

Introducing the UGA NAGPRA Initiative

Amanda Roberts Thompson, Chair of UGA NAGPRA Committee & Director, Laboratory of Archaeology

Randolph Carter, Chief of Staff & Special Assistant to the Associate Vice President of Auxiliary Services

Carey Garland, Compliance Bioarchaeologist & Research Archaeologist, Laboratory of Archaeology

Mary Hill, NAGPRA Compliance Professional, Office of Research Integrity & Safety

Channette Romero, Associate Professor of English & Native American Studies, Franklin College of Arts & Sciences

Victor Thompson, Distinguished Research Professor and Executive Director, Georgia Museum of Natural History

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Research **Live**



UNIVERSITY OF
GEORGIA

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Native American Graves Protection & Repatriation Act

PUBLIC LAW 101-601

Federal law enacted in 1990 that mandates all federally funded institutions with legal possession or control of Native American human remains (Ancestors), funerary objects, sacred objects, and objects of cultural patrimony (cultural items) to repatriate those holdings to:

Lineal Descendants

Federally Recognized Native American Tribes

Native Hawaiian Organizations

PROVISIONS OF NAGPRA

Protects Ancestors and cultural items and provides a process for their return to descendants

Established grant programs to support documentation and repatriation efforts

Established NAGPRA Review Committee to address disputes and investigate noncompliance

Established civil penalties for noncompliance with NAGPRA regulations

Established criminal penalties for trafficking of Ancestors and cultural items

Native American Policy

Property Law

Human Rights Law

Administrative Law



Institutional Responsibility

UGA meets NAGPRA compliance criteria and thus has both a legal and ethical obligation to act in accordance with the regulations outlined in 43 CFR Part 10. Compliance efforts are overseen by:

UGA NAGPRA Committee

Office of Research Integrity & Safety

Laboratory of Archaeology

Possession or Control

Having sufficient interest in an item to independently direct, manage, oversee, or restrict the use of that item. An institution may have possession or control regardless of the physical location of the item.

Custody

Having an obligation to care for an item through loan, license, lease, or bail, but not a sufficient interest in the item to constitute possession or control.

UGA is legally responsible for repatriating all Ancestors and cultural items in its *possession*, including those which are currently in the *custody* of another institution.

UGA also has ethical responsibility to care for Ancestors and cultural items *controlled* by other institutions if they are in UGA's *custody*.

PROTECTED HOLDINGS

Human Remains

Any physical part of the body of a person, including that which is commingled with other materials (e.g., soil or faunal remains). Human remains that are incorporated into cultural items are considered to be part of those cultural items within the scope of NAGPRA.

Funerary Objects

Any object reasonably believed to have been placed intentionally with or near human remains. A funerary object is any object connected, either at the time of death or later, to a death rite or cultural ceremony, according to the traditional knowledge of descendants. Funerary objects are considered either *associated* or *unassociated*.

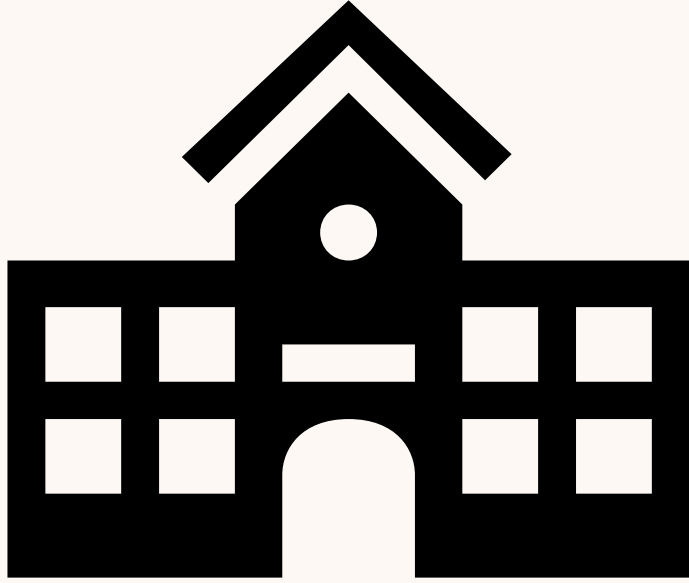
PROTECTED HOLDINGS

Sacred Objects

A specific ceremonial object needed by a traditional religious leader for present-day adherents to practice traditional Native American religion, according to traditional knowledge of descendants. While many items might be imbued with sacredness in a culture, this term is specifically limited to an object needed for the observance or renewal of a Native American religious ceremony.

