



**UNIVERSITY OF
GEORGIA**

**Franklin College of
Arts and Sciences**

Department of Anthropology

Laboratory of Archaeology

Native American Graves Protection and Repatriation Act (NAGPRA) Policy and Standards

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Table of Contents

Acknowledgement	3
Policy Statement	4
What is NAGPRA?	4
Policy Statement	4
About the Laboratory	6
General NAGPRA Processes at the Laboratory	6
Consultation	6
Cultural Affiliation	7
Requests for Repatriation and Disposition	7
Joint Repatriation and Disposition	8
Donations	8
Culturally Unidentifiable	9
Associated Funerary Objects and Unassociated Funerary Objects	9
Sacred Objects and Objects of Cultural Patrimony	9
Transfer of Collections	9
Curation and Physical Custody After Repatriation and Disposition	10
Dispute Resolution	10
Curation of NAGPRA Collections	10
Environmental Conditions and Preservation	10
General Collections Management	11
Research, Access, and Use for UGA-Controlled NAGPRA Material	12
Research, Access, and Use for Non-UGA-Controlled NAGPRA Material	12
NAGPRA General Housing and Care Standards	13
Specialized Housing and Care Standards for UGA-Controlled NAGPRA Collections	14
APPENDIX A: NAGPRA terms	16

ACKNOWLEDGEMENT

First and foremost, at the time of writing this policy, the University of Georgia does not have an official acknowledgement that recognizes and respects Indigenous peoples as the traditional stewards of the land currently known as Georgia and the enduring relationship that continues to exist between Indigenous peoples and their ancestral territory. The Laboratory of Archaeology endeavors to someday soon help to create an acknowledgement that was developed through consultation to reflect the diversity of indigenous people who both lived on University of Georgia land and in Georgia and work towards building relationships with Native American communities not only through NAGPRA but also through academic pursuits, partnerships, historical recognitions, community service, and enrollment efforts. Until a complete list of Indigenous groups can be created, an acknowledgement, and an actionable plan is crafted through the university, the Laboratory of Archaeology will offer a general statement that offers honor and respect to those Indigenous peoples.

The Laboratory recognizes that there were many groups of Indigenous people who were the original stewards of this land since time immemorial and that the descendants of these peoples exist today and retain their ancestral connection to the land of Georgia. The Laboratory of Archaeology would also like to acknowledge the enslaved individuals whose labor was used to build the university.

The Laboratory of Archaeology acknowledges that we are a place with a responsibility to care for and preserve the cultural heritage and archaeological record of the collections within our facility. With continual forward progress, the Laboratory will strive to assist in the healing of historical trauma caused by archaeology in Georgia and the southeastern United States. Through preservation, conservation, and research, the Laboratory will endeavor to always work with Tribe(s) and other descendant communities for the preservation of their histories.

Finally, the Laboratory of Archaeology would like to thank the Coushatta Tribe of Louisiana, Eastern Band of Cherokee Indians, Muscogee (Creek) Nation, and Seminole Tribe of Florida for providing comments and suggestions to this policy. The Laboratory would also like to thank, Ryan Wheeler, Director of the Robert S. Peabody Institute of Archaeology for providing helpful comments. Additionally, the Laboratory of Archaeology would like to thank the members of the NAGPRA Advisory Board for commenting on drafts of this policy and providing feedback.

POLICY STATEMENT

What is NAGPRA?

The United States Congress passed the Native American Graves Protection and Repatriation Act (NAGPRA) in 1990. In simple terms, it requires institutions that receive federal funding to inventory their collections, consult with lineal descendants, federally recognized Native American Tribe(s), and Native Hawaiian organizations, and repatriate ancestral remains or cultural items that meet certain criteria. For a further explanation of terms, please see Appendix A. For repatriation, NAGPRA prioritizes a principal term, “cultural affiliation,” which means that a reasonable relationship can be demonstrated between an identifiable earlier group and a present-day federally recognized Tribe(s). A full presentation of the process as stipulated by the NAGPRA statute and regulations is available online at [National NAGPRA](#) as administered by the National Park Service, U.S. Department of the Interior.

Policy Statement

The Laboratory of Archaeology (hereafter, the Laboratory) serves as a repository for archaeological collections and associated records produced through projects undertaken by faculty, staff, and students of the University of Georgia (hereafter, UGA) since 1947. We also curate collections from the state of Georgia, several different federal agencies, cultural resource management companies, non-profit research organizations, as well as donations from private individuals or entities. Therefore, individual NAGPRA collections housed at the Laboratory could be under the control of either UGA or other federal or state agencies or private entities. The purpose of this document is to present the Laboratory’s policy statement as it relates to implementing and complying with NAGPRA regulations for **UGA-controlled** collections. NAGPRA policies for non-UGA-controlled collections may vary to some degree, and those agencies should be contacted for their specific procedures.

