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## Native American Graves Protection and Repatriation Act

*Despite Some Recent Improvements, the University of California Has Not Yet Taken Adequate Action to Ensure Its Timely Return of Native American Remains and Cultural Items*

### Background

The 1990 Native American Graves Protection and Repatriation Act (NAGPRA) protected Native American gravesites and created a process by which federally recognized tribes can request from government agencies and museums the return of their human remains and cultural items. In 2001 California enacted CalNAGPRA, which provided a mechanism for California tribes that do not have federal recognition to submit repatriation claims to agencies such as the University of California. The Legislature amended CalNAGPRA in 2018 in response to allegations from stakeholders that the university had a poor record of completed repatriations and that participation by tribes in the repatriation process had been limited, and a 2020 amendment further improved the repatriation process.

### Key Findings

- The Office of the President has not taken adequate action to ensure that campuses have the guidance and resources necessary to repatriate their collections in a timely manner.
- More than 30 years after the passage of NAGPRA, many campuses still have large collections of Native American remains and cultural items because of their historical struggle to inventory and repatriate these collections.
- Some campuses are still discovering remains and cultural items that are in their possession, and they have used inconsistent approaches when repatriating their recently discovered items and consulting with tribes.
- Even though CalNAGPRA creates specific requirements for tribal participation when campuses inventory their collections, campuses used different processes to consult with tribes in this area.
- Not all campuses have full-time repatriation coordinators with appropriate experience.
- In the absence of an established deadline for campuses to complete repatriation plans, which will guide campus repatriation activity, none of the campuses we reviewed have done so.
- Although the Office of the President requires campuses to include detailed budgets in their repatriation plans, it has not ensured that they dedicate adequate funding for timely repatriation.
- Additional flexibility in state law would better enable the nomination of appropriate members to the campus and university NAGPRA committees.

### Key Recommendations

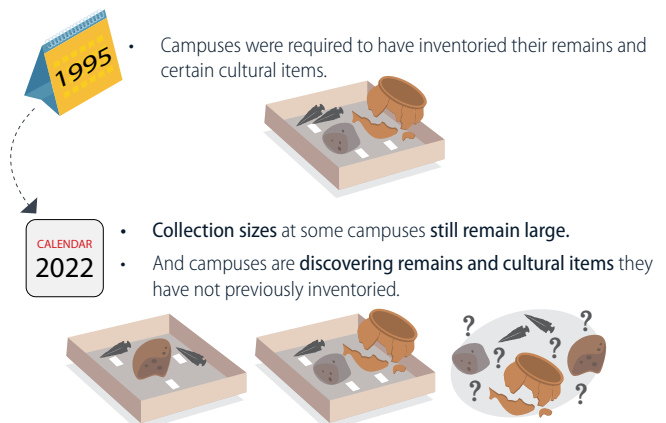
The Legislature should amend:

- State law to require the university to periodically report its campuses' progress toward completing repatriation and require the Office of the President to provide sufficient funding to support campuses' repatriation efforts.

The UC Office of the President should do the following:

- Establish a uniform process that campuses must follow when consulting with tribes about inventories.
- Require campuses to complete and submit to the NAGPRA committees detailed repatriation plans with budgets that identify adequate funding sources.

### Inaction by the UC Office of the President in areas of guidance and financial support have contributed to these problems ...



... and without corrective action, the university risks that it will take more than a decade before remains and cultural items are fully repatriated.