

6.1.9 SOP No. 9: Treatment of Human Remains and Funerary/Sacred Objects

NAGPRA requires the inventory of human remains, funerary objects, sacred objects, or objects of cultural patrimony recovered from federal lands that may be subject to claim by Native American tribal groups. NAGPRA also requires active consultation with such groups to determine the disposition of such remains and objects. No Native American human remains or sacred/funerary objects are currently known to exist on ARC property; however, previously undocumented excavations may have encountered human remains and/or sacred/funerary objects and future undertakings may inadvertently encounter these materials. NPR 8510.1 requires an SOP for the treatment of human remains and funerary objects. This SOP outlines the policies and procedures to be followed to ensure future compliance with NAGPRA.

Applicable Laws/Regulations/Procedural Requirements

- Native American Graves Protection and Repatriation Act
- American Indian Religious Freedom Act Policy
- NASA Procedural Requirement 8510.1

Policy

- The HPO in the Facilities Engineering Division is designated as the point of contact for the CRM Program.
- EMD, as delegated by the HPO, implements the CRM Program for archaeological resources, and coordinates with external regulatory agencies that regulate environmental and cultural resource programs in regard to Tribal properties and resources, and to archaeological resources (e.g., sites, artifacts, features, or other archaeological indications of past human activities).
- No Native American human remains, funerary objects, or sacred objects will be knowingly kept in government possession without preparation of an inventory and initiating consultation.
- Consultation regarding the disposition of Native American human remains, funerary objects, or sacred objects will be initiated in accordance with NAGPRA.

Procedure

The EMD will ensure that ARC complies with NAGPRA requirements and the implementing regulations (43 CFR Part 10).

- I. The EMD will review all records to determine whether any human remains, funerary objects, sacred objects, or objects of cultural patrimony originating on ARC property are known to exist.
 - A. If no such objects are found, no consultation is required.

- B. If any such objects are found to be not inventoried, the EMD will prepare an inventory of all such objects and will initiate consultation procedures with the Archaeological Assistance Division, National Park Service (Post Office Box 37127, Washington, D.C. 20013; telephone 202-343-4101; facsimile 202-523-1547) and federally recognized Tribes to determine appropriate disposition.
- II. If human remains or artifacts that are not currently in government possession but that are suspected to be from ARC property are returned to the government, the EMD will arrange to have a qualified professional examine and evaluate them.
- A. If the remains are not of human origin, then no further action by the EMD is necessary.
 - B. If the remains are not of Native American origin, then they will be treated as an inadvertent discovery of archaeological deposits (see SOP No. 8).
 - C. If the remains are of Native American origin, then the EMD will prepare an inventory of the remains and initiate consultation procedures with the Archaeological Assistance Division, NPS.
- III. If human remains are discovered during the course of any undertaking, the following procedures will apply:
- A. Work will immediately cease in the vicinity of the human remains.
 - B. The site supervisor will immediately notify NASA Law Enforcement/Center Protective Services and the EMD.
 - 1. If NASA Law Enforcement/Center Protective Services officers determine that the remains are of recent origin, then no further action by the EMD is necessary.
 - 2. If the remains are not recent, the EMD will arrange to have a professional archaeologist visit the site in a timely manner to examine and evaluate the recovered material.
 - a) If the remains are not of human origin, then they will be treated as an inadvertent discovery of archaeological deposits (see SOP No. 8).
 - b) If the remains are not of Native American origin, then the site will be treated as the discovery of inadvertent archaeology deposits. However, it should be noted that, although all human remains are to be treated with dignity, not all human remains, cemeteries, etc., are NRHP properties.
 - c) If the remains are of Native American origin, then further work in the vicinity will be suspended for 30 days to allow for consultation, as required by NAGPRA. If any photographs are taken of the undertaking, only general photographs of the site area are to be taken. Prior to removal of any remains, the HPO will prepare an inventory of the remains and will immediately initiate

emergency consultation procedures with the Archaeological Assistance Division, NPS, and federally recognized Tribes.

3. If consultation allows the remains to be removed, then the EMD will cause the remains to be treated and disposed in accordance with the consultation.
4. Notwithstanding the results of consultation, the EMD will ensure that Section 106 procedures are adhered to with regard to evaluating sites.