



SOCIETY FOR AMERICAN ARCHAEOLOGY

April 25, 2011

The Honorable Jimmy Holly, Chairperson
Alabama Senate Committee on Government Affairs
Room 733, State House
11 South Union Street
Montgomery, Alabama 36130

Dear Chairperson Holly:

The Society for American Archaeology (SAA) writes to you to express our concerns about HB104. We think this bill, if enacted, will threaten significant cultural resources, and potentially do irreparable damage to the historical heritage of the people of Alabama.

The SAA is an international organization, founded in 1932, dedicated to research, interpretation, and protection of the archaeological heritage of the Americas. With more than 7,000 members, SAA represents professional archaeologists in colleges, universities, museums, governmental agencies, and the private sector. SAA has members in every state within the United States, including Alabama, as well as in many other countries around the world.

HB104 would change the Alabama Underwater Cultural Resources Act (AUCRA) and its regulations so that underwater cultural resources are defined only as artifacts associated with shipwrecks. Archaeologists who work in Alabama know there are additional submerged artifacts with significant historical and cultural value, including Civil War weapons deposited near forts, and Native American artifacts and sites submerged in prehistoric times. Shipwrecks represent only a small percentage of the very large number of underwater cultural resources in the state.

We recommend the current definition of underwater cultural resources remain unchanged so that all submerged artifacts and sites are protected by AUCRA.

There is no practical reason to change the definition of a cultural resource. To our knowledge there has only been one arrest and conviction for dredging historic artifacts in recent history, and there have been no arrests or convictions since the implementation of the Alabama Historical Commission's (AHC) current regulatory and permit program in 2006. The negative impacts of AUCRA and the AHC's regulations and permit program upon divers, the public, and artifact collectors are negligible.

Under HB104's proposed changes, Alabama will be alone among the states in allowing the blanket, unregulated recovery of tens of thousands of historic artifacts from its waters. HB104

will encourage the looting of important Native American, Civil War, French and Spanish underwater sites such as Cahawba, Blakely, Selma, Fort Morgan, Mobile, and Coosa. Important historical artifacts will be collected from Alabama's rivers and waterways in an undocumented manner, and many of these artifacts will be taken out of the state and sold. This will result in a significant part of Alabama's cultural heritage and history being lost to the people of Alabama forever.

The SAA is dedicated to preserving significant archaeological resources in the United States, and using these wisely to benefit present and future generations of the American people. We urge you to reject HB104 and protect all significant underwater cultural resources in Alabama.

Sincerely,



William F. Limp
President

cc: Governor Robert Bentley
Roger Bedford, Vice Chairperson
Scott Beason
Dick Brewbaker
Linda Coleman
Priscilla Dunn
Vivian Figures
Arthur Orr
Tripp Pittman
Paul Sanford
Bryan Taylor