

MINUTES

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

SIXTY-FOURTH MEETING

April 22, 2019

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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 April 5, 2019 (84 FR 13712-13713).

The 64th Meeting of the Review Committee

The 64th meeting of the Native American Graves Protection and Repatriation Review Committee was called to order by Ms. Melanie O'Brien, DFO, at 2:00 p.m. (Eastern), on Monday, April 22, 2019. 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 and agenda prior to the meeting. Mr. Lewis offered a traditional opening.

Review Committee members present –

Mr. Patrick Lyons – Chair

Mr. John Beaver

Ms. Heather Edgar

Ms. Honor Keeler

Mr. Barnaby Lewis

Mr. Frank McManamon

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. Sarah Glass, Notice and Grants Coordinator, National NAGPRA Program, National Park Service

Ms. Lesa Koscielski, Review Committee Coordinator, National NAGPRA Program, National Park Service

Ms. Mariah Soriano, Inventories, Summaries, Databases and Website Coordinator, National NAGPRA Program

Mr. David Tarler, Training, Civil Enforcement, and Regulations Coordinator, National NAGPRA Program

Mr. Brady Blasco, Attorney, 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 in attendance during part or all of the meeting (names and affiliations as provided by attendees) –

Ms. Dawn Maria Alapisco, Oregon State University, Office of Institutional Diversity, Corvallis, OR

Ms. Rebecca Andruszka, Bernstein & Associates NAGPRA Consultants, Denver, CO

Ms. Risa Arbolino, National Museum of the American Indian, Suitland, MD

Ms. Marie Archambeault, Pape-Dawson, Austin, TX

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

Ms. Lori Breslauer, Field Museum of Natural History, Chicago, IL

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

Ms. Sheila Goff, History Colorado, Denver, CO

Mr. Joseph Halloran, Miami Tribe of Oklahoma, Miami, OK

Ms. Lourdes Henebry-DeLeon, Central Washington University, Ellensburg, WA

Ms. Samantha Hixon, National Museum of the American Indian, Suitland, MD

Ms. Kara Hurst, U.S. Dept. of the Interior, Bureau of Reclamation, Denver, CO

Mr. Jordan Jacobs, Phoebe A. Hearst Museum of Anthropology, Berkeley, CA

Ms. Jenna Macaulay, Haudenosaunee, Fayetteville, NY

Mr. C. Timothy McKeown, Washington, DC

Ms. Kristen Martine, U.S. Dept. of the Interior, Bureau of Land Management, Washington, DC

Ms. Martha Martinez, Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona, Phoenix, AZ

Ms. Nell Murphy, American Museum of Natural History, New York, NY

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

Ms. Savannah Newell, Auburn University, Opelika, AL

Ms. Megan Noble, University of California - Davis, Davis, CA

Ms. Emily Palus, U.S. Dept. of the Interior Museum Program, Washington, DC

Ms. Annie Pardo, U.S. Dept. of the Interior, Bureau of Indian Affairs, Reston, VA

Ms. Helen Robbins, Field Museum of Natural History, Chicago, IL

Ms. Lauren Sieg, National Museum of the American Indian, Suitland, MD

Ms. Stephanie Sterling, U.S. Dept. of the Interior, National Park Service, Tallahassee, FL

Ms. Jackie Swift, National Museum of the American Indian, Suitland, MD

Ms. Jayne-Leigh Thomas, Indiana University, Bloomington, IN
Ms. Claire Wilbert, Bernstein & Associates NAGPRA Associates, Seattle, WA

Action Item: Discussion of the Review Committee 2017-2018 Report to Congress

Ms. Edgar chaired the discussion of the 2017-2018 report to Congress. The subcommittee on the annual report to Congress (members Ms. Edgar, Ms. Keeler, and Mr. Lyons) drafted the report. During the meeting, the Review Committee members discussed several sections of the report and revisions to be completed by the subcommittee following the meeting. The Review Committee unanimously agreed to approve the report as discussed. Ms. O'Brien will complete any final edits, publication and distribution to Congress, and posting on the National NAGPRA Program website.

Public Comment

Ms. Jayne-Leigh Thomas, NAGPRA Director, Indiana University, and Mr. Joseph Halloran, legal counsel, Miami Tribe of Oklahoma, discussed the challenge of lack of protection of sensitive information in the Freedom of Information Act (FOIA) request process.

Traditional Closing

Mr. Lewis offered a traditional closing.

Meeting Adjournment

The meeting was adjourned at 3:34 p.m., by Ms. O'Brien.

Certified –

Melanie O'Brien

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

July 19, 2019

Date

Approved on behalf of the Review Committee –

Patrick Lyons

Mr. Patrick Lyons
Chair, Native American Graves Protection
and Repatriation Review Committee

July 19, 2019

Date