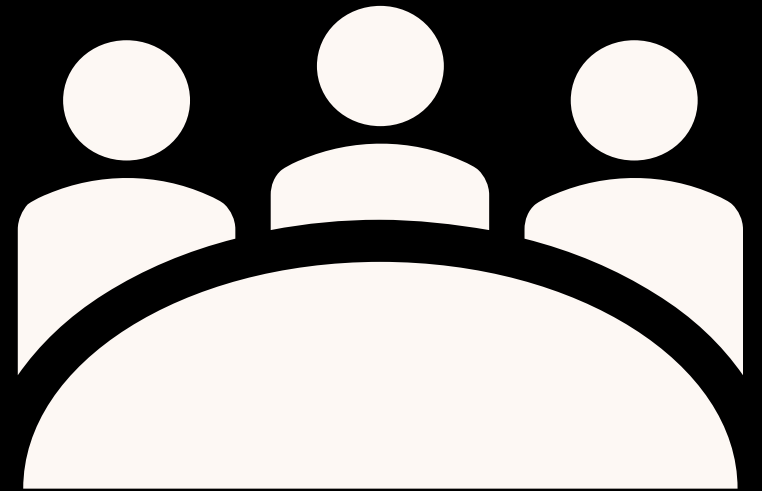
Objects of Cultural Patrimony

An object that has ongoing historical, traditional, or cultural importance central to a Native American group, according to traditional knowledge. Such objects are of central importance to the group in such a way that they cannot be alienated, appropriated, or conveyed by any person and were considered inalienable by the group at the time the object was separated from them.



Institutions are not qualified to make determinations about what is or is not considered a funerary object, sacred object, or object of cultural patrimony without input from descendants.

Close consultation with descendants and deference to their traditional knowledge is essential.



CONSULTATION

Engaging in *meaningful dialogue* with Tribal partners through consultation is *essential* to ensuring that NAGPRA efforts are collaborative, ethical, and conducted with the highest level of care for Ancestors and cultural items. Consultation should be *ongoing* throughout each stage of the NAGPRA process to ensure that needs of partners are consistently *prioritized*.

COMPLIANCE PROCESS

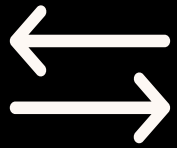
ANCESTORS
ASSOCIATED FUNERARY OBJECTS



Institutions maintain transparency throughout this process by submitting formal progress notifications to the National NAGPRA Program at defined stages for publication in the Federal Register.

COMPLIANCE TIMELINE

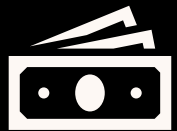
ANCESTORS
ASSOCIATED FUNERARY OBJECTS



If an institution acquires possession or control of Ancestors of cultural items (including transfer of a holding previously included in an inventory), an inventory must be submitted within 2 years of acquisition.



If an institution locates previously lost or unknown Ancestors or cultural items, an inventory must be submitted within 2 years of their discovery.



