

**Tribal Cultural Resources Law in California:
A Training Series for Tribes
Unit 8 - Executive Summary**

Unit Title: Repatriation Disputes, Decisions, Dispositions and Transfers

Outline of Training:

This unit covers the possible outcomes of the repatriation claim process. The unit will include a review of the process for disputes, mediation, and appeal. Various dispositions of repatriated human remains, and tribal cultural resources will be explored. The difference between legal versus physical custody in relation to repatriated human remains and cultural resources will be explained.

This unit is grouped into five parts:

Part 1: Disputes

Part 2: Mediation

Part 3: Appeals

Part 4: Dispositions and Transfers

Part 5: Penalties and Enforcement

This unit takes 44:11 minutes to complete.

Target outcomes:

- The audience will better understand the difference between claim objections based on cultural affiliation, human remains, and cultural items.
- The audience will learn about the NAHC mediation process, including an agency determination, determination enforcement, and appeals.
- The audience will understand what penalties exist under federal and state law for failure to dispose or transfer human remains and cultural items.

Discussion Questions

The following questions can be used to discuss this topic withing a training group:

1. What tribal traditional knowledge, oral histories, and other documentation does your community have to support repatriation claims? Discuss a plan for presenting this information to the NAHC.
2. What alternatives to possession would your community accept in a Repatriation Agreement? Discuss how these alternatives vary for different cultural resources.