



# United States Department of the Interior

## Office of Inspector General


Central Region Audits  
134 Union Boulevard, Suite 510  
Lakewood, Colorado 80228

Report No. C-VS-BLM-0001-2007

March 1, 2007

### Memorandum

To: Director, Bureau of Land Management  
Assistant Secretary for Policy, Management and Budget  
(Attention: Associate Director for Finance, Policy and Operations)

From: Jack Rouch   
Regional Audit Manager

Subject: Verification Review of the Two Recommendations From Our Audit Report,  
"Native American Graves Protection and Repatriation Activities, Bureau of Land  
Management" (Report No. 00-I-377)

We completed a verification review of the two closed recommendations from the subject audit report. The objective of this review was to determine whether the two recommendations were implemented as reported by the Bureau of Land Management (BLM).

We determined that Recommendation 1 was not implemented and Recommendation 2 was implemented. We request that PFM reinstate Recommendation 1 and take appropriate follow-up action. The status of the recommendations is summarized in the Appendix. The results of the verification review are summarized in the Results of Review section.

### Background

Our May 2000 audit report "Native American Graves Protection and Repatriation Activities, Bureau of Land Management" (No. 00-I-377) made two recommendations to correct deficiencies related to compliance with requirements of the Native American Graves Protection and Repatriation Act (NAGPRA) and BLM policy.

In a March 31, 2000 response to the draft audit report, BLM concurred with the two recommendations. BLM provided a target date of September 30, 2002, for implementation of Recommendation 1. Based on BLM's response and subsequent information they provided, we considered Recommendation 1 resolved but not implemented and Recommendation 2 resolved and implemented. In May 2000 we referred Recommendation 1 for tracking of implementation to the Office of Policy, Management and Budget (PMB) and in December 2000, we received a

Memorandum from the Office of Financial Management (PFM) stating that Recommendation 1 was implemented and closed.

### **Scope and Methodology**

The scope of our review was limited to determining whether BLM implemented the recommendations as reported. To accomplish our objective, we reviewed the supporting documentation that BLM submitted to close the recommendations. We also interviewed BLM personnel and reviewed additional information. We did not perform site visits or conduct detailed fieldwork to determine whether the underlying deficiencies identified in the original audit report have been corrected.

This review was not conducted in accordance with the *Government Auditing Standards* issued by the Comptroller General of the United States.

### **Results of Review**

**Recommendation 1: Develop and implement an overall action plan for the Utah State Office to ensure completion in an expeditious manner of all NAGPRA requirements regarding human remains (inventorying, determining tribal affiliation, consulting with the tribes, formally reporting, and repatriating, as appropriate).**

In response to the recommendation, BLM's Utah State Office developed the NAGPRA Work Plan, dated June 5, 2000. Although PFM reported in a December 2000 closure memorandum that BLM had completed the actions required to implement Recommendation 1, we found that the Work Plan had not been fully implemented. Specifically, we found that while BLM made significant progress in implementing the Work Plan, it had not submitted information related to unidentified remains to the National Park Service Manager of the NAGPRA Program. A BLM headquarters official stated that based on a recent review of applicable NAGPRA files at the Utah State Office, additional work was needed to complete the Work Plan. To complete the additional work, in January 2007, BLM prepared a revised NAGPRA Action Plan for the Utah State Office. Until the revised plan actions are completed, we consider Recommendation 1 not implemented.

**Recommendation 2: Ensure that BLM senior-level managers monitor compliance with the BLM policy regarding the prohibition of reburial of Native American remains on BLM-managed public land and take appropriate action for noncompliance with the policy.**

In response to the recommendation, BLM Colorado State officials, who had not complied with the policy, issued Instruction Memorandum CO-2000-016 on February 18, 2000. The policy reaffirmed the prohibition of reburial of repatriated, removed, or transferred human remains and/or other NAGPRA materials on public lands. BLM also included its policy regarding the prohibition of reburial of Native American remains on BLM-managed public lands in the BLM Manual Handbook H-8120-1 "Guidelines for Conducting Tribal Consultation," dated December 3, 2004. BLM issued new policy in IM 2007-002 "Bureau of Land Management (BLM) Reburial Policy on BLM Lands," dated October 11, 2006, which states that "Reburial of NAGPRA items on public lands may be authorized on a case-by-case basis." Based on BLM's corrective actions, we consider Recommendation 2 to be implemented.

## **Conclusion**

At the exit conference on February 6, 2007, we informed both BLM and PFM officials that we concluded that Recommendation 1 was not implemented and Recommendation 2 was implemented and properly closed. We request that PFM reinstate Recommendation 1 and take appropriate follow-up action. BLM should provide PFM the revised NAGPRA Action Plan for the Utah State Office, a target date for implementation, and the title of a responsible official. When completed, BLM should provide documentation to PFM to support that the Action Plan was fully implemented.

## **Responding to the Report**

We request that PFM provide a written response to this report by April 16, 2007, indicating whether it reinstated Recommendation 1. If applicable, the response should provide PFM's reasons for not reinstating the recommendation.

If you have any questions regarding this report, please call me at 303-236-9243.

cc:     Audit Liaison Officer, Assistant Secretary for Land and Minerals Management  
          Audit Liaison Officer, Department of the Interior  
          Audit Liaison Officer, Bureau of Land Management  
          Focus Leader for Management Control and Audit Follow-up  
          Group Manager, Division of Cultural and Paleontological Resources and Tribal  
              Consultation  
          National Curator and NAGPRA Coordinator, Division of Cultural and Paleontological  
              Resources and Tribal Consultation

**STATUS OF PRIOR AUDIT REPORT RECOMMENDATIONS**

<b><u>Recommendation</u></b>	<b><u>Status</u></b>	<b><u>Action Required</u></b>
1	Resolved and Not Implemented	We are requesting the Office of Financial Management reinstate the recommendation. BLM should provide the revised NAGPRA Action Plan for the Utah State Office, including the target date for implementation and the title of the official responsible for implementation.
2	Resolved and Implemented	No Action Required.