



National NAGPRA

## NAGPRA Section 3: Comprehensive Agreement Checklist

Under 43 CFR 10.5, Federal agencies are encouraged to develop comprehensive agreements where agency land management activities may affect Native American cultural items on Federal lands. Like a plan of action, the comprehensive agreement must document compliance with ARPA, especially 43 CFR 7.7 – 7.9, regarding requirements for permits on Indian lands.

- Agreement is with a –
  - Indian tribe
  - Native Alaskan village
  - Native Alaskan corporation
  - Native Hawaiian organization
  
- The tribe, village, or organization above –
  - Has claimed –
    - Human remains
    - Funerary objects
    - Sacred objects
    - Objects of cultural patrimony
  
  - OR
  
  - Is likely to claim –
    - Human remains
    - Funerary objects
    - Sacred objects
    - Objects of cultural patrimony
  
- Agreement addresses Federal agency land management activities that could result in –
  - The locating of Native American –
    - Human remains
    - Funerary objects
    - Sacred objects
    - Objects of cultural patrimony
  
- Agreement documents a process for carrying out the requirements of 43 CFR 10, Subpart B for –
  - Standard consultation procedures
  - Determination of custody/ownership consistent with 43 CFR 10.6
  - Treatment and disposition of –
    - Human remains
    - Funerary objects
    - Sacred objects
    - Objects of cultural patrimony
  
- The agreement is signed by the appropriate parties
  
- The signed agreement or correspondence related to the efforts to reach such agreement constitutes proof of consultation under 43 CFR 10
  
- A comprehensive agreement may serve in lieu of a Plan of Action, but does not replace a Notice of Intended Disposition