



Preserving America's Heritage

**Update on ACHP Archaeology Task Force activities
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I would like to provide you with a status report on the work of the ACHP's Archaeology Task Force. The Task Force is now moving forward on two primary fronts: revisiting the ACHP's 1988 human remains policy, and developing new guidance for archaeology conducted under Section 106.

1) Revisiting the ACHP's 1988 policy statement on treatment of human remains and grave goods.

On September 1, 2005 the ACHP published in the *Federal Register* a request for comments on a set of new *Working Principles* to guide revisions to the current human remains policy. This notice was very widely distributed to ensure that all Section 106 users had access to it and an opportunity to provide their views to the Task Force. A copy of the notice and explanatory letter was sent to the governments of all Federally recognized Indian tribes, to the major Native Hawai'ian Organizations, and professional archaeological societies. State and Federal and Tribal preservation officers were notified in a broadcast e-mail. Finally, the ACHP website at www.achp.gov included a link to the notice and request for comments. The comment period closed on December 2, 2005.

Approximately 75 comments were received, representing a wide range of opinions and concerns. About half of the comments are from Indian tribes, with the rest from Federal and state agencies, organizations, and individuals. At its December 14, 2005 meeting soon after the comment period closed, the Task Force met for an initial review of the comments and their trends, and at this time unanimously decided that the 1988 human remains policy should be revised.

The next meeting of the Task Force was held on January 18, 2006. Prior to this meeting the ACHP staff provided each member with a complete set of comments, a database that organized the comments by principle and other categories, and a discussion matrix. (The actual comments will soon be posted on the ACHP's website for all to review.) During the January meeting, which ran from 10 am to 3:30 pm, members reviewed and discussed each principle within the context of the comments and began to develop language for a first draft of a revised policy statement. As with the 1988 policy statement, this new proposed "*Policy Statement on Treatment of Human Remains and Funerary Objects*" is a non-binding statement designed to influence, in the absence of other Federal, state, or tribal law prescribing a specific outcome, how Federal agencies proceed with their undertakings that may disturb sites that either contain, or may contain, human remains and funerary objects.

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The Task Force is now completing an initial first draft of a revised policy that will be widely distributed and published in the *Federal Register* with a request for comments. A series of outreach meetings with Section 106 stakeholders (including professional archaeological and preservation organizations) and regional government-to-government consultation meetings with Indian tribes will be held across the country beginning in early April. Following this process, the Task Force may decide to present a revised policy statement to the full ACHP membership for their consideration.

The ACHP's web site (www.achp.gov) will have the most up to date information on the progress of this revision.

2) *New Section 106 archaeological guidance.*

One of the first major recommendations of the Task Force to the ACHP membership was the need for new and/or revised archaeological guidance for Section 106 practitioners. Seven topics were initially proposed, with the first group targeted for completion as follows:

- 1) Making Section 106 consultation regarding archaeological historic properties more effective.
- 2) What constitutes a "reasonable and good faith" effort to identify archaeological properties?
- 3) Applying the National Register criteria to archaeological properties in the Section 106 process.
- 4) Opportunities for creative approaches to resolving adverse effects to archaeological sites.

Following development of these four, the remaining three topics will be addressed:

- 5) Responsibilities of Federal agencies for undertakings on private lands.
- 6) Curation of archaeological collections and permanent recordation of archaeological properties.
- 7) Ensuring quality work and completion of reporting requirements in Section 106 archaeology.

A subcommittee of Task Force members has been formed for the first four topics. Participants on these subcommittees include Federal agency representatives, resource people, representatives from the ACHP's Native American Advisory Group, National Association of State Historic Preservation Officers, and National Association of Tribal Historic Preservation Officers. In addition, the Task Force has invited participation from various Federal agencies with expertise in each topic. This allows experts who deal with these topics on a daily basis to come together and share their experience, observations, problems, and solutions with the ACHP. Each subcommittee has met at least once to begin to pinpoint the issues and problems to be addressed in the guidance.

3) *Increasing the potential for archaeological heritage tourism.*

The Archaeology Task Force's third initiative is to expand the President's *Preserve America* initiative by ensuring public enjoyment of our nation's heritage through greater knowledge and appreciation of archaeological properties. Several ACHP members are taking an active interest in this topic, including the ACHP's Native American representative, Peter Jemison, and ACHP expert member Mark Sadd. Mr. Sadd may serve as the Preservation Initiatives Committee liaison to the Task Force on the topic of heritage tourism and archaeology.

The Task Force Committee focused on this topic will be formed as the initial Section 106 guidance effort winds down—hopefully by the Summer of 2006.

New Task Force resources: Kay Simpson, an archaeologist with the Cultural Resources Group of Louis Berger Associates, has been selected by the Society of American Archaeology, American Cultural Resource Association, the Society for Historical Archaeology and the Register of Professional Archaeologists to serve with Dan Roberts as a resource to the Task Force. Martin E. Sullivan, Executive Director of Historic St. Mary's City, has also been selected to serve the Task Force as a resource representing the American Association of Museums.

Next Task Force meeting: The Task Force is next scheduled to meet on February 3, 2006, to continue development of its initial first draft of a new human remains policy.

Current and proposed schedule:

December 2, 2005: Close of comment period on the document *Working Principles for revising the ACHP's "Policy Statement Regarding Treatment of Human Remains and Grave Goods"* published in the Federal Register on September 1, 2005.

January 2006: Presentation to the executive board at the Society for Historical Archaeology annual meeting.

March 2006: First draft of revised human remains policy available (tentative).

March 2006: Presentation at NCSHPO annual meeting.

April 2006: Presentation at Society for American Archaeology annual meeting.

Spring 2006: Regional government-to-government consultation meetings to be conducted with Indian tribes and Native Hawaiian organizations on the first draft revision of the human remains policy (specific meeting dates to be announced).

For more information: Should you have any questions, please contact the Task Force Chair, Julia King, by e-mail at King@dhcd.state.md.us or the ACHP's staff contact, Tom McCulloch, at tmcculloch@achp.gov.