



# Smithsonian Institution

**Annual Report of the Repatriation Activities  
of the Smithsonian Institution**

**2016**

## **Annual Report 2016**

<u>Repatriation and the Smithsonian: An Overview</u>	1
<u>Repatriation Activities: Year at a Glance</u>	2
<u>Oversight of Repatriation Activities</u>	8
<u>Highlighted Repatriation Activities</u>	10
<u>Additional Information</u>	17

## **Repatriation and the Smithsonian: An Overview**

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The Smithsonian Institution has a long and successful history of the respectful return of Native human remains and cultural objects. Prior to the passage of the federal repatriation legislation, the Smithsonian engaged in such returns, including the voluntary return of human remains in the early 1980s and the well-known return of certain cultural objects affiliated with the Pueblo of Zuni in 1987.

In 1989, Congress enacted the National Museum of the American Indian Act (NMAIA). This law established the National Museum of the American Indian (NMAI) as part of the Smithsonian Institution and authorized the transfer of the collections from the Museum of the American Indian-Heye Foundation in New York City to the Smithsonian. The NMAIA is also the first piece of federal legislation addressing the repatriation of Native American human remains and funerary objects. The NMAIA required the Smithsonian to return, upon request, Native American human remains and funerary objects to culturally affiliated federally-recognized Indian tribes. The NMAIA was amended in 1996, following the passage of the Native American Graves Protection and Repatriation Act (NAGPRA), to include the return of certain Native American cultural objects, including sacred objects and objects of cultural patrimony. To assist in the repatriation process, both the NMAI and National Museum of Natural History (NMNH) have repatriation policies and procedures.

The Smithsonian has repatriated or made available for repatriation the human remains of more than 6,000 individuals, 250,000 funerary objects, and 1,400 sacred objects and/or objects of cultural patrimony. These totals far exceed any other museum complex in the United States. The Smithsonian is committed to the repatriation process and consults with Native Americans throughout the nation. This annual report to Congress will be sent to the Senate Committee on Indian Affairs, House Subcommittee on Indian Affairs, Congressional Regents, Government Accountability Office, and will also be posted on the repatriation websites of the NMNH and NMAI.

## Repatriation Activities: Year at a Glance

### National Museum of Natural History



Repatriations of Human Remains and Funerary Objects available for repatriation or that have been repatriated at the NMNH:

NMNH	CY 2016 <sup>1</sup>	OVERALL <sup>2</sup>
<b>Human Remains<sup>3</sup></b>		
Number of Individuals	25	6,148
Catalog Numbers	25	5,569
<b>Funerary Objects (Associated and Unassociated)<sup>4</sup></b>		
Total Object Count	7	219,012
Total Catalog Numbers	2	3,255

<sup>1</sup> CY 2016 lists the number of human remains and objects made available for repatriation during the calendar year. Overall lists the total number of human remains and objects made available for repatriation, including CY 2016.

<sup>2</sup> NMNH totals are for Native American human remains and objects repatriated within the United States.

<sup>3</sup> At the NMNH *Human Remains* means the physical remains of a human body of a person of Native American ancestry. The *Number of Individuals* refers to the minimum number of individuals or MNI; a concept commonly used in anthropology to represent the fewest possible number of individuals represented by a skeletal assemblage. *Catalog Numbers* refers to the quantity of museum numbers assigned to the human remains or objects.

<sup>4</sup> *Funerary object* means an "object that, as part of a death rite or ceremony of a culture, is intentionally placed with individual human remains either at the time of burial or later." NMAIA, 20 U.S.C. §80q-14.

