



2020
ANNUAL REPORT

Repatriation Activities of the Smithsonian Institution

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Repatriation and the Smithsonian An Overview

The Smithsonian Institution has a long and successful history conducting respectful repatriations of Native American human remains and certain cultural objects to their communities of origin. Prior to the passage of 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 to 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 to address the repatriation of Native American human remains and funerary objects. The NMAIA requires 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 for repatriation far exceed any other museum complex in the United States. The Smithsonian is committed to the repatriation and consultation process with Indian tribes throughout the nation. This report to Congress will be sent to the Senate Committee on Indian Affairs, House Subcommittee on Indian Affairs, Congressional Regents, and Government Accountability Office, and it will also be posted on the repatriation websites of the NMNH and NMAI.

Repatriation Activities Year at a Glance

NATIONAL MUSEUM OF NATURAL HISTORY



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Human Remains and Funerary Objects Available for Repatriation or That Have Been Repatriated by the NMNH

	CY 2020 ¹	TOTAL ²
Human Remains³		
Number of Individuals	145	6,447
Catalog Numbers	124	5,831
Funerary Objects (Associated and Unassociated)⁴		
Total Object Count	1,000	222,600
Total Catalog Numbers	27	3,342

1 CY 2020 lists the number of human remains and objects made available for repatriation during the calendar year.

2 Total lists the number of Native American human remains and objects repatriated or made available for repatriation within the United States, through time, including CY 2020.

3 At the NMNH, *Human Remains* mean 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* refer to the quantity of museum numbers assigned to the human remains or objects.

4 *Funerary Objects* refer to 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.

Objects of Cultural Patrimony and Sacred Objects Repatriated by the NMNH

	CY 2020	TOTAL
Objects of Cultural Patrimony⁵		
Total Object Count	0	50
Total Catalog Numbers	0	13
Sacred Objects⁶		
Total Object Count	0	3
Total Catalog Numbers	0	3
Objects of Cultural Patrimony/Sacred Objects⁷		
Total Object Count	0	2
Total Catalog Numbers	0	2
Other Items⁸		
Total Object Count	0	27
Total Catalog Numbers	0	12

⁵ *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).

⁶ *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).

⁷ *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.

⁸ *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.

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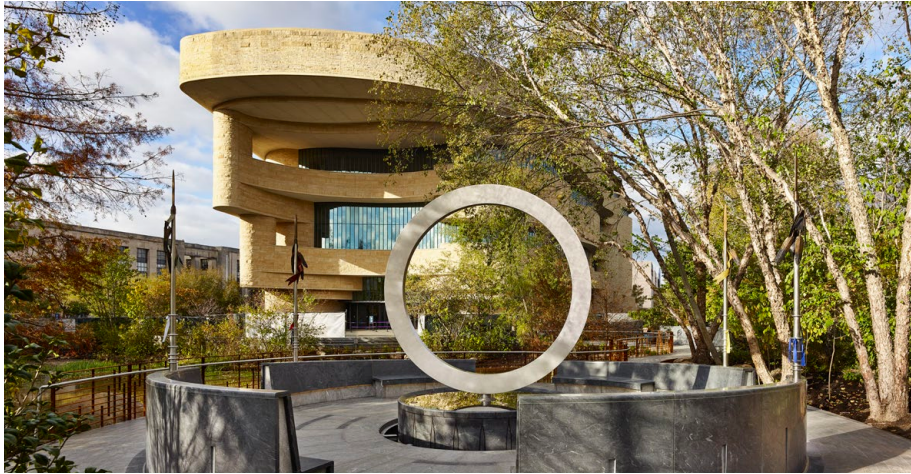


PHOTO: ALAN KARCHNER FOR NMAI

Human Remains and Funerary Objects Repatriated by the NMAI

	CY 2020	TOTAL ⁹
Human Remains¹⁰		
Total Count ¹¹	0	540
Total Catalog Numbers	0	245
Human Remains and Associated Funerary Objects¹²		
Total Object Count	0	44
Total Catalog Numbers	0	41
Funerary Objects (Associated and Unassociated)¹³		
Total Object Count	0	29,646
Total Catalog Numbers	0	1,015

9 Total figures for NMAI include repatriations to tribes in the United States, First Nations in Canada, and Indigenous communities in Latin America.

