



Greenville Rancheria

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ELECTRONICALLY FILED ON:

November 4, 2005

Advisory Council on Historic Preservation
1100 Pennsylvania Ave. NW, Ste. 809
Washington, D.C. 20004

Attn: Dr. Tom McCulloch

Re: Comments on Revised Policy Statement Regarding Treatment of Human Remains and Funerary Objects

Dr. McCulloch,

I would like to offer the following comments, as requested, on the Advisory Council's Proposed Revision of its Policy Statement Regarding the Treatment of Human Remains and Funerary Objects.

We believe that human remains and the items buried with them should not be disturbed. The Section 106 process should be initiated early enough to allow for alternatives to disturbance of locations known to contain human remains to be thoroughly explored, including the alternative of avoidance and preservation in place.

When it does occur that disturbance of human remains is absolutely unavoidable, we believe that those human remains and their associated funerary objects, due to their cultural significance and spiritual value to living communities, should be immediately and respectfully reburied or repatriated for reburial without study.

We strongly disagree with those who believe that the cultural significance and spiritual value to living communities of exhumed human remains is outweighed by the scientific value of the information these remains and funerary objects can provide about the past when studied by archaeologists and other specialists. This last alternative is, in our view, not appropriate, even when the human remains and funerary objects are removed from the ground at public expense. Human remains, of any ethnicity, should not be subject to scientific analysis, especially over the objection of lineal descendants.

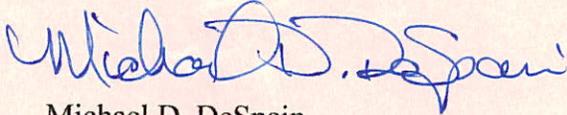
With that in mind, we believe that your Summary of Working Principles is a step towards a more appropriate policy than that adopted by the Council in 1988, which (paraphrased) calls for "scientific studies" on human remains before repatriation, even if the lineal descendents did not agree, if the "scientific research value outweighed the

concerns of the descendants". The working principles you set forth should work to correct such an indignity:

1. That human remains be treated with respect and dignity;
2. That there should be a clarification regarding any conflicts between Section 106 (National Historic Preservation Act) and other laws (NAGPRA, State statutes, etc.)
3. That the preferred alternative is avoidance of any human remains, and allowing them to stay where they were buried;
4. That federal agencies are responsible for consulting with all interested parties (including tribes) in order to comply with Section 106;
5. That federal agency officials should have standard guidelines in making decisions under Section 106;
6. That federal agencies should develop procedures for the preservation and treatment of human remains discovered inadvertently, or when there is a possibility of such a discovery in the course of a project.

Please continue to keep the Greenville Rancheria apprised of the developments as the process of revision ^{of} your policy statement continues. Thank you for the opportunity to comment on this matter.

Sincerely,



Michael D. DeSpain
Environmental Director
Greenville Rancheria Tribal EPA

MDD:gjg