

From: "Native American NAGPRA Coalition" <NatAmNAGPRA@comcast.net>
Subject: **PR: Nation's Largest Indian Org Condemns UC Berkeley on Human Remains**
Date: November 28, 2007 8:06:59 AM PST

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▶ 1 Attachment, 189 KB

Please Forward

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NCAI, the Nation's Largest Indian Organization, Condemns UC Berkeley on Ancestral Remains, Supports Tribal Coalition's Position

National Congress of American Indians Resolution Rejects UCB's Elimination of Repatriation Unit, Subordination of Native Religion to University Research

DENVER, Colorado, Nov. 28, 2007 – The Native American NAGPRA Coalition (NANC) today strongly endorsed the National Congress of American Indians' (NCAI) resolution protesting UC Berkeley's decision to eliminate its tribally approved NAGPRA unit, diminish tribal participation and influence in repatriation processes and declare a huge portion of the Phoebe Hearst Museum's collection of ancestral remains and funerary objects "to be culturally unaffiliated and thus not

subject to tribal repatriation and NAGPRA requirements.” The resolution, which passed without dissent at the NCAI Annual Convention in Denver, also states that the “needs of scientists and scientific values” at the Museum “must be subordinate to the religious freedom and human rights of American Indians...” The Museum’s recent reorganization has elevated research goals over Native American entitlements under the Native American Graves Protection and Repatriation Act (NAGPRA).

The text of the resolution is pasted below and the signed resolution is attached to this email.

Founded in 1944 in response to termination and assimilation policies forced upon the tribal governments by the United States, NCAI now has over 250 member tribes across the country. NCAI the largest and most venerable Native American organization in America, and is best positioned to monitor federal laws, policies and decisions that affect tribal government interests. In this capacity, the organization “strongly recommends that appropriate authorities immediately undertake a formal investigation of the Phoebe Hearst Museum...”

In August, the Native American NAGPRA Coalition asked UC Berkeley Chancellor Robert J. Birgeneau to stop the Museum reorganization and meet with NANC to discuss the past and future of NAGPRA at the Hearst Museum. NANC’s letter protested the complete and deliberate exclusion of tribal representatives from the reorganization decision process, the new organizational structure that subordinates Native American religious rights to the goals of science, and the failure of the University to adequately consult with tribes on the cultural affiliation of ancestral remains and sacred objects per the requirements of NAGPRA. The Chancellor ignored the Coalition’s request, dismissed the protest as the agitation of a “few disgruntled employees,” and referred all tribal NAGPRA inquiries to subordinates. In spite of a major and successful NANC-sponsored demonstration on the Berkeley campus in October, UC system chief Rory Hume subsequently ignored similar requests from the Coalition.

“Thus far, the attitude of University officials toward sovereign Indian tribes has been dismissive, discriminatory and paternalistic,” said Ted Howard, Shoshone-Paiute, NANC representative and member of the 30-tribe Great Basin NAGPRA Coalition. “Their primary concern has been to placate powerful scientists who are extremely hostile to NAGPRA and who want to keep our ancestors for the purposes of research.

If UC administrators continue this policy and ignore an organization of the stature of the National Congress of American Indians, they may destroy any prospect of cooperative and positive relationships with tribes in the future. Native American ancestral remains belong to Native Americans, and we will not stop until our ancestors are repatriated and returned to our mother earth.”

Indians regard repatriation as a human rights issue. The right to control ancestral remains is a basic human entitlement that has been extended to almost every ethnic group in the United States except Native Americans. Throughout American history, scientists routinely pillaged Native American burials and shipped massive amounts of ancestral remains to museums for scientific study. “It is time to correct this fundamental injustice,” said Howard.

For additional information on the UCB NAGPRA issue, visit <http://nagpra-ucb-faq.blogspot.com> and <http://nagpra-ucb.blogspot.com>.

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NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians
Resolution #DEN-07-033

TITLE: Support for NAGPRA at the University of California - Berkeley

WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, the Chancellor of the University of California at Berkeley has, without properly consulting with appropriate American Indian tribes, decided to discontinue the tribally approved NAGPRA unit dedicated to discharging University responsibilities to tribes under federal NAGPRA laws and regulations and has moved to place the NAGPRA program within other activities of the Phoebe Hearst Museum of Anthropology, thereby diminishing tribal participation and influence in the existing NAGPRA unit; and

WHEREAS, the needs of scientists and the scientific values of the Phoebe Hearst Museum of Anthropology's collection of skeletal material and other sacred objects must be subordinate to the religious freedom and human rights of American Indians whose ancestors and sacred cultural properties are housed in said collections; and

WHEREAS, The Great Basin Intertribal NAGPRA Coalition (30 tribes) and other tribes have vigorously opposed this action by the University of California at Berkeley; and

WHEREAS, as much as fifty percent (minimum of 5,675 biological individuals (50%) and 69,028 Associated Funerary Objects) of the Phoebe Hearst Museum of Anthropology's collections have been incorrectly declared to be culturally unaffiliated and thus not subject to tribal repatriation and NAGPRA requirements; and

WHEREAS, the decision by the Chancellor of the University of California at Berkeley places sacred American Indian skeletal remains and artifacts into the hands of University employees who are inadequately trained in the care and preservation of such sacred items according to tribal customs and traditions; and

WHEREAS, the NCAI quotes Section C of NAGPRA; Museum means any institution, including institutions of higher learning – colleges, universities etc. or state or local government agencies that possess or has control over Native American collections (human remains or cultural items) and receives funds through grant, loan, contract or other arrangement by which Federal money or assistance is given to a museum for any purpose, are bound by the stipulations of NAGPRA; and

WHEREAS, Section 5 of NAGPRA says, "In general" each Federal agency and each museum which has possession or control over holdings or collections of Native American human remains and associated funerary objects shall compile an inventory of such items and, to the extent possible based on information possessed by such museum or federal agency, identify the geographical and cultural affiliation of such item. Requirements (1) the inventories and identification required under subsection (a) shall be (A) completed in consultation with tribal governments and Native Hawaiian organization officials and traditional religious leaders.

NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby strongly recommend that appropriate authorities immediately undertake a formal investigation of the Phoebe Hearst Museum of Anthropology of the University of California at Berkeley, to determine what provisions of NAGPRA and related federal requirements have been overlooked by the actions and inactions of the Phoebe Hearst Museum and the University of California, Berkeley.

BE IT FURTHER RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2007 Annual Session of the National Congress of American Indians, held at the Hyatt Regency Denver at the Colorado Convention Center in Denver, Colorado on November 11-16, 2007, with a quorum present.

