACTION: Nation.
(9. Required information and additional increasing provide ONI, If the information required, 1. Maximum or Federal Agency, Full name can be oblive tand or referred to by outside after the first	SUMMARY: In accordance with the Networ American Crown Protection and Reputriation Act
instance, i.e. Manues of Namual Science (MONS) 2. Authorized separametrize's same and direct context information.	OVAGPRA), the (1. Minerum or Federal Agency) has completed an accentory of human remains
3. The (pupple) of subvolue identified in a variable manuar.	and accounted Superny objects and has determined that faces is a cultural affiliation between the
4. The (number) of associated funesary objects OR No associated funetary objects are present.	human remains and associated flaverary objects and Jackan Tobes or Native Haveilan
3. A BEEEE advance of information, updated at appropriate, from the tentard Social mentory	
 The determination of calcurat affiliation from the memory ETHER clearly identified by the information smalleble OR reasonable identified by the geographical location or acquisition bistory. 	organizations in fide nation.
7. The Indian Tober or Nettre Bewelan organizations with outputsl affiliation.	DATES: Repartation of the human remains and associated funerary objects in this notice may
	OFOR 48 OF 100 THE 10 DAYS AFTER DATE OF PUBLICATION IN THE
Do NOT make any charges to the headings or other sections, especially to the (DABLET DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER). This methods the	FEDERAL REGISTER).
Federal Register to calculate the date upon publication. The notice interior forms to the mandatory format of the Federal Register and autode the resourced information listed above.	ADDRESSES: (2 Autorized representative) Nata, Museum or Federal Agency's Nata,
Before subssitting a notice, REMOVE these natractane, legisliphing, subin, and (brane). VERIFY	Store: Address, City, State Aldreviation Zip Code, telephone (XXX)/XXX-XXXX, enail
all information, especially are manihers or addition. The National NAGPRA Program does not review or validate the context of very notice and is not responsible for the determinations in the notice.	STATE STATE STATE
Submit a notice by orading it to any counding party and to the Manager, National NAGPRA Program,	SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park.
(supera info@epsi.orv) for publication in the Federal Reports	Service's administrative responsibilities under NAGPRA. The determinations in this addres are
No later than 21 days after receiving a notice, the Manager, National NAOPRA Program, will either Agreeve it for publication in the Federal Registrat, or	the sole responsibility of the (1. Manuari or Fuderal Agency), and addressed information on the
 Return it to the movemum or Federal agency. No fater than 14 days after the submassion in returned, the assessment in Federal agency must remain at the unitset to the National NAGPRA Program. 	determinations in flas seture, including the results of cossidution, can be found in the investory
The notice will publish in the Federal Register 5-10 days after it is approved by the Manager, National	or related provide. The National Park Service is not responsible for the determinations in this
NAOPRA Propries. You will receive an estaal from the National NAOPRA Propries cace it is published.	action (
	Abstract of information available

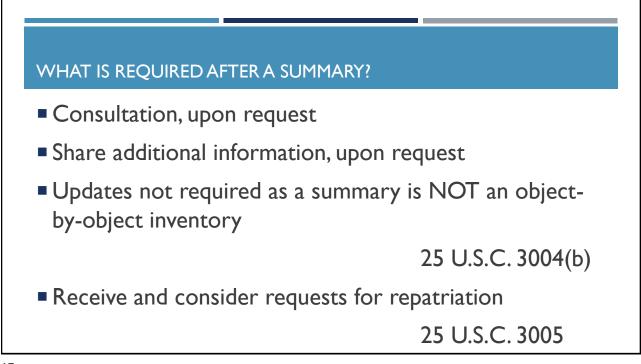


Steps to Repatriation	Shorter Timeline (42 days)	Longer Timeline (~3 years)
Receive a new collection.	Day 1	Day 1
Step 1: Compile an itemized list.	Day 2	Day 365
Step 2: Initiate consultation.	Day 3	Day 366
Step 3: Consult.	Day 4*	Day 367*
Step 4: Complete an inventory.	Day 5	Day 730 NLT 2 years after Day 1
Step 5: Submit a notice.	Day 6	Day 912 NLT 6 months after Step 4
Publication of notice in Federal Register.	Day 11 (min. 5 days after submission)	Day 942 (max. 30 days after submission)
Step 6: Receive and consider requests.	Day 12*	Day 943*
Step 7: Respond to requests.	Day 42 NET 30 days after publication	Day 1,033 NLT 90 days after Step 6
Step 8: Repatriation.	Day 42	Day 1,123 NLT 90 days after Step 7

one day for Step 3 and Step 6 but both steps will likely take longer.

