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NEWS RELEASE

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STUDY FINDS NATIVE AMERICANS EXCLUDED FROM REPATRIATION PROCESS; MORE WORK NEEDED ON IMPROVING NAGPRA

WASHINGTON—Aug. 14, 2008—The federal government neither assures compliance with nor enforcement of a federal law enacted to protect American Indian remains and funerary objects and to reunite them with their families and homelands. In some instances, agencies have withheld or changed information about the objects or human remains in their possession, in blatant disregard of the law, according to a new report studying the implementation of the act.

While some federal agencies have good working relationships with Native Americans, many Indian tribes say federal agencies rarely made good-faith efforts in contacting them about their collections. Tribes also have discovered that some of the federal agencies' official notices of cultural determinations have been withdrawn for unknown reasons and without consulting the tribes, according to a new report assessing the implementation of the 1990 Native American Graves Protection and Repatriation Act or NAGPRA released today.

“For decades...the human remains of thousands of Native Americans were lodged in federal repositories, museums, and scientific institutions,” Sen. Daniel K. Inouye (D-HI) stated in the report’s foreword. “It required an act of the Congress to ensure that their loved ones are accorded the proper respect in death that they enjoyed in life.”

But researchers in the study say much more work remains to be done on NAGPRA. The law instituted a systematic approach of working with Native Americans to return human remains and funerary objects with which they are affiliated. Federal agencies and museums were required to take inventory and notify Native Americans about their collections and thus work in collaboration with Native Americans in determining a cultural link to the remains or objects. But researchers in the study say some federal agencies have refused to do so, which has resulted in more than 118,000 Native Americans being left in storage in federal repositories and museums across the nation.

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The National Park Service, which both participates in and oversees the NAGPRA process, is one such agency that has the remains of hundreds of Native Americans in storage because the Service has withdrawn the public notices that tie the remains and objects to contemporary Native Americans. Most of these notices have been pending publication since 1995.

“Makah people have always lived in this area, and over the past 150 years a lot of our important cultural items have been improperly removed from here and are located in museums throughout the country,” said Janine Bovechop, executive director of the Makah Cultural and Research Center that is operated by the Makah Tribe. “NAGPRA gave hope to all Indian people that we could legally seek return of our cultural objects and for many, this promise has been realized. If we had the resources, we would make a bigger push to bring our objects home, where they belong.” The Makah museum houses one of the country’s largest collections of pre-contact, northwest coast artifacts.

Also according to the report, since 1999 more than \$3 million has been used by the National NAGPRA program for purposes other than the grants program, which was created by the act to support museums and Native Americans to participate in the repatriation process.

But federal officials also have their frustrations. Many say they could benefit from training on the repatriation process, but they have inadequate resources, according to the report. Federal officials also cited confusion on who or which tribe to consult with. Federal officials agreed with tribes and cited concern with looting on federal lands.

In addition to the two national surveys of federal agencies and Native Americans, researchers reviewed the documentation process required by NAGPRA, Interior Department databases, legal records, and other public information provided by federal agencies and tribes. The study was funded by a National Park Service grant.

Specific recommendations in the report address the law, regulations, and federal oversight and enforcement, as well as creating and improving databases, and devising more or improved tribal and federal consultation policies to improve relations.

The report, **Federal Agency Implementation of the Native American Graves Protection and Repatriation Act**, is available from NATHPO based in Washington, D.C. To view the report, go to www.nathpo.org.