



November 2017

THE REPATRIATION ISSUE

Volume No. 180

This Volume of the ASSOCIATION ON AMERICAN INDIAN AFFAIRS NEWSLETTER focuses on protecting cultural sovereignty by supporting the repatriation of human remains, funerary objects, sacred objects and objects of cultural patrimony held by:

- Domestic Museums and Federal Institutions
- International Museums and Institutions
- Private individuals and entities involved in commercial sale

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What is Repatriation and Why is it Important?

Native American human remains, burial items, objects of cultural patrimony, and sacred items have been looted and stolen throughout Indian Country. In fact, Native ancestors have been directly targeted for looting by scientists, as well as pot hunters, for over 500 years. Ancestors and other cultural items have been found in the hands of collectors, museums and other institutions all over the world. Desecration of Native American ancestors, and improper possession of Native American cultural items that are utilized to support Native religions and cultural practices, are considered human rights issues today.

At the core of the repatriation human rights issue is free, prior, and informed consent—namely that Native American communities in the past and today have never given their consent for their ancestral graves to be exhumed, their sacred objects to be robbed, and put on display or held within private or international collections.

Current legislation, particularly the Native American Graves Protection and Repatriation Act (NAGPRA) and the National Museum of the American Indian Act (NMAI Act), provides procedures for the repatriation of ancestors and other cultural items to Tribes and lineal descendants from the federal government or federally funded museums in the US. However, this current legislation does not bring home the

Learning Native American histories from Indigenous perspectives and beyond some of the poorly-researched, dated conjecture and guesswork, upon which many museums have previously relied, has led to better understandings of legitimately held collections. In addition, what had previously been harmful education by museums that created myths about Native American communities has been transformed into accurate exhibition presentations through partnership with Native American communities.

AAIA was at the heart of the development of the NMAI Act, NAGPRA, the American Indian Religious Freedoms Act, the UN Declaration on the Rights of Indigenous Peoples and other laws and policies protecting Native American ancestors and cultural items. AAIA continues its efforts to support repatriation from private individuals and institutions, as well as repatriation from beyond U.S. borders.

an-cestors and cultural items held by private hands or found in foreign institutions. Repatriation efforts in the United States have resulted in the building of bridges between Tribes and museums, leading to better public education on Native American history and provide important cultural and historical context for items legitimately held by museums. These dialogues have opened the way for ongoing consultations and proper understandings of cultural protocols, resulting in mutual respect.

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GIVING TUESDAY!
Give thanks by
helping AAIA seek
repatriation of our
ancestors and cul-
tural items!**



Journey Home, 2017
By April O'Neill (Cherokee)
Winning Artist at the
3rd Annual International Indigenous
Repatriation Conference

The Third Annual Indigenous International Repatriation Conference—The Journey Home

The Third Annual Indigenous International Repatriation Conference was held on September 25 and 26, 2017 at the Isleta Pueblo's Resort and Casino outside of Albuquerque, New Mexico. The title for the Conference this year was "[Journey Home: Empowering Indigenous Communities in International Repatriation](#)." The Conference provided participants with a wealth of tribal, institutional, government and academic speakers and resources to advance international repatriation into the next phase of action: working directly with foreign institutions.

Presenters included Governor Kurt Riley of the Acoma Pueblo, Dr. Richard Luarkie, former Governor of the Pueblo of Laguna, Brian Vallo, Director of the Indian Arts Research Center at the School for Advanced Research (SAR), Neil Curtis, Head of Museums, University of Aberdeen King's Museum, Jack Trope, former Executive Director of the AAIA, Brett Shelton, Attorney at the Native American Rights Fund, and Melanie O'Brien, NAGPRA Program Manager at the U.S. Department of the Interior.

The Honorable Kurt Riley, Governor of the Pueblo of Acoma provided the opening lecture and discussed the status of the Pueblo's efforts to obtain the Acoma Shield, which is currently in the possession of a private French collector. The French collector's efforts to sell the Shield at a French auction house were thwarted when the United States and the Pueblo of Acoma sought for repatriation of the Shield, which had been stolen.

After Governor Riley opened the Conference, Brian Vallo, Director of the Indian Arts Research Center, SAR, and Landis Smith, the Collaborative Conservation Programs Consultant for the SAR, spoke about how collaborative relationships are being built between indigenous communities and museums. The School for Advanced Research has developed guidelines to help encourage meaningful engagement between museums and Native American Communities.

