



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

JUL 08 2021

Dear Tribal Leader:

The Department of the Interior (Department) is planning to propose updates to its Native American Graves Protection and Repatriation Act (NAGPRA) regulations at 43 C.F.R. part 10 and invites you to consult on its draft proposal prior to publication.

The NAGPRA regulations at 43 C.F.R. part 10 provide a systematic process for the disposition and repatriation of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony. Since 2010, the Department has received repeated requests for substantive updates to the regulations. In 2011, the Department conducted nation-to-nation consultation with federally recognized Indian Tribes on possible changes to the regulations. A summary of the input provided in that consultation and an explanation of how this updated version addresses that input is attached for your review. Based on input and continued revisions to the text, we have prepared a draft proposed rule (attached) for discussion during consultation. Both the draft text and the current regulations can also be found at: <https://www.nps.gov/subjects/nagpra/regulations.htm>.

Our intent with these draft changes is to:

- Simplify and improve the regulatory process for repatriation of Native American human remains and cultural items and thereby advance the goals of racial justice, equity, and inclusion;
- Rectify provisions in the current regulations that inhibit and effectively prevent the respectful repatriation of most Native American human remains and cultural items;
- Remove the burden on Indian Tribes and Native Hawaiian organizations to initiate the process and add a requirement for museums and Federal agencies to complete the process; and
- Streamline existing regulatory requirements by eliminating ambiguities, correcting inaccuracies, simplifying excessively burdensome and complicated requirements, clarifying timelines, and removing offensive terminology in the existing regulations.

In addition, we would like your input on whether the current organizational placement of the NAGPRA program (i.e., within the National Park Service) is working well, or if placement within the Office of the Assistant Secretary – Indian Affairs, or elsewhere, would be preferable? Why or why not?

Please join us at one or more webinar sessions on the following dates to consult on this latest draft and the organizational placement of the NAGPRA program:

Monday, August 9, 2021

3 p.m. to 6 p.m. ET

Please register in advance for this session at:

<https://www.zoomgov.com/meeting/register/vJltdO2urDMqHvGkFoNAIFXU72fJavx6l3w>

Friday, August 13, 2021

1:30 p.m. to 4:30 p.m. ET

Please register in advance for this session at:

https://www.zoomgov.com/meeting/register/vJltdOyurj4vHeAQAZJm_mMiw3Exg4KojmQ

Monday, August 16, 2021

3 p.m. to 6 p.m. ET

Please register in advance for this session at:

<https://www.zoomgov.com/meeting/register/vJlsc-mrrjsrEpw8ef3mxw8-w-TfpqAkQfw>

If you would like to provide written comments, please email them to nagpra_info@nps.gov by August 31, 2021, 11:59 p.m. ET.

Should you have questions about these consultation sessions, you may contact Melanie O'Brien, National NAGPRA Program, at (202) 354-2204. The Department looks forward to hearing your Tribe's comments on the NAGPRA regulations.

Sincerely,

SHANNON
ESTENOZ

Digitally signed by
SHANNON ESTENOZ
Date: 2021.07.08
10:11:01 -04'00'

Shannon Estenoz
Principal Deputy Assistant Secretary
for Fish and Wildlife and Parks



Bryan Newland
Principal Deputy Assistant Secretary,
Indian Affairs

Enclosures