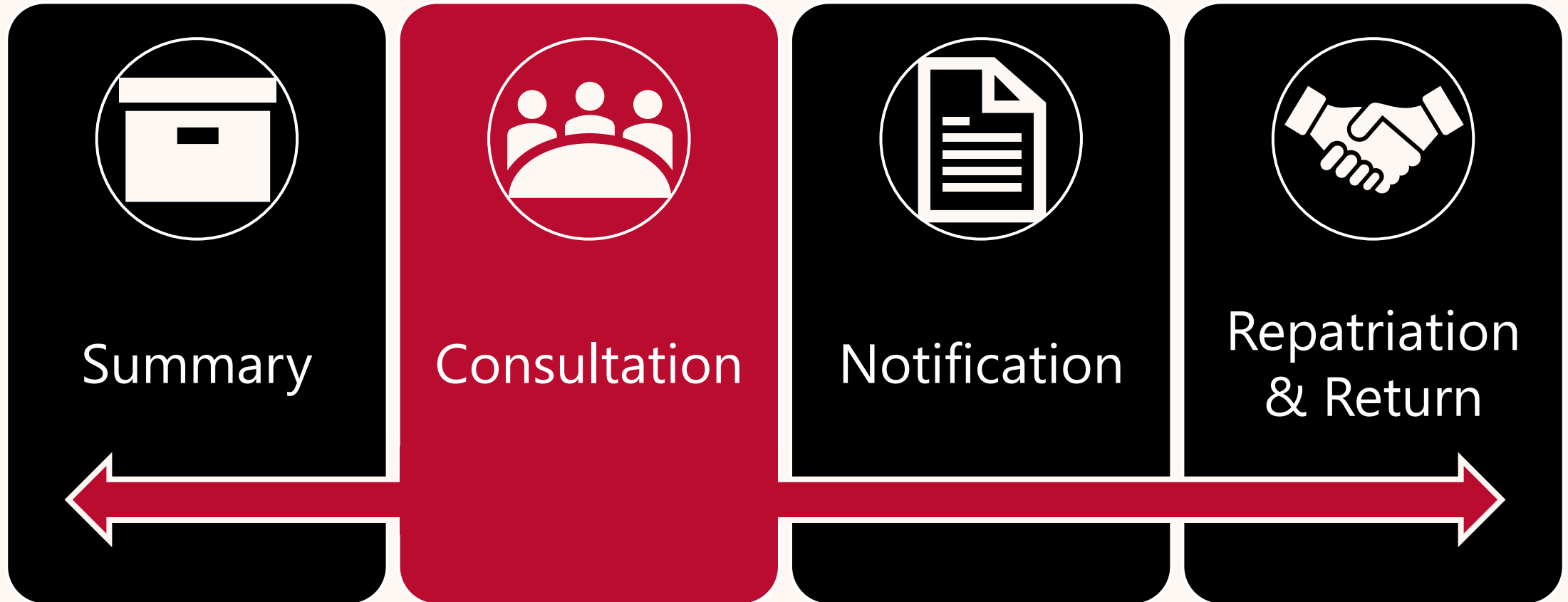
If an institution receives federal funding for the first time, an inventory must be submitted within 5 years of receiving those funds.



If an institution has Ancestors or cultural items that were not published in a notice of inventory completion by January 12th, 2024, an inventory must be submitted by January 10th, 2029.

COMPLIANCE PROCESS

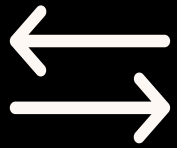
UNASSOCIATED FUNERARY OBJECTS
SACRED OBJECTS
OBJECTS OF CULTURAL PATRIMONY



Institutions maintain transparency throughout this process by submitting formal progress notifications to the National NAGPRA Program at defined stages for publication in the Federal Register.

COMPLIANCE TIMELINE

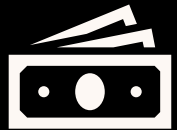
UNASSOCIATED FUNERARY OBJECTS
SACRED OBJECTS
OBJECTS OF CULTURAL PATRIMONY



If an institution acquires possession or control of Ancestors of cultural items (including transfer of a holding previously included in an inventory), a summary must be submitted within 6 months of acquisition.

