

Tribal Testimony on 2024 NAGPRA Regulations:

Impact on Consultations with Institutions Since January 2024 Enactment

Shinnecock Indian Nation (New York, Northeast) – American Museum of Natural History (New York)

What's working better:

- New NAGPRA rules and public scrutiny pushed AMNH to finally notify Shinnecock about relevant holdings after decades of silence, triggering renewed consultation and repatriation steps [1][2].
- The requirement for free prior and informed consent before display or research has given Shinnecock and other tribes stronger leverage in discussions over exhibits and access [3][4].

What still needs improvement:

- Shinnecock representatives' express frustration that action only came after 30+ years, underscoring that regulatory change is not a substitute for earlier, proactive consultation [4].

Multiple federally recognized Northeastern tribes – Yale Peabody Museum (Connecticut, Northeast)

What's working better:

- Peabody leadership reports they are actively asking Native nations how the new rules affect them and how objects from their communities should or should not be displayed, increasing substantive consultation [5].
- Engagement with tribal representatives on exhibit planning, including whether specific cultural items appear at all, reflects a shift toward shared authority over interpretation [5].

What still needs improvement:

- Tribes and museum staff acknowledge that aligning renovation timelines, regulatory deadlines, and tribal capacity remains challenging and can constrain the depth of consultation [5][4].

Federally recognized tribes in western Massachusetts – Mount Holyoke College Art Museum; Memorial Hall Museum/Pocumtuck Valley Memorial Association; Historic Deerfield

Tribes consulted: Wampanoag Tribe of Gay Head (Aquinnah), Mashpee Wampanoag, and others

What's working better:

- Mount Holyoke removed Native items from display and left empty cases with labels referencing the new NAGPRA rules, using them as teaching tools developed with contemporary tribal makers [5].
- Memorial Hall Museum closed temporarily to review collections under the updated regulations, with Indigenous representatives on its collections committee guiding the process [5].

What still needs improvement:

- Tribes in the region face capacity strain responding to increased consultation outreach from multiple small and mid-sized institutions simultaneously [4][5].

Eastern and Southeastern tribes – regional and national museums and universities

Tribes: Cherokee Nation, Eastern Band of Cherokee Indians, Muscogee (Creek) Nation, Seminole Tribe of Florida

What's working better:

- Tribes report that the clarified consultation standards, timelines, and consent requirements are helping them insist on earlier, more structured talks with museums and universities holding their ancestors and belongings [3][4][6].
- The 90-day response expectation for repatriation requests and the 2029 deadline for notification are beginning to reduce "open-ended" cases that lingered for years [6][4].

What still needs improvement:

- Many Tribal Historic Preservation Offices in the South operate with one or very few staff, making it difficult to keep up with rising numbers of consultation requests; tribes describe the new timelines as a double-edged sword [4][7].
- Tribes remain concerned about uneven enforcement and the possibility that institutions will seek deadline extensions, delaying returns despite the stronger rules [4][6].

Federally recognized Southern tribes – university museums and collections across the South

Tribes: Choctaw Nation of Oklahoma, Chickasaw Nation, Caddo Nation, Alabama-Coushatta Tribe of Texas

What's working better:

- The new requirement that museums prove their right to retain items, rather than tribes proving why they should be returned, has strengthened tribal positions in consultation with Southern university collections [4][3].
- Institutions are increasingly removing items from circulation and pausing research while consultation proceeds, which tribal representatives see as a positive shift toward respect [3][4].

What still needs improvement:

- Non-federally recognized Native communities in the South must still rely on alliances with federally recognized tribes to participate, which tribal leaders note can complicate and slow consultations [4][8].

National Association of Tribal Historic Preservation Officers (NATHPO) – cross-regional tribal feedback including Northeast and South

What's working better:

- NATHPO reports that the new rule's clarified consultation duties and emphasis on Indigenous Knowledge have improved the ability of Tribal Historic Preservation Offices to push museums toward genuine dialogue [9][4].
- Increased National Park Service grant funding is helping some tribes hire or support NAGPRA staff to engage more effectively with museums and universities [7].

What still needs improvement:

- NATHPO highlights ongoing shortfalls in tribal staffing and funding relative to the volume of consultations triggered by the 2024 rule, especially for smaller Northeastern and Southern nations [9][7].

References

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<https://www.nathpo.org/2024/01/12/tcp-bulletin-comments-due-march-25-nathpo-comments-attached-copy-copy/>