10 For NMAI, *Human Remains* mean the physical remains of a human body, or any part thereof, whether or not naturally shed, freely given, or culturally modified. In some contexts, human hair may be considered human remains. It is assumed that all human remains in the collection are of Native American ancestry unless otherwise known (NMAI Repatriation Policy 2020).

11 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. The NMAI uses this legacy data for numerical consistency and, when possible, also calculates MNI in its case documentation.

12 This includes human remains and accompanying burial objects that are counted and cataloged together.

13 *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 2020).

Objects of Cultural Patrimony and Sacred Objects Repatriated by the NMAI

	CY 2020	TOTAL
Objects of Cultural Patrimony¹⁴		
Total Object Count	0	19
Total Catalog Numbers	0	9
Sacred Objects¹⁵		
Total Object Count	0	994
Total Catalog Numbers	0	887
Objects of Cultural Patrimony/Sacred Objects		
Total Object Count	0	430
Total Catalog Numbers	0	356

	CY 2020	TOTAL
Objects Acquired Illegally¹⁶		
Total Object Count	0	31
Total Catalog Numbers	0	26

14 *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 2020).

15 *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 2020).

16 *Objects Unethically or Illegally Acquired* refers to the longstanding Smithsonian policy stating that items that have been "stolen, unscientifically gathered or excavated, unethically acquired, or unlawfully exported from their country of origin should not be made part of Smithsonian collections" (SD 600, Section 9.2).

International Repatriation at the NMAI

The NMAI Act and its 1996 amendment address repatriation only to federally recognized Indian Tribes and Native Hawaiian Organizations 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 requests for human remains, associated funerary objects, sacred objects, and objects of cultural patrimony by Indigenous communities outside of the United States on a case-by-case basis. The following table lists the countries outside of the United States where the NMAI has conducted repatriations.

	Year	Province	Country
1	1992	British Columbia	Canada
2	1995	Pichincha	Ecuador
3	1996	Ontario	Canada
4	1996	Cusco	Peru
5	1997	Ontario	Canada
6	1997	Alberta	Canada
7	1997	Ontario	Canada
8	1998	British Columbia	Canada
9	1998	Ontario	Canada
10	1998	Ontario	Canada
11	1999	Alberta	Canada
12	2000	Alberta	Canada
13	2002	British Columbia	Canada
14	2002	Santiago de Cuba, Guantánamo, Pinar del Río	Cuba
15	2002	British Columbia	Canada
16	2007	Alberta	Canada
17	2007	Alberta	Canada
18	2007	El Loa	Chile
19	2007	Arica	Chile
20	2008	Ontario	Canada
21	2012	Ontario	Canada
22	2014	Ontario	Canada
23	2016	Ontario	Canada

ADDITIONAL REPATRIATION ACTIVITIES AT THE NMNH AND NMAI

CY 2020 Tribal Repatriation Visits

	NMNH	NMAI	Joint NMNH-NMAI
Repatriation Consultation Visits			
Number of Representatives	13	1	0
Number of Tribes	5	1	0
Smithsonian-sponsored Visits¹⁷			
Number of Representatives	0	1	0
Number of Tribes	0	1	0

17 The Smithsonian under certain circumstances funds the travel of tribal representatives to visit the Smithsonian as part of the repatriation process. Sponsored visits at the NMNH include both consultation and repatriation visit totals.

18 For NMAI, *Completed Repatriation Reports* 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.

19 For NMAI, *Completed Repatriations* refer to the events where items have been physically returned to tribes, First Nations, or communities.

Claims, Reports, and Repatriations

	NMNH		NMAI	
	CY 2020	TOTAL	CY 2020	TOTAL
Claims				
Claims Received	1	13	0	13
Reports and Repatriations				
Repatriation Reports in Process	7	7	5	5
Completed Repatriation Reports ¹⁸	5	149	1	109
Completed Repatriations ¹⁹	0	125	0	110