**Repatriations of Sacred Objects and Objects of Cultural Patrimony  
at the NMNH:**

NMNH	CY 2016	OVERALL
<b>Objects of Cultural Patrimony<sup>5</sup></b>		
Total Object Count	0	50
Total Catalog Numbers	0	12
<b>Sacred Objects<sup>6</sup></b>		
Total Object Count	0	3
Total Catalog Numbers	0	3
<b>Objects of Cultural Patrimony/Sacred Objects<sup>7</sup></b>		
Total Object Count	0	2
Total Catalog Numbers	0	2
<b>Other Items<sup>8</sup></b>		
Total Object Count	0	26
Total Catalog Numbers	0	21

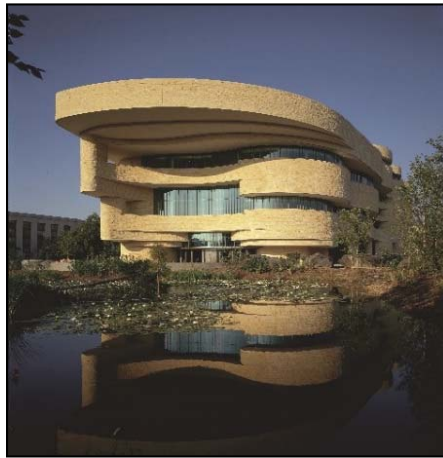
<sup>5</sup> *Objects of Cultural Patrimony* mean items “having ongoing historical, traditional, or cultural importance central to the Native American group [Indian tribe or Native Hawaiian organization] or culture itself, rather than property owned by an individual.” NAGPRA, 25 U.S.C. §3001 (2) (3) (D).

<sup>6</sup> *Sacred Objects* mean items that are “specific ceremonial objects which are needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents.” NAGPRA, 25 U.S.C. §3001 (2) (3) (C).

<sup>7</sup> *Objects of Cultural Patrimony/Sacred Objects* refer to claims for the repatriation of cultural items that meet the definition of both an Object of Cultural Patrimony and a Sacred Object.

<sup>8</sup> *Other Items* refer to circumstances in which the cultural item offered for repatriation does not meet the definition of an object available for repatriation under the NMAIA or the policy of the NMNH. Since the NMAIA was not intended to limit the authority of the Smithsonian to conduct repatriations of certain items from its collections, the category of *Other Items* was developed to track and monitor NMNH museum collections offered for return for which no other repatriation category is available or appropriate.

## National Museum of the American Indian



### Repatriations of Human Remains and Funerary Objects at the NMAI:

NMAI	CY 2016	OVERALL
<b>Human Remains<sup>9</sup></b>		
Total Count <sup>10</sup>	26	537
Total Catalog Numbers	23	243
<b>Human Remains and Associated Funerary Objects</b>		
Total Object Count	2	43
Total Catalog Numbers	2	40
<b>Funerary Objects (Associated and Unassociated)<sup>11</sup></b>		
Total Object Count	0	29,639
Total Catalog Numbers	0	1,010

<sup>9</sup> At the NMAI the term *Human Remains* means the physical remains of a human body of a person of Native American ancestry. In accordance with the policy, it is assumed that all human remains in the collection are of Native American ancestry unless otherwise known. The term does not include remains or portions of remains that may reasonably be determined to have been freely given or naturally shed by the individual from whose body they were obtained, such as hair made into ropes or nets (NMAI Repatriation Policy 2014).

<sup>10</sup> Historically, the NMAI did not assess the minimum number of individuals (MNI), but used other methods, including counts of individual elements, counts of the number of bone fragments, and other counting standards. Currently, the NMAI uses this legacy data for numerical consistency and when possible, also calculates MNI in its case documentation.

<sup>11</sup> *Funerary Objects* are identified as a part of the death rite or ceremony of a culture reasonably believed to have been placed with individual human remains either at the time of death or later (NMAI Repatriation Policy 2014).