The Laboratory’s overall goal is to repatriate all UGA-controlled NAGPRA collections. It is also the Laboratory’s goal to institute and maintain traditional care practices developed in consultation with tribal communities, all while meeting the Secretary of the Interior’s priority to “support tribal self-determination, self-governance, and sovereignty.” We recognize our responsibility in ensuring that NAGPRA is implemented properly but also done so with consideration and respect towards tribal sovereignty, cultural protocols, cultural practices, and knowledge. The Laboratory welcomes all suggestions to increase our level of understanding and respect for the cultures and traditions that are represented within our facility.

General NAGPRA activities at the Laboratory include but are not limited to the following:

- Consultation with tribal communities
- Publication of Notices of Intent to Repatriate or Notices of Inventory Completion in the *Federal Register*
- Repatriation and disposition
- Joint repatriation and disposition efforts
- Care in trust agreements to ensure proper handling and curation
- Transfer of collections from other institutions to facilitate repatriation or disposition of a split or shared collection

- Traditional care practices
- Communication with other federal and state agencies with collections at the Laboratory to help facilitate and fulfill their NAGPRA responsibilities

The Laboratory will proactively follow the NAGPRA and be respectful of the lineal descendants, federally recognized Native American Tribes, and Native Hawaiian organizations whose ancestral remains, funerary objects, sacred objects, and/or objects of cultural patrimony may be currently controlled by the Laboratory. It is the policy of the Laboratory to comply with NAGPRA and its implementing federal regulations (43 CFR 10). For the sake of legal clarity, the Laboratory may use the terms in NAGPRA regulations for NAGPRA documentation but does not intend any disrespect in their usage. See Appendix A for a list and definitions of these terms.

NAGPRA covers four types of Native American objects: ancestral remains, funerary objects, sacred objects, and objects of cultural patrimony that are Indigenous to Alaska, Hawaii, and the continental United States, but not to territories of the United States, and also when said objects meet one or more of the following criteria:

- (i) In federal possession or control; or
- (ii) In the possession or control of any institution or state or local government receiving federal funds; or
- (iii) Excavated intentionally or discovered inadvertently on federal or tribal lands.

The repatriation of all items under NAGPRA must be conducted in compliance with the NAGPRA statute and implementing regulations. Anyone affiliated with the University of Georgia (as faculty, staff, or student) who is (or believes they may be) in possession of any ancestral remains, funerary objects, sacred objects, and/or objects of cultural patrimony of lineal descendants, federally recognized Native American Tribes, and/or Native Hawaiian organizations that fall under NAGPRA must comply with the regulations and proactively inform their department chair, supervisor, and the Laboratory of Archaeology immediately that they may be in possession of any object or artifact of Native American origin. Violations of the NAGPRA statute may result in substantial fines to the University of Georgia.

Even after the submission of Inventories and Summaries, the Laboratory may locate previously uncatalogued NAGPRA material. In the event of this occurrence, the Laboratory will follow all appropriate consultation and documentation steps for this material. All communications relating to NAGPRA are made through the Laboratory or under its direction. All requests for information, consultation, repatriation, and disposition are to be directed to the Laboratory where the final signing authority lies with the Director and Operations Director of the Laboratory.

An advisory group will provide guidance on policies and procedures related to NAGPRA compliance. The group will be comprised of the following: Laboratory Director, Laboratory Operations Director, two UGA Anthropology faculty members, and one qualified individual outside of UGA representing the tribal perspective. Currently, the NAGPRA Advisory Board is comprised of Victor Thompson (Laboratory Director), Amanda Roberts Thompson (Laboratory Operations Director), Ted Gragson (Department of Anthropology Head), Jennifer Birch (Department of Anthropology faculty), and Raelynn Butler (Muscogee [Creek] Nation).

The NAGPRA Advisory Board shall perform the following duties:

- I. Review and provide advice regarding implementation and compliance with this policy and related applicable laws and regulations;
- II. Provide information and assistance, as requested, to descendant communities about cultural affiliation and repatriation and disposition of Native American or Native Hawaiian ancestral remains, funerary objects, sacred objects and/or objects of cultural patrimony that are in control of the University of Georgia and report the findings and recommendations;
- III. Make recommendations for revisions to this policy and any associated guidelines.

About the Laboratory

The Laboratory's mission includes: (1) preserving and curating archaeological collections and records; (2) facilitating research and training for students and professionals in archaeology; and (3) service to the state of Georgia.

The Laboratory has been around since 1938 (formal establishment in late 1947). It has evolved into its present state as a teaching, research, and curation facility. It was not originally intended to be a curation repository. However, it has since become one of the largest in Georgia. The Laboratory meets federal standards (36 CFR 79 and Antiquities Act of 1906) for archaeological curation and is compliant with all state and federal laws. The Laboratory also adheres to standard curation and collections management guidelines established by the [Georgia Council of Professional Archaeologists](#) and the [Society for American Archaeology](#) as well as general standards for state and federal agencies. The Laboratory also supports the [United Nations Declaration on the Rights of Indigenous Peoples](#) and is committed to the repatriation provisions outlined in that document.

