

DRAFT POLICY STATEMENT REGARDING TREATMENT OF BURIAL SITES, HUMAN REMAINS AND FUNERARY OBJECTS

Principle 1. Burial sites, human remains and funerary objects should not be knowingly disturbed, unless absolutely necessary and only after the federal agency has fully considered avoidance and/or preservation in place.

Federal agencies must meet all requirements in the early consultation and protection of burial sites, human remains and funerary objects with greater consideration for preservation in place and only if warranted to relocate.

Principle 2. Participants in the Section 106 process shall treat all burial sites, human remains and funerary objects with dignity and respect, which is determined through meaningful consultation.

Section 106 participants shall have full consideration, respect, and dignity of all burial sites, human remains and funerary objects through out consultation process.

Principle 3. Federal agencies are responsible for early and meaningful consultation throughout the Section 106 process.

During the Section 106 process, early and meaningful consultation shall be the responsibilities of the federal agencies.

Principle 4. The policy recognizes that Native Americans are descendants of aboriginal occupants of this county. Federal agencies shall consult with Indian tribes and Native Hawaiian organizations that attach religious and cultural significance to burial sites, human remains, and associated funerary objects, and be cognizant of their expertise in, and religious and cultural connection to, them. Federally recognized tribes are sovereign nations and Federal agencies shall conduct consultation with Indian tribes on a government-to government basis, as required by law.

Federal agencies shall consult with Indian tribes who are sovereign nations, and shall conduct consultation on a government-to-government basis, that attach religious and cultural significance to burial sites, human remains, and associated funerary objects. And be cognizant of their expertise in, and religious and cultural connection to them.

As Native Hawaiian by blood, and as a "quasi-property" right, for the purpose of burial sites, human remains, and associated funerary objects is a legitimate claim of entitlement. Religious and cultural tradition and significance to burial sites, human remains, and associated funerary objects, are within our nation, local, city and state laws.

Principle 5. When human remains or funerary objects must be disinterred, they should be removed carefully, respectfully, and in a manner developed in consultation.

All principle participants shall be present to insure human remains or funerary objects that must be removed, is handled with respect, dignity and consideration to the decease and its funerary objects.

Principle 6. The Federal agency official is responsible for making decisions regarding avoidance or treatment of burial sites, human remains, and funerary objects based on consultation and appropriate documentation. In reaching a decision, the Federal agency official must comply with applicable Federal, tribal, State or local law.

Federal agency official shall comply with nation, tribal, local, city, state, and federal law, regarding avoidance or treatment of burial sites, human remains, and funerary objects based on appropriate and consented documentations.

Principle 7. Federal agencies shall, after meaningful consultation, develop plans for the treatment of human remains and funerary objects that may be discovered.

Based on appropriate and consented documentations, Federal agencies shall and is responsible but not limited, to **buffers, landscaping, and access** by known lineal or cultural descendants, treatment of human remains and funerary objects that is discovered.

Principle 8. In cases where the disposition of human remains and funerary objects is not legally prescribed, federal agencies should proceed following a hierarchy that acknowledges the rights of lineal descendants, Indian tribes, Native Hawaiian organization and other descendant communities.

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Cultural and traditionally appropriateness, is a “quasi-property” right as a hierarchy for Native Hawaiian by blood.