



National Preservation Institute

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NAGPRA and ARPA: Applications and Requirements

Seminar Overview

Review the historical context and intent of the Native American Graves Protection and Repatriation Act (NAGPRA), Archaeological Resources Protection Act (ARPA), and the National Historic Preservation Act (NHPA) as they relate to each other. Learn how these laws apply to the protection of federal and tribal lands and address issues of cultural heritage sites, districts, and landscapes. Examine differences in legal definitions, when and how regulations apply, and permit requirements. Discuss practical applications and effective strategies for developing agreements prior to ground-disturbing actions.

Agenda

Introduction

ARPA

- Historical context and background
- Antiquities Act and case law
- Regulations and requirements
- Definitions and interpretations
- Case law
- Implementation and applications
 - on federal land
 - on tribal land
- Other ARPA issues
- Curation
- Public education

NAGPRA

- Overview of statute and regulations
- Definitions and interpretations
- Section 3 implementation
- Project development
 - on federal land
 - on tribal land
- Implementation and applications
- Consultation
- Current and historical case law
- Coordination with other cultural heritage laws and environmental requirements

- Curation
- Development of comprehensive agreements and a plan of action

Case Study

- Utilization, application, and integration of NAGPRA, ARPA, NHPA, Section 106, NEPA, plus recent interpretations

Wrap-up and conclusions