Federal Reg	ister Notices				
For holdierga or collar iteres.	erlinen sobject to NAGPRA, a l'activat Restator entries to	pullfalted when a measure o	r Federal agincy determines	fet appropriate persons or	prop to repairiate the cultural
This table shows the notice.	e museum of Federal agency submitting the reduce, the	rgalification data of the notic	on, a link to the published roll	os, and the total number i	Faaltanii Herni identified in the
specific museum or any field by clicking		lable Selds in the table. The t	uitons provite d'Herest form		
-	Warry Completion (NIC) O Mobile affortent to Re	awhise mill	e of intent to Regulative (NIC	Bucke # Intent	to Republike (NOT)
Museum to Federal A		swineemili () noo	e of intent to Republic (NO	 Butice of Intent 	to Republishe (NOT)
Museum tr Federal J All Show 21. • retri	Agency		Smithinitia	Leavy 197	Taut THE Aver
Maanum in Federal J Al Show 21. 0 perto State	Agency Ins - Museum or Federal Agency	© Published Date	Search rootse	Gange Sange States	To Repair Wer (NOT)
Maasum or Federal J Al Show 21 0 erth Make Models	Agency In Messam or Federal Agency Reflete INE Conte of the West	Published Date	Search ratios	Leavy 197	Taut THE Aver
Maanum in Federal J Al Sleves 22. © pretty State	Agency Ins - Museum or Federal Agency	© Published Date	Search rootse	Leavy 197	Taut THE Aver





WHERE IS THERE DISCRETION AFTER A SUMMARY? Indian Tribes or NHOS MAY request repatriation Of culturally affiliated unassociated funerary objects, sacred objects, or objects of cultural patrimony With evidence to support a finding that the museum or Federal agency did not have a right of possession to the unassociated funerary object, sacred object, or objects of cultural patrimony 25 U.S.C. 3005(a)(2) and (c)

WHERE IS THERE DISCRETION AFTER A SUMMARY?

Indian Tribes or NHOS MAY request repatriation if

- The Indian Tribe or NHO can show cultural affiliation of unassociated funerary objects by a preponderance of the evidence based on geographical, kinship, biological, archaeological, anthropological, linguistic, folkloric, oral traditional, historical, other relevant information, or expert opinion
- The Indian Tribe or NHO can show sacred objects or objects of cultural patrimony were owned by the tribe or organization
- The Indian Tribe or NHO can show sacred objects were owned by a member and there are not identifiable lineal descendants

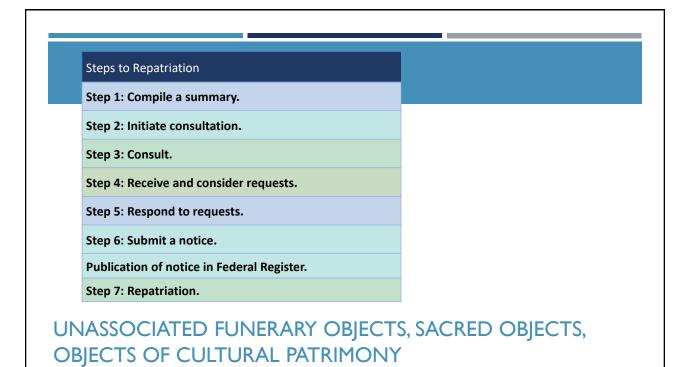
25 U.S.C. 3005(a)(4) and (5)

19

WHAT NOTICES ARE REQUIRED?

The type of notice required depends on the human remains or cultural items involved.

