



Wááshindoon Weekly | December 17, 2023

Interior Department Publishes Changes to Native American Repatriation Regulations



Photo Courtesy of National Park Service.

On December 13th, the Department of the Interior published a [final rule](#) incorporating changes to the regulations governing the implementation and enforcement of the Native American Graves Protection and Repatriation Act (NAGPRA). The rule aims to streamline the process of returning Native American human remains, funerary objects, sacred items, and cultural patrimony to their lineal descendants, Indian tribes, and Native Hawaiian organizations (NHOs).

Enacted in 1990, NAGPRA requires museums and federal agencies to identify Native American human remains, funerary items, and culturally significant objects in their collections. The updated regulations announced today streamline the requirements for museums and federal agencies in conducting inventories and identifying these items.

The final rule, announced at the 2023 White House Tribal Nations Summit, makes several critical changes, including increasing the amount of deference to tribes and NHOs in the repatriation process, requiring museums and federal agencies to obtain consent before exhibiting or researching human remains or cultural items, eliminating the category of "culturally unidentifiable human remains," and increasing transparency and reporting of collections.

“The Native American Graves Protection and Repatriation Act is an essential tool for the safe return of sacred objects to the communities from which they were stolen. Among the updates we are implementing are critical steps to strengthen the authority and role of Indigenous communities in the repatriation process,” said Secretary Deb Haaland.

The Interior Department presented the proposed changes for public comment over a year ago and received 181 submissions with over 1,800 specific comments. Officials at Interior claim the final regulations incorporated many of the recommendations provided by tribes and NHOs.

The new rules are set to go into effect on January 12, 2024, with some reporting requirements not going into full effect for up to 5 years to give institutions adequate time to come into compliance with the new regulations. For more information, visit the [National NAGPRA website](#).