



National Preservation Institute

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Native American Cultural Property Law

Seminar Overview

Review the federal laws intended to preserve Native American heritage through the protection of cultural practices and sacred lands. Examine the use of statutes as tools to manage tangible and intangible cultural property. Discuss government-to-government obligations, court decisions, and case studies to illustrate federal policies and practice. Consider the legal, cultural, and historical perspectives resulting from decisions affecting Native American cultural property. Learn how the consultation process enables tribes, federal entities, and other parties to achieve resolution.

Agenda

- Brief history of Indian law
- Basis of government-to-government relationship
- Cultural paradigms: integrating federal mandates with tribal belief
- Intellectual, intangible and tangible cultural property
- Overview of statutes as tools—NEPA, NHPA, NAGPRA, ARPA, Indian Arts and Crafts, AIRFA, RFRA
- Consultation process and how to make it more effective
- Issues in custody and collections—subject to or not subject to NAGPRA
- Courts and case studies