RPA
Register of Professional Archaeologists

January 18, 2007

Tom McCulloch, Ph.D.
Advisory Council on Historic Preservation
1100 Pennsylvania Avenue NW, Suite 809
Washington, DC 20004

RE: Policy Statement Regarding Treatment of Burial Sites, Human Remains, and Funerary Objects

Dear Dr. McCulloch,

As President of the Register of Professional Archaeologists (Register), I appreciate the opportunity to comment on the revised draft of the Advisory Council on Historic Preservation's (ACHP) policy statement regarding the treatment of burial sites, human remains, and funerary objects. The Register offered comments on June 20, 2006. At that time we requested changes to sections of the policy involving consulting parties, documentation, identification, and professional qualifications. Although the ACHP chose not to incorporate our suggestions, I appreciate the ACHP's willingness to consider them. Instead of reiterating these comments for the most recent draft, I want to draw your attention to our greatest concern. However, I want to emphasize that the Register continues to believe in all comments offered on June 20th, and I strongly urge the ACHP to re-consider them.

Principle 5 does not provide clear guidance. Instead, it sends a mixed message that no archaeologist can work under. The first paragraph on page 5 states,

> 'Careful' disinterment means that those doing the work should have, or be supervised by people having, appropriate expertise in techniques for recognizing and disinterring human remains.

It would appear, though it is not stated, that training in archaeological field techniques, particularly burial identification and excavation, would comprise "appropriate expertise." However, in the next paragraph, the policy goes on to say,

> Depending on agreements reached through the Section 106 consultation process, disinterment may or may not include field recordation. In some instances, such recordation may be so abhorrent to consulting parties that the Federal agency may decide it is inappropriate to carry it out.

According to the Register's code of conduct and standards of research performance, an archaeologist is required to document his or her findings if they disturb the archaeological record. An archaeologist who disinters remains without documentation is subject to sanctions under the Register's grievance process as a violation of research standards and the code of conduct.

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We suggest that if the ACHP provides for excavation without documentation that they specifically acknowledge that archaeologists cannot do such work under their professional code of conduct and standards of research performance. It falls on the ACHP to identify who can perform such excavations and how federal agencies meet this objective and at the same time protect sensitive archaeological remains that often surround human burials.

Thank you for allowing us to offer these comments. If you should have any questions, please feel free to contact me at info@rpanet.org.

Sincerely,

Jeffrey H. Altschul, Ph.D., RPA
President