

NAGPRA Resources for Lineal Descendants, Indian Tribes, and NHOs

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NAGPRA Quick Reference Guide for Lineal Descendants, Indian Tribes, and NHOs

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Deference to Native American Traditional Knowledge

[43 CFR 10.1\(a\)\(3\)](#): Consistent with the Act, these regulations require deference to the Native American traditional knowledge of lineal descendants, Indian Tribes, and Native Hawaiian organizations.

Deference to Native American Traditional Knowledge

- Museums and federal agencies MUST consider Native American traditional knowledge when it is available
- Traditional knowledge holds equal weight to an archaeological report

Duty of Care

[43 CFR 10.1\(d\)\(1\)](#): Consult with lineal descendants, Indian Tribes, or Native Hawaiian organizations on the appropriate storage, treatment, or handling of human remains or cultural items;

[43 CFR 10.1\(d\)\(2\)](#): Make a reasonable and good-faith effort to incorporate and accommodate the Native American traditional knowledge of lineal descendants, Indian Tribes, or Native Hawaiian organizations in the storage, treatment, or handling of human remains or cultural items; and

Duty of Care

[43 CFR 10.1\(d\)\(3\)](#): Obtain free, prior, and informed consent from lineal descendants, Indian Tribes, or Native Hawaiian organizations prior to allowing any exhibition of, access to, or research on human remains or cultural items. Research includes, but is not limited to, any study, analysis, examination, or other means of acquiring or preserving information about human remains or cultural items. Research of any kind on human remains or cultural items is not required by the Act or these regulations.

Duty of Care

- Museums and federal agencies must consult regarding appropriate care and treatment
- Human remains and/or cultural items may NOT be exhibited without consent

Right of Possession

43 CFR 10.2 “Right of possession”: means possession or control obtained with the voluntary consent of a person or group that had authority of alienation. Right of possession is given through the original acquisition of:

- (1) An unassociated funerary object, a sacred object, or an object of cultural patrimony from an Indian Tribe or Native Hawaiian organization with the voluntary consent of a person or group with authority to alienate the object; or
- (2) Human remains or associated funerary objects which were exhumed, removed, or otherwise obtained with full knowledge and consent of the next of kin or, when no next of kin is ascertainable, the official governing body of the appropriate Indian Tribe or Native Hawaiian organization.

Right of Possession

- Museums and federal agencies must prove they have a right of possession
- [Final Rule Comment 105](#)
- Focus on the ORIGINAL acquisition
- Requests for repatriation must include an assertion that the museum/federal agency does NOT have a right of possession

Repatriation

[43 CFR 10.2 “Repatriation”](#): means a museum or Federal agency relinquishes possession or control of human remains or cultural items in a holding or collection to a lineal descendant, Indian Tribe, or Native Hawaiian organization.

Repatriation

- Lineal descendants, Indian Tribes, and NHOs may NOT be required to sign a repatriation statement
- Lineal descendants, Indian Tribes, and NHOs do NOT have to answer questions about post-repatriation care
- Transfer of custody is NOT repatriation
- Museum policies do NOT trump federal law

Allegations (43 CFR 10.11(a))

(a) ***File an allegation.*** Any person may file an allegation of failure to comply by sending a written allegation to the Manager, National NAGPRA Program. Each allegation:

- (1) Must include the name and contact information (either a mailing address, telephone number, or email address) of the person alleging the failure to comply;
- (2) Must identify the specific provision or provisions of the Act or this subpart that the museum is alleged to have violated;
- (3) May enumerate the separate violations alleged, including facts to support the number of separate violations. The number of separate violations is determined by establishing relevant factors such as:
 - (i) The number of lineal descendants, Indian Tribes, or Native Hawaiian organizations determined to be aggrieved by the failure to comply; or
 - (ii) The number of individuals or the number of funerary objects, sacred objects, or objects of cultural patrimony involved in the failure to comply;
- (4) May include information showing that the museum has possession or control of human remains or cultural items involved in the alleged failure to comply; and
- (5) May include information showing that the museum receives Federal funds.

Allegations

- Submit an allegation to nagpra_info@nps.gov

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Databases

The National Park Service, through the National NAGPRA Program, provides guidance for complying with the [law](#) and [regulations](#). On behalf of the Secretary of the Interior, the National NAGPRA Program receives compliance documents including inventories, summaries, *Federal Register* notices, and newspaper notices. Selected data is available for the following compliance documents:

Inventories

Each museum and Federal agency that has possession or control of a holding or collection that may contain human remains or associated funerary objects must complete an [inventory of human remains and associated funerary objects](#). This table is an abstract of information submitted by museums and Federal agencies showing the number of individuals and associated funerary objects that have been reported in inventories and are still pending consultation and/or public notice prior to repatriation.