The panel called "Gaining Insight – The Dynamics of the Tribe-Museum Relationship" discussed how tribes were building relationships with museums for international collaboration and repatriation. The panel included representatives from the Choctaw Nation of Oklahoma Cultural Services, Deanna Byrd-NAGPRA Liaison and Jennifer Byram-Research Assistant, along with Kirk Perry, Executive Officer of the Division of Historic Preservation at the Chickasaw Nation of Oklahoma. In addition, Neil Curtis, the Head of Museums at the King's Museum, University of Aberdeen in Scotland, provided many important insights on how indigenous peoples and the King's Museum were developing productive relationships leading to repatriation. Helen Robbins, the repatriation director at the Field Museum, enlightened the participants about how the Field Museum had documentation showing how the Museum transferred cultural items to foreign institutions, but that many Tribes never asked for that type of information.

"The Smith Family Totem Pole: Stewardship and Collaboration Between the Tlowitsis Nation and the University of New Mexico" brought together Beverly Singer and Les Field from the University of New Mexico, and Blarire Opash-Caldwell and Lea McChesney from the Maxwell Museum of Anthropology, as well as Brian Vallo from the American Indian Arts Research Center at SAR to discuss how contemporary museum practices necessitate reconciliation with source communities for better stewardship. The hereditary chief's pole was stolen from the Tlowitsis Nation on Turnour Island in British Columbia, but through collaboration, was restored and re-dedicated. The work returned cultural and artistic knowledge to the community and healed longstanding wounds from the theft.

Practitioners from California State University at Long Beach, and the Gabriellino Tongva Tribe worked together to "Righting Historic Wrongs: Changing the Paradigm in Southern California Repatriations – A Case Study of Three Reburials." Over 2,600 ancestors were reburied from three different institutions in Southern California. The presenters included NAGPRA Assistants from Cal State Long Beach Heidi Lucero, Ashley Genesk, and Anelique Magdaleno, Wendy Teeter, Curator of Archaeology, Fowler Museum at UCLA, Desiree Martinez, Tribal Archaeologist of the Gabriellino Tongva, Karimah Richardson, Staff Archaeologist at the Autry Museum of the American West, and Lyllyiam Posadas, NAGPRA Coordinator at the Autry. The panelists described community collaboration, conservation, negotiations for reburial space and how paradigms are changing to support repatriation.

The Native American Graves Protection and Repatriation Act (NAGPRA), the foundational repatriation law enacted in 1990, and the Safeguard Tribal Objects of Patrimony Act (the STOP Act), proposed legislation to prevent the exportation of Native American cultural and archaeological items, were discussed over two panels at the last part of the 2-day conference. The panelists included Brett Shelton, attorney with the Native American Rights Fund, Jack Trope, former Executive Director of the AAIA and currently with Casey Family Programs, Gregory A. Smith, partner at Hobbs, Straus Dean & Walker, and Melanie O'Brien, National NAGPRA Program Manager. The presenters examined how NAGPRA developed and how many of the same concerns opponents of NAGPRA had are also present in international repatriations.

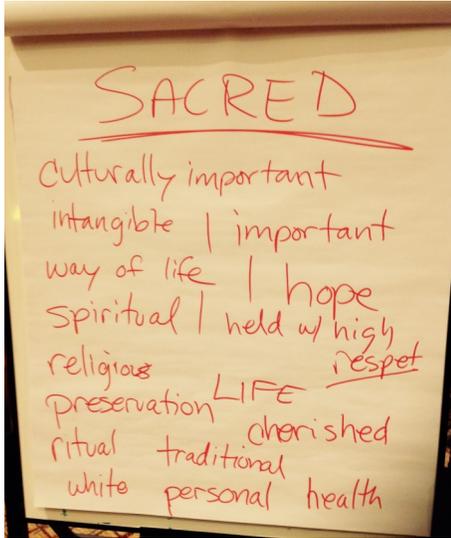
Finally, the participants had several opportunities to work together to interact and discuss current issues with domestic and international repatriation concerns. Tribes have begun to develop many tools and strategies for learning about collections in foreign institutions and there is growing knowledge that is being developed. Several participants discussed that next steps should include inviting more foreign institutions to participate in the conference next year, and providing more tools and workshops to continue to help build capacity for repatriation. In addition to international repatriation, domestic efforts must still be improved through potential legislative amendments and new laws – including laws that protect cultural items discovered on private lands, or held by private institutions. Tribes and the AAIA have progressed far in this area – but there are still more ancestors that must journey home!

