



WEST VIRGINIA
DIVISION OF
CULTURE & HISTORY

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November 3, 2005

Archaeology Task Force
Advisory Council on Historic Preservation
1100 Pennsylvania Avenue, NW
Suite 809
Washington, DC 20004

RE: Working Principles for Revising the Advisory Council's "Policy Statement Regarding Treatment of Human Remains and Grave Goods"

Dear Task Force Members,

We have reviewed the proposed changes to the "Policy Statement Regarding Treatment of Human Remains and Grave Goods." Please accept our comments as outlined below.

In general, we find the working principles to be satisfactory and are pleased that they will attempt to address such issues as the intersection between Section 106 and other state and federal laws and will provide guidance for Federal agencies in their decision making processes. It is especially critical that the intersection of Section 106 and NAGPRA be clearly defined. In West Virginia, which has no resident federally recognized tribes and where Protohistoric and early Historic tribal movements are poorly understood, it is often difficult for Federal agencies to determine which groups should be considered as consulting parties. In instances of competing interests, it is also difficult for agencies to determine which interests should be given priority. We ask that particular attention be given to developing steps that should be taken in instances when cultural affiliation cannot be determined and when descendants do not come forward.

We appreciate the opportunity to be of service. If you have any questions regarding our comments, please contact Lora A. Lamarre, Senior Archaeologist, at (304)558-0240.

Sincerely,

Susan M. Pierce
Deputy State Historic Preservation Officer

SMP/LAL