



RECOMMENDATION RESOLUTION

Historic Preservation Commission

Recommendation Number: (2020-02RR): Recommending the San Marcos City Council support the repatriation efforts of the Miakan-Garza Band of the Coahuiltecan people.

WHEREAS, the City's Comprehensive Plan, "Vision San Marcos: A River Runs Through Us," recognizes that the citizens of San Marcos "are conscious of preserving our rich historical past and will pursue future cultural enrichment"; and

WHEREAS, the Historic Preservation Commission is charged with advising the City Council on matters that promote historic preservation and conservation throughout the city of San Marcos; and

WHEREAS, Dr. Mario Garza, Elder Chair of the Indigenous Cultures Institute, spoke to the Historic Preservation Commission at their September 3, 2020 regular meeting regarding the efforts of the Miakan-Garza Band of Coahuiltecan people to repatriate and rebury a set of remains currently held by the University of Texas; and

WHEREAS, the Historic Preservation Commission finds that such repatriation efforts are consistent with preserving the City's rich history and cultural past.

NOW, THEREFORE, BE IT RESOLVED by the Historic Preservation Commission, as follows:

1. The Historic Preservation commission respectfully recommends that the San Marcos City Council consider supporting the repatriation efforts of the Miakan-Garza Band by submitting a letter of such support to Dr. Garza.

Date of Approval: October 1, 2020

Record of the vote: 5-0

Attest:


Ryan Patrick Perkins, Chair, Historic Preservation Commission



PLANNING AND DEVELOPMENT SERVICES

TO: Historic Preservation Commission
FROM: Alison Brake, CNU-A, Historic Preservation Officer and Planner
DATE: September 15, 2020
RE: **AGENDA ITEM 2: REPATRIATION EFFORT OF THE MIAKAN-GARZA BAND OF COAHUILTECAN PEOPLE**

At the September 3rd regular meeting, the Commission discussed the repatriation efforts being undertaken by the Miakan-Garza Band of the Coahuiltecan People and directed staff to bring forward a recommendation resolution to the following meeting. It is attached for discussion and action. The information received from Chair Perkins on this matter is attached.

As a reminder, per the bylaws, following approval of the recommendation resolution by a majority of the membership the Commission, staff will forward it to the City Clerk and City Manager for distribution of the City Council.

HELP US REBURY OUR ANCESTORS

The University of Texas at Austin refuses to convey the remains of three Native American ancestors claimed for reburial by the Miakan-Garza Band of the Coahuiltecan people, a state-legislature-recognized tribe of Texas. The three ancestors, unearthed in Hays County over sixty years ago, are part of the University's "collection" of more than 2,400 Native remains kept in cardboard boxes housed in a warehouse in North Austin. Now the tribe is asking Texans to help them secure these remains for reburial.

"We asked for our ancestors more than four years ago," says Dr. Mario Garza, cultural preservation officer for the Miakan-Garza Band. "After years of letters, emails, and meetings, we finally got a letter of denial on July 7th of this year."

According to the letter signed by Brian Roberts, director of the Texas Archeological Research Laboratory, the Miakan-Garza's request was denied because the University was unable to identify a shared group identity between the remains and any group, including the Miakan-Garza Band. Documentation of shared group identity is considered during the federal Native American Graves Protection and Repatriation Act (NAGPRA) process, which requires institutions to convey remains back to tribes for reburial.

"These remains are classified as 'culturally unidentifiable' which means that they are too old to associate with any known, federally recognized tribes in existence today," says Dr. Garza. "We submitted documentation that our Coahuiltecan people are original Texas Natives who have lived here continuously for the past 14,000 years – these ancient remains belong to us."

In 2014 the Miakan-Garza Band submitted a similar request to Texas State University for one set of remains unearthed in San Marcos, providing documentation of shared group identity with the "culturally unidentifiable" remains. The documentation was accepted, and the tribe was given possession of their ancestor after proceeding through the NAGPRA process.

"We gave U.T. the same documentation that was accepted by Texas State University, the NAGPRA Review Committee, and the Secretary of the Interior, when those entities gave us one of our 'culturally unidentifiable' ancestors to rebury," says Dr. Garza. "Why won't U.T. accept the same documentation and let us rebury our relations?"

The tribal elders believe that the University wants to maintain the status of holding one of the largest archeological collections of Native American remains. According to the NAGPRA database, approximately 3,500 culturally unidentifiable Native American remains have been removed from Texas and are held in institutions and museums throughout the country. Of those 3,500 remains, over 2,400 are held by the University of Texas.

"We believe that when a person is buried, they depart on their spiritual journey. When they are unearthed, their spiritual journey is interrupted and they are suspended in agony," says Dr. Garza. "It is our obligation as indigenous people to return our ancestors to Mother Earth so they can proceed to the Great Mystery of the Cosmos."

Members of the Miakan-Garza Band have been involved in repatriation for over thirty years. They participated in establishing the Comanche Cemetery repatriation burial grounds at Fort Hood in 1998, and in one of the largest repatriations of almost 200 remains at Mission San Juan in San Antonio in 1999. The tribe collaborated with the City of San Marcos to establish the first city repatriation site in Texas in 2016 and has reinterred seven remains there during the past three years.

"It is extreme arrogance for an institution to own the remains of a people and deny their descendants' religious right to bury their dead," says Dr. Garza. "We are now sending a plea to all people of good conscience: Help us to rebury our ancestors."

The tribe is asking for letters to be sent to the president of U.T. Austin, Jay Hartzell at 110 Inner Campus Drive, Stop G3400, Austin, TX 78712-3400 or president@utexas.edu.

For more information, contact the Miakan-Garza tribe through their nonprofit, Indigenous Cultures Institute at <https://IndigenousCultures.org> or at ICInfo@IndigenousCultures.org, call Dr. Garza at 512-393-3310



September 25, 2020

Dr. Mario Garza
Indigenous Cultures Institute
P.O. Box 1414
San Marcos, Texas 78667

Dear Dr. Garza,

Thank you for your July 13, 2020 and September 21, 2020 letters.

The University of Texas at Austin respects the indigenous people who live and have lived in Texas and recognizes the spiritual and cultural significance of interment of their ancestors. I also acknowledge the particular significance of this issue to you and the Miakan-Garza Band.

We are committed to honoring your cultural and religious perspectives, while continuing to follow the established legal procedures outlined in federal law. To accomplish that, the university will promptly seek authority from the National Park Service to allow the remains identified in your letter to be reinterred. We plan to do so by requesting a recommendation from its Native American Graves Protection and Repatriation Act Review Committee that would enable us to offer the remains promptly for reburial. We look forward to a positive resolution to this important issue.

Sincerely,

A handwritten signature in blue ink, which appears to be "Jay Hartzell", is written over a blue oval-shaped line.

Jay Hartzell

cc: Ann Stevens, Dean, College of Liberal Arts
Brian Roberts, Director, Texas Archeological Research Laboratory

JAY HARTZELL, President

The University of Texas at Austin • 110 Inner Campus Drive • Austin, Texas 78712 • 512-471-1232 • president@utexas.edu