Youth Supporting Cultural Sovereignty—Youth Track at the Indigenous International Repatriation Conference

“What do you hold as sacred?” Ravis Henry (*Navajo*), a National Park Service Ranger asked to a group of native high school students. The students, invited to participate in the “youth track” of the Third Annual Indigenous International Repatriation Conference, sat in a circle and shared what was most important to them, and what they could not do without, such as the “sacred,” “hope,” and sacred items that are “culturally important.”

For the first time, AAIA created a

Native Youth component, with the generous support of Casey Family Programs.



Results of youth session, “What do you hold as sacred?”

Faith Roessel, President of AAIA, reinforced that “AAIA protects culture and supports youth. We are committed to nurturing the next generation of leaders.” As part of the youth track, AAIA invited native professionals to talk about their work, education, career paths, how they overcame challenges, and how culture and language help them in their work. A lawyer, social worker, park service ranger, cultural preservation of-



Youth Participants share about what cultural protection means.

ficer, and museum curator each described their personal story. Roessel emphasized, “We all need role models. If they can do it, so can I. Being successful and having a career does not mean you have to sacrifice your culture, language and lifeways. Far from it.”

AAIA is also working on a cultural resources protection handbook as the second part of their Casey Family Programs funding to assist and support youth in the protection of their cultural resources.

Honoring Acoma Pueblo Governor Kurt Riley

AAIA awarded Pueblo of Acoma Governor Kurt Riley with its first ever “Visionary Leader Award” in recognition of the Governor’s persistence and advocacy in the return of the “Acoma Shield.” This sacred object was wrongfully taken from the Pueblo and had been slated for sale at EVE Auction House in Paris, France. Governor Riley’s advoca-

cy stopped the sale of the Shield, and rallied indigenous leaders, foreign support, and federal government agencies to argue for the return of the shield.

In accepting the award, Governor Riley expressed his deepest appreciation to his wife who he said has sacrificed the most as has his family due to his trav-

els and work. Governor Riley emphasized that he relies on a team of people and he does not do this alone. He modestly stated he is continuing what was already started by Acoma leaders and is only seeking what rightfully belongs to his Pueblo and people.



AAIA Board member Dee Ann DeRoin places the award on Governor Riley with AAIA President Faith Roessel.

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is protected!

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Bighorn Medicine Wheel National Historic Landmark in the Bighorn National Forest, Wyoming.

AAIA's History on Protecting Cultural Sovereignty through Repatriation and Protecting Sacred Sites

AAIA is the lead on matters of International Repatriation, and because of the success of its International Repatriation Program, AAIA has also been moved to strengthen its ongoing efforts concerning domestic repatriation, graves protection and securing sacred sites. After all, AAIA has been a national leader advocating for the protection of sacred lands and the repatriation of cultural items for over the last 50 years.

- ⇒ **AAIA** contributes to the development of legislation, and has provided advocacy for the creation and passage of the National Museum of the American Indian Act, the Native American Graves Protection and Repatriation Act, the American Indian Religious Freedom Act, the Religious Freedom Restoration Act, PROTECT Patrimony Resolution, and the Safeguard Tribal Objects of Patrimony (STOP) Act.
- ⇒ **AAIA** provides training and technical assistance on topics including domestic and international repatriation of cultural items; developing strategies to obtain repatriation from private collectors domestically and internationally; and consultation and procedural hurdles of the National Historic Preservation Act § 106.
- ⇒ **AAIA** works to protect sacred lands and waters such as Bears Ears National Monument, achieved success in obtaining the designation of Bighorn Medicine Wheel/Medicine Mountain in Wyoming as a National Historic Landmark, and is involved in litigation and the campaign to support the Water Protectors against the Dakota Access Pipeline.
- ⇒ **AAIA** provides a centralized space for traditionalists, tribal cultural preservation specialists and other experts to collaborate on best practices and create usable guides and templates for others.
- ⇒ **AAIA** has established an annual conference on Indigenous International Repatriation.