Summaries

Each museum and Federal agency that has possession or control of a holding or collection that may contain an unassociated funerary object, sacred object, or object of cultural patrimony must compile a [summary of a holding or collection](#). This table is an abstract of information submitted by museums or Federal agencies showing the received date and name of each Indian Tribe or Native Hawaiian organization that should have received a copy of the summary.

Notices in the Federal Register

A museum or Federal agency must submit a [Federal Register notice](#) prior to disposition or repatriation of human remains or cultural items. This table shows the museum or Federal agency submitting the notice, the publication date of the notice, a link to the published notice, and the total number of human remains or cultural items identified in the notice.

Notices in Newspapers

Prior to January 12, 2024, Federal agencies were required to publish a newspaper notice prior to disposition of human remains or cultural items removed from Federal lands. This table shows the Federal agency publishing the notice and information on the publication of the notice.

NAGPRA Contacts

Voluntary contact information may be provided to the [National NAGPRA Program](#). This table shows contact information provided by museums, Federal agencies, Native Hawaiian organizations, and others. This is NOT and should NOT be considered to be a comprehensive resource for identifying consulting parties or official contact information. See [Consultation Resources](#).

This is the Databases page. It can be found at this link: [Databases - Native American Graves Protection and Repatriation Act \(U.S. National Park Service\)](#) or you can google “NAGPRA Databases,” and it should be the first result.

Database Buttons and Functions

These functions can narrow down the data by specific categories

☐ All Human Remains ☐ Culturally Affiliated Human Remains ☒ Not Culturally Affiliated Human Remains

Museum or Federal Agency

Univ. of California, Berkeley

Geographic Origin

CALIFORNIA

The row tabs at the bottom can be clicked to sort the data as ascending or descending, numerically or alphabetically, depending on the category.

These buttons can be used to export the data from the webpage. Note that the number of entries will affect the size of the export. (ex: 25 Entries will result in only 25 rows).

Show All entries

This dropdown can be used to select the number of visible entries.

This box can be used to search for case sensitive terms.

California

Copy

CSV

Excel

PDF

Print

State

Museum or Federal Agency

Individuals

Funerary Objects

Geographic Origin

County

Inventories

- The goal of all of these databases is for Tribes to track progress of repatriations.
- Data displayed in inventories shows those that have NOT been put in notices. Not in notices means not repatriated.
- Once inventories are put in notices, they are removed and no longer tracked by this database. Instead, you will find linkage in the notices database.

Notices

- The Notices database lists the:
 - museum or Federal agency submitting the notice.
 - the date of publication and the related statement.
 - a link to the published notice.
 - the total number of Native American ancestral remains or cultural items identified in the notice.

Summaries

- This database displays:
 - museums and Federal agencies
 - the received date
 - And the name of each Indian Tribe or Native Hawaiian organization that should have received a copy of the summary.
- Now is a good time to categorize by date, low to high:
 - These databases are a useful tool to show what might be left behind. Staff changes are inevitable, and if you find something in our database that you're unaware of, we recommend reaching out to the Museum or Federal Agency in question to see if they have any updates.

Contacts

- Our contacts page provides the contact info submitted by Museums, Federal Agencies, Tribes, and NHOs.
- The database is populated from the self-reported information of Museum, Federal Agency, and Tribal Staff.
 - If you do NOT see yourself in the database and would like to be added, contact NAGPRA_Info@nps.gov with your information and we can add you to our database. That way the people who need to get ahold of you, can.

Newspaper Notices and the Unclaimed Remains List

- While the data is complete, the method in which we communicate this information is a work in progress.
- Stay tuned to these pages for updates in the coming year.

NAGPRA Grants

NAGPRA Grant Goals

- Assist projects that successfully further the NAGPRA compliance process.
- Support repatriation to Indian Tribes and Native Hawaiian organizations (NHOs).

Eligible Applicants

- **Who can apply:**
 - Federally Recognized Tribes
 - Alaskan Natives and Native Hawaiian organizations (NHOs)
 - Museums as defined by NAGPRA
 - Institutions receiving federal funds and holding Native American human remains or cultural items.
- **Additional Notes**
 - Lineal Descendants
 - Must work with a federally recognized tribe or NHO for funding support

NAGPRA Grants

- **Consultations/Documentation Grants**

- Consultation
- Documentation
- Repatriation of Native American cultural items, including
 - Human remains
 - Funerary objects
 - Sacred objects
 - Objects of cultural patrimony

- **Repatriation Grants**

- Defray costs associated with:
 - Packaging
 - Transportation
 - Contamination removal
 - Reburial
 - Temporary storage of NAGPRA-related human remains and/or cultural items.

