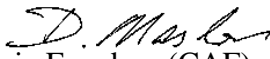


 UNIVERSITY OF CALIFORNIA | Academic Senate
UCRIVERSIDE |
COMMITTEE ON ACADEMIC FREEDOM

October 1, 2019

To: Dylan Rodriguez, Chair
Riverside Division of the Academic Senate

From: Dmitri Maslov, Chair 
Committee on Academic Freedom (CAF)

Re: Presidential Policy on Native American Cultural Affiliation and
Repatriation

The Committee on Academic Freedom considered the proposed revised Presidential Policy on Native American Cultural Affiliation and Repatriation ("Revised Policy"), submitted for Systemwide Review on August 19, 2019.

The policy deals with a set of highly complex issues, and some committee members indicated they feel "inadequate to judge the merits of the ethics and coverage of the policy and would leave that to experts." From the perspective of academic freedom, this policy's issues may be outside of the CAF domain.

There were questions or comments of a technical nature made by the Committee members. The draft describes the procedures for handling and repatriation of remains and materials within the national border; however, it does not provide any guidance for cases when such materials have to move ACROSS the border. What is the relationship between the UC and repatriation of remains or material artifacts of indigenous peoples who reside OUTSIDE of the national borders of what is now the United States? Is this question covered by another policy statement? The draft gives a definition and procedure for handling confidential information (p. 3). However, there is also the need to address long term rights of indigenous communities on the information originally disclosed as NONCONFIDENTIAL. What rights, ultimately, do these communities or their individual members retain to their information? More specifically, are they able to reclassify such materials/information to being CONFIDENTIAL or impose other restrictions, thereby preventing use of that information? Under Composition of Campus Native American Repatriation Implementation and Oversight Committee (pp. 15 and 16): The language of the draft (p. 16) refers to three members of the UC. But it does not state that the UC must be the campus itself and that the three members are to be faculty (although that may be assumed).