



Cultural Resources Department

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The Tulalip Tribes are the successors in interest to the Snohomish, Snoqualmie, and Skykomish tribes and other tribes and band signatory to the Treaty of Point Elliott

November 1, 2005

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

RE: Comments to Working Principles for Revising ACHP's "Policy Statement Regarding Treatment of Human Remains and Grave Goods"

Dear Advisory Council:

The Tulalip Tribes Cultural Resources Department appreciates the opportunity to submit comments to the draft working principles for revising the policy on treatment of human remains and grave goods. The Tulalip Tribes are located in western Washington State, and much of the Tribes traditional territories have been subject to intense development pressures in the Puget Sound region. This rapid growth and development has lead to greater conflicts with tribal burial sites. The Tulalip Tribes believes it is essential for federal and state government to greatly improve its procedures for responding to these conflicts in a way that gives Tribal burial sites and Native American remains the respect and protection they deserve.

The Tulalip Tribes welcomes the revision of the existing policy for treatment of human remains, which is greatly deficient in providing a framework for treatment that honors our ancestors and respects their memory. The draft principles represent a step in the right direction. However, the principles could provide more concrete guidance in certain areas. The Tulalip Tribes Cultural Resource Department comments are aimed at giving more substance and effect to the protection of human remains and burial sites.

SPECIFIC COMMENTS:

Principle 1: *The policy statement should recognize that human remains must be treated with respect and dignity.*

We agree. This is the fundamental cornerstone of the entire policy. It deserves further expansion, as the Council has provided with the other working principles. The Council should consider addition subpoints to this principle:

- All human remains, regardless of their age, location, or ethnicity require the same level of respect and dignity.
- Human remains and burial sites are culturally and legally distinct from "archaeological resources" and must be treated in a manner commensurate with their unique legal status and the values that living peoples place on treatment of their dead.
- Competing interests, such as scientific study or development proposals, do not take precedence over the principle that human remains and burial sites must be treated with dignity and respect.

Principle 3: *The Policy statement should emphasize that avoidance, followed by preservation in place, is the preferred alternative to disturbance of human remains and funerary objects.*

We agree, but also recommend the following:

Add to third subpoint - -

- Federal agencies must recognize that simple avoidance of a site does not necessarily ensure that site's long-term preservation, and therefore additional protection measures may be necessary.

Add additional subpoint--

- Sites where human remains are buried or interred must be treated in manner to preserve or restore their character as burial sites.

Principle 5: *The Policy statement should guide the Federal agency official in decisionmaking.*

We recommend additional clarification on this point:

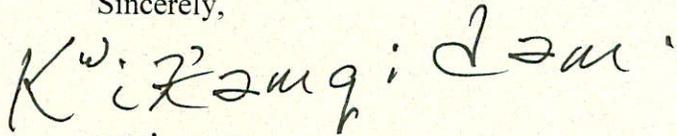
- In situations where human remains are determined to be Native American, the responsible agency will adhere to the Native American Graves Protection and Repatriation Act provisions dealing with consultation and disposition of Native American remains. In all cases involving Native American remains, the federally recognized Tribe whose aboriginal lands either encompass or are closest to the area where the remains are located shall be consulted.

Principle 6 : *The policy statement should call for federal agencies to develop procedures for the preservation and treatment of human remains discovered inadvertently, or where there is a potential for an undertaking to discover human remains.*

Recommend that the following be added:

- The policy should recognize that Federal agencies will need to budget resources and funding to implement policies for the avoidance, treatment and protection of human remains and burial sites.

Sincerely,



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Hank Gobin, Cultural Resources Manager
Tulalip Tribes

Cc: Tulalip Board of Directors