With over 15,000 square feet of curation space and over 5,000 square feet of office and analysis space, the Laboratory has facilitated research and education on local, state, national, and international levels for many decades. The Laboratory houses over 12,500 boxes of artifacts with an estimated 50 million artifacts, paper and digital archives, and information on over 60,000 archaeological sites and historic properties.

GENERAL NAGPRA PROCESSES AT THE LABORATORY

Consultation

The Laboratory welcomes consultation with lineal descendants, federally recognized Native American Tribe(s), and Native Hawaiian organizations and their representatives. It is the Laboratory's intent to meet the priorities of Tribe(s) for consultation. The Laboratory looks forward to meeting both the intent and spirit of the NAGPRA statute. Therefore, the Laboratory looks forward to using NAGPRA consultation as a way to improve or expand relationship building, communication, and collaboration, whether through NAGPRA, other research, or community engagement and outreach opportunities. The Laboratory welcomes all suggestions related to this process.

Additionally, the Laboratory recognizes that consultation is a long-term process and will require multiple dialogues and/or visits. Consultation should be ongoing throughout the entire NAGPRA process, and the Laboratory will make all attempts to ensure that this occurs. Further, the Laboratory wants consultation to be catered to the wishes of Tribe(s). Consultation can include but is not limited to the following:

- Full access to all documentation, media, and collections
- Assisting the Laboratory in reviewing and determining cultural affiliation
- Viewing all or specific portions of collections during any part of the NAGPRA process
- Assisting the Laboratory in identifying additional NAGPRA material. For example, sacred objects and objects of cultural patrimony
- Visits to the Laboratory to discuss and/or view NAGPRA collections; the Laboratory will to the best of our ability accommodate special considerations for the visit
- Multiple Emails, phone calls, and video meetings to discuss additional information on NAGPRA collections and the NAGPRA database
- Identifying and enacting individualized traditional care practices through care in trust agreements
- If requested, drafting of MOUs or other contracts during consultation
- If requested, the Laboratory can discuss the return or destruction of written and/or electronic records with detailed cultural knowledge provided during consultation to establish affiliation or for other purposes. However, such requests will be subject to applicable Georgia state laws and University System of Georgia policies concerning the retention of records. Regardless, the Laboratory will not use the detailed cultural knowledge received from Tribe(s) for any purpose other than in connection with the agreed purpose of the consultation, whether that is to establish affiliation or otherwise. The Laboratory will not disclose the detailed cultural knowledge to any person not involved in the consultation without the relevant Tribe's prior consent, unless required by law, court order, or other legal process.

Cultural Affiliation

Cultural affiliation is defined as the relationship of shared group identity which can be reasonably traced historically or prehistorically (prior to European colonization) between a present-day Indian tribe or Native Hawaiian organization and an identifiable earlier group (25 USC 3001 [2]). Cultural affiliation is established when the preponderance of the evidence – based on geographical, kinship, biological, archeological, linguistic, folklore, oral tradition, historical evidence, or other information or expert opinion – reasonably leads to such a conclusion (43 CFR 10.2 [e]). The Laboratory will follow the Tribe(s) lead on cultural affiliation determinations and will provide as much information to the Tribe(s) to assist in determining cultural affiliation. Additionally, all previously assigned cultural affiliations that occurred in the 1990s are available for review by the Tribe(s) to assess if the cultural affiliation determination is correct or if the affiliation needs to be changed.

Requests for Repatriation and Disposition

A claim serves to establish a direct connection of lineal descendants, federally recognized Native American Tribe(s), and Native Hawaiian organizations to certain ancestral remains and associated funerary objects, as well as unassociated funerary objects, sacred objects, or objects of cultural patrimony either through establishment of lineal descent or through establishment of cultural affiliation.

Until a tribal claimant initiates a formal request, the Laboratory will maintain all NAGPRA collections according to general collections management procedures. The Laboratory will also begin enacting traditional care practices whenever possible (see Curation of NAGPRA Collections).

The Laboratory will fulfill legitimate claims for repatriation and disposition of UGA-controlled NAGPRA collections in a manner and within or before the time frame determined by 43 CFR 10-11. To submit a claim, please email a claim letter to the Operations Director, Amanda Roberts Thompson (arobthom@uga.edu). Each claim will be reviewed on a case by case basis and in accordance with the procedures outlined in the NAGPRA legislation.

