



# National NAGPRA



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National NAGPRA webpage: <https://www.nps.gov/nagpra/>

The Native American Graves Protection and Repatriation Act (NAGPRA) was enacted on November 16, 1990, to address the rights of lineal descendants, Indian tribes, and Native Hawaiian organizations to Native American cultural items, including human remains, funerary objects, sacred objects, and objects of cultural patrimony. The Act assigned implementation responsibilities to the Secretary of the Interior. Staff support is provided by the National NAGPRA Program, including:

Publishing [notices](#) for museums and Federal agencies in the Federal Register,

Creating and maintaining [databases](#), including the Culturally Unidentifiable Human Remains Inventories (CUI) Database,

Making [grants](#) to assist museums, Indian tribes, and Native Hawaiian organizations in fulfilling NAGPRA,

Assessing [civil penalties](#) on museums that fail to comply with provisions of the Act,

Providing staff support to the [NAGPRA Review Committee](#) and for the Annual Report to Congress,

Providing technical assistance to Federal agencies where there are excavations and discoveries of cultural items on Federal and Indian lands,

Promulgating implementing [regulations](#), and

Providing technical assistance through [training](#), website information, reports prepared for the Review Committee, supporting law enforcement investigations and direct personal service.

The National Park Service has compliance obligations for parks, separate from the National NAGPRA Program. National NAGPRA is the omnibus program, the constituent groups of which are all Federal agencies, museums that receive Federal funds, tribes and Native Hawaiian organizations and the public.

FAQ page: <https://www.nps.gov/nagpra/FAQ/INDEX.HTM#Responsible>

## Glossary

**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 human remains either at the time of death or later, and both the human 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 human remains shall be considered as associated funerary objects. [25 USC 3001 (3)(A)]

**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)]

**Human 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, human 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)]

**Museum:** Any institution or State or local government agency (including any institution of higher learning) that receives Federal funds and has possession of, or control over, Native American cultural items. Such term does not include the Smithsonian Institution or any other Federal agency. [25 USC 3001 (8)] See also Federal Funds, Receives.

**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)]

**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 human 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 human 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 human 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)]

Full glossary: <https://www.nps.gov/nagpra/TRAINING/GLOSSARY.HTM>

<https://www.nps.gov/subjects/nagpra/getting-started.htm>