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July 24, 2020

## **University of California Native American Cultural Affiliation and Repatriation Interim Policy**

Enclosed is the University of California's interim policy on Native American Cultural Affiliation and Repatriation, which adopts as a fundamental value the repatriation of Native American and Native Hawaiian human remains and cultural items. I am issuing this policy as interim in order to allow tribes that have not been able to review the policy due to the COVID-19 pandemic additional time to comment on the policy through November 15, 2020.

In revising the policy, UC consulted with a broad coalition of experts and stakeholders, most importantly, the Native American tribal communities in California. We held public, live-streamed sessions with tribes across the state, conducted one-on-one meetings with tribal leaders and representatives, and reviewed volumes of submitted comments received by email, phone, and letter. In all, we issued three draft versions of the policy and received over 137 letters and other forms communication, containing over 1,200 comments. We pored through every comment received and responded to as many suggestions as possible in the revised policy.

The fundamental value of repatriation undergirds the revised policy and the University is committed to repatriating human remains and cultural items in a far more timely and respectful manner than in the past. Amongst many other important features, below is a list of key themes included in the policy:

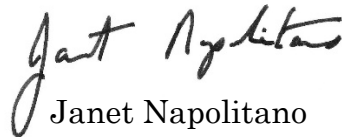
- Requires equal UC and tribal representation on campus and systemwide committees;
- Embraces a consultation process that promotes relationships, transparency and respect. It provides a flowchart of the repatriation process to promote implementation consistency across the UC system;
- Requires the reevaluation of previous determinations of Culturally Unidentifiable Human Remains or Associated Funerary Objects;
- Respects and acknowledges the value of oral histories and tribal sources of evidence in making determinations; and
- Prohibits the use of human remains and cultural items for research without explicit tribal approval.

Importantly, I issue this policy with an apology:

On behalf of the University of California, I apologize for the University's role in the acquisition of human remains of Indigenous, Native American and Native Hawaiian ancestors and their cultural items that were obtained in violation of Indigenous communities' spiritual and cultural beliefs, often without their free, prior, and informed consent. UC is committed to fully implementing the spirit as well as the legal requirements of both the federal Native American Graves Protection and Repatriation Act (NAGPRA) and California NAGPRA (CalNAGPRA), enacted to acknowledge the fundamental human right of Native Americans and Native Hawaiians to their ancestral Human Remains and Cultural Items.

I am confident this policy strengthens the University's practices and procedures to facilitate the repatriation of Native American and Native Hawaiian human remains and cultural items. The issuance of this interim policy is by no means a conclusion to the University's efforts. The University must continue to build on the foundation of this policy in order to ensure robust practices and procedures that align with our values.

Yours very truly,

A handwritten signature in black ink that reads "Janet Napolitano". The signature is written in a cursive style with a large initial "J".

Janet Napolitano  
President

cc: Michael T. Brown, Provost