**Repatriations of Sacred Objects and Objects of Cultural Patrimony  
at the NMAI:**

NMAI	CY 2016	OVERALL
<b>Objects of Cultural Patrimony<sup>12</sup></b>		
Total Object Count	0	19
Total Catalog Numbers	0	9
<b>Sacred Objects<sup>13</sup></b>		
Total Object Count	3	960
Total Catalog Numbers	1	871
<b>Objects of Cultural Patrimony/Sacred Objects<sup>14</sup></b>		
Total Object Count	2	406
Total Catalog Numbers	2	339

**Repatriations of Objects Acquired Illegally at the NMAI:**

NMAI	CY 2016	OVERALL
<b>Objects Acquired Illegally<sup>15</sup></b>		
Total Object Count	0	31
Total Catalog Numbers	0	26

<sup>12</sup> *Objects of Cultural Patrimony* are objects having ongoing historical, traditional, or cultural importance central to the Indian Tribe or Native Hawaiian Organization or culture, rather than property owned by an individual Native American, and which, therefore, cannot be alienated, appropriated, or conveyed by any individual regardless of whether or not the individual is a member of the Indian Tribe or Native Hawaiian Organization. The given object shall have been considered inalienable by the Indian Tribe or Native Hawaiian Organization at the time the object was separated from said group (NMAI Repatriation Policy 2014).

<sup>13</sup> *Sacred Objects* are objects needed by traditional Native American religious leaders for the practice of Native American religions, including objects needed for the renewal of a religious practice (NMAI Repatriation Policy 2014).

<sup>14</sup> *Objects of Cultural Patrimony/Sacred Objects* refer to the repatriation of cultural items that meet the definition of both an Object of Cultural Patrimony and a Sacred Object.

<sup>15</sup> *Objects Acquired Illegally* refers to the longstanding Smithsonian policy that the NMAI may repatriate, upon request, any materials that were acquired by or transferred to the NMAI illegally or under circumstances that render the Museum's claim to them invalid.

### International Repatriation at the NMAI:

The NMAI Act and its 1996 amendment address repatriation only for federally recognized Indian Tribes and Native Hawaiian Organization within the United States. However, in accordance with its mission and in recognition of the United Nations Declaration on the Rights of Indigenous Peoples, the NMAI considers repatriation request for human remains, associated funerary objects, sacred objects, and objects of cultural patrimony by non-federally recognized tribes, including indigenous communities outside of the United States, on a case-by-case basis. The following list represents countries outside of the United States where the NMAI has conducted international repatriations. All international repatriation figures have been incorporated into their respective NMAI category totals.

### List of International Repatriations at the NMAI:

Year	Province	Country
1992	British Columbia	Canada
1995	Pichincha	Ecuador
1996	Ontario	Canada
1996	Cusco	Peru
1997	Ontario	Canada
1997	Alberta	Canada
1997	Ontario	Canada
1998	British Columbia	Canada
1998	Ontario	Canada
1998	Ontario	Canada
1999	Alberta	Canada
2000	Alberta	Canada
2002	Santiago de Cuba, Guantanamo, and Piñar del Rio	Cuba
2002	British Columbia	Canada
2002	British Columbia	Canada
2007	Alberta	Canada
2007	Alberta	Canada
2007	El Loa	Chile
2007	Arica	Chile
2008	Ontario	Canada
2012	Ontario	Canada
2014	Ontario	Canada
2016	Ontario	Canada



**CY 16 Consultation and Repatriation Visits at the NMNH and NMAI:**

	NMNH	NMAI	Joint NMNH-NMAI <sup>16</sup>
<b>Consultation and Repatriation Visits</b>			
Number of Representatives	93	48	6
Number of Tribes	47	21	3
<b>Number of Smithsonian-sponsored Repatriation Tribal Visits<sup>17</sup></b>			
Number of Representatives	16	10	6
Number of Tribes	8	5	3

**Claim processing, reports, and repatriations at the NMNH and NMAI:**

	NMNH		NMAI <sup>18</sup>	
	CY 2016	OVERALL	CY 2016	OVERALL
<b>Claims</b>				
Claims In Queue <sup>19</sup>	1	6	2	16
<b>Reports and Repatriations</b>				
Repatriation Reports in Process	9	9	12	12
Completed Repatriation Reports	5	133	2	95
Completed Repatriations	1	118	2	100

<sup>16</sup> Counted also under each museum.

<sup>17</sup> The Smithsonian under certain circumstances funds the travel of tribal representatives to visit the Smithsonian as part of the repatriation process. These sponsored visits are counted in the above consultation and repatriation visit totals.

