

APPENDIX L

Advisory Council on Historic Preservation Policy Statement on

Treatment of Human Remains and Grave Goods (1988) *

While human remains or grave goods are likely to be exhumed in connection with an undertaking subject to review under Section 106 of NHPA, the consulting parties under the Council's regulations should agree upon arrangements for their disposition that, to the extent allowed by law, adhere to the following principles:

Human remains and grave goods should not be disinterred at all unless required in advance of some kind of disturbance, such as construction.

Disinterment when necessary should be done carefully, respectfully, and completely, in accordance with proper archeological methods.

In general, human remains and grave goods should be reburied in consultation with the descendants of the dead.

Prior to reburial, scientific studies should be performed as necessary to address justified research topics.

Scientific studies and reburial should occur according to a definite, agreed-upon schedule.

Where scientific study is offensive to the descendants of the dead, and the need for such study does not outweigh the need to respect the concerns of such descendants, reburial should occur without prior study. Conversely, where the scientific research value of human remains or grave goods outweighs any objections that descendants may have to their study, they should not be reburied, but should be retained in perpetuity for study.

*** In 1990, the Native American Graves Protection and Repatriation Act (NAGPRA) became law. Application of this policy statement must be consistent the requirements of NAGPRA (23 U.S.C.Part 3001 et seq).**