

104TH CONGRESS
2^D SESSION

S. 1983

AN ACT

To amend the Native American Graves Protection and Repatriation Act to provide for Native Hawaiian organizations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. AMENDMENTS TO THE NATIVE AMERICAN**
2 **GRAVES PROTECTION AND REPATRIATION**
3 **ACT.**

4 (a) WRITTEN CONSENT REQUIRED IF NATIVE AMER-
5 ICAN REMAINS ARE EXCAVATED OR REMOVED FOR PUR-
6 POSES OF STUDY.—Section 3(c) of the Native American
7 Graves Protection and Repatriation Act (25 U.S.C.
8 3002(c)) is amended—

9 (1) in paragraph (3), by striking “and” at the
10 end of the paragraph;

11 (2) in paragraph (4), by striking the period and
12 inserting “; and”; and

13 (3) by adding at the end the following new
14 paragraph:

15 “(5) in the case of any intentional excavation or
16 removal of Native American human remains for pur-
17 poses of study, such remains are excavated or re-
18 moved after written consent is obtained from—

19 “(A) lineal descendants, if known or read-
20 ily ascertainable; or

21 “(B) each appropriate Indian tribe or Na-
22 tive Hawaiian organization.”.

23 (b) REQUIREMENTS FOR INADVERTENT DISCOV-
24 ERIES.—Section 3(d) of the Native American Graves Pro-
25 tection and Repatriation Act (25 U.S.C. 3002(d)) is
26 amended—

1 (1) in paragraph (1), by striking “with respect
2 to tribal lands, if known or readily ascertainable”
3 and inserting “. With respect to tribal lands, such
4 notification shall be provided to each appropriate In-
5 dian tribe or Native Hawaiian organization,”; and

6 (2) in paragraph (2), by adding at the end the
7 following: “Any person or entity that disposes of or
8 controls any such cultural item shall adhere to the
9 applicable requirements of subsection (c).”.

Passed the Senate September 13, 1996.

Attest:

Secretary.

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