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Cultural Protection & NAGPRA

Protection of Native cultural resources is critical to the vitality of traditional Native religions, customs, languages, and status as sovereign nations.

NCAI is deeply concerned with the repatriation of Native American human remains and funerary objects, the vigorous enforcement of the Indian Arts & Crafts Act, and the revitalization of Native languages.

American Indian and Alaska Native peoples have a substantial interest in protecting, accessing, and controlling their cultural resources. These resources may include not only land and objects but also traditions, languages, and symbols. Access to and usage of these cultural resources, as well as public awareness and understanding of Native cultural practices and traditions, are integral to the preservation of Native lifeways and the unique contribution they make to our nation. Many of these resources may be protected by tribal, state, or federal laws; however, some are not. Native peoples have a significant interest in ensuring not only that the current laws aimed at protecting tribal culture are being enforced properly, but that new laws and policies are geared toward protecting and sustaining tribal culture as well.

A handful of federal laws recognize the critical importance of protecting Native cultural resources. Perhaps the most well known of such laws is the Native American Graves Protection and Repatriation Act (NAGPRA). NAGPRA was initially enacted in 1990 to establish the rights of Indian tribes and their lineal descendants to obtain repatriation of certain human remains, funerary objects, sacred objects, and objects of cultural patrimony from federal agencies and museums. Yet, even now, more than 20 years after its enactment, NAGPRA's policy goals have not been fully achieved.

Similarly, the Indian Arts & Crafts Act (IACA), also enacted in 1990, was intended to protect tribal cultural resources by preventing the sale of goods that are falsely represented to have been made by Indians. However, IACA has been ineffective because of inadequate enforcement and weak penalties that do not sufficiently deter potential violators. It is imperative that the federal government live up to its enforcement responsibilities under both NAGPRA and IACA, so that the legislative intent behind both laws can be fulfilled.

Protection of less tangible tribal cultural resources is also critical to preserving tribal culture. Specifically, Native languages are an irreplaceable part of Native religions, ceremonial practices, and cultural heritage—and they are in a state of emergency. Seventy of the remaining 139 spoken tribal languages could become extinct by 2015, and all of these languages need immediate support at the tribal, local, state, and national levels. NCAI supports the creation of more Native language immersion and revitalization programs and will continue to advocate for the protection of these and other critical tribal cultural resources.

Testimony & Speeches

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NCAI Opposition to S. 2039, and Support for Changing the Name of "Devils Tower" to the Bear Lodge National Monument
 (/resources/testimony/ncai-opposition-to-s-2039-and-support-for-changing-the-name-of-devils-tower-to-the-bear-lodge-national-monument)

Mar 15, 2016

NCAI Opposition to Senate Amendment 3447 to S. 2012, the Energy Policy Modernization Act of 2015
 (/resources/testimony/ncai-opposition-to-senate-amendment-3447-to-s-2012-the-energy-policy-modernization-act-of-2015)

Mar 14, 2016

In Support of Preserving the Badger-Two Medicine Area and Requesting the Department of the Interior to Consult with the Blackfeet Tribe of Montana
 (/resources/testimony/in-support-of-preserving-the-badger-two-medicine-area-and-requesting-the-department-of-the-interior-to-consult-with-the-blackfeet-tribe-of-montana)

Mar 23, 2015

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Ahtna Intertribal Resource Commission and U.S. Department of the Interior Sign First Cooperative Management Agreement Under New

Resolutions

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Calling on the U.S. Fish and Wildlife Service to Issue Revised Regulations to Promote Tribal Member Collection of Eagle Feathers
 (/resources/resolutions/calling-on-the-u-s-fish-and-wildlife-service-to-issue-revised-regulations-to-promote-tribal-member-collection-of-eagle-feathers)

Sep 28, 2018

Reclaiming Native Truth Phase Two: Changing the Narrative
 (/resources/resolutions/reclaiming-native-truth-phase-two-changing-the-narrative)

Sep 28, 2018

Request Compliance with the Native American Graves Protection and Repatriation Act and UNDRIP
 (/resources/resolutions/request-compliance-with-the-native-american-graves-protection-and-repatriation-act-and-undrip)

Sep 28, 2018

News

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Secretarial Order
(/resources/resolutions/ahtna-intertribal-resource-commission-and-u-s-department-of-the-interior-sign-first-cooperative-management-agreement-under-new-secretarial-order)

Nov 29, 2016

Standing Rock Claims Confirmed
– Justice Demands Tribes Rights are Respected
(/news/articles/2017/06/14/standing-rock-claims-confirmed-justice-demands-tribes-rights-are-respected)

Jun 14, 2017

Native Youth Taking the Initiative to Better Indian Country
(/news/articles/2015/07/09/native-youth-taking-the-initiative-to-better-indian-country)

Jul 09, 2015

A Spectrum of Perspectives: Native Peoples and Genetic Research
(/news/articles/2014/07/22/a-spectrum-of-perspectives-native-peoples-and-genetic-research)

Jul 22, 2014

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