

Vivian Juan-Saunders
Chairwoman



Ned Norris Jr.
Vice Chairman

**OFFICE OF THE CHAIRWOMAN
& VICE CHAIRMAN
TOHONO O'ODHAM NATION**

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October 27, 2005

John L. Nau, Chairman
Advisory Council on Historic Preservation
1100 Pennsylvania Avenue, N.W., Suite 809
Washington, DC 20004

**RE: Working Principles for Revision of the Policy Regarding the Treatment
of Human Remains and Grave Goods.**

Dear Chairman Nau,

This responds to your September 9, 2005 letter inviting comments on the Advisory Council on Historic Preservation (ACHP) consideration of a new ACHP policy on the treatment of human remains. We agree that with the passage of the Native American Graves Protection and Repatriation Act and amendments to the National Historic Preservation Act, the policy adopted by ACHP in 1988 should be reevaluated to assure it's compliance with these laws as well as other applicable laws.

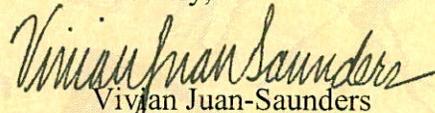
The Tohono O'odham Nation (Nation) appreciates your courtesy in asking the Nation to submit comments to this important endeavor. This is in accordance with the government to government relationship identified in Executive Order 13175, "Consultation and Coordination with Indian Tribal Governments," which directs Federal agencies to consult with tribal governments regarding issues which significantly or uniquely affect their communities and with the ACHP policy regarding relationships with Indian Tribes.

The Nation's Cultural Preservation Committee, a committee of the Tohono O'odham Legislative Council, along with the Cultural Affairs Office of the Nation, reviewed the six (6) Working Principles identified as the guiding principles for the revision of the 1988 Human Remains Policy. As you may be aware, the disturbance of human remains is a very important and sensitive issue to the Nation. Because of their cultural and spiritual significance, all human remains, disturbed and undisturbed, must be treated with respect and dignity. The Nation endorses the principle that avoidance,

followed by preservation in place, is the preferred alternative to disturbance of human remains and funerary objects. When disturbance is unavoidable, meaningful consultation with the Nation and others affected must begin early in the process to explore other alternatives. The remaining principles appear to encompass the issues important to the Nation. Such principles will encourage the development of a meaningful policy statement that will assist Federal agencies in understanding and carrying out their responsibilities to Indian tribes.

Thank you for your attention to this important issue. In the spirit of Executive Order 13175 and the ACHP policy regarding relationships with Indian Tribes, we urge the ACHP to revisit the 1988 policy. The Tohono O'odham Nation looks forward to meaningful participation in the consultation process. If you have any questions please do not hesitate to contact me at (520) 383-2028 or Peter Steere, Manager, Cultural Affairs Office, at (520) 383-3622.

Sincerely,


Vivian Juan-Saunders
Chairwoman

C Frances Conde, Chairwoman, Cultural Preservation Committee
Peter Steere, Manager, Cultural Affairs Office
Valerie Hauser, Native American Program Coordinator
Veronica Geronimo, Assistant Attorney General, Tohono O'odham Nation