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104TH CONGRESS

2D SESSION H. R. 4084 To amend the Native American Graves Protection and Repatriation Act

to provide for Native Hawaiian organizations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 1996 Mr. ABERCROMBIE (for himself and Mr. FALEOMAVAEGA) introduced the
following bill; which was referred to the Committee on Resources

A BILL To amend the Native American Graves Protection and Repa-

triation Act to provide for Native Hawaiian organiza-tions, 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,

3 SECTION 1. AMENDMENTS TO THE NATIVE AMERICAN

4 GRAVES PROTECTION AND REPATRIATION
5 ACT.

6 (a) WRITTEN CONSENT REQUIRED IF NATIVE AMER-

7 ICAN REMAINS ARE EXCAVATED OR REMOVED FOR PUR-
8 POSES OF STUDY.—Section 3(c) of the Native American
9 Graves Protection and Repatriation Act (25 U.S.C.
10 3002(c)) is amended—

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1 (1) in paragraph (3), by striking ‘‘and’’ at the
2 end of the paragraph;

3 (2) in paragraph (4), by striking the period and
4 inserting ‘‘; and’’; and
5 (3) by adding at the end the following new

6 paragraph:
7 ‘‘(5) in the case of any intentional excavation or

8 removal of Native American human remains for pur-
9 poses of study, such remains are excavated or re-

10 moved after written consent is obtained from—

11 ‘‘(A) lineal descendants, if known or read-
12 ily ascertainable; or

13 ‘‘(B) the appropriate Indian tribe or Na-
14 tive Hawaiian organization.’’.
15 (b) REQUIREMENTS FOR INADVERTENT DISCOV-

16 ERIES.—Section 3(d) of the Native American Graves Pro-
17 tection and Repatriation Act (25 U.S.C. 3002(d)) is
18 amended—

19 (1) in paragraph (1), by striking ‘‘with respect
20 to tribal lands, if known or readily ascertainable,’’

21 and inserting a period and the following: ‘‘With re-
22 spect to tribal lands, such notification shall be pro-

23 vided to the appropriate Indian tribe or Native Ha-
24 waiian organization,’’; and

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1 (2) in paragraph (2), by adding at the end the
2 following: ‘‘Any person or entity that disposes of or

3 controls any such cultural item shall adhere to the
4 applicable requirements of subsection (c).’’.

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