



Photo Credit: © NCAI

HISTORIC & CULTURAL PRESERVATION

The protection of Native cultures spans across complex statutory and regulatory aspects of the federal government. Success in navigating these complex structures has resulted in the repatriation of cultural items, guidance regarding tribal member possession of eagle feathers, and protection of and increased tribal access to sacred places for religious and spiritual purposes. Federal funding to support the repatriation of sacred objects and ancestors, for the preservation of cultures, and for the protection of sacred and historical places continue to remain a paramount priority for tribes.

Key Recommendations

DEPARTMENT OF THE INTERIOR

Interior - Environment Appropriations Bill

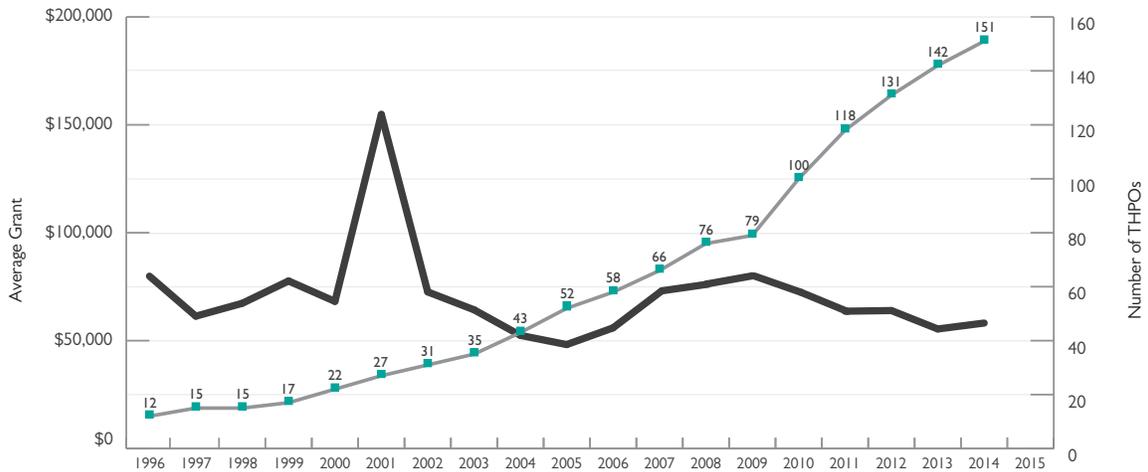
Tribal Historic Preservation Officer Program

- *Provide \$15 million for the Tribal Historic Preservation Officer Program.*

The Tribal Historic Preservation Office program was created in 1992. The program is operated by the National Park Service and funding for Tribal Historic Preservation Officers (THPOs) is provided through the Historic Preservation Fund. THPOs are essential to record and preserve cultural practices of their respective tribes and are active in capturing oral histories, preserving and revitalizing Native languages, and seeking the return of Native American ancestral and sacred objects. THPOs also have a critical federal-tribal role in the Section 106 process of the National Historic Preservation Act (NHPA), which requires government-to-government consultation regarding sacred places and objects.

The Consolidated Appropriations Act of 2016 authorized \$65,410,000 for the Historic Preservation Fund, of which \$9,985,000 is specifically for Indian tribes. Authorizing \$15 million specifically for THPOs will ensure that grants from the Historic Preservation Fund keep pace with the need for cultural preservation of the country’s 566 federally-recognized tribes. As illustrated in the graph below, the average grant funds awarded have not kept pace with the increasing number of and need for THPOs.

THPO History: Average Grant (left) and Number of THPOs (right)



Prepared by the National Association of Tribal Historic Preservation Officers

DEPARTMENT OF THE INTERIOR

Interior - Environment Appropriations Bill

Native American Graves Protection and Repatriation Act (NAGPRA)

- Provide \$4 million for Section 10 of NAGPRA and create a line item for grants to fund work that would lead to cleared determinations of culturally-unidentifiable remains.

The NAGPRA Section 10 program authorizes the Secretary of the Interior to award funds to tribes, Native Hawaiian Organizations, and museums for repatriation of cultural items and human remains. However, a majority of Section 10 funds have consistently been used to cover NAGPRA administrative costs under the National Park Service. This practice has essentially diverted critical funds from assisting tribes in repatriation efforts. A tribal priority should be established under Section 10 to ensure that grant funding is awarded to tribes, and a separate line item should be created to fund work with culturally-unidentifiable remains to further support tribal repatriation efforts. The National Park Service should restore funding for grants and staff in the NAGPRA program.

- Provide a 10 percent increase for investigations into the failure of museums or other institutions to comply with NAGPRA, and create a line item for investigations of complaints brought by tribes against museums or other institutions.

Tribal complaints regarding the failure of museum compliance with NAGPRA has been an ongoing issue that has resulted in the delay of tribal repatriation efforts. Providing a 10 percent increase for these investigations and a tribal-specific line item will assist the Department of the Interior's efforts to respond in a timely manner. Such directives will further ensure the successful implementation of NAGPRA.

- *Provide \$1 million for a national study on the sale and trafficking of American Indian, Alaska Native, and Native Hawaiian objects and human remains, both nationally and internationally.*

Over the past two years, overseas auctions of sacred objects and objects of cultural patrimony have been occurring at an alarming rate. To date there is no definitive resource of information on these items for sale. These auctions raise questions about how, and when, those items were removed from tribal communities and what form of trafficking has allowed for their sale in the international arena. In December 2015, Secretary of the Interior Jewell announced that she met with the French Minister of Justice to express the United States' concern about tribal sacred objects that are sold at French auction houses and to seek cooperation in working to repatriate objects to Indian tribes in the US. A national study is long overdue and it would further highlight the issue of tribal sacred objects removed and held abroad