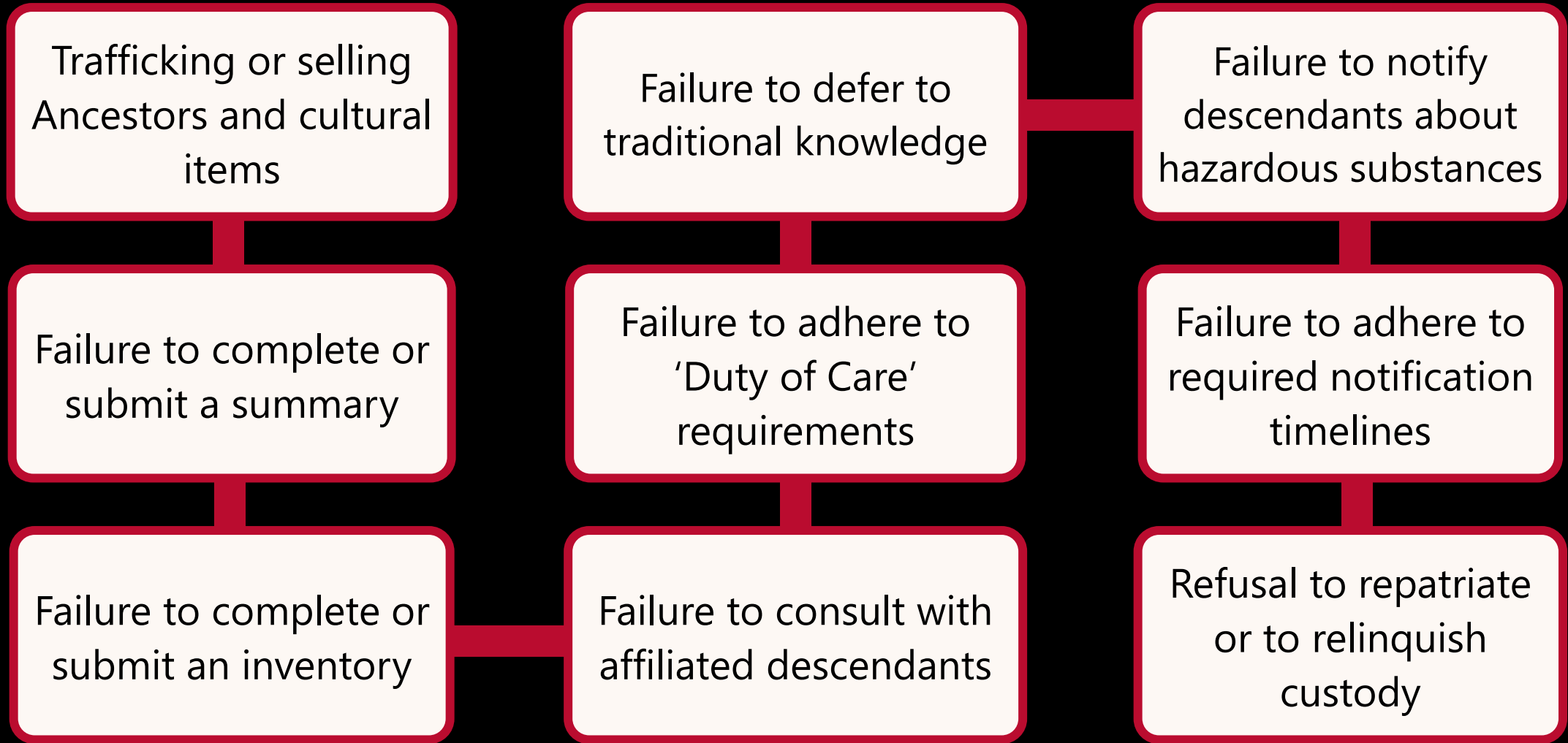


If an institution locates previously lost or unknown Ancestors or cultural items, a summary must be submitted within 6 months of their discovery.

