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Sent: Tue 11/29/2005 1:38 PM
To: Archeol AP. Project
Subject: Final comments, ACHP's Human Remains Policy

Final comments from NM SHPO. If you have any questions, please contact me.
Kak Slick

Principle 1: No comment.

Principle 2: Point 3 - add language to read "The policy statement needs to recognize that a Federal agency official under Section 106 has a duty for the care of human remains and funerary objects *except where Federal or State law may prescribe a certain outcome.*" [SHPO note - we take this Principle to imply curation or disposition of human remains and funerary objects, hence phrasing as an exception]

Principle 3: Point 2 - add language to read "In order to realistically consider avoidance and preservation in place, Federal agencies need to initiate the Section 106 process early in planning, including *Tribal consultation, non-invasive means of identifying possible grave sites, and oral histories as part of the Section 106 process.*"

Add a new point: *If a site is avoided, Federal agencies should have a procedure in place to provide the owners with guidance developed by the Secretary of the Interior under Section 112(b) of the NHPA and supplemental guidance that encourages protection of important archeological properties, including burial sites.*

Principle 4: No comment.

Principle 5: No comment.

Principle 6: Introductory statement: add language to read "The policy statement should call for Federal agencies to develop procedures, *in conformance with NAGPRA, ARPA, and other Federal law*, for the preservation and treatment of human remains discovered inadvertently, or when there is the potential for an undertaking to discover human remains, *except where Federal or State law may prescribe a certain outcome.*" [SHPO note - we take this Principle to imply curation or disposition of human remains and funerary objects, hence phrasing as an exception]

Point 4 - Revise language to read "The policy should encourage Federal agencies to develop these procedures in consultation with all interested parties consistent *with the prior Principles.*"

Reverse Point 4 and Point 5.

