



Procedures for Collections v. Discoveries/Excavations

This flowchart is adapted from guidance developed by the NPS Archeology & Ethnography Program – Park NAGPRA.

Collections	Inadvertent Discoveries and Excavations
<p>25 USC 3003-3005 (Sections 5-7) 43 CFR 10 Subpart C (§10.8-10.13)</p>	<p>25 USC 3002 (Section 3) 43 CFR 10 Subpart B (§10.3-10.7)</p>
Documentation and Investigation Requirements	
<ul style="list-style-type: none"> • Consultation; • Summaries: general descriptions of collections that may contain unassociated funerary objects, sacred objects, objects of cultural patrimony; • Inventories: item-by-item descriptions of Native American human remains and associated funerary objects. 	<ul style="list-style-type: none"> • Consultation; • Plan of Action • Scientific methods and techniques for removal, recording, and analysis; • Descriptive and interpretive report; • Curation of unclaimed NAGPRA cultural items.
Repatriation or Priority of Custody/Ownership	
<div style="text-align: center;"> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Lineal Descendant</div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;">If no lineal descendant identified</div> <div style="text-align: center; margin: 10px 0;">↓</div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Culturally Affiliated Indian Tribe</div> <div style="margin-top: 20px;"> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">If no lineal descendant or culturally affiliated Indian Tribe is identified, the museum/agency retains culturally unidentifiable human remains.</div> </div> </div>	<div style="text-align: center;"> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Lineal Descendant</div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;">If no lineal descendant identified</div> <div style="text-align: center; margin: 10px 0;">↓</div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Indian Tribe on whose tribal land cultural items were found</div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;">If not on tribal land</div> <div style="text-align: center; margin: 10px 0;">↓</div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Culturally Affiliated Indian Tribe</div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;">If no culturally affiliated tribe</div> <div style="text-align: center; margin: 10px 0;">↓</div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Indian Tribe aboriginally occupying the land, as determined by the Indian Claims Commission of U.S. Court of Claims</div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;">Unless another tribe has a stronger cultural relationship</div> <div style="text-align: center; margin: 10px 0;">↓</div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Indian Tribe with stronger cultural relationship</div> <div style="margin-top: 20px;"> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">If custody cannot be determined or no claim is received, the agency retains unclaimed remains and objects.</div> </div> </div>
Required Public Notice	
<p>Federal Register – Notice of Inventory Completion, Notice of Intent to Repatriate</p>	<p>Local newspaper(s) – Notice of Intended Disposition</p>