

Disposition of human remains or cultural items on Federal or Tribal Lands

Priority for disposition.	Six months after removal Step 1: Inform consulting parties.	Six months after Step 1 Step 2: Submit a Notice.	One year after Step 2 Step 3: Receive and consider claims.
1. Lineal descendant 2. Tribal land 3. Closest cultural affiliation 4. On Federal land that is aboriginal land: Aboriginal occupant or Stronger relationship 5. Requests transfer of unclaimed	<ul style="list-style-type: none"> Send written document to all consulting parties Describe human remains or cultural items, including date of removal and geographical location Identify who has priority for disposition 	<ul style="list-style-type: none"> Abstract of information in Step 1 Identify who has priority for disposition Contact information to submit claims <p>! Send to consulting parties and National NAGPRA !</p>	<ul style="list-style-type: none"> Joint claim is a single claim Criteria for a claim is EITHER: <ul style="list-style-type: none"> Claimant is identified in the notice OR Claimant shows priority for disposition
43 CFR 10.7(a)	43 CFR 10.7(c)(1)	43 CFR 10.7(c)(2)	43 CFR 10.7(c)(3)

90 days after Step 3 Step 4: Respond to a claim.	90 days after Step 4 Step 5: Disposition.	Before 1/12/2024, if disposition is NOT complete:	After 1/12/2024, submit a list of all unclaimed human remains/cultural items:
<ul style="list-style-type: none"> Written response to claimant and any other party in notice ONE of following: <ul style="list-style-type: none"> Meets the criteria Does not meet the criteria and request more information Competing claims received 	<ul style="list-style-type: none"> Written statement recognizes the claimant(s) have ownership or control After statement, consult on and document physical transfer and protect sensitive information <p>! Send to claimant(s) and National NAGPRA !</p>	<ul style="list-style-type: none"> By 7/12/2024, complete Step 1 By 1/13/2025, complete Step 2 If no party has priority for disposition, report as unclaimed 	<ul style="list-style-type: none"> No later than 1/13/2025 Update annually by 12/31 each year
43 CFR 10.7(c)(4)	43 CFR 10.7(c)(5)	43 CFR 10.7(c)(1)(ii) - (iii)	43 CFR 10.7(d)(1)

Disposition of human remains or cultural items on Federal or Tribal Lands



Priority for disposition.

1. Lineal descendant
2. Tribal land
3. Closest cultural affiliation
4. On Federal land that is aboriginal land:
Aboriginal occupant
or
Stronger relationship
5. Requests transfer of unclaimed

43 CFR 10.7(a)

Six months after removal



Inform consulting parties.

- Send written document to all consulting parties in plan of action
- Describe, include date and geographical location
- Identify priority for disposition

43 CFR 10.7(c)(1)

Six months after Step 1



Submit a Notice.

- Abstract of information in Step 1
- Identify who has priority for disposition
- Contact information to submit claims



Send to consulting parties and National NAGPRA

43 CFR 10.7(c)(2)

One year after Step 2



Receive and consider claims.

- Joint claim is a single claim
- Criteria for a claim is EITHER:
 - Claimant is identified in the notice OR
 - Claimant shows priority for disposition

43 CFR 10.7(c)(3)

National NAGPRA Program

Updated 7/25/2024

Steps 1 through 3

Disposition of human remains or cultural items on Federal or Tribal Lands

90 days after Step 3



Respond to a claim.

- Written response to claimant and any other party in notice
- ONE of following:
 - Meets the criteria
 - Does not meet the criteria and request more information
- Competing claims received

43 CFR 10.7(c)(4)

90 days after Step 4



Disposition.

- Written statement recognizes the claimant(s) have ownership or control
- After statement, consult on and document physical transfer and protect sensitive information



Send to claimant(s)
and National NAGPRA

43 CFR 10.7(c)(5)



Before 1/12/2024,
if disposition is
NOT complete:

- By 7/12/2024, complete Step 1
- By 1/13/2025, complete Step 2
- If no party has priority for disposition, report as unclaimed

43 CFR 10.7(c)(1)(ii) and (iii)



After 1/12/2024,
submit a list of all
unclaimed human
remains or cultural
items:

- No later than 1/13/2025
- Update annually by 12/31 each year

43 CFR 10.7(d)(1)

Steps 4 through 5 and Unclaimed

National NAGPRA Program
Updated 7/25/2024

Disposition of human remains or cultural items on Federal or Tribal Lands

Steps to Disposition	Shorter Timeline (36 days)	Longer Timeline (~2.5 years)
Removed from Federal or Tribal lands.	Day 1	Day 1
Step 1: Inform consulting parties.	Day 1	Day 183 NLT six months after removal
Step 2: Submit a notice.	Day 1	Day 365 NLT six months after Step 1
Publication of notice in Federal Register.	Day 6* (min. 5 days after submission)	Day 395* (max. 30 days after submission)
Step 3: Receive and consider claims.	Day 6**	Day 760** NLT one year after publication
Step 4: Respond to claims.	Day 36 NET 30 days after publication	Day 850 NLT 90 days after Step 3
Step 5: Disposition.	Day 36	Day 940 NLT 90 days after Step 4

NET=No earlier than

NLT=No later than

* Publication of a notice in the Federal Register takes, at minimum, 5 days and, at maximum, 30 days based on current (July 2024) review requirements. This timeline is subject to change and does not include additional time if a notice submission must be returned for corrections.

** Step 3 depends on actions by lineal descendants, Indian Tribes, or NHOs. In the shorter timeline, we assumed the same day as the notice publishes. In the longer timeline, we assume the last possible day before the human remains and cultural items become unclaimed.

Human remains or cultural items are unclaimed when:

- One year after publishing a notice in Step 2, no lineal descendant, Indian Tribe or NHO submits a claim for disposition in Step 3.
- One year after removal from Federal or Tribal lands, the Federal agency or DHHL did not identify any lineal descendant, Indian Tribe, or NHO with priority for disposition.

43 CFR 10.7(d)(1)(i)

Timelines for Disposition and Unclaimed

National NAGPRA Program

Updated 7/25/2024

Unclaimed human remains or cultural items on Federal or Tribal Lands

1

Submit a list.

- Describe, include date and geographical location
- Names of all consulting parties
- Identify priority for disposition, if applicable
- If no priority for disposition, describe information and criteria under 10.3 to explain why

43 CFR 10.7(d)(1)

2

Agree to transfer or decide to reinter.

- At the discretion of the Federal agency or DHHL
- Agree to transfer to an Indian Tribe or NHO
- Decide in writing to reinter, according to applicable laws and policies

43 CFR 10.7(d)(2)

3

30 days after Step 2

Submit a notice.

- Abstract of information in Step 1
- Indian Tribe or NHO requesting transfer or statement about reinterment
- Contact information
- Calculated date when transfer or reinterment may occur

43 CFR 10.7(d)(3)

4

90 days after Step 3

Transfer or reinter.

- Transfer or reinter
- Send a written statement to National NAGPRA (nagpra_info@nps.gov)
- After transfer or reintering, document transfer or reinterment and protect sensitive information

43 CFR 10.7(d)(4)

Steps 1 through 4

National NAGPRA Program
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