# BULLETIN

## OF THE SOCIETY FOR AMERICAN ARCHAEOLOGY

VOLUME 1

**DECEMBER 1983** 

NO. 5

#### HISTORIC SHIPWRECK LEGISLATION UPDATE

The "Historic Shipwreck Preservation Act" (H.R. 3194 and S. 1504), which removes historic shipwrecks from the realm of admiralty and salvage law and places them under the protection of state laws, is being strongly opposed by sport divers and salvage operators. The mail on the distoric Shipwreck Bill is running against enactment, although Congressional staffs note that there is significant support for the law from archaeologists, the reservation community, and some states.

Right now the opposition does not appear strong enough to kill the legislation. But, likewise the support is by no means strong enough to ensure that the bill will pass.

Sport divers are highly organized and as one Congressional staffer put it, "much more energetic" than the supporters. At this point the future of this legislation is up in the air. Strong support or strong opposition between now and when Congress reconvenes in January could determine whether or not the bill is enacted and in what form.

Energetic support from the archaeological community can ensure passage of the Historic Shipwreck Bill. If you are concerned about this issue and wish to see this legislation enacted, write to your Representative and your Senator now.

For additional information on the Historic Shipwreck Preservation Act see <u>Bulletin</u> for September 1983, volume 1, Jumber 4, page 3, columns 1, 2, and 3.

Significant historic and archaeological properties are protected by Section 106 of the National Historic Preservation Act. Section 106 requires all agencies to consider the effects their undertakings (federal agency projects, projects assisted by or licensed by a federal agency) will have on properties listed or eligible for listing in the National Register of Historic Places. Section 106 also requires federal agencies to provide the Advisory Council on Historic Preservation a "reasonable opportunity" to comment on the potential effects of federal undertakings on National Register properties. The Council has been trying to revise its regulations, 36 CFR Part 800, which implement Section 106, since the 1980 elections in response to the President's commitment to simplify federal regulating processes. All revisions to rules must be approved by the Office of Management and Budget (OMB). OMB and the Council have had serious difficulty agreeing on revisions to Part 800. OMB recently submitted the proposed revisions to the Justice Department in the hope that the Justice Department could resolve the outstanding legal debate between OMB and the Council.

The Justice Department forwarded its opinion to the Council and OMB immediately prior to the Council's meeting on Monday, November 11, 1983. The substance and impact of that opinion are reported below.

### ADVISORY COUNCIL REGULATIONS UNDER FIRE

The Justice Department recently issued an advisory opinion on the legality of the proposed revisions to the Council on Historic Preservation regulation, Title 36 Code of Federal Regulations, Chapter IV,

Part 800 (36 CFR Part 800), which implement Section 106 of the National Historic Preservation Act. Justice's opinion is that the Council's regulations significantly exceed the Congressional mandate, which is to advise federal agencies on historic preservation matters and commenting on federal undertakings that may affect historic (including archaeological) properties. Consequently, the Council cannot proceed with publication and implementation of the proposed revisions. The Justice Department's opinion applies equally to the Council's present regulations. The Justice Department's opinion is purely advisory. It does not set aside or revoke the existing regulations or any agreements or comments developed under them.

The Council disagrees with Justice's opinion, arguing that under both the current and proposed revised Part 800 regulations the Council's role remains strictly advisory. The Council maintains that its regulations are purely procedural in nature. Agencies always retain all decision-making authority. Nevertheless, the Council's Chairman, Alexander Aldrich, has decided that the Council will attempt to revise the proposed revisions to meet the Justice Department's objections. Aldrich believes that Justice's objections are not so substantial as to require changes in the regulations that would significantly deminish the Council's ability to provide federal agencies with relevant advice on how to treat historic properties that may be affected by their undertakings.

Until the Council publishes and adopts revised regulations, it will continue to operate under the existing regulations. All agencies must still seek the Council's comments, and all comments—including Memoranda of Agreement—obtained under the existing regulations are valid and remain in effect.

\* \* :

Archaeologists have recently found themselves involved in several controversies with American Indians. These controversies result from conflicts between the archaeologist's perception of archaeological remains as scientific data, while many Indians regard those same materials as portions of their heritage. The controversy has been particularly heated when human remains are involved. An innovative approach was tried last summer in the State of Louisiana, which is reported here.

