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Repatriation of Ancient Human Remains

June 16, 2009 - - Because ancient human remains are uncovered with some frequency in Utah, the repatriation process is crucial. According to a process spelled out by state law, repatriation is a collaboration between the Division of Indian Affairs and the Division of State History, assisted by leadership of the Department of Community and Culture. The first repatriation completed under state law demonstrates that state human remains laws do work. The Paiute tribe recently made a claim, and this claim was honored.

In May, the skeletal remains of a small child were repatriated to the Paiute tribe. In accordance with state statute, the Antiquities Section of State History excavated the remains after they were discovered by a member of the public, eroding from an unstable sand dune. The Antiquities Section is also charged by law to determine cultural affiliation. Based on historical data, including historic artifacts found with the child, Antiquities made a determination, the child was buried roughly between 1860 and 1890 and the remains were likely Ute or Paiute.

“Swift and smooth execution of the State NAGPRA (Native American Graves Protection and Repatriation Act) law is crucial to the American Indian people of Utah,” said Forrest Cuch, director of the Division of Indian Affairs. “When human remains are disturbed, the tribes prefer that they be returned to the earth as soon as possible.”

Philip F. Notarianni, director of the Division of State History, concurred. “Federal and state laws have been passed specifically in order to respect individuals and their modern relatives. For this reason, the Utah State Legislature recently addressed this issue.”

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