Depending on the claim, a draft Notice of Inventory Completion (for ancestral remains and associated funerary objects) or draft Notice of Intent to Repatriate (for unassociated funerary objects, sacred objects, and/or objects of cultural patrimony) will be made available to the claimants. Once reviewed by the claimant, the notice will be submitted to the National NAGPRA office for publication. Claims can be disputed for up to 30 days by law. If a claim is not disputed, it will move forward for transfer to the claimants.

All associated funerary objects and burial matrix (if specified by the Tribe[s]) will be repatriated with the associated ancestral remains, when possible, regardless of whether the individual is culturally affiliated or culturally unidentifiable.

The Laboratory will not make available for research or access any NAGPRA materials including but not limited to ancestral remains (both affiliated and culturally unidentifiable), associated and unassociated funerary objects, sacred objects, and objects of cultural patrimony or permit to publish any images from UGA-controlled NAGPRA collections without permission from the culturally affiliated Tribe(s) or potentially culturally affiliated Tribe(s). Any access to these materials will be reserved for their general care and maintenance by the Laboratory and direct requests only by the culturally affiliated Tribe(s).

Joint Repatriation and Disposition

The Laboratory is committed to collaborating with other federal and state agencies, institutions, and museums to engage in repatriation and disposition of collections not controlled by UGA.

This can include participating in shared consultation to facilitate the repatriation of NAGPRA material as well as collaborating and submitting jointly all appropriate paperwork to the National NAGPRA office.

The Laboratory is willing to discuss the acceptance of transfers from individuals, agencies, groups, and other organizations or institutions to facilitate repatriation and disposition.

Donations

The Laboratory is willing to discuss the acceptance of donations from individuals and private organizations to facilitate repatriation and disposition. Prior to submittal, a donor must complete a donation form that conveys all rights, title, and interest that the donor possesses regarding the objects, collections, and/or records, to the Laboratory such that the Laboratory becomes the owner of the ancestors, objects, collections, and/or records. Upon acceptance of a donation, the Laboratory, as a designated curatorial repository, will manage the collection in accordance with applicable federal and

state regulations (36 CFR 79, and NAGPRA). The Laboratory reserves the right to deny a donation for any reason, including that the donation contains objects, collections, and/or records that do not serve the Laboratory's mission.

As the designated curatorial repository, the Laboratory will manage the collection in accordance with applicable federal and state regulations (36CFR, Part 79 and NAGPRA). The Laboratory reserves the right to deaccession any objects, collections, and/or records that do not serve the Laboratory's mission.

Culturally Unidentifiable

The Laboratory will make every effort to assist with determining affiliation. In the event that cultural affiliation cannot be determined, associated funerary objects (if present) will be kept with ancestral remains and will be repatriated together under the provisions of 43 CFR 10.11 (c)(4). Ongoing work in the Laboratory including consultation, documentation, inventory, basic analysis, etc., may change status of culturally unidentifiable collections, and a determination of kin or cultural affiliation may be reached regarding ancestral remains and/or cultural items presently classified as culturally unidentifiable. Additionally, during this process, materials currently regarded as not subject to NAGPRA can be reassessed with consultation, which may warrant changing their classification.

Associated Funerary Objects and Unassociated Funerary Objects

Objects are determined to be associated funerary objects if the associated ancestors are extant in any museum collection (as defined by NAGPRA), appear on museum or federal agency NAGPRA inventories, or are extant in any other museum collection.

Objects without a specific burial provenience, but which have been identified as from a cemetery or mortuary site, will be the subject of consultation to determine their status as unassociated funerary objects (UFOs) (43 CFR 10.2 [d][2][ii]).

Sacred Objects and Objects of Cultural Patrimony

The Laboratory recognizes that we do not have the cultural knowledge or ability to identify sacred objects and objects of cultural patrimony among UGA-controlled collections. Therefore, the Laboratory will make every effort by providing information to Tribe(s) to assist with identification of those objects so that the NAGPRA process can be implemented.

Transfer of Collections

After thirty (30) days a notice is published in *The Federal Register*, the Laboratory will submit to the claimant Tribe(s), the Transfer of Control documents and the Care and Trust Agreement. Claims can be disputed for up to 30 days by law. If a claim is not disputed, it will move forward for transfer to the claimants.

Claims to ancestors, objects, and/or collections that are not disputed will be prepared for transfer to the claimants involved. Procedures for transfer including time, date, and the manner of exchange will be finalized at this time.

Ancestors, objects, and/or collections will be physically transferred according to an agreed upon date, time, and manner of exchange. Official documentation acknowledging the finalization of the transfer will be signed and all involved parties will receive a copy.

Curation and Physical Custody After Repatriation and Disposition

If Tribes do not have the ability to store or care for NAGPRA collections after they have completed the NAGPRA process, then they may enter into a Physical Custody Agreement until the Tribe(s) is ready to accept physical custody. In addition, Tribe(s) may enter into a Care and Trust Agreement with the Laboratory to curate and care for the collection in a specific way until reburial and physical custody can occur.