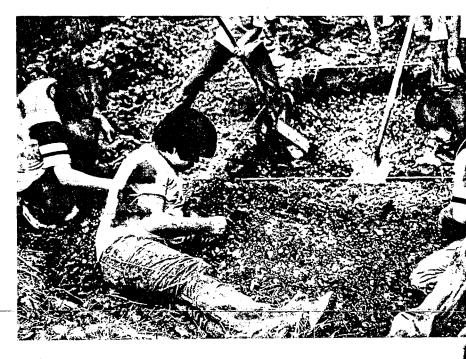
THE LOUISIANA INDIAN YOUTH AND ARCHAEOLOGY PROJECT

-----Ву--

J. Richard Shenkel Kathleen Byrd Will V. Adger

Louisiana has had some celebrated Indian vs. archaeologist conflicts. The most publicized controversy relates to the "Tunica Treasure." The "treasure" is a large collection of 17th and early 18th century European and Indian artifacts that was buried in an early 18th century Tunica Indian cemetery. The graves were excavated by a "pot hunter" on land belonging to someone else. The Harvard Peabody Museum offered to buy the collection and, with the permission of the finder, removed the collection to the Peabody Museum for safekeeping until the sale could be arranged. Problems arose when the finder could not establish legal ownership, and later the State of Louisiana purchased the site and claimed the collection as part of that purchase. Both the "pot hunter" and the original property owner have claims, as do the Tunica themselves. After almost ten years, multiple law suits have still not resolved all of the claims. The Tunica, most of whom now live in Marksville, Louisiana, are angry about the whole affair.

Ernest Sickey, who was both the Chairman of the Coushatta Tribe of Elton, Louisiana, and the Chairman of the Inter-Tribal Council of Louisiana, Inc., was sensitive to and concerned about the relationships between Indians and archaeologists in Louisiana. In August 1981, Sickey contacted Mrs. Lawrence Fox, Secretary of the Louisiana Department of Culture, Recreation and Tourism, to suggest that a program be developed that would involve



Indian youths excavating a newly opened unit at the Marksville ossuary on the Big Oak Island Site, Louisiana

Indian youths in an archaeological project so as to improve the Indians' understanding or archaeology and the archaeologists' understanding of the feelings and concerns of Louisiana's Indians. Dr. Kathleen Byrd, the State Archaeologist, whose Division of Archaeology is a part of the Department of Culture, Recreation and Tourism, began work with Mr. Will Adger, Program Coordinator for the Inter-Tribal Council, to develop a project based on Sickey's suggestion. The project's objects were to provide the youth of Louisiana's Tribes with:

- a working knowledge of professional archaeology, its goals and objectives,
- an understanding of the code of behavior practiced by the ethical archaeologist, and
- 3) an idea of how information supplied through studies of artifacts can benefit Indians and non-Indians alike in understanding a past for which there is no recorded history.

They felt that this knowledge would help the teenagers of the Tribes to deal with professional archaeologists in years to come, in an intelligent and equally professional manner, on this very sensitive subject. This program design would also foster mutual understanding and appreciation, an understanding of archaeology by Tribe members and an appreciation of Indian feelings by the archaeological establishment.

Byrd and Adger then identified a site where the project could be carried out. The University of New Orleans (UNO) was having an archaeological field school during the summer of 1982. The focus of the UNO research was a large multicomponent shell midden known as I Oak Island, not far from the UNO campus and within the city limits of New Orleans. This National Register site is privately owned, but leased to the Jean Lafitte National Historical Park by New Orleans East, Tecon Realty Compan

The State Archaeologist contact the UNO Project Director, J. Rich Shenkel, to determine whether the Big Oak project might be suitable for the Indian Youth Project. A first Shenkel was hesitant because one of the primary research goals of the 1982 season involved the excavation of a Marksville ossuar that had been found during a pred season. While this did lead to particularly sensitive situation it was decided that the exposure of burials in an academic atmosp and with a well defined purpose might well achieve the goals of Indian Youth Project better than anything else. So, Big Oak Isla was selected as the site.

With site selection settled, Division of Archaeology began to develop an agenda and the InterTribal Council began to recruit participants, arrange housing at transportation, and find funds t support the project.

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Given the number of potential participants, it was decided to divide them into two groups to be given the same program sequentially wer a three-day period. The agenda legan with two afternoon introductory lectures and a guided tour of the site. After a dinner break, an evening session included a film and a discussion period. The following morning, the group would return to the site to participate in the excavations for half a day before returning home.