Oversight of Repatriation Activities

NATIVE AMERICAN REPATRIATION REVIEW COMMITTEE, NATIONAL MUSEUM OF NATURAL HISTORY

The NMNH Native American Repatriation Review Committee did not hold their meetings in Washington, DC, due to COVID-19. The scheduled April 2020 meeting was canceled and the committee held a video teleconference with the NMNH staff on October 28, 2020, to monitor the progress of repatriation at the museum. The committee is composed of individuals nominated by tribes, tribal organizations, and scientific and museum organizations. The seven-member committee consists of Ian Thompson (Chair), Historic Preservation Department, Choctaw Nation; Darlene Miller (Vice-Chair), Seneca Nation; Jamie Arsenault, Tribal Historic Preservation Officer (THPO), Repatriation Representative and Archives Manager for the White Earth Band of the Minnesota Chippewa Tribe; Irene Dundas, Ketchikan Indian Community; Vincas Steponaitis, Department of Anthropology, University of North Carolina; George Milner, Department of Anthropology, Pennsylvania State University; and Bonnie Styles, Executive Director of the Association of Science Museum Directors.

BOARD OF TRUSTEES, NATIONAL MUSEUM OF THE AMERICAN INDIAN

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, NMAI Repatriation Committee members meet outside full board meetings to complete committee work. All meetings occurred virtually in 2020 due to COVID-19. NMAI Repatriation Committee consists of Colin Kippen (Native Hawaiian), Armstrong A. Wiggins (Mískito), Shari Huhndorf (Yup'ik), Amanda Cobb-Greetham (Chickasaw Nation), Philip J. Deloria (Standing Rock Sioux), Richard Luarkie (Pueblo of Laguna), G. Peter Jemison (Seneca Nation), Leslie Wheelock (Oneida Nation), and Elaine F. Peters (Ak-Chin Indian Community).

Highlighted Repatriation Activities

NATIONAL MUSEUM OF NATURAL HISTORY

In March 2020, when COVID-19 restricted access to Smithsonian buildings for both staff and visitors, digital copies of museum records and digital images in the object collections allowed the Repatriation Office staff to remotely consult with tribal representatives on repatriation issues and also allowed progress to be made on repatriation assessments. The Smithsonian's smooth transition to a virtual workplace permitted staff to continue with the mission of responding to repatriation claims through virtual outreach to communities and online access to Smithsonian resources.

NMNH Adopts Policy for the Repatriation of Culturally Unaffiliated Human Remains and Associated Funerary Objects

In 2020, the NMNH adopted a policy for federally recognized tribes, and in some cases Indian groups that are not federally recognized tribes, to repatriate culturally unaffiliated Native American human remains and associated funerary objects. The National Museum of the American Indian Act, enacted in 1989, and subsequently amended in 1996, provides the basis upon which culturally affiliated human remains and funerary objects are eligible to be repatriated to federally recognized Native American tribes and Native Hawaiian organizations. Although the NMAI Act does not address the status of culturally unaffiliated human remains and associated funerary objects, the Smithsonian's authority to return or repatriate is not limited by the silence of the NMAI Act on that subject.

Requests for the repatriation of culturally unaffiliated human remains and associated funerary objects at the NMNH may be submitted by federally recognized Indian tribes and Native Hawaiian organizations, or, in specific cases, by Indian groups that are not federally recognized. A request from a federally recognized Indian tribe or a Native Hawaiian organization may be submitted: 1) for the repatriation of human remains and associated funerary objects that have previously been determined to be culturally unaffiliated, and/or 2) for the evaluation of human remains and funerary objects that have been reported in inventories with summarized catalog information that were sent to Indian tribes but that have not been fully assessed by the Repatriation Office in consultation with Indian tribes to determine whether they are culturally affiliated or culturally unaffiliated.

Only federally recognized tribes and Native Hawaiian organizations have standing to make repatriation requests under the NMAI Act. Upon receipt of a request, the NMNH will consult with tribal representatives and also with other relevant Indian tribes and Native Hawaiian organizations. As a result of the new NMNH policy, Indian groups that are not federally recognized can now initiate a repatriation request when they have a relationship of cultural affiliation with human remains and associated funerary objects that are held at the NMNH, and when there are no culturally affiliated federally recognized tribes. The full policy can be found at <https://naturalhistory.si.edu/sites/default/files/media/file/nmnh-policy-culturally-unaffiliated-2020.pdf>

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During COVID-19, Repatriation staff continued to conduct research on multiple repatriation cases, attend virtual conferences and trainings, and find areas of collaboration through museum panel discussions focused on current repatriation events and challenges.

