

Tom McCulloch

From: Bridges, Sarah - Washington, DC [Sarah.Bridges@wdc.usda.gov]
Sent: Friday, November 04, 2005 10:11 AM
To: Archeol AP. Project
Cc: Tom McCulloch; Laura Dean; jking@mdp.state.md.us; Courtenay McCormick; Meyer, Donna - Washington, DC; Swartzendruber, Joyce - Bangor, ME; Shaffer, Gary - Bangor, ME
Subject: USDA comments on Burial Policy Working Principles
Importance: High

The USDA agencies (Rural Development, Farm Services Agency, Forest Service, and Natural Resources Conservation Service) have had an opportunity to review the September 1, 2005, Federal Register Notice, and have developed no overarching comments addressed by all the agencies.

You have received one set of comments from directly from NRCS Maine (October 14, 2005) where they offered some observations on the complexity of Principle 4 and welcomed the ACHP's willingness to address treatment of unmarked and, often, abandoned human remains and funerary objects. Maine State Conservationist, Joyce A. Swartzendruber, commented that these remains, both Native American and non-Native American, present federal agencies with serious concerns regarding what constitutes and reasonable and good faith effort to consult with appropriate tribes, communities and families. Ms. Swartzendruber welcomes the ACHP's efforts to help federal agencies and other consulting and concern parties.

Yesterday we received two more sets of comments from Rural Development's Federal Preservation Officer, Donna M. Meyer. They are attached and seem, again, to fully support the ACHP's efforts to assist all consulting parties. One set offers some editorial comments on the principles themselves. The other offers some supportive observations from Alaska.

Forest Service has sent us no national comments; you may have received some directly from the field or the Federal Preservation Officer, Michael Kaczor.

Finally, NRCS has had several nationwide discussions of the working principles during our monthly teleconferences as, the response has been supportive and appreciative of the Task Force efforts. We have received no additional comments from our State Cultural Resources Specialists, State Conservationists, or our Center Directors. As you know, both as the USDA staff representative on the task force and as the NRCS FPO, I support the initiative to revisit the existing policies and believe the Working Principles, as published in the Federal Register, do represent the work of the task force. We all appreciate the ACHP efforts to provide policy that both gives federal agencies and other consulting parties sound guidance for treatment of human remains within the context of Section 106 compliance and that, clearly, does not conflict with other federal, tribal, and state authorities that must prevail for much of our work on federal (i.e. NAGPRA), tribal, private and other non-federal lands.

Thank you for giving all of us another opportunity to comment and to continue working with the Council Task Force and staff. We understand that the final decision on the form and content of Council policy must necessarily come from the full Council membership and Chairman.

If you have any questions or concerns, please let me know.

Sarah

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First of all I agree that human remains and any items buried with them should not be disturbed. However, when disturbance is unavoidable, human remains and their associated funerary objects should be immediately and respectfully be reburied or repatriated for reburial without study.

The fallacious argument foisted upon the public by archaeologist and various other specialists (effete academics), that the materials must be studied to address justified research projects is patently offensive. Furthermore, when the archaeologists or other specialists make the statement that, the scientific research value outweighs any objections that the descendents may have, is outrageous.

Policy comments regarding principle 3:

The last paragraph of this section states; "Federal agencies must recognize that simple avoidance of a site does not necessarily ensure that site's long-term preservation".

I recommend that the term must be deleted from the paragraph. The term must imply that Federal agencies lack sufficient intellect to recognize the obvious.

The paragraph is less offensive as follows; "Federal agencies recognize that simple avoidance of a site does not necessarily ensure that site's long term preservation".

I think a reference to the last paragraph of Principle 6 would be appropriate after the revised paragraph in Principle 3.

From: Merrick, Lee - Des Moines, IA
Sent: Thursday, November 03, 2005 3:01 PM
To: Meyer, Donna - Washington, DC
Subject: RE: ACHP Burial Policy Working Principles

Donna,

Per your request comment regarding the Burial Policy is attached. Hopefully, it is not too caustic.

lee

From: Campbell, Chris [mailto:ccampbel@anthc.org]
Sent: Thursday, November 03, 2005 8:48 AM
To: Krug, Timothy - Palmer, AK
Cc: Reitz, Dan; Griffith, Bill
Subject: RE: ACHP Burial Policy Working Principles

Hi Tim,

Thanks for forwarding this. I hadn't had time to look it up yet myself.

I read through it, and have to say that we are in alignment with it. I have been told by folks in the SHPO's office and archaeological contractors that we have the best policy for dealing with human remains in the State of Alaska. We make an inadvertent discovery about once every other year and each time it has worked out well. I think this is because we recognize the significance of the Tribe's role in consultation and decision making. I have also helped the SHPO streamline some consultation procedures. Formerly, the State required consultation with the local magistrate, who usually knew nothing about what to do. I learned that the State Bureau of Vital Statistics is actually the entity to notify for internment / disinterment permits and guidance. Consequently, the SHPO is now recommending that the BVS be contacted rather than the local magistrates.

Anyway, please do not fear – in this area, ANTHC is really doing a good job.

From: Krug, Timothy - Palmer, AK
Sent: Thursday, November 03, 2005 1:10 PM
To: Meyer, Donna - Washington, DC
Subject: FW: ACHP Burial Policy Working Principles

I thought you might be interested in what one our applicants has said. Chris is also a archaeologist performing environmental reviews.