Dispute Resolution

The Laboratory encourages any Tribe(s) who have any concerns about cultural affiliation determinations, claims, or repatriation disposition to immediately contact the Operations Director, Amanda Roberts Thompson (arobthom@uga.edu). If concerns are not addressed, the NAGPRA Advisory Board will be contacted. If the dispute remains unresolved, a request can be made to the Designated Federal Officer (generally the National NAGPRA Program Manager) for review by the NAGPRA Review Committee.

CURATION OF NAGPRA COLLECTIONS

To preserve the cultural significance of NAGPRA collections, it is the policy of the Laboratory to treat NAGPRA collections curated in our facilities with the utmost dignity and respect, as well as to consider living descendants in their care. NAGPRA materials curated at the Laboratory are currently located in a separate, climate-controlled, secure area with restricted access. Only authorized staff have access to these areas. No future research (including but not limited to photographs, analysis, and publications) on NAGPRA collections is allowed without express and written consent from the owning institution and culturally affiliated Tribe(s) (see Access and Use). Due to the sensitive nature of these collections, all handling is coordinated in accordance with applicable state and federal laws in addition to specific care and handling preferences from the Tribe(s). Please email the Operations Director, Amanda Roberts Thompson (arobthom@uga.edu) for this request.

Occasionally, NAGPRA objects and collections or information pertaining to NAGPRA objects and collections are found during re-inventorying or reanalyzing of Laboratory collections. The Laboratory will report the newly found NAGPRA objects and collections to the National NAGPRA office through the inventories, summaries, etc. Consultation will be conducted throughout this process.

Environmental Conditions and Preservation

The Laboratory is a 20,000 square foot repurposed warehouse with two large curation rooms, a central office space at the head of the building, fume hood, analysis space, a specialized archaeological sciences lab and 3D imaging lab. As a designated curatorial repository, the Laboratory takes great care in the

conservation of archaeological artifact collections, as well as associated paper and digital records. Overall, the Laboratory provides our collections with a stable curation environment through the incorporation of the following practices:

- Temperature, light, and humidity control in all spaces where collections are curated
- Intruder security system connected to UGA's Police Department
- Monthly pest control (pesticides are not sprayed inside the building)
- Security and fire safety
- Controlled access to collections
- Integrated collections management database
- Nightly off-site server backup
- Special care of and additional security for culturally sensitive objects
- Cooperation with NAGPRA regulations
- Routine assessment and maintenance of our collections for damage

Laboratory employees follow integrated pest management practices and ensure day-to-day maintenance of the collection management areas. This includes, but is not limited to, daily upkeep tasks such as sweeping and dusting, maintaining continuing curation standards for all collections, monitoring areas for mold and pest infestation, and monitoring the environment (e.g., temperature and humidity). Further, all collections are examined frequently to ensure agents of deterioration are prevented, detected, and avoided. Eating and drinking are prohibited in curation, office, and research areas.

Collections and curation spaces are frequently monitored for evidence of pest or mold infestation. The Laboratory is climate controlled in order to maintain a habitat unappealing to pests and mold in addition to proper conditions for collections. A third-party pest control company provides monthly pest control on the exterior of the building. If pests are found in our pest monitor traps, our staff takes the following measures: removes pests and all paper products from the area, lowers temperature and humidity, and identifies and destroys potential migration routes.

The Laboratory maintains a silent alarm system through UGA. A strict protocol must be followed daily when opening or closing the Laboratory to ensure security. If the alarm is triggered, the UGA Police Department is notified and responds. Further, UGA Police patrol the parking lot during off hours. All visitors to the Laboratory must sign in. Only authorized persons are allowed in curation areas.

General Collections Management

Overall, the Laboratory's access to NAGPRA collections relates primarily to the collating of information related to determining eligibility for NAGPRA and cultural affiliation. This includes consultation, documentation, inventory, basic analysis, etc. Our facility maintains a wide variety of resources that include information on UGA-controlled NAGPRA collections: digital databases, field excavation records, images (photographs, negatives, slides, etc.), maps, and artifact assemblages. Due to the interconnected nature of archaeological and historical archival material, it is often difficult to restrict all descriptions, references, maps, etc., of all burials or NAGPRA material. The Laboratory will limit access, as outlined above, to the material as it is found.