**Listen to AAIA's
Executive Director
on Native American
Calling**



discussing the 27th
Anniversary of the
enactment of the
**Native American
Graves Protection
and Repatriation
Act.**

AAIA Plan of Action on Repatriation of Cultural Items

AAIA needs your support to continue its efforts to reclaim and repatriate ancestors and cultural items. Here are some of the challenges we face, our successes to date, and our plan for 2018:

Domestic Repatriation

Problem: The Native American Graves Protection and Repatriation Act (NAGPRA) and the National Museum of the American Indian Act (NMAI Act) provide mechanisms for repatriation of cultural items from federal agencies and museums. Even after almost 30 years, museums and federal agencies have not fulfilled their obligations under NAGPRA. Moreover, there are no laws protecting cultural items held by private hands.

International Repatriation

Problem: There is currently no consistent legal mechanism to seek repatriation from international institutions, and any repatriation is dependent on the provenance and chain of custody of the item, what country the item currently resides, and when the item was exported out of the United States.

AAIA Repatriation Successes

- ◇ Developed “A Guide to International Repatriation: Starting An Initiative in Your Community.”
- ◇ Succeeded in its Third Annual Indigenous International Repatriation Conference, bringing together Indigenous Peoples, museums, federal agencies and others.
- ◇ Testified at the United Nations and before the Senate Committee on Indian Affairs, and is continuing advocacy before federal agencies.
- ◇ Provided important and needed input on proposed international repatriation legislation.
- ◇ Worked closely with traditional leaders, tribes, Intertribal organizations, and Indigenous Peoples worldwide over the past 3 years.
- ◇ Provided cultural resources trainings to Tribes.
- ◇ Worked on information and data gathering with the Australia National University.
- ◇ Obtained Resolutions supporting repatriation from international institutions and private parties from National Congress of American Indians (NCAI), United South and Eastern Tribes (USET), All Pueblo Governors Council, and the InterTribal Council of the Five Civilized Tribes.

2018 Repatriation Plan of Action

AAIA shall build on its current successes and:

- (1) Invite foreign institutions to the United States to meet with Tribal leadership and traditional practitioners and discuss opportunities for collaboration.
- (2) Invite private foundations, associations and individuals within the United States who hold or curate cultural items to meet with Tribal leadership and traditional practitioners and discuss opportunities for collaboration.
- (3) Develop and provide a centralized information hub of expertise and information that provides training and supports repatriation efforts both domestically and internationally;
- (4) Develop and distribute templates, toolkits and model laws that can be used by Tribes to support the repatriation of human remains, funerary objects, cultural patrimony and sacred objects;
- (5) Advocate for stronger laws and policies that protect human remains, funerary objects, cultural patrimony and sacred objects on private lands, and items held by private collectors domestically and abroad; and
- (6) Raise awareness and provide educational opportunities domestically and internationally with governments, institutions and the public to influence positive action towards addressing repatriation issues.

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November 2017
Volume No. 180



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November 28, 2017 to celebrate Giving Tuesday, or any
day! Please think of AAIA for your end of the year giving.



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Who is the Association on American Indian Affairs

The **Association on American Indian Affairs**, or **AAIA**, is the oldest American Indian advocacy organization in the United States, founded in New York City in 1922.

The organization began – moved by Pueblo land claims issues – as a citizens' group supporting Indian rights. One of its founders was John Collier, and during his tenure worked with the early organization to develop new creative policy that would end racist policies of assimilation and land allotment. This later became the Indian Reorganization Act of 1934, which in fact ended the

allotment era and recognized tribal governing bodies.

In 1948 the early organization merged with other similar groups and began a tradition of serving Indian Tribes, their citizens and all indigenous communities within the United States with a mission of protecting tribal sovereignty, preserving culture and educating youth.

AAIA involves itself at the grassroots and national levels in partnership with Tribes and tribal peoples to seek solutions and policies that empower individuals and contribute towards self-determining

and sustainable Indian communities.

AAIA is governed by an all-Native Board of Directors from across the country that works in alliance with its Executive Director, Shannon Keller O'Loughlin (*Choctaw*). The Board and Executive Director are further advised by the Council of Advisors, whose members are important to Indian Country.

To learn more about **AAIA** and its programs, and to support cultural sovereignty, visit **www.indian-affairs.org** today!



To support **Cultural Sovereignty** the **AAIA** works to support child welfare, youth education, indigenous languages, federal recognition and the protection of cultural resources and sacred sites.