For	Submit a	To identify
PROTECTION on Federal or Tribal lands	Notice of Intended DISPOSITION	lineal descendant, Indian Tribe, or NHO with priority for disposition
REPATRIATION of human remains or associated funerary objects	Notice of INVENTORY Completion	cultural affiliation of human remains or associated funerary objects
REPATRIATION of unassociated funerary objects, sacred objects, or objects of cultural patrimony	Notice of INTENDED Repatriation	a request for repatriation has been received and accepted







Abstract from summary Total number and brief description Requestor Contact information Calculated date when repatriation may occur



Site numbers Accession numbers Detailed information about objects



Organization Level of detail

STEP 6: SUBMIT A NOTICE.

How long should this step take?



No later than 30 days after responding to a request for repatriation.



Reviewed/drafted during consultation. Submit immediately after responding to a request.

2024 NAGPUA Notice of Townshot Reportation Tringlatin CULTIFIALLY AFFELIATED Uplasmit 120(2)024	DEPARTMENT OF THE INTERIOR 4312-	
Der only for manusciated famerary objects, racrod objects, or objects of cultural patrimony after a	National Park Service	
receiving request for reputation from an Indian Tribe or Native Bawaiian organization (see 4 <u>5 GFR</u> <u>IDSR</u> Step 4 - Receive and consider request) and appropriate response (see 4 <u>1 GFR 10.99</u>). Step 7 -	[NPS-WASO NAGPEA DTSNUMBER; PPWOCEADNS-PCU00RP14.830000]	
Report in reparts)	Notice of Intended Repairiation: (I. Mannam or Federal Agency, City, State Abbreviation	
Use this template to complete 41 CTR. 10.907 Step 6 – Malweit a sociale of internalid repartments and later than 30 days after responding to a request fits repetitation that more the criteria for a request. The	AGENCY: National Park Service, Interior.	
manuan or Federal agency may include in a single notice all cultural sume with the name requestors identified in trees 6 below.	ACTION: Nettor.	
Janert the following ain pieces of information in the appropriate places in this template, indicated by (#, Resulted information and additional instruction). Provide ONLY the information respected.	SUMMARY: In accordance with the Native American Openes Protection and Reputriation Act	
1. Massam or Federal Agency. Full score can be abbreviated or referred to by todada give the first	(NAGPRA), the (1. Morean in Federal Agency) asteads to repairiate certain cultural dense that	
protocore 14, Materiale of National Science (MOSS) 2. Authorized representatives' name and direct contact information.	ment the definition of unansociated fanetary objects, sacred objects, and/or objects of cultural	
3. The (number) of cultural items.	pattoning and that have a cultural affiliation with the Indian Tribes or Native Hermitan	
 The (starder) of (pick appropriate terms - tenerosciated financiary objects, neurod objects, objects of cultural partnesses). 	organizations in this notice	
3. A <u>BRIEF</u> abcount of information from the compiled summary.	DATES: Repetiation of the cultural items in this notice may seem on or after (INSERT DATE	
6. The Judan Tribes or Mathe Hereatian organization: requesting repairiation	30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER!	
Do NOT make any changes to the leadings or other sections, especially to the [DNEET DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL RECENTER. The meterm the	ADDRESSES: (2. Authorized representative's Name, Mannas or Federal Agency's Name,	
Federal Register to calculate the date upon publication. The notice must confirm to the mandatory format of the Federal Register to calculate the date upon publication. The notice must confirm to the mandatory format of the Federal Restrict and include the requirement information listed above.	Street Address, City, Bale Altraviation Zip Code, telephone (XXX) XXX-XXXX, enail	
	XXXXQXQXXXX XXX)	
Before submitting a notice, REMOVE faste autractions, logicigitized, takin, and (inners). VERIFY all information, especially any numbers or addition. The National NAOPEA Program does not review or which the constant of your produce and is not responsible for the determinations in the notion.	SUPPLEMENTARY INFORMATION: This notice is published as part of the Netional Park	
Submit a notice by undrag it to any consulting party and to the Manager. National NAOPRA Program.	Service's administrative responsibilities under NAOPRA. The determinations in this notice are	
(nagera inforfinge gov) for publication in the Federal Resister	the sole responsibility of the (1. Massum or Federal Agency), and additional information on the	
No later than 21 dars after receiving a notice, the Manager, National NAGPRA Program, will effect Approve it for publication as the Fuderal Research, or	determinations in the notice, including the results of consultation, can be fraud in the campany	
 Engineers is too parameters on a power of a parameters. Entrym is to the management of Poderal asymptot. No lative than 14 days after the submanism is refurred, the management of Poderal asymptotecourt resultant the notices to the National NACOWA Program. 	or related records. The National Park Service is not responsible for the determinations in this	
	8553	
The notice will publish in the Federal Register 5-10 days after it is approved by the Mazagar, National NAGPRA Program. Tou will receive an ensail from the National NAGPRA Program once it is published.	Abstract of information available	
	A total of (3 number) cultural mean have been requested for reprintation. The (4. Park	

