

Native American Graves Protection and Repatriation (NAGPRA) Proposed Regulations - Seeking Comment

Dear representatives of museum and scientific organizations,

The National NAGPRA Program is reaching out to you concerning the recently published proposed rule to amend the NAGPRA implementing regulations at 43 CFR Part 10 ([87 FR 63202](#), Oct. 18, 2022). The Department is committed to proactively working with stakeholders, including museum and scientific organizations, to obtain feedback on topics in the revised regulations.

Could you please share this message with your membership and encourage them to provide written comment on the proposed rule, generally, and on the following specific topics (taken from [Section VI. Public Engagement and Request for Comments](#), 87 FR 63232-63233):

1. One of the goals of the proposed regulatory revisions is to improve efficiency by streamlining requirements, clarify timelines and terms, reducing ambiguity, and improving efficiency in the systematic process for disposition and repatriation. Has this goal been achieved?
2. Under the proposed regulatory revisions, within two years of the effective date of the rule, museums would be required to update inventories for any human remains and associated funerary objects previously included in an inventory but not published in a notice of inventory completion. Based on information available to it, a museum would be required to initiate consultation, consult with requesting parties, determine if any known lineal descendant, or culturally or geographically affiliated Indian Tribe can be ascertained, and if so, publish notices of inventory completion within six months of updating the inventory.

The Department anticipates that the human remains of 117,000 Native American individuals currently unable to be repatriated would become available for repatriation within two and a half years of the effective date of a final rule, a substantial increase from the 84,000 individuals repatriated in the almost 32 years since the passage of NAGPRA. At this time, the Department is not aware of any capacity and resource limitations that would prevent museums from completing the new requirement to update inventories, engage in consultation, and publish notices following the effective date of a final rule. The Department requests feedback from museums on how, if at all, the proposed regulatory revision could impact their capacity and resources to accomplish this goal.

Written comments on the proposed regulations must be submitted by 11:59 p.m. ET, January 17, 2023.

Comments must be identified by the Regulation Identified Number (RIN) 1024-AE19 and must be submitted by one –and only one–of the following methods:

- Federal eRulemaking Portal: <https://www.regulations.gov>. Follow the instructions for submitting comments. Direct link to make comments is: <https://www.regulations.gov/document/NPS-2022-0004-0001>
- Mail to: National NAGPRA Program, National Park Service, 1849 C Street, NW, Mail Stop 7360, Washington, DC 20240. Attn: Melanie O'Brien, Manager, NAGPRA Rule Comments.

Should you have questions about the proposed regulations, you may contact Melanie O'Brien, National NAGPRA Program, at (202) 354-2201, nagpra_info@nps.gov. The Department looks forward to hearing comments on the proposed NAGPRA regulations.

NOTE FROM AAM: [If you submit comments, be sure to include the **financial and other resources** needed from the National NAGRPA office and / or other thoughts. Please share a copy to governmentrelations@aam-us.org.]