

CHARTER

NATIVE AMERICAN GRAVES PROTECTION AND
REPATRIATION REVIEW COMMITTEE

1. The official designation of the committee is the Native American Graves Protection and Repatriation Review Committee.
2. The purpose of the Committee is, in an advisory capacity, to monitor and review the implementation of the inventory and identification processes and repatriation activities required under sections 5, 6, and 7 of Public Law 101-601.
3. In view of the objectives, scope and purposes of the Committee, it is expected to continue into the foreseeable future. The Committee shall terminate at the end of the 120-day period beginning on the day the Secretary certifies, in a report submitted to Congress, that the work of the Committee has been completed.
4. The Committee reports to the Secretary, U. S. Department of the Interior, 18th & C Streets, N.W., Washington, D. C. 20240.
5. Support for the Committee is provided by the National Park Service, Archeological Assistance Division, U. S. Department of the Interior.
6. The duties of the Committee as set forth below are solely advisory. Specifically, the Committee shall be responsible for:
 - a. monitoring the inventory and identification process to ensure a fair, objective consideration and assessment of all available relevant information and evidence;
 - b. reviewing and making findings relating to the identity or cultural affiliation of certain items, or the return of such items, upon the request of any affected party;
 - c. facilitating the resolution of any disputes among Indian tribes, Native Hawaiian organizations, or lineal descendants and Federal agencies or museums relating to the return of such items including convening the parties to the dispute if deemed desirable;
 - d. compiling an inventory of culturally unidentifiable human remains that are in the possession or control of each Federal agency and museum and recommending specific actions for developing a process for disposition of such remains;

e. consulting with Indian tribes, Native Hawaiian organizations and museums on matters pertaining to the work of the Committee affecting such tribes or organizations;

f. consulting with the Secretary in the development of regulations to carry out Public Law 101-601;

g. performing such other related functions as the Secretary may assign to the Committee;

h. making recommendations, if appropriate, regarding future care of cultural items which are to be repatriated; and

i. submitting an annual report to Congress on the progress made and any barriers encountered in carrying out the Committee responsibilities during the year.

7. The estimated annual operating cost of the Committee is \$85,000, which includes the cost of one-fourth person-year of staff support.

8. The Committee will meet approximately two times a year, although it may convene more often if there is an immediate need for consultation, advice, and review. All meetings of the Committee shall be subject to the provisions of the Federal Advisory Committee Act, 5 U.S.C. Appendix (1988).

9. The Committee shall terminate at the end of the 120-day period beginning on the day the Secretary certifies, in a report submitted to Congress, that the work of the Committee has been completed. The Committee is subject to rechartering every 2 years on the biennial anniversary of November 16, 1990, the date of enactment of Public Law 101-601, which established the Committee. The Committee shall take no action unless the filing requirements of sections 9 and 14 of the Federal Advisory Committee Act have been complied with. This charter will be effective from the date filed to November 16, 1992.

10. The Committee shall be composed of seven members appointed by the Secretary of the Interior as follows:

a. three members appointed from nominations submitted by Indian tribes, Native Hawaiian organizations, and traditional Native American religious leaders, with at least two of such persons being traditional Indian religious leaders;

b. three members appointed from nominations submitted by national museum organizations and scientific organizations; and

c. one member appointed from a list of persons developed and consented to by all members appointed pursuant to subparagraphs 10a. and 10b.

The Committee shall designate one member to be Chairperson. The Secretary may not appoint Federal officers or employees to the Committee. The Secretary shall establish such rules and regulations for the Committee as are necessary.

11. Terms of appointment shall be for 5 years, but all appointments shall terminate upon the termination of the Committee. Any vacancy on the Committee shall be filled in the same manner in which the original appointment was made within 90 days of the occurrence of such vacancy. If no successor is appointed prior to the expiration of a member's term, then the incumbent may continue to serve until the new appointment is made, provided that a charter under provisions of the Federal Advisory Committee Act is in effect.

12. Members of the Committee shall serve without pay, but shall be reimbursed at a rate equal to the daily rate for GS-18 of the General Schedule for each day (including travel time) for which the member is actually engaged in Committee business. While away from their homes or regular places of business in the performance of services for the Board, members shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in government service are allowed such expenses in accordance with section 5703 of Title 5 of the United States Code.

13. The Departmental Consulting Archeologist, or in his absence a designee, will serve as the Designated Federal Officer as required by section 10 of the Federal Advisory Committee Act.

14. The Native American Graves Protection and Repatriation Review Committee was established by section 8 of Public Law 101-601, November 16, 1990.


Secretary of the Interior

Date Signed: August 2, 1991

Date Charter Filed: August 2, 1991