<sup>18</sup> *Completed Repatriation Reports* at the NMAI refer to the total number of assessments. This includes reports, addenda, and/or memoranda that have resolved repatriation cases. Due to the complexity of repatriation claims, there is not a one-to-one correspondence between reports and *Completed Repatriations*. A single report may address more than one claim and/or result in multiple repatriations. Conversely, a single repatriation may be the result of multiple claims and/or reports.

<sup>19</sup> For the NMNH the overall total is the estimated number of reports that are in the queue.

## Oversight of Repatriation Activities

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### Native American Repatriation Review Committee (NMNH)

The Native American Repatriation Review Committee met in Washington, DC, on May 16-17, 2016 and October 17-18, 2016, to monitor the progress of repatriation at the NMNH. The committee is composed of individuals nominated by tribes, tribal organizations, and scientific and museum organizations. The members in 2016 are Walter Lara, Sr., Yurok Tribe; Darlene Miller, Seneca Nation; George Milner, Department of Anthropology, Pennsylvania State University; Bonnie Newsom (Chair), Penobscot Indian Nation; Ian Thompson, Historic Preservation Department, Choctaw Nation of Oklahoma; Vincas Steponaitis, Department of Anthropology, University of North Carolina; and Shelby Tisdale (Vice Chair), Director of the Center of Southwest Studies, Fort Lewis College.



Native American Repatriation Review Committee members for the NMNH (*left-right*): Ian Thompson, Choctaw Nation; Darlene Miller, Seneca Nation; Vincas Steponaitis, University of North Carolina; Shelby Tisdale, Fort Lewis College; George Milner, Pennsylvania State University; Bonnie Newsom, Penobscot Indian Nation; and Walter Lara, Sr., Yurok Tribe.

### **National Museum of the American Indian Board of Trustees (NMAI)**

The National Museum of the American Indian Board of Trustees meets three times a year to discuss museum business, including NMAI repatriation matters brought forth through the repatriation committee of the board. As necessary, the repatriation committee of the board meets outside the full board meetings to complete committee work.



Repatriation Committee of the National Museum of the American Indian Board of Trustees (*left-right*): Sven Haakanson (Alutiiq Tribe of Old Harbor), Associate Professor, University of Washington Curator for North American Anthropology, Burke Museum; Richard Luarkie (Laguna Pueblo), Governor for the Pueblo of Laguna; Victor Montejo (Jakaltek Maya), retired Professor of Native American Studies at the University of California; Brenda Child (Ojibwa), Professor of American Studies, University of Minnesota; Repatriation Committee Chairperson Margaret P. Brown (Yup'ik), Director of Alaska Communications Systems and President and CEO of Cook Inlet Region, Inc. (retired); Loretta Tuell (Nez Perce), Partner, Greenberg Traurig, LLP; Brian Patterson (Oneida), Bear Clan Representative to the Oneida Indian Nation's Men's Council and Clan Mothers, Tribe's governing body, responsible for directing policy for the Oneida Indian Nation; not pictured Deborah Parker, Councilwoman Tulalip Tribes.

## Highlighted Repatriation Activities

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### National Museum of Natural History

#### Suquamish Indian Tribe Repatriation and Collection Visit

Representatives Leonard Forsman (Tribal Chairman), Marilyn Jones, Marilyn Wandrey, and April Leigh from the Suquamish Indian Tribe, came to the NMNH on August 24-25, 2016, for the repatriation of the human skeletal remains of a Suquamish individual. The remains were obtained by a member of the Wilkes U.S. Exploring Expedition on May 22, 1841, near Port Orchard, Washington, from an historic above-ground canoe burial, likely of a chief, within the territory of the Suquamish. After the repatriation, cultural objects in the NMNH collections were examined, including a rare example of a fish trap basket. The pelt of “Mutton,” an example of a woolly dog, whose hair was once an important fiber used in Coast Salish weaving, was visited in the NMNH Mammals collection.



