



October 24, 2005

COEUR D'ALENE TRIBE

CHIEF J. ALLAN, CHAIRMAN
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REFERENCE:

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

Dear Sir or Madam:

On behalf of the Coeur d'Alene Tribe (Tribe), I am writing this letter to submit comments on the Advisory Council on Historic Preservation's revision of the *Policy Statement Regarding the Treatment of Human Remains and Grave Goods*. As the Tribe understands the process, the policy is intended to assist Section 106 actors in resolving how human remains and funerary objects are treated in the Section 106 review process. The Tribe agrees that the policy should be revised in light of the fact that the Native American Graves Protection and Repatriation Act along with other federal statutes have sought to redefine the process of gaining final disposition of human remains and funerary objects.

The Tribe would support discussion on the six principles identified as the Working Principles published in the Federal Register, Volume 70, Number 169, on Thursday, September 1, 2005. Specifically, the Tribe would generally support inclusion of the six principles in any discussion of how human remains and funerary objects are treated in the Section 106 review process. The clarification of the current state of the law would allow more timely and informed decision-making with regard to these most sensitive of issues. Under principle four, the Tribe would support more language that sought to clarify the federal trust responsibility with regard to individual Indians and tribes in the Section 106 process. The federal government's role as a fiduciary that must hold itself to exacting standards and the responsibility to manage the cultural resource for the benefit of rather than at the expense of individual Indian and tribal interests must be clearly defined.

The Tribe looks forward to working with you on these Working Principles as we seek to gain final disposition of human remains and funerary objects that are subject to the Section 106 process. Should you require additional information or comments, please contact our cultural resources department, Quanah Matheson, at (208) 686-0675 or e-mail at qmatheson@cdatribe-nsn.gov. Thank you for your consideration of the comments submitted above and we look forward to hearing from you soon.

Sincerely,

Chief J. Allan, Chairman
Coeur d'Alene Tribe

Cja:qms

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