

104TH CONGRESS  
2D SESSION

# S. 1983

---

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 16, 1996

Referred to the Committee on Resources

---

## 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:

Kelly D. Johnston,  
*Secretary.*