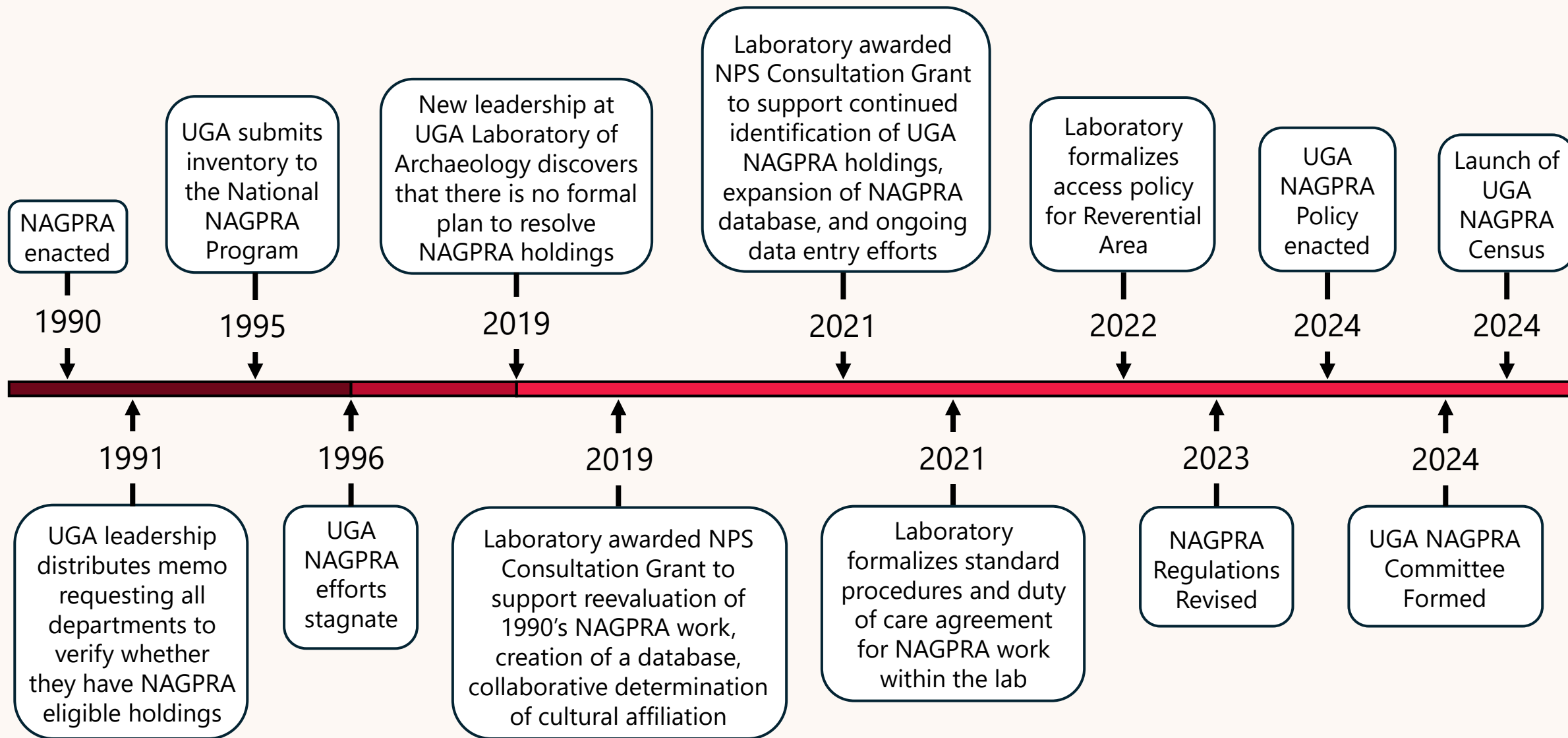


If an institution receives federal funding for the first time, a summary must be submitted within 3 years of receiving those funds.

EXAMPLES OF NONCOMPLIANCE



UGA COMPLIANCE HISTORY



UGA NAGPRA POLICY

Formalized February 2024

Purpose

- Establishes the procedures by which UGA ensures that it is aware of all Ancestors and cultural items in its care and fulfills its legal obligations
- Establishes administrative chain of governance responsible for ensuring NAGPRA compliance obligations are met
- Establishes the UGA NAGPRA Committee including:
 - Institutional NAGPRA Coordinator (required)
 - Associate Vice President for Research Integrity & Safety (required)
 - Representative from the Office of Institutional Diversity (required)
 - Representative(s) from the Laboratory of Archaeology
 - Representative(s) from Federally Recognized Native American Tribes
 - Representative(s) from the Institute of Native American Studies
 - Representative(s) from an academic college other than the Franklin College of Arts & Sciences

UGA NAGPRA COMMITTEE

Formalized April 2024

Responsibilities

- Developing procedures to operationalize the Policy
- Developing communication strategies and public facing informational materials about compliance efforts for the larger University community
- Advising UGA NAGPRA team on matters as necessary
- Advising Provost on compliance procedures and Tribal relations
- Determining whether proposed use or access to NAGPRA holdings will be permitted, in accordance with Tribal consultation
- Monitoring progress of compliance efforts and implementation of standard procedures

COMMITMENT

UGA will make *every effort* to accommodate the timeframe, practical needs, stewardship, conservation, and traditional care needs of our *Tribal partners* during the NAGPRA process.

UGA respects that Indigenous people were the *original stewards* of the land we now call Georgia, and their descendants exist today and retain that connection.

UGA NAGPRA TEAM

Amanda D. Roberts Thompson	<i>Committee Chair</i>	<i>Director & Institutional NAGPRA Coordinator, Laboratory of Archaeology</i>
Christopher S. King	<i>Committee Member</i>	<i>Interim Vice President, Office of Research</i>
RaeLynn Butler	<i>Committee Member</i>	<i>Secretary of Culture & Humanities, The Muscogee (Creek) Nation</i>
Victor D. Thompson	<i>Committee Member</i>	<i>Executive Director, Georgia Museum of Natural History Distinguished Research Professor, Department of Anthropology Faculty, Institute of Native American Studies</i>
Channette Romero	<i>Committee Member</i>	<i>Associate Professor, Department of English Faculty, Institute of Native American Studies</i>
L. Randolph Carter	<i>Committee Member</i>	<i>Assistant To The AVP For Auxiliary Services & Chief Of Staff, Auxiliary Services</i>
Sheryl Vogt	<i>Committee Member</i>	<i>Director, Richard B. Russell Library for Political Research & Studies Director, Georgia Capital Museum</i>
R. Alfred Vick	<i>Committee Member</i>	<i>Georgia Power Professor in Environmental Ethics, College of Environment & Design Faculty, Institute of Native American Studies</i>
Marshall M. Chalmers	<i>Legal Counsel</i>	<i>Associate General Counsel, Office of Legal Affairs</i>
Carey J. Garland	<i>Compliance Support</i>	<i>Compliance Bioarchaeologist, Laboratory of Archaeology Research Archaeologist, Laboratory of Archaeology</i>
Mary E. Hill	<i>Compliance Support</i>	<i>NAGPRA Compliance Professional, Office of Research Integrity & Safety</i>

