

**ARCHAEOLOGY COLLECTION  
NAGPRA PROCEDURE**

The following are the steps taken by MDAH regarding NAGPRA Claims:

1. Consultation
2. Receive a Claim
3. Invitation to Consult
4. Publish Notice(s)
5. Review and Request
6. Transfer of Control
7. Transfer of Possession

**1. The Consultation Process**

MDAH participates in ongoing consultation with Tribal partners regarding NAGPRA inventories, summaries, claims, and notices. This continual consultation allows MDAH's Tribal partners to play an active role throughout the NAGPRA process from initial assessment to transfer of possession.

**2. Receive a Claim**

Lineal descendants or federally recognized Tribes can submit claims for individuals and cultural objects listed on MDAH's Inventories and Summaries. To submit a claim, please complete the *NAGPRA Claims Submission form* or mail a Claim Letter to MDAH at the address listed above.

**3. Invitation to Consult**

Upon receipt of a claim, MDAH will prepare and send an Invitation to Consult to all Tribal partners. Support of the submitted claim or deferral to a federally recognized Tribe or Nation can be submitted to MDAH at this time.

**4. Publish Notices**

Depending on the claim, a Notice of Inventory Completion (for human remains and associated funerary objects) or Notice of Intent to Repatriate (for unassociated funerary objects, sacred objects, and/or objects of cultural patrimony) will be made available to the claimant. Once reviewed by the claimant, the notice will be submitted to the National NAGPRA Program for publication. Claims can be disputed for up to 30 days by law. If a claim is not disputed, it will move forward for transfer to the claimant.

**5. Review and Request**

If a claim is disputed and/or a counter claim is submitted during the 30 days after the publication of Notice of Inventory Completion or Notice of Intent to Repatriate, all claims will be reviewed according to federal regulations and the preponderance of evidence available. MDAH will request information related to Tribal homelands and determining factors for assistance in this process.

**6. Transfer of Control**

Claims to individuals, objects, and/or collections that are not disputed will be prepared for transfer to the claimant, according to preferences specified by the claimant. The claimant will be supplied with a *Transfer of Control Form* to formalize the exchange of ownership. If multiple Tribes or Nations are participating in a joint claim, MDAH will request written documentation from each participant

acknowledging the transfer of the claimed individuals, objects, or collections to a single Tribe or Nation on the behalf of all participants.

#### 7. Transfer of Possession

Individuals, and/or cultural objects will be physically transferred on the time, date, and manner agreed upon by MDAH and the claimant. Official documentation acknowledging the finalization of the transfer will be signed, and all involved parties will receive a copy.