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Advisory Council on Historic Preservation
1100 Pennsylvania Avenue NW, Suite 809
Washington, DC 20004
Attn: Dr. Tom McCulloch

Dear Council Members:

The American Association of Physical Anthropologists has reviewed the latest draft of the ACHP Burial Policy and believes that, if it is implemented in its present form, it will have negative ramifications for the preservation and interpretation of an important, highly informative, historic resource of our nation.

Our main concern with the current draft policy is its failure to take into account the value that scientific research on burials has for helping all of us to understand the history of humankind. Nowhere in the document is it mentioned that human remains have the potential to yield important historical information relevant to understanding the history of our country.

Scientific inquiry is the primary method for documenting prehistory, which constitutes most of American history. The establishment of a policy that fails to protect and support scientific inquiry into Native American biological and cultural history will have many long term negative ramifications. The most important of these is a diminution our ability to obtain the information necessary to understand and interpret the history of our Nation's first inhabitants. This is especially unfortunate in light of the wealth of historical insights that studies of human remains are producing elsewhere in the world. Although such studies might not be permitted in some or even many cases, the ACHP policy as written presents no alternative possibility and does not include in the mix of consultants those with the scientific knowledge who could point out what could be learned from biological studies, or perhaps more importantly, what would be lost in the absence of such investigations.

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The policy seems to assume, contrary to NAGPRA, that in all cases there will be an identifiable descendent with the moral authority to make decisions concerning the respectful treatment of their ancestral remains, when often this will not be the case. Nowhere is the probability entertained that a culturally affiliated descendent group does not exist.

We reiterate that we find the underlying implication of the policy that it is permissible to disturb burials to facilitate construction projects, but not to pursue important scientific questions, ethically dubious—particularly from a Federal organization with a historic preservation directive.

In summary, by failing to recognize the important scientific insights that can be obtained through the study of burial sites, it would appear that the current draft of the ACHP Burial Policy is inconsistent with the National Historic Preservation Act and its requirement that Federal agencies take into account the effects of their undertakings on important sources of information about the history of our Nation.

Sincerely,

John H. Relethford, Ph.D.
President