appropriate sension, report at world. The (4 matches) of manacelated fastery dejects OR	 The [4, sumber] objects of cultural pairments interaction have engoing
The (4 number) success objects OR The (4 number) of objects of cultural patrimony/OR The (4	hotorical, traditional, or cultural augostance contral to the Native American prosp.
number) woord objects objects of caltural partitionsy) are (Sci ppix of work object or group of	including any constituent sub-group (such as a band, class, lineages, commonial society, o
objects, e.g., piper, store prejuctile joiner, caramic book, and barriet 1-15. No hall a PARTF	ether solidivition), according to the Native American traditional leaveledge of an Indian
alternet of information in the complied currency, updated as appropriate. Noticide, glandiable,	Trube or Native Havenian organization.
the pergraphical location, sequicition Aldery; cultural of Victory, and the presence of any	 The (4 manifer) served elepeth objects of railand petrimony described in this notice are
paranteel) Autorities subtanees used to been any of the cultural langs (amorthing to the Native Amazona traditional knowledge of an Indian Tribe or Native
Determination	Havaian regarization, specific correspond objects useded by a tuditional Native
The (1. Museum or Policial Agency) has determined that:	Azustican soligious loader for present-day administrative traditional Native
Use appropriate builets based on type of cultural tem. Delete any not applicable.	American religion, and have response honorcal, traditional, or cultural importance com-
The (4. sunder) unassociated favorary objects described in faz notice an reaconably	to the Netice American group, including any constituent sub-group (rach is a band, che
belowed to have been placed intentionally with or near human remains, and are	Energy, communical society, or other reduktions).
connected, either at the time of death or later as part of the death site or commenty of a	 There is a reasonable connection between the cultural teens described in this actus and
Native American culture according to the Native American Inditional knowledge of a	of list the requesting Indian Trillen in alphabetical order per the most recent Secretary's
lated detendent, Indian Tribe, or Native Havesian organization. The unsureclated	hat of federally recognized Indian Tithes, so published in the Faderal Register, or list
functory objects have been identified by a prepositerance of the evidence so related to	Native Hamming organizations).
human remains, specific autovibade, or families, or removed from a specific barial site or	Requests for Reputriation
burtul atwa of an individual or individuals with cultural affiliation to an Italian Tribe or	Additional, written requests for repatriation of the cultural items in this notice must be
Native Hawaran organization.	out to the authorized representative identified as this notice under ADDRESSES. Requests for
The (#. same objects described in this notice are specific communial objects	repartition may be colousited by any lised decreadant, Indian Tribe, or Native Harvaian
needed by a traditional Native Amatican religious leader for present-day adherents to	organization not identified in this notice who diavos, by a preponderance of the evidence, that the
practice traditional Native American seligion, accessing to the Native American	requestor is a lassed descendent or a culturally affiliated ladian Tribe or Native Havanian
traditional knowledge of a lineal descendant, Indian Teles, or Native Hervalian	organization
opulation.	Repairiation of the cultural items in this notice to a requestor may occur on or after

Steps to Repatriation	Shorter Timeline (42 days)	Longer Timeline (15 months)
Receive a new collection.	Day 1	Day 1
Step 1: Compile a summary.	Day 2	Day 182 NLT 6 months after Day 1
Step 2: Initiate consultation.	Day 3	Day 212 NLT 30 days after Step 1
Step 3: Consult.	Day 4*	Day 213*
Step 4: Receive and consider requests.	Day 5*	Day 214*
Step 5: Respond to requests.	Day 6	Day 304 NLT 90 days after Step 4
Step 6: Submit a notice.	Day 7	Day 334 NLT 30 days after Step 5
Publication of notice in Federal Register.	Day 12 (min. 5 days after submission)	Day 364 (max. 30 days after submission)
Step 7: Repatriation.	Day 42 NET 30 days after publication	Day 454 NLT 90 days after publication

* Step 3 and step 4 depend on actions by lineal descendants, Indian tribes, or NHOs. In both timelines, we assumed one day for step 3 and step 4 but both steps will likely take longer.

