



COLORADO RIVER INDIAN TRIBES

Colorado River Indian Reservation

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Via Email Only

March 15, 2021

Emily Palus
Office of Acquisition and Property Management
U.S. Department of the Interior
1849 C Street NW
MS 4262-MIB
Washington, DC 20240
Email: Emily_Palus@ios.doi.gov

RE: OMB Control No: 1084-0034, Comments of the Colorado River Indian Tribes on Documenting, Managing, and Preserving Department of the Interior Museum Collections Housed in Non-Federal Repositories

Dear Ms. Palus:

On behalf of the Colorado River Indian Tribes (CRIT or the Tribes), I write to respond to your January 14, 2021 request for comment regarding the documentation, management, and preservation of Department of the Interior museum collections housed in non-federal repositories. After carefully reviewing the Notice and the questions presented therein, the Tribes have prepared the following letter to provide input on these important issues.

As a preliminary matter, the Colorado River Indian Tribes are a federally recognized Indian tribe comprised of over 4,440 members belonging to the Mohave, Chemehuevi, Hopi and Navajo Tribes. The almost 300,000-acre Colorado River Indian Reservation sits astride the Colorado River between Blythe, California and Parker, Arizona. The ancestral homelands of the Tribes' members, however, extend far beyond the Reservation boundaries. Significant portions of public and private lands in California, Arizona, and Nevada were occupied by the ancestors of the Tribes' Mohave and Chemehuevi members since time immemorial. These landscapes remain imbued with substantial cultural, spiritual, and religious significance for the Tribes' current members and future generations. CRIT's Mohave members believe that any disturbance and/or removal of cultural artifacts from their ancestral lands is taboo. For this reason, the Tribes are especially sensitive to the documentation, management, and preservation of cultural artifacts housed in both federal and non-federal repositories. CRIT's comments focus on the need to engage with the Tribes and to share with them information about these collections.

The Department directed its information collection request to non-federal repositories that house Department museum collections to seek information about the nature of those collections. The Tribes do not hold museum collections for the Department. Nevertheless, the Tribes are submitting these comments to urge the Department to consider the ways that these collections often implicate tribal interests and cultural resources. CRIT asks the Department to share the collected information with affiliated tribes as described further below.

The Native American Graves Protection and Repatriation Act (NAGPRA) and its implementing regulations provide a framework by which museums and Federal agencies must return certain cultural items to lineal descendants and/or culturally affiliated Native American tribes and Native Hawaiian organizations. NAGPRA places the onus on tribes, however, to make repatriation requests for cultural items in the Department's or a non-federal repository's possession. The inventories and descriptions of items held in these museum collections thus serve as a critical predicate for requests to retrieve important cultural objects under NAGPRA.

As such, the Tribes ask the Department to share with CRIT and other affiliated tribes information received regarding items of potential tribal cultural significance. This includes notifying the Tribes when the Department receives inventories and descriptions of items housed in non-federal repositories. It also involves the opportunity to review both the information received by the Department and the items themselves.

In the past, non-federal repositories have denied CRIT access to view items of known cultural significance to the Tribes. Denying access to these objects only compounds the injury the Tribes already incurred when the objects were removed from the Tribes' ancestral homelands in the first instance. Allowing the Tribes to review documents that catalogue items of potential tribal significance and to view the items themselves would enable the Tribes to pursue the rightful recovery of those items. It also would respect the Tribes' status as an equal sovereign with the United States federal government.

Thank you for your consideration. Please copy the Tribes' Attorney General Rebecca A. Loudbear, at rloudbear@critdoj.com, Deputy Attorney General Antoinette Flora, at aflora@critdoj.com and THPO Director Bryan Etsitty, at betsitty@crit-nsn.gov, on all correspondence to the Tribes.

Respectfully,



Amelia Flores
Chairwoman, Colorado River Indian Tribes

Cc: Tribal Council of the Colorado River Indian Tribes
Bryan Etsitty, THPO Director, Colorado River Indian Tribes
Rebecca A. Loudbear, Attorney General, Colorado River Indian Tribes