



September 24, 2013

The Honorable John Boehner  
Speaker of the House  
U.S. House of Representatives  
H-232, U.S. Capitol  
Washington, D.C. 201515

The Honorable Nancy Pelosi  
Democratic Leader  
U.S. House of Representatives  
H-202, U.S. Capitol  
Washington, D.C. 20515

Dear Speaker Boehner and Leader Pelosi,

The Society for American Archaeology (SAA), the American Cultural Resources Association (ACRA), and the Society for Historical Archaeology (SHA) respectfully request that the House defeat the Southeast Arizona Land Exchange Act (H.R. 687) when it is considered on Thursday, September 26. Passage of the bill would prevent those cultural resources potentially impacted by the project envisioned in the legislation from receiving the full amount of protection afforded to them under federal law.

Our members include thousands of private-sector and academic archaeologists, cultural resources managers, and researchers, who understand the very difficult economic situation facing the residents of south-east Arizona, and the nation as a whole. We do not oppose development on federal land per se. Indeed, we strongly advocate economic expansion that is in balance with the preservation of cultural and historical resources important to the American people. Our concern with H.R. 687 is that it would reject that balance in favor of a carve-out that will force the government to abjure many of its responsibilities to the public. Specifically, the bill would require the preparation of an environmental review under the National Environmental Policy Act (NEPA) only *after* the land exchange between the U.S. government and two private mining firms is completed, and exploratory and pilot mining activities are conducted.

This is exactly the reverse of what the public has come to expect in decisions affecting development on public lands for more than 40 years. Under NEPA, such reviews are to be carried out before any action is taken, so that the impacts to environmental, historic, and cultural resources can be adequately assessed and mitigated ahead of time. In addition, H.R. 687 would transfer to private ownership, and thus expose to mining activity, a number of areas considered

sacred by several federally recognized Indian tribes, without first conducting the government-to-government consultation with those tribes as required by law.

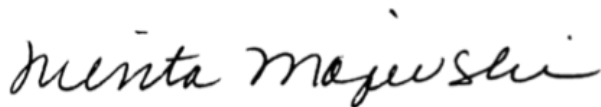
An amendment was proposed by Rep. Grijalva to rectify these problems. It would have altered the legislation to require the completion, before any exchange of land, of a NEPA analysis of the mining companies' Plan of Operations. Such a review would enable officials to appropriately quantify and address the proposed mine's impacts on environmental and cultural resources, and to consult with affected tribes about potential damage to sacred sites. We were disappointed when the Rules Committee did not make this amendment in order for the debate on H.R. 687. Without these changes, the bill, as currently written, would jeopardize the government's responsibility to protect for future generations the cultural resources located on this public land.

We urge the House to reject H.R. 687. Thank you very much for your consideration of this important matter.

Sincerely,



Jeffrey Altschul, Ph.D., RPA  
President, Society for American Archaeology



Teresita Majewski, Ph.D., RPA, FSA  
President, American Cultural Resources Association



Paul R. Mullins, Ph.D.  
President, Society for Historical Archaeology