Marilyn Jones and Marilyn Wandrey of the Suquamish Indian Tribe visiting the NMNH collections and examining a fish trap basket (Photo by April Leigh, Communication Specialist, Suquamish Indian Tribe).

### NMNH Repatriation of Maori and Moriori Individuals

On May 24, 2016, NMNH conducted its first international repatriation of human remains, returning 54 Maori and Moriori individuals to the Museum of New Zealand Te Papa Tongarewa. Dr. Arapata Hakiwai, *Kaihautū* (Māori co-leader of Te Papa), Wenarata Tait, Te Papa Museum, and Te Arikirangi Mamaku, Te Papa Repatriation Coordinator, attended the ceremony at NMNH, along with NMNH and New Zealand Embassy staff.



Repatriation of human remains of Maori and Moriori individuals at the NMNH. Foreground: Wenarata Tait, Te Papa Museum, and Te Arikirangi Mamaku, Te Papa Repatriation Coordinator.

The return was made possible by the 2015 NMNH International Repatriation Policy, which outlines three criteria for the international repatriation of human remains:

1. Named individuals: requests made by relatives for named individuals are eligible for repatriation, regardless of affiliation or country of origin. Lineal descendants are eligible to receive remains of their direct ancestors and these requests have precedence over community interests.

2. Right-of-Possession: NMNH will return remains that are found to have been acquired illegally, or under circumstances which render the museum's claim of title invalid.
3. National Government Support: NMNH will consider requests for the return of remains affiliated with an indigenous community if the request is supported by the national government and the request comes to the SI via that government.

The Maori and Moriori individuals were returned under criterion 3 of the policy, National Government Support. In 2015 NMNH offered to repatriate 37 Australian Aboriginal individuals and six individuals from the Torres Strait Islands to communities through the Government of Australia. Since then Australian government representatives have been working with Aboriginal communities on a timeframe for return. As with the Maori and Moriori repatriation, the Australian individual return is under criterion 3.

#### **NMNH Pilot Workshop for the Identification of Human Skeletal Remains for Native American Repatriation Representatives**

In response to requests from Native American Tribal Historic Preservation Officers and cultural resource managers with responsibility for consulting on human remains issues, such as archaeological investigations or inadvertent discoveries during construction projects, the Smithsonian Institution, National Museum of Natural History's Repatriation Office has developed an Osteology Workshop. Identification of human remains is critical for cultural concerns and project planning; however, human versus non-human identifications can be a challenge when one considers that bones are often fragmentary and incomplete, and may represent individuals of different ages and sizes.

The workshop is designed as a cultural and knowledge exchange between Smithsonian experts and Native specialists. It takes into consideration different Native American cultural perspectives on human remains and is sensitive to individual's needs, such as not directly handling human remains but having an assistant present to facilitate manipulation. Through experience with human and non-human remains, participants explore basic skeletal anatomy, how to recognize important differences between human and non-human remains, and gain proficiency with fragmentary bones. Participants share their experiences

and cultural understandings of human remains customs to better inform Smithsonian staff of the cultural diversity and sensitivities of Native communities.

The pilot workshop was held over three days in November of 2016. Participants included Nick Tipon (Graton Rancheria, California), Sherry White and Bonnie Hartley (Stockbridge-Munsee Tribe of Mohican Indians, Wisconsin), and Erwin White (Menominee Tribe, Wisconsin). According to Sherry White, “I really want to say I thought it was the best training I have had the entire 18 years I worked in Historic Preservation.” The workshop exchange was a great success and the Repatriation Office plans to continue to make it available for any interested tribe or Alaska Native Village.



Osteology Workshop staff and participants (from left) Meredith Luze, Chris Dudar, Erica Jones, Nick Tipon, and Bonnie Hartley examine bones of a walrus flipper in a NMNH comparative collection area for animal bone.