Partial funding for the Indian With Project came from New Orleans Bast, Tecon Realty Corporation, where of the Big Oak site. They, in addition to supporting the UNO mesearch, defrayed the costs of bousing and meals while the Indian Youth were in New Orleans.

Housing was arranged on the UNO campus. The film and the lectures were given in a classroom adjacent to the Archaeology Laboratory. This classroom had been modified for the summer to serve as a teaching laboratory for the field school. This was convenient because materials that had already been excavated were spread around on tables in varying stages of cataloguing and analysis and were available for examination and as a focus for discussion.

The first group of Indian. youths arrived late on the morning of July 7, 1982. After settling into the dormitory and a quick lunch, the group met at the teaching lab. Dr. Byrd acted as master of ceremonies. Dr. Shenkel gave the first talk, an explanation of the Big Oak Island Project. Shenkel's talk included an abbreviated account of the prehistory of Louisiana and a history of Louisiana archaeology. The results of the earlier seasons' work at the Big Oak site were explained in detail to introduce the goals and objectives of the current season's research. Emphasis was placed on how archaeologists learn things about ancient peoples (social organization, cultural ecology, cultural-historical relationships, etc.) by different kinds of data analysis. The cultural and physical anthropological importance of burials was

Professor Malcomb Webb, also of UNO, gave the next talk entitled "Why we dig." This was a broad brush explanation of the science of archaeology and its place in anthropology. Webb discussed aspects of method, theory, and ethics at length. Web noted that archaeologists all over the world are exhuming the remains of their ancestors. Were

he in England, he would be digging up old Englishmen; since he is in America, he digs up old Americans. As an example of the universality of this aspect of archaeology, Webb mentioned the "Search for Alexander" exhibit that was currently on display at the New Orleans Museum of Art. In this case, Greeks excavated the tombs of ancient Greek (Macedonian) kings. The Tut exhibit, which had been on display a few years before, was also mentioned. These examples struck a responsive chord with the young audience.

After the talks, everyone loaded into vans and proceeded to the Big Oak Island site, about 20 minutes from campus. Once there, Shenkel pointed out the various features that he had discussed previously. The field school had already been excavating for four weeks, so there was quite a bit to see. Several units had been completed with good profiles showing various stratigraphic features. These were used to illustrate excavation procedures and stratigraphic interpretation. A portion of the Marksville ossuary was exposed with an incredible jumble of broken bones akimbo (all, or portions of, at least 25 individuals within one 40 cm deep, 3m x 3m unit). This provided a good example of the use of coordinate mapping of complex features and again emphasized the care involved in excavation and recording of data.

The group left the site about 5:00 p.m. for a dinner break. At 7:00 p.m. it reconvened at the teaching laboratory for a viewing of the Shell Oil Company film, "The Early Americans." This was followed by about an hour discussion, questions, and answers directed to Byrd, Shenkel and Webb.

The next morning all traveled again to the site. Several special excavation units had been previously established for the Project. The group was divided into teams of four and placed under the direction of the UNO field school crew. This gave Shenkel the additional benefit of seeing how well his students could communicate what they had learned over the previous four weeks. It also let the Indian teenagers work with people closer to their own age.

Due to the nature of the site, most of the excavation consisted of trowelling and screening with little use of the shovel. By the end of the morning, everyone had moved some dirt, learned to recognize artifacts. Some significant discoveries were made including the first cross-hatched rim and the first sandstone bead recovered from the Big Oak Island site. Also, since southern Louisiana in July is not particularly known for its

balmy climate or pest-free environment, the youths were sufficiently sweaty, dirty, and "chigger-bit" to realize that the "romance of archaeology" is often overdone. Serious archaeology is hard work.

Just before noon the first group was returned to the dormitory to clean up and depart for home and the second group arrived. They participated in an identical program.

In all, 40 Indian teenagers participated in the Project. They included members of the United Houma Nation of Dulac, Harvey, and Golden Meadow, Louisiana; the Jena Band of Choctaw of Jena, Louisiana; the Coushatta Tribe of Elton, Louisiana; and the Chitimacha Tribe of Charenton, Louisiana. Two members of the Chickasaw Tribe of Oklahoma who currently live in Baton Rouge, Louisiana, also participated. One member tribe of the Inter-Tribal Council chose not to participate, the Tunica/Biloxi of Marksville. This was unfortunate, but understandable, given the situation with the "Tunica Treasure."

