

<Insert Letterhead>

**<Insert Tribe Name Here>  
FORMAL TRANSFER OF CONTROL  
REPATRIATED ANCESTRAL HUMAN REMAINS  
AND ASSOCIATED FUNERARY OBJECTS  
FROM <Insert Institution Name Here>  
<Insert NIC Info Here >**

**This Transfer of Control (“TOC”) is required by the <insert Tribe Name> (the Tribe) to document the transfer of legal ownership and control of Native American human remains (“Remains”), associated funerary objects, unassociated funerary objects, sacred objects, and objects of cultural patrimony (“Objects”) in compliance with the Native American Graves Protection and Repatriation Act, Pub. L. 101-601, 25 U.S.C. 3001 et seq., 104 Stat. 3048 (NAGPRA).**

The <insert institution name>, certifies that it currently holds legal control/custody of Native American Human Remains (Remains) identified in the Notice of Inventory Completion (NIC) published in the Federal Register on <insert date>, Vol. \_\_, No. \_\_, and identified by the <insert institution name> and the <insert Tribe Name>, through consultation, as Native American ancestral remains and associated funerary objects wrongfully disinterred from their grave locations in <insert county information>, within the state of \_\_\_\_\_ and located within the ancestral homeland of the <insert Tribe Name>.

Through this TOC, the <insert institution name > does hereby acknowledge the completion of a formal repatriation process and the final release and transfer of any and all rights of ownership, custody and/or control of the human remains and associated funerary objects provided in the notice as detailed to the federally recognized <insert Tribe Name>.

The <insert Tribe Name > acknowledges that final Transfer of physical possession will occur on a date, at an agreed upon location, and in a manner agreeable to the <insert institution name> and the <insert Tribe Name>.

**Surety of Action - Identification and Repatriation Process:**

Human/Ancstral Remains & Associated Funerary Objects: Pursuant to 25 U.S.C. 3001(9), the human remains and associated funerary objects described in the NIC include the following:

Site: < County/State/Site Name if appropriate>

MNI:                      AFO:

Site:

MNI:                      AFO:

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Site: MNI: ▲ AFO:

Site: MNI: AFO:

**Total number of Ancestors (MNI) and their grave objects (AFO) presented in the  
Notice of Inventory Completion for Repatriation-** MNI: AFO:

Affiliation: Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity established by place that can be reasonably traced between the Native American Remains and Associated Funerary Objects and the <insert Tribe Name>.

The <insert institution name > confirms that, to the best of its institutional knowledge, the Remains and Associated Funerary Objects have not been treated with pesticides, preservatives, or other substances that represent a potential hazard to the remains or to persons handling them. This status is acknowledged by the <insert Tribe Name>.

The < insert Tribe Name > confirms this repatriation will adhere to the Tribe’s internal procedures for the permanent documentation of this Transfer of Control action and will take such steps as are considered necessary pursuant to otherwise applicable law to ensure that any information determined to be of a sensitive nature is not made available to the general public. The < insert institution name > and the Tribe affirm that this Transfer of Control is the final documentation required by the Tribe for legal transfer of ownership and/or control described herein and involves no financial or other compensation by either party.

The < insert institution name > and the Tribe affirm that to the best of their knowledge this transfer is not subject to any restrictions under relevant Federal, State, or local law, regulation, or ordinance.

**SOVEREIGN IMMUNITY AND DISPUTE RESOLUTION**

Nothing in this TOC shall constitute a waiver of sovereign immunity by <insert Tribe Name>, or that of its officers or agents. In the event a dispute arises the dispute shall be resolved by traditional methods of the Tribe.

**CERTIFICATION AND INDEMNIFICATION AGREEMENT**

The <insert institution name > certifies that it is currently in legal possession and control of the Human Remains and Associated Funerary Objects.

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The < insert institution name > further agrees to indemnify, hold harmless and defend the Tribe its officers, employees, agents, affiliates, and entities from and against all claims, demands, actions, suits, damages, liabilities, losses, settlements, judgments, fines, costs and expenses, whether or not involving a third-party claim, which arise out of or relate to the possession, control, custody, repatriation and reburial of the Remains.

Finally, <insert institution name > and the Tribe certify that the designated party signing this Agreement has carefully read, understands and agrees to its terms, and is authorized and possessed of legal authority to enter its terms and to bind their respective principals thereto.

**CERTIFICATION**

\*This document is being executed via electronic signature.

**<Insert Institution Name >**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**<Insert Tribe Name>**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date