## National Museum of the American Indian

### Multi-tribal Consultations

In April Repatriation Department staff met with several potentially interested tribes both individually and for larger joint consultations during the *To Bridge a Gap* Conference in Kinder, Louisiana. The purpose was to discuss four case reports from Tennessee that address the “Deaccessioned but not yet Repatriated” (DNYR) and newly discovered human remains and funerary objects from seven counties in Tennessee. Consultations took place with several tribes and representatives, including the Muscogee Creek Nation, Chickasaw, Cherokee, and Shawnee Nations, Coushatta Tribe of Louisiana, Eastern Band of Cherokee, United Keetowah Band of Cherokee, and a group discussion with Kosati tribes from Texas, Oklahoma and Louisiana.

### Repatriation of Culturally Unknown Human Remains to the Eastern Band of Cherokee Indians

On October 20, 2016, Repatriation staff assisted Miranda Panther, NAGPRA Officer, and Russell Townsend, Historic Preservation Officer, for the Eastern Band of Cherokee Indians with the physical transfer and cultural responsibility for at least 28 human remains represented by 25 catalog numbers. These ancestral remains were categorized as culturally unknown human remains under the NMAI Repatriation Policy. The impetus for addressing this category of remains came at the direction of then Repatriation Committee Chair, Brenda Toineeta, approximately three years ago. NMAI reached out to three other tribes during this time, but due to changing circumstances these opportunities were no longer available. Ms. Toineeta made the initial contact with her tribe, the Eastern Band of Cherokee Indians, who indicated their potential interest in accepting these culturally unknown human remains. Follow-up with the representatives confirmed their likeminded position that a respectful resting place should be the final dignity afforded every human being. The October 2016 Board meeting marked Ms. Toineeta’s last meeting not only as a Board member but also Chairwoman of the NMAI Board of Trustees. One of her final acts as Board Chair was to officially sign off on the paperwork allowing these human remains to be laid to rest in perpetuity. Following their participation in a joint consultation at the NMAI,



tribal representatives from the Eastern Band of Cherokee provided a personal escort back to North Carolina and the culturally unknown were respectfully laid to rest the next day.



Receipt and Release signing (left to right): Terry Snowball, Miranda Panther, Russell Townsend, and Jackie Swift.



(Left to right): Lauren Sieg, Jackie Swift, Miranda Panther, Russell Townsend, Terry Snowball, and Risa Arbolino.

**Repatriation of Wampum to the Haudenosaunee Standing Committee on Burial Rules and Regulations Representing the Six Nations of the Grand River**

On October 27, 2016, three representatives from the Haudenosaunee Standing Committee on Burial Rules and Regulations (HSCBBR) and the Six Nations of Grand River traveled to the NMAI to retrieve wampum items affiliated with the Six Nations of the Grand River. The representatives retrieved two sets of fragments from prior repatriations that were recently

found in the NMAI collections. The first set was two mask fragments from the 1998 repatriation of medicine masks, and the second set was small hide fragments from eleven wampum belts returned to the Six Nations of the Grand River in 1988. This repatriation was part of a broader claim by the Haudenosaunee Standing Committee for items on behalf of several Haudenosaunee nations; the NMAI continues to work with the Standing Committee and these nations to address the remainder of the claim.



Paul Williams, Six Nations to the Grand River delegate to the HSCBBR, accompanied by tribal representatives Howard Elikjah and Bob Antone.

## Additional Information

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### Repatriation Websites:

NMNH Repatriation: <http://anthropology.si.edu/repatriation/>

NMNH Guidelines and Procedures for Repatriation:  
[http://anthropology.si.edu/repatriation/pdf/NMNH Repatriation Guidelines and Procedures 2012.pdf](http://anthropology.si.edu/repatriation/pdf/NMNH%20Repatriation%20Guidelines%20and%20Procedures%202012.pdf)

NMAI Repatriation: <http://nmai.si.edu/explore/collections/repatriation/>

NMAI Repatriation Policy: <http://nmai.si.edu/sites/1/files/pdf/repatriation/NMAI-RepatriationPolicy-2014.pdf>

### Smithsonian Collections Search Center:

<http://collections.si.edu/search/>