Eligibility Requirements for the Consultation/Documentation Grants

- **Requirements**

- Museum must meet NAGPRA compliance
 - NAGPRA Summary of cultural items.
 - NAGPRA Inventory of human remains and AFOs.

- **Additional Notes**

- Museums must complete these documents before submission.
- Museums out of compliance with NAGPRA may be excluded.
- Federal agencies and the Smithsonian Institution cannot apply.

Eligible Activities Under the Consultation / Documentation Grant

- 1. Research and Data Collection:** Conducting consultation with Tribes/NHOs about cultural items to understand their origins and who they belong to; updating NAGPRA Inventory; responding to item requests in the NAGPRA Summary; determining the geographical origin, cultural affiliation surrounding the acquisition of Native American cultural items.
- 2. Training:** This activity focuses on teaching people about NAGPRA rules and how to properly handle cultural items.
- 3. Travel:** This includes funding for trips to meet with tribal representatives or other e.g. staff to discuss NAGPRA items in person.
- 4. Meetings:** This refers to organizing gatherings, whether in person or online, to talk about important issues related to NAGPRA.
- 5. Collection Care / Duty of Care:** This means taking responsibility for the proper handling, storage, and preservation of cultural items.

FY 2025 Consultation/Documentation Grant Information

- Type: Competitive
- Deadline: March 31, 2025, 11:59PM ET
 - FY 2025 Notice of Funding Opportunity (NOFO) P25AS00464.
This deadline has passed.
- Amount: \$5,000 to \$150,000

Eligibility Requirements for the Repatriation Grants

- **Requirements**

- NAGPRA Compliance

- Published Notice of Inventory Completion/Intent to Repatriate in the Federal Register.
 - The required 30-day waiting period must pass.
 - Repatriation Statement.

Eligible Activities Under the Repatriation Grant

- 1. Travel:** Representatives from Indian Tribes, Native Hawaiian organizations and museum to help prepare and/or accompany Native American remains and/or cultural items to their home tribes or organizations.
- 2. Transportation:** Involves the moving of Native American human remains and/or cultural items to the appropriate Indian Tribe or Native Hawaiian organization.
- 3. Testing and Decontamination:** Checking for hazardous substances, documentation, and decontamination of Native American human remains and/or cultural items.
- 4. Construction of Appropriate Containers:** Building secure containers for safely transporting and storing repatriated human remains and cultural items.
- 5. Ceremonial Materials:** Special items needed for traditional ceremonies to respectfully return human remains and cultural items.
- 6. Staff Time:** Hours spent by staff organizing and managing all details involved in returning the items.

FY 2025 Repatriation Grant Information

- Type: Non-competitive
- Deadline: May 8, 2026, 11:59PM PT
 - Applications for FY24 Repatriation NOFO P25AS00474 are accepted on an ongoing basis until the NOFO is cancelled or all available funds have been used. The application period may close earlier than May 08, 2026, as applications are reviewed and funded continuously. No applications will be accepted after this date.
- Amount: \$1,000 to \$25,000

Non-Eligible Grant Activities

- Fundraising
 - Activities aimed at promoting a cause or raising funds.
- Capital Projects (Construction)
 - Building or construction-related initiatives.
- Federal Agencies
- Foreign Institutions
- Smithsonian Institution
- Non-NAGPRA Collections
- Certain Reburial Costs

Mandatory Forms and Documents

PACKAGE FORMS:		Download Instructions
Mandatory Forms (Click to Preview)	Optional Forms (Click to Preview)	
Application for Federal Assistance (SF-424) [V4.0] Budget Information for Non-Construction Programs (SF-424A) [V1.0] Assurances for Non-Construction Programs (SF-424B) [V1.1] Project Narrative Attachment Form [V1.2] Project Abstract Summary [V2.0] Budget Narrative Attachment Form [V1.2] Other Attachments Form [V1.2]		

Additional Information

- Interested applicants can view/download the current NOFO and application forms on Grants.gov. Search Funding Opportunities for keyword "NAGPRA."
- Applicant must submit their complete application packages electronically through Grants.gov.

For Questions and More Information

- nagpra_info@nps.gov

Grants Information

- Angelina Pearson
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