



SOCIETY FOR AMERICAN ARCHAEOLOGY

August 15, 2022

The Honorable Deb Haaland
Secretary of the Interior
1849 C Street NW
Washington, D.C. 20240

debra_haaland@ios.doi.gov

Dear Madam Secretary:

The Society for American Archaeology (SAA) congratulates the Department of Interior (DOI) and National Park Service (NPS) on initiating the process of revising the regulations implementing the Native American Graves Protection and Repatriation Act (NAGPRA). We take this opportunity to inquire about the status of this important issue.

The SAA is an international organization that, since its founding in 1934, has been dedicated to research about and interpretation and protection of the archaeological heritage of the Americas. With more than 5,000 members, the SAA represents professional and avocational archaeologists, archaeology students in colleges and universities, and archaeologists working at tribal agencies, museums, government agencies, and the private sector. The SAA has members throughout the United States, as well as in many nations around the world.

Changes to the NAGPRA implementing regulations constitute a long-standing concern of tribes and numerous other concerned parties, including museums and national scientific organizations such as SAA. It is a subject of great sensitivity, especially for Native American tribes, and one of great complexity that takes thorough consideration on the part of policymakers. Finally, we appreciate that the initial phase of the revision process was flawed and needed to be reworked, especially regarding tribal consultation and clarity of procedure in terms of a formal proposed rule that all could comment upon under regular order.

Having said all of this, NPS withdrew the draft proposed rule ten months ago. Since that time, no further information on the status of the rule revision was announced. We note that the Office of Information and Regulatory Affairs' website lists the NAGPRA rule update as "pending review", yet the DOI's own semi-annual regulatory agenda, published on August 8, makes no mention of it. The status and the content of the update remain unclear.

The SAA would greatly appreciate an update on the status of the NAGPRA regulatory revision, as well as a timetable. We hope that the process will include a new round of consultations with sovereign tribal nations as well as the National NAGPRA Review Committee and museum and scientific organizations, before a formal proposed rule is published.

Thank you for your consideration and any information that you can share.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Sandweiss', with a horizontal line extending from the end.

Daniel H. Sandweiss, Ph.D., RPA
President