

## Laura Dean

---

**From:** Archeol AP. Project  
**Sent:** Friday, November 04, 2005 3:33 PM  
**To:** Laura Dean  
**Subject:** FW: Comments on "Policy Statement Regarding Treatment of Human Remains and Grave Goods"

---

**From:** Alan & Kristin Tonetti [mailto:aandktonetti@earthlink.net]  
**Sent:** Fri 11/4/2005 11:46 AM  
**To:** Archeol AP. Project  
**Subject:** Comments on "Policy Statement Regarding Treatment of Human Remains and Grave Goods"

Background Information section:

Although the term funerary objects is defined, the term human remains is not. The term human remains should be defined for use in the working principles.

The definition of funerary objects should be rewritten as follows: Based on archaeological and/or ethnographic evidence, objects that have been intentionally placed with human remains as part of a death rite or ceremony.

In discussing the nature of the current debate, the statement that "most people would agree that human remains and the items buried with them should not be disturbed" is not supported by empirical data. Delete this clause or cite empirical evidence that most people feel this way.

The definition of funerary objects refers to these objects being "placed intentionally...with" human remains. The first sentence characterizing the nature of the current debate states, in part, that "human remains and the items buried with them..." This statement should be revised to be consistent with the definition of funerary objects, reflecting the intentional placement of these objects with human remains regardless of whether the objects or the human remains were buried because human remains and funerary objects are sometimes found where one or neither is buried, e.g., in rockshelters, caves, caverns, and sinkholes.

Because the working principles deal with both human remains and grave goods, which, for the sake of consistency, should always be referred to as funerary objects, all statements should refer to both of these items.

There are places in the background information section and the working principles where only human remains are referred to. These should be revised to include both human remains and funerary objects.

Working Principles:

The updated policy should not only "encourage Federal agencies to initiate the Section 106 process early in their planning processes," but encourage those entities acting on the Federal agencies behalf, and applicants for Federal assistance, as Section 106 urges be done.

Principle 1: It should be revised to include funerary objects. The phrase "respect and dignity" is not defined, and thus is problematic. It should be defined, or else the principles behind what the ACHP considers "respect and dignity" should be clearly stated.

11/4/2005

Principle 2: No comment.

Principle 3: This principle fails to recognize that each instance of the recovery of human remains and funerary objects should be handled on a case by case basis. Guidance on when it is “absolutely necessary” to disturb human remains and funerary objects should be given. Further guidance on how the “long-term preservation” (please define this term) of a site (add “containing human remains and/or funerary objects”) is not ensured by “simple avoidance” should be given. This is very important. As a Section 106 practitioner for nearly 30 years I have too often seen “simple avoidance” used to obtain no effect determinations, and later seen sites disturbed by non-federal undertakings, which begs the question “what was accomplished by simple avoidance?” Examples of alternatives to “simple avoidance” should be given.

Principle 4: Please define the terms “ultimate disposition” and “disposition.” How do they differ?

Principle 5: This principle seems to indicate that all sites containing human remains and funerary objects are “historic properties.” Please clarify. When clarifying “how the Federal agency weighs the views presented by the different parties in arriving at a final decision”, this principle should clarify how the religious beliefs of “different groups” or “different parties” (are these the same?) “concerned with the effects of the undertaking”, are to be weighed so that the Federal agency does not engage in an excessive entanglement of government and religion, which would violate the First Amendment of the U.S. Constitution.

Principle 6: Please define “preservation and treatment.”

Alan C. Tonetti  
14 Brevoort Road  
Columbus, OH 43214