The Laboratory's access and use to NAGPRA collections is restricted to the following:

- General collections care and management

- Pest control
- NAGPRA related activities (e.g. creating inventories)
- Rehousing according to traditional care processes
- Periodic inventory checks
- Preventative conservation measures (e.g., making mounts, stabilization efforts, etc.) if necessary
- Specific requests

Research, Access, and Use for UGA-Controlled NAGPRA Material

In general, the Laboratory **prohibits** research, access, or use of UGA-controlled NAGPRA material. Any research, access, or use that would be approved would only be with and through the prior consultation and written consent of official representatives of the Tribe(s) affiliated with the material or potentially affiliated. The access and use policies outlined directly below pertain only to UGA-controlled NAGPRA material. Below are the guidelines for research, access, or use for **UGA-controlled** NAGPRA material:

Research. The Laboratory **prohibits** the research, access, or use of UGA-controlled NAGPRA material for research projects or other inquiries without the prior consultation and written consent of official representatives of the Tribe(s) affiliated with the collection.

Teaching. The Laboratory **prohibits** the research, access, or use of UGA-controlled NAGPRA material for teaching without the prior consultation and written consent of official representatives of the Tribe(s) affiliated with the collection.

Exhibit. The Laboratory **prohibits** the exhibit or display of UGA-controlled NAGPRA material without the prior consultation and written consent of official representatives of the Tribe(s) affiliated with the collection.

Loans. The Laboratory **prohibits** the loaning of UGA-controlled NAGPRA material without the prior consultation and written consent of official representatives of the Tribe(s) affiliated with the collection.

Destructive Analysis. The Laboratory **prohibits** destructive analysis (a procedure that changes or destroys all or a portion of an object) of UGA-controlled NAGPRA material without the prior consultation and written consent of official representatives of the Tribe(s) affiliated with the collection.

Imaging. The Laboratory **prohibits** any imaging of UGA-controlled NAGPRA material. Images may not be created, published, or reproduced without prior consultation and written consent of official representatives of the Tribe(s) affiliated with the collection.

Research, Access, and Use for Non-UGA-Controlled NAGPRA Material

Research, access, and use of NAGPRA material may vary by agency, and those specific agencies will need to be contacted if there are research inquiries into NAGPRA collections that they control. Many agencies **prohibit** research, access, and use of NAGPRA material. The Laboratory will not allow any research, access, or use to be conducted without written consent from the controlling agency. The Laboratory strongly encourages consultation with culturally affiliated Native American communities in addition to contacting the controlling agency. Below are guidelines for research, access, or use for **non-UGA-controlled** NAGPRA material:

Research. The Laboratory prohibits the research, access, or use of non-UGA-controlled NAGPRA material for research projects or other inquiries **without the written consent from the controlling agency.** The Laboratory strongly encourages prior consultation and written consent of official representatives of the Tribe(s).

Teaching. The Laboratory **prohibits** the research, access, or use of non-UGA-controlled NAGPRA material for teaching **without the written consent from the controlling agency.** The Laboratory strongly encourages prior consultation and written consent of official representatives of the Tribe(s).

Exhibit. The Laboratory **prohibits** the exhibit or display of non-UGA-controlled NAGPRA material **without the written consent from the controlling agency.** The Laboratory strongly encourages prior consultation and written consent of official representatives of the Tribe(s).

Loans. The Laboratory **prohibits** the loaning of non-UGA-controlled NAGPRA material **without the written consent from the controlling agency.** The Laboratory strongly encourages prior consultation and written consent of official representatives of the Tribe(s).

Destructive Analysis. The Laboratory **prohibits** destructive analysis (a procedure that changes or destroys all or a portion of an object) non-UGA-controlled NAGPRA material **without the written consent from the controlling agency.** The Laboratory strongly encourages prior consultation and written consent of official representatives of the Tribe(s).

Imaging. The Laboratory **prohibits** any imaging of non-UGA-controlled NAGPRA material. Images may not be created, published, or reproduced **without the written consent from the controlling agency.** The Laboratory strongly encourages prior consultation and written consent of official representatives of the Tribe(s).

NAGPRA General Housing and Care Standards

The Laboratory understands that there may be a certain level of spiritual care that Tribes may feel is necessary while ancestors and other NAGPRA material are within the Laboratory's facility. Currently, the Laboratory has not been able to institute every standard below but is working towards achieving all of these standards for all UGA-controlled NAGPRA collections. Traditional ceremonial activity (smudging, offerings, etc.) are allowed in the Laboratory during consultation, repatriations, or other visits. Advance notice is required for these activities so that proper arrangements can be made. All efforts on behalf of the Laboratory will be made to accommodate all requests.

Below are the general NAGPRA housing and care standards at the Laboratory for **ALL** collections curated at the Laboratory:

- Separate, locked space for all NAGPRA material
- The Laboratory will not house NAGPRA collections in a workroom or office space
- NAGPRA collections will be accessed by Laboratory personnel as infrequently as possible, and only to perform routine housekeeping and security checks, as well as to implement NAGPRA directives

- The separate, locked space will be accessed by Laboratory personnel as infrequently as possible, and only to perform routine housekeeping and security checks
- Only essential Laboratory personnel (Director, Operations Director, Laboratory Manager, and qualified Technicians) will access the space
- NAGPRA collections will not be available for research, exhibit/display, access, etc. to the general public
- Handling and transporting will be done in accordance with best Laboratory practices unless otherwise specified by the controlling agency
- Non-Laboratory individuals pre-approved by the controlling agency will be allowed to access NAGPRA collections; advance notice is required
- At this point, the Laboratory does not believe that any hazardous treatments such as pesticides, preservatives, or other substances have been applied to any NAGPRA collections; if any of these treatments are found to have been applied, the Laboratory will promptly inform the culturally affiliated Tribe(s) and controlling agency.