Detabases In	entories Summaries Noti	ces Newspaper Notics	NAGPILA Cont	acta			
Federal Reg	ister Notices						
For huidings or colle items.	ctions subject to NAGPRA, a <u>Ende</u>	nd Neglator nation is publi	ished when a muteu	on or Federal agency d	leternines the appr	contate person or gro	tup to reputriate the culture
This table shows the notice.	r mateum or Federal egoncy subm	ulting the notion, the publi	fication date of the r	notice, a link to the pu	blished notice, and	the total number of c	ultural items identified in th
	Rentwork success who seems have all	on applies to all available	fields in the table. T	The huttory provide di	ferrent formate for a	townhoading the data	. The table can be sorted by
any field by clicking	on the beader, ntary Completion (NKC)	Notice of Intent to Repetro		Notice of Internt to Rep) Notice of Intent to	
any field by clicking	on the beader, ntary Completion (NKC)						
any field by cicking Notices of inver Notices	on the header; ntary Completion (MIC)	Actice of Intent to Repetr	eter (HHR) 🔘 🕴	Notice of Intent to Rep	etriate (NO)) Notice of intent to	Regativalie (NOT) Davel PBE Point
any field by clicking Notices of inver Notices of inver Notes and Federal Not Share Share Share *	on the beader; nory Completion (VAC) (1) Ngency es Mussum or Federal Agency	Notice of Intent to Repairs	ate (NIR) 🔘 I	Notice of Intern to Rep Juanch rest Tetal UPO	atriate (NOD)	Disce of intent to	Depatroder (NOT) Coul POE Poor Total OCP(SO
any field by clicking Notices of Inver Notices of Inver Notes on Federal Ad Share 25 to entri Share 25 to entri WOOMNG	on the beader; nary Completion (VIC) Agency es Museum or Foderal Agency Wyoming Rate Museum	Notice of Intent to Repaird Published Data 08,25(1999	eter (HER) ())	function of Internet to Rep function of Internet to Rep fu	etriate (NO)) Notice of intent to four cav Total OCP	Repatroder (NOT) Count Par Point Total OCP(SO ©
any field by clicking Notices of inver Notices of inver Notes and Federal Not Share Share Share *	on the beader; nory Completion (VAC) (1) Ngency es Mussum or Federal Agency	Notice of Intent to Repairs	eter (HHR) 🔘 🕴	Notice of Intern to Rep Juanch rest Tetal UPO	etriate (NO)	Disce of intent to	Depatroder (NOT) Coul POE Poor Total OCP(SO

WHAT HAPPENS AFTER A NOTICE IS PUBLISHED?

For	After a	
PROTECTION on Federal or Tribal lands	Notice of Intended DISPOSITION	Receive and consider a claim for disposition
REPATRIATION of human remains or associated funerary objects	Notice of INVENTORY Completion	Receive and consider a request for repatriation
REPATRIATION of unassociated funerary objects, sacred objects, or objects of cultural patrimony	Notice of INTENDED Repatriation	Send a repatriation statement

WHAT IF SOMETHING CHANGES AFTER PUBLICATION?

Additional human remains or cultural items?

 Begin with Step I for the newly identified human remains or cultural items. This will ensure adequate consultation and notification occurs prior to disposition or repatriation.

Additional pieces or fragments of previously identified human remains or cultural items?

• Transfer to the appropriate lineal descendant, Indian Tribe or Native Hawaiian organization without publication of a new notice.

Change in cultural affiliation determination or requesting parties?

 OPTIONAL amendment notice, if requested by the consulting parties, to ADD or REVISE the lineal descendants, Indian Tribes, or Native Hawaiian organizations.

29