

MINUTES

**NATIVE AMERICAN GRAVES PROTECTION AND
REPATRIATION REVIEW COMMITTEE**

FIFTY-EIGHTH MEETING

DECEMBER 14, 2015

TABLE OF CONTENTS

The 58th Meeting of the Review Committee	4
Discussion of 2015 Report to Congress	5
Review Committee Motion	5
Closing Comments	5
Meeting Adjournment	5

Background

The Native American Graves Protection and Repatriation Review Committee was established under the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3001 et seq., which was signed into law by President George Bush on November 16, 1990.

Pursuant to 25 U.S.C. 3006 (c) and (h), the Review Committee is responsible for –

1. Designating one of the members of the committee as chair;
2. Monitoring the inventory and identification process conducted under sections 5 and 6 to ensure a fair, objective consideration and assessment of all available relevant information and evidence;
3. Upon the request of any affected party, reviewing and making findings related to-
 - A. The identity or cultural affiliation of cultural items, or
 - B. The return of such items;
4. Facilitating the resolution of any disputes among Indian tribes, Native Hawaiian organizations, or lineal descendants and Federal agencies or museums relating to the return of such items, including convening the parties to the dispute if deemed desirable;
5. Compiling an inventory of culturally unidentifiable human remains that are in the possession or control of each Federal agency and museum and recommending specific actions for developing a process for disposition of such remains;
6. Consulting with Indian tribes and Native Hawaiian organizations and museums on matters within the scope of the work of the committee affecting such tribes or organizations;
7. Consulting with the Secretary of the Interior in the development of regulations to carry out this Act;
8. Performing such other related functions as the Secretary may assign to the committee;
9. Making recommendations, if appropriate, regarding future care of cultural items which are to be repatriated; and
10. Submitting an annual report to the Congress on the progress made, and any barriers encountered, in implementing this section during the previous year.

The Review Committee is organized and administered according to the Federal Advisory Committee Act (FACA), 5 U.S.C. Appendix (2006).

Six Review Committee members are appointed by the Secretary of the Interior from nominations by Indian tribes, Native Hawaiian organizations, traditional Native American religious leaders, national museum organizations, and scientific organizations. At least two of the members must be traditional Indian religious leaders. One Review Committee member is appointed by the Secretary from a list of persons developed and unanimously approved by the other members.

The Review Committee reports to the Secretary of the Interior. Under the Review Committee's charter, the Manager, National NAGPRA Program, National Park Service (NPS) serves as the Designated Federal Officer (DFO) to the Review Committee. The DFO oversees the activities of the Review Committee and coordinates administrative and staff support to the Review Committee on behalf of the Secretary of the Interior.

Additional information about the Review Committee – including the Review Committee's charter, membership, meeting protocol, and dispute procedures – is available at the National NAGPRA Website, <http://www.nps.gov/nagpra> (click on "Review Committee").

Notice of this Review Committee meeting was published in the *Federal Register* on June 15, 2015 (80 FR 34169-34170).

The 58th Meeting of the Review Committee

The 58th meeting of the Native American Graves Protection and Repatriation Review Committee was called to order by Ms. Melanie O'Brien, DFO, at 2:05 p.m. EST, Monday, December 14, 2015. Ms. O'Brien confirmed the attendance of the Review Committee members and stated that the Federal Advisory Committee Act (FACA) requirements were met regarding the publication of the meeting notice prior to the meeting. Ms. O'Brien chaired the meeting, as Mr. Minthorn was delayed in joining the start of the meeting. The meeting was convened by notice for the sole purpose of finalizing and approving the Review Committee's 2015 Report to Congress.

Review Committee members present –

Mr. Armand Minthorn

Ms. Heather Edgar

Ms. LindaLee (Cissy) Farm

Mr. Patrick Lyons

Mr. Dennis O'Rourke

Mr. Steve Titla

Designated Federal Officer present –

Ms. Melanie O'Brien, Manager, National NAGPRA Program, National Park Service

National Park Service/Department of the Interior staff in attendance –

Ms. Lesa Koscielski, Contractor, National NAGPRA Program, National Park Service

Ms. Carla Mattix, Attorney-Advisor, Division of Parks and Wildlife, Office of the Solicitor, Department of the Interior

Mr. Stephen Simpson, Senior Attorney, Division of Indian Affairs, Office of the Solicitor, Department of the Interior

Persons who preregistered for the meeting (names and affiliations as provided by attendees) –

Ms. Jan Bernstein, Bernstein & Associates, Denver, CO

Ms. Mary Carroll, National Park Service, Park NAGPRA Program, Lakewood, CO

Ms. Trish Capone, Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA

Ms. Sandra Dong, Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA

Ms. Robin Dushane, Eastern Shawnee Tribe of Oklahoma, Seneca, MO

Ms. Dee Gardner, Eastern Shawnee Tribe of Oklahoma, Wyandotte, OK

Ms. Erin Gredell, Yale University, Peabody Museum of Natural History, New Haven, CT

Ms. Jaime Lavalley, File Hills Qu'Appelle Tribal Council, Saskatoon, Saskatchewan

Ms. Jackie Lillis-Warwick, Michigan State University Museum, East Lansing, MI

Ms. Katie Mollerud, Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA

Ms. Angela Neller, Wanapum Heritage Center, Beverly, WA

Mr. Zac Pelleriti, Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA

Ms. Karen Rolph Morales, SFSU – Saint Mary's College – Stanford, Palo Alto, CA

Mr. Tim Thompson, Confederated Tribes and Bands of the Yakama Nation, Toppenish, WA

Discussion of 2015 Report to Congress

Mr. Dennis O'Rourke chaired the discussion of the 2015 report to Congress. Mr. O'Rourke and Mr. Lyons drafted the report and incorporated suggested changes submitted by the Review Committee members prior to the meeting. During the meeting, the Review Committee members discussed and approved final minor edits and clarifications to the report.

Review Committee Motion

Ms. Edgar made a motion that the 2015 report to Congress be finalized, as discussed and acted upon during the meeting, with minor edits as needed to be inserted by Ms. O'Brien. Ms. Farm seconded the motion. The motion passed by unanimous vote. Ms. O'Brien will complete the final edits, publication, distribution to Congress, and posting on the National NAGPRA Program website.

The Review Committee expressed its appreciation for the work of Mr. O'Rourke and Mr. Lyons in drafting the 2015 report to Congress. Mr. O'Rourke thanked the members of the Review Committee for their help.

Closing Comments

Ms. O'Brien thanked the Review Committee for their work and the members of the public listening to the meeting.

Meeting Adjournment

The meeting was adjourned at 2:15 p.m. EST, by Ms. O'Brien.

Certified –



Ms. Melanie O'Brien,
Manager, National NAGPRA Program
Designated Federal Officer, Native American Graves Protection
and Repatriation Review Committee

February 16, 2016

Date

Approved on behalf of the Review Committee –



Ms. Melanie O'Brien
Acting Chair, Native American Graves Protection
and Repatriation Review Committee

February 16, 2016

Date