*Please note that the Laboratory will make every effort to work with controlling agencies so that affiliated Tribes are consulted and kept informed.

Specialized Housing and Care Standards for UGA-Controlled NAGPRA Collections

In addition to the above outline of general housing and care practices, the Laboratory also has the ability to institute other, more specialized housing and care practices for **UGA-controlled** NAGPRA material. These practices outlined below, however, are not inclusive, and other practices wished by the Tribe(s) can likely be accommodated as well. Please email the Operations Director, Amanda Roberts Thompson (arobthom@uga.edu) for the Care and Trust request form.

- Official representatives of the Tribe(s) will be afforded access to all information pertaining to the collection upon request; others authorized, in writing, by the official NAGPRA representative of the Tribe(s) affiliated with the collection will be permitted access; advance notice is required
- The Laboratory will attempt to accommodate specific handling procedures for collections if requested
- Customized traditional care practices outlined through consultation
- Plastic will be used in association with ancestral remains or funerary objects unless otherwise requested by the official representatives of the Tribe(s) or until the Laboratory can rehouse all NAGPRA collections according to traditional care practices
- The goal of the Laboratory is that all ancestral remains belonging to each individual will be placed in a single box; no two individuals would share a box unless they were found in the same

burial; placing separately wrapped individuals in the same box will only be allowed if requested by the Tribe(s)

- Re-associating any objects or skeletal elements with existing remains if known or able if found during the NAGPRA process or at any point during general collection management procedures
- All ancestral remains belonging to individuals from the same site/culture/geographic area will be placed in proximity to each other
- All ancestral remains will be stored with their associated funerary objects
- Specific alignment/orientation (e.g., cardinal direction)
- NAGPRA collections can be wrapped in unbleached muslin, specified colors, and types of cloth, blankets, or other material as specified by Tribe(s)
- Collections can be fed or given offerings (with time limit on how long food can be left out)

APPENDIX A: NAGPRA TERMS

Definitions below are taken directly from National NAGPRA's website:

<https://www.nps.gov/subjects/nagpra/glossary.htm>

Associated Funerary Objects: Objects that, as a part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual ancestral remains either at the time of death or later, and both the ancestral remains and associated funerary objects are presently in the possession or control of a Federal agency or museum, except that other items exclusively made for burial purposes or to contain ancestral remains shall be considered as associated funerary objects. [25 USC 3001 (3)(A)]

Burial Site: Any natural or prepared physical location, whether originally below, on, or above the surface of the earth, into which as part of the death rite or ceremony of a culture, individual ancestral remains are deposited. [25 USC 3001 (1)]

Control: Having a legal interest in ancestral remains, funerary objects, sacred objects, or objects of cultural patrimony sufficient to lawfully permit the museum or Federal agency to treat the objects as part of its collection for purposes of these regulations whether or not the ancestral remains, funerary objects, sacred objects or objects of cultural patrimony are in the physical custody of the museum or Federal agency. Generally, a museum or Federal agency that has loaned ancestral remains, funerary objects, sacred objects, or objects of cultural patrimony to another individual, museum, or Federal agency is considered to retain control of those ancestral remains, funerary objects, sacred objects, or objects of cultural patrimony for purposes of these regulations. [43 CFR 10.2 (a)(3)(ii)]

Cultural Affiliation: A relationship of shared group identity which can be reasonably traced historically or prehistorically between a present-day Indian tribe or Native Hawaiian organization and an identifiable earlier group. [25 USC 3001 (2)] Cultural affiliation is established when the preponderance of the evidence -- based on geographical, kinship, biological, archeological, linguistic, folklore, oral tradition, historical evidence, or other information or expert opinion -- reasonably leads to such a conclusion. [43 CFR 10.2 (e)]

Cultural Items: Ancestral remains, associated funerary objects, unassociated funerary objects, sacred objects, cultural patrimony [25 USC 3001 (3)]

Cultural Patrimony: An object having ongoing historical, traditional, or cultural importance central to the Native American group or culture itself, rather than property owned by an individual Native American, and which, therefore, cannot be alienated, appropriated, or conveyed by any individual regardless of whether or not the individual is a member of the Indian tribe or Native Hawaiian organization and such object shall have been considered inalienable by such Native American group at the time the object was separated from such group. [25 USC 3001 (3)(D)]