“

UGA is leading the way in prioritizing NAGPRA compliance in the Southeast region, and the Muscogee (Creek) Nation is impressed with their progress and commitment to respecting our ancestors and their belongings.

”

RaeLynn Butler

Secretary of Culture & Humanities

UGA NAGPRA CENSUS

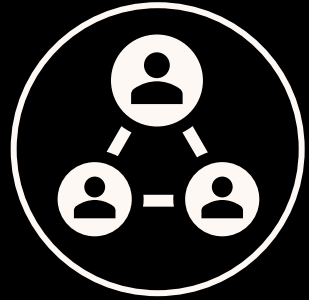
Launched August 2024

Overview

- Designed to facilitate the good-faith discovery of all Ancestors and cultural items in UGA's custody or legal control.
- All UGA departments and units will be assessed on an individualized basis
- Departments and units with the highest risk of being affected by NAGPRA compliance obligations will be prioritized

UGA NAGPRA CENSUS

DISTRIBUTION & ASSESSMENT PROCESS



NAGPRA team sends Census to department or unit head (Qualtrics form)



Department or unit head distributes Census to personnel



NAGPRA team evaluates responses and schedules follow up assessment as necessary



If NAGPRA holdings are discovered, the NAGPRA team works with department or unit head to ensure compliance obligations are met



NAGPRA team sends a report documenting the assessment and findings to department or unit head

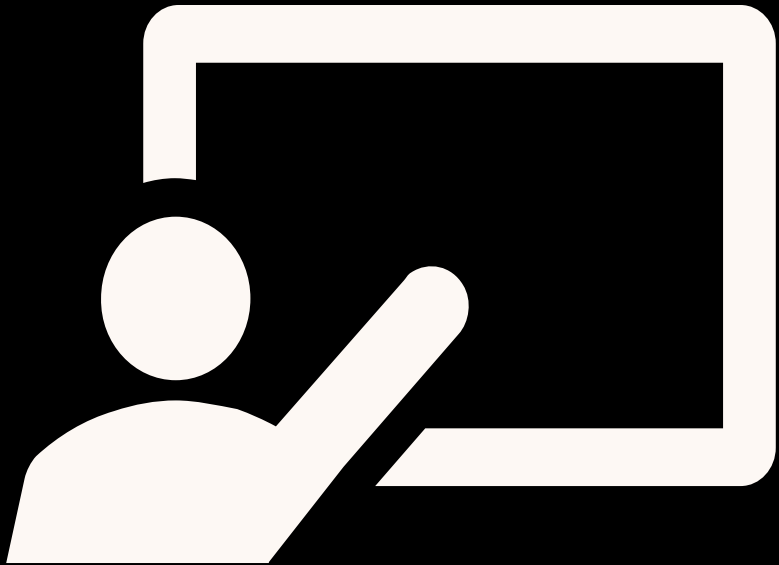


Centering People

Through consultation, NAGPRA efforts help build bridges between researchers, scholars, Tribal communities, and knowledge of the past. Centering people and their histories, rather than objects, fosters respect for descendent community perspectives and knowledge in an ongoing and evolving journey.

Fostering Community

UGA's partnerships with descendent communities have enabled the integration of Native perspectives in all aspects of archaeological work, including research access, curation practices, collections management procedures, educational outreach, and public engagement. Our ongoing collaborative work through NAGPRA will foster community and support University-wide institutional integrity.



To learn more about
NAGPRA at UGA, visit:

<https://research.uga.edu/integrity-nagpra/>



**UNIVERSITY OF
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**Franklin College of
Arts and Sciences**

Department of Anthropology

Laboratory of Archaeology



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