

November 29, 2000

Mr. John Robbins
Assistant Director, Cultural Resources
Stewardship and Partnership
U.S. Department of the Interior
1849 C Street, N.W. - 350NC
Washington, DC 20240

Dear Mr. Robbins:

I am pleased to respond to your October 13, 2000 invitation to a Native American Graves Protection and Repatriation Review Committee meeting to be held on December 11-13, 2000 in Nashville, Tennessee. The purpose of the meeting is to address Federal agency compliance with the Native American Graves Protection and Repatriation Act (NAGPRA). I will not be able to attend the December meeting. Please accept the following as my report:

The U.S. Nuclear Regulatory Commission (NRC) would comply with NAGPRA if there were any discoveries of Native American graves or grave artifacts during the course of NRC carrying out its regulatory activities. The NRC, however, is a regulatory agency that does not have Federal land management responsibilities. As such, NRC does not directly engage in possessing or compiling inventories of Native American human remains, funerary objects, sacred objects or objects of cultural patrimony on Federal or Tribal lands. NRC's regulations, as well as the provisions of the National Environmental Policy Act (NEPA) and the National Historic Preservation Act, are followed when evaluating the cultural impacts of a proposed, significant licensing action, such as renewing a nuclear power plant's operating license or licensing a spent nuclear fuel storage facility. When reviewing a proposed licensing action on Federal or Tribal lands, NRC consults with the appropriate Federal agencies, State Historic Preservation Officer and Tribal Historic Preservation Officer and documents the cultural findings and impacts of the proposed action. It is the NRC staff practice to contact Tribal representatives from Tribes historically and currently located in the area of the proposed action as part of the scoping process for a NEPA document and NRC's public outreach.

If you have any questions, I can be reached at 301-415-2307 or rov@nrc.gov.

Sincerely,

/RA/

Rosetta O. Virgilio
Federal Preservation Officer
Office of State and Tribal Programs

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