Culturally Unidentifiable: Cultural items for which no culturally affiliated present-day Indian tribe or Native Hawaiian organization can be determined. [43 CFR 10.9 (d)(2)]

Custody: As used at 43 CFR 10.3 – 6, custody means ownership or control of ancestral remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently in [sic] Federal or tribal lands after November 16, 1990 [43 CFR 10.6 (a)]

Entity: A person, partnership, organization, museum, or business that has a legal and separately identifiable existence

Federal Agency Official: Any individual authorized by delegation of authority within a Federal agency to perform the duties relating to these regulations (43 CFR 10). [43 CFR 10.2 (a)(2)]

Federal Agency: Any department, agency, or instrumentality of the United States. Such term does not include the Smithsonian Institution. [25 USC 3001 (4)]

Federal Lands: Any land other than tribal lands which are controlled or owned by the United States, including lands selected by but not yet conveyed to Alaska Native Corporations and groups organized pursuant to the Alaska Native Claims Settlement Act of 1971. [25 USC 3001 (5)] Any land other than tribal lands that are controlled or owned by the United States Government, including lands selected by but not yet conveyed to Alaska Native Corporations and groups organized pursuant to the Alaska Native Claims Settlement Act. United States "control" refers to those lands not owned by the United States but in which the United States has a legal interest sufficient to permit it to apply these regulations (43 CFR 10) without abrogating the otherwise existing legal rights of a person. [43 CFR 10.2 (f)(1)]

Federal Register: The official daily publication for rules, proposed rules, and notices of Federal agencies and organizations, as well as executive orders and other presidential documents. The Federal Register is published by the Office of the Federal Register, National Archives and Records Administration (NARA). [Federal Register]

Ancestral Remains: The physical remains of the body of a person of Native American ancestry. The term does not include remains or portions of remains that may reasonably be determined to have been freely given or naturally shed by the individual from whose body they were obtained, such as hair made into ropes or nets. For the purposes of determining cultural affiliation, ancestral remains incorporated into a funerary object, sacred object, or object of cultural patrimony must be considered as part of that item. [43 CFR 10.2 (d)(1)]

Inadvertent Discovery: The unanticipated encounter or detection of ancestral remains, funerary objects, sacred objects, or objects of cultural patrimony found under or on the surface of Federal or tribal lands pursuant to section 3 (d) of NAGPRA. [43 CFR 10.2 (g)(4)]

Intentional Excavation: The planned archeological removal of ancestral remains, funerary objects, sacred objects, or objects of cultural patrimony found under or on the surface of Federal or tribal lands pursuant to section 3 (c) of the Act. [43 CFR 10.2 (g)(3)]

Lineal Descendant: An individual tracing his or her ancestry directly and without interruption by means of the traditional kinship system of the appropriate Indian tribe or Native Hawaiian organization or by the common law system of descentance [sic] to a known Native American individual whose remains, funerary objects, or sacred objects are being claimed under these regulations. [43 CFR 10.2 (b)(1)]

Physical Custody: The definition of custody in Black's Law Dictionary [6th Edition] distinguishes between immediate charge and absolute ownership: "Immediate charge and control, and not the final, absolute control of ownership, implying responsibility for the protection and preservation of the thing in custody." In NAGPRA, physical custody means having immediate charge of Native American cultural

items regardless of whether or not one has sufficient legal interest to lawfully treat the objects as part of one's collections.

Possession: Having physical custody of ancestral remains, funerary objects, sacred objects, or objects of cultural patrimony with a sufficient legal interest to lawfully treat the objects as part of its collection for purposes of these regulations. Generally, a museum or Federal agency would not be considered to have possession of ancestral remains, funerary objects, sacred objects, or objects of cultural patrimony on loan from another individual, museum, or Federal agency. [43 CFR 10.2 (a)(3)(i)]

Sacred Objects: Specific ceremonial objects which are needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents. [25 USC 3001 (3)(C)]

Tribe: Any tribe, band, nation, or other organized group or community of Indians, including any Alaska Native village (as defined in, or established pursuant to, the Alaska Native Claims Settlement Act), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. [25 USC 3001 (7)]. This is the same as the **Bureau of Indian Affairs list of Federally-recognized Indian Tribes**.

Unassociated Funerary Objects: Objects that, as a part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual ancestral remains either at the time of death or later, where the remains are not in the possession or control of the Federal agency or museum and the objects can be identified by a preponderance of the evidence as related to specific individuals or families or to known ancestral remains or, by a preponderance of the evidence, as having been removed from a specific burial site of an individual culturally affiliated with a particular Indian tribe. [25 USC 3001 (3)(B)] Those funerary objects for which the ancestral remains with which they were placed intentionally are not in the possession or control of a museum or Federal agency. [43 CFR 10.2 (d)(2)(ii)]