Was the Indian Youth Archaeology Project a success? In the short run, it definitely was. In the abundance of letters that followed the project between all of the participating agencies, thanking each other for their cooperation and assistance, a persistent theme is evident. Everyone involved—the lecturers, organizers, chaperons, UNO students, and most importantly, the Indian youths—had a good time. Mr. Sickey, the originator of the whole idea called the project "...an enormous success."

In the longer view, only time will tell. Perhaps this project has planted the seeds for future understanding and appreciation by the Indian community of archaeology. As the original goals stated, this program was conceived as an investment in the future.

Given the good feelings generated, all involved said that the project should be repeated, perhaps on a biennial basis. The only change in project format that has been suggested is increasing the time spent actually working in the field. The teenagers to whom the program was directed, were attentive during lectures and proved to be enthusiastic during excavations. The only complaints voiced were objections raised at having to leave the excavations to go home.

#### Acknowlegements

We wish to thank Mr. Ernest Sickey, Chairman of both the Coushatta tribe and the Inter-Tribal Council of Louisiana, Inc., for having the idea that got the project underway. We would also like to express gratitude to New Orleans East, Tecon Realty Company, for their financial assistance to the

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THE LOUISIANA INDIAN YOUTH AND ARCHAEOLOGY PROJECT (continued from page 3)

archaeology of Big Oak Island and to the Indian Youth Archaeology Project. We also wish to thank Dr. Malcolm C. Webb for his participation in the project. Our work throughout the project was aided by our staffs, Inter-Tribal Council of Louisiana, Inc., Louisiana Division of Archaeology, and the archaeology students of the University of New Orleans. It was they who did most of the actual work. The success of the project is primarily due to their efforts. Finally, we note with appreciation the administrators of the Louisiana Department of Culture, Recreation and Tourism and the University of New Orleans for their support of this project and willingness to do a little something extra, even in a year of budget cutbacks.

### WHAT TO DO ABOUT MAILING LIST PROBLEMS

SAA Executive Director, Jerry Miller, reports that some members are still experiencing difficulty in receiving journals, etc., mailed to their proper address. The SAA Executive Office now has the membership list up and running and they have debugged it as far as they can. Miller asks that members experiencing problems with receiving the American Antiquity or the Bulletin or any other membership problem contact his office so that they can be corrected. The Executive Officer's address is:

Society for American Archaeology 1511 K Street, NW, Suite 716 Washington, D.C. 20005

#### COAL PMOA UPDATE

At least partially as a result of the Justice Department's advisory opinion on the legal issues surrounding the Advisory Council on Historic Preservation's regulations (Bulletin, page 1, column 2) the Office of Surface Mining (OSM), the Interior Department agency responsible for regulating surface mining for coal, has decided that the controversial "Coal PMOA" is a dead issue. OSM sources report that the PMOA will not be signed by the Secretary of the Interior. They note, however, that OSM currently plans to use

the PMOA as the basis for a "program document," an internal guideline to be used by OSM in reviewing proposed coal mining permits in areas where historic and archaeological properties may be affected by mining and minerelated activities.

#### A LETTER FROM THE EDITOR

\* \* \*

As you are all aware, the September issue of the Bulletin was delivered quite late. The tardiness of that issue was due to numerous problems encountered at every step in the production process. This issue of the Bulletin is being produced in Washington by the SAA's Executive Office. The shift in production responsibilities should ensure that the difficulties encountered with the September issue will not be repeated. In the meantime, I would like to take this opportunity to apologize to all of the members of the SAA, and to those who contributed to the September issue, or relied upon it to circulate timely information.

> Alan Downer Editor

## SALE ON BACK <u>AMERICAN</u> <u>ANTIQUITY</u> ISSUES ANNOUNCED

The SAA Executive Committee announced that back issues of American Antiquity published in 1978 or earlier (Volumes 43 and older), as available, will be offered at the sale price of \$5.00 per issue until June 30, 1984. Order blanks will be enclosed with the Annual Meeting Registration packet and will be available at the Annual Meeting.

On July 1, 1984, back issue prices will be raised to \$12.50 each for members and \$15.00 each for non-members.