Comanche Nation Consultation

On January 21, Jimmy Arterberry, a Comanche Nation tribal member, travelled to Washington, DC, to review and discuss items under claim by the Comanche Nation with Repatriation staff. Mr. Arterberry, a former Tribal Historic Preservation Officer with the Comanche Nation, provided an overview of Comanche history and contextualized warfare in Comanche society from the perspective of both a tribal member and a scholar. During the review of items under claim, the knowledge that Arterberry shared was particularly valuable for understanding more about items with limited information in museum records.

Jimmy Arterberry (Comanche) reviewing an item under claim with NMAI Repatriation Manager Jackie Swift (Comanche/Ft. Sill Apache), left, and Research Specialist Lauren Sieg.



Research Specialist Lauren Sieg, Repatriation Coordinator Terry Snowball (Ho-Chunk), and Research Specialist Samantha Hixson (right) working with Jimmy Arterberry (Comanche), left, to update museum records and properly document items under claim.



The NMAI Repatriation Committee approved the report *Repatriation Assessment for Items under Claim by the Comanche Nation* on November 25, 2020. When it is safe for repatriation activities to resume, NMAI staff will work in collaboration with the tribe to ensure an expeditious return.

Update to Human Remains Category Definition of NMAI Repatriation Policy

In June 2020, the NMAI Board of Trustees approved a change to the category definition of *Human Remains* in the NMAI Repatriation Policy. This update signifies that instead of limiting or qualifying parts of the human body, all parts are recognized as human remains and eligible for repatriation. Today, the policy now defines human remains as the “physical remains of a human body, or any part thereof, whether or not naturally shed, freely given, or culturally modified. In some contexts, human hair may be considered human remains.” The NMAI Board of Trustees codified this change with Resolution 06-19 that “respects the authority of lineal descendants” and “supports the sovereignty of Indigenous Peoples to seek the return of ancestral remains in a manner that they determine to be culturally appropriate.”

Adapting to the New Normal: Repatriation’s Intern and Fellowship Program

In response to the COVID-19 pandemic and the subsequent mandatory teleworking requirement, one of the most important tasks for the Repatriation Department was to innovate and adapt its programs to a virtual

format. One of the areas involved exploring meaningful ways to host summer interns. The Repatriation Department redesigned the intern and fellowship program to mentor four interns from the United States and Canada in 2020.

Below are highlights of the Repatriation Intern/Fellowship Virtual Program that included a policy and case study, archival research, and data visualization project.

Repatriation Policy Analysis: Samantha Giguere (Thessalon First Nation) is an Archaeology and Indigenous Studies Major at University of Toronto. The goal of Ms. Giguere's project was to compile a representative sample of U.S. museum repatriation policies and analyze them to create a picture of repatriation policy trends in 2020 as well as to explore the creativity of museum policies with regards to repatriation.

Provenance Research: Hannah Fritschner is currently pursuing an MSc in Collecting and Provenance Research in an International Context from the University of Glasgow, Scotland. Ms. Fritschner investigated the provenance details for an active repatriation case to help her pursue her goal of becoming a provenance researcher.

Provenance Research: Rachel Thimmig is working towards her PhD in Archaeology at Brown University. Ms. Thimmig researched the influx of non-Native goods into the Great Lakes region and the agency of Indigenous people in directing the use and circulation of items made from trade metal. This research focused on material culture and social transformations of the post-Contact period, providing important information on object identifications for a pending claim.

Data Visualization Project: Elka Lee-Shapiro participated in SI's Internship to Fellowship (I2F) Program that partners with the Asian Pacific American Heritage Center and the Latino Center to introduce recent college graduates to the diversity of career opportunities in the fields of museum sciences and support. Ms. Shapiro utilized the visual analytics platform Tableau, an interactive data visualization software, to help tell the history of NMAI's Repatriation program through creative maps, charts, and graphs.

Additional Information

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Repatriation Websites

NMNH Repatriation:

<http://Naturalhistory.si.edu/research/anthropology/programs/repatriation-office>

NMNH Guidelines and Procedures for Repatriation:

<https://naturalhistory.si.edu/sites/default/files/media/file/repatriation-guidelines-and-procedures-2012.pdf>

NMAI Repatriation:

<http://AmericanIndian.si.edu/explore/collections/repatriation/>

NMAI Repatriation Policy:

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

Smithsonian Collections Search Center:

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