#### OF FOOTBALLS AND ARCHAEOLOGY

Editor's Column Alan S. Downer

Every fall, when college football season is upon us, I spend my fair share of time in front of my T.V. set taking in the gridiron classics. The NCAA interspurses short video blurbs during dead spots. Most of these blurbs rel to the academic roles of our gre universities. Normally, these are devoted to white lab-coated molecular nuclear chemists surro by banks of instruments and expe mental apparati and shots of pla and animal husbandry research. Sometimes they are reserved for simple nostalgic shorts featurin ivy covered halls, students walk across campus, or studying in cla rooms. In addition, each of the colleges featured on the game ge 30-second spots to run video blu on their campus. These usually feature the same sort of footage

But one weekend I noticed a v striking thing. On the first gas of the doubleheader there was a on the University of Tennessee. The entire piece was taken up by an archaeological project being by the University of Tennessee Anthropology Department. The segame of the doubleheader feature the University of Texas vs. SMU. And SMU's spot at the half time was devoted entirely to an archaelogical project run by the SMU anthropology department's Archaelogical Research Program.

Now this seems to me to be particularly significant. It is not significant that millions of college football fans were expose to archaeology one Saturday -- they got a dose of perhaps 60 seconds in the midst of four to six hours of 'football, although who knows how far reaching an effect that 6 seconds might have had. (We can live in hope!) But what does strike me as important is the two major universities think that archaeology is interesting and th it is important enough that they are engaged in archaeological research to devote their entire P.F allotment on a football game to archaeological projects. I don't mean to suggest that we've achiev parity with the ag schools or the more glamorous and esoteric scien that are the favorites of the peo who produce these little features

But the presence of these archological short subjects does suggithat, even in times of cutbacks a pressure on anthropology departme on many a campus, archaeology fil a favored position. And I find theartening. Administrations (wel at least two administrations) see archaeology not only as something interesting but also as something that reflects very positively on their institutions.

I'm not so isolated from the academy as to think the Deans are going to admit this very often or so naive as to think that these tlittle shorts are going to change anyone's mind. But it does show that we deal with a subject that is marketable. It will take hard

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OF FOOTBALLS AND ARCHAEOLOGY (continued from page 4)

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work and a commitment to archaeology quite different from the
research orientation we've been
trained in. Nevertheless, it can
be done—it has been done. The
entire discipline can benefit.
This is not just a matter of
"pumping up" a program here and
there, or improving archaeology's
image with the public. In these
hard times, it is a matter that
cuts to the heart of the very survival of archaeology as it has
evolved over the last fifteen
years.

It is time to move beyond talking about communicating with the public. Some archaeologists have bothered, they've been pretty successful. We've got a marketable product—but as any salesman will tell you, nothing sells itself. The NCAA and the universities have told us that we have something of interest to the general public. But it is up to us, not the NCAA, to reach out to that public.

BULLETIN BOARD

The University of California Research Expeditions Program is currently recruiting members for archaeological teams slated to document ancient Southwest Indian rock art and geoforms. Fieldwork will include mapping sites and recording the rock carvings and stone alignments through photography, tracings, and rubbings. No special academic or field experience is necessary for participation in the expedition which will take place in three 11-day sessions beginning December 28th. People interested in obtaining a free catalog describing this and other archaeological field expeditions for the coming year should contact the University Research Expeditions Program, University of California, Berkeley, CA 94720 or call (415) 642-6586.

M.I.T. SUMMER INSTITUTE

Materials in Ancient Societies: Ceramics

The Center for Materials Research in Archaeology and Ethnology (CMRAE) announces its third annual Summer Institute course. This one-month intensive investigation of ancient ceramic technology and production will be held June 4-29, 1984, at M.I.T. It will be taught by Suzanne DeAtley, Assistant Professor of Archaeology, M.I.T., and Director of the CMRAE Summer Institute; and William Melson, Curator, Division of Petrology, Department of Mineral Sciences, Smithsonian Institution. The purpose of the course is to develop the analytical skills that enable students to reconstruct and interpret technological systems used by ancient and non-industrial societies in the production of ceramics. The course will be valuable to students of archaeology, anthropology, art history, conservation of cultural materials, and other related disciplines.

Morning lectures will discuss the stages of production common to most ceramic objects, focusing on the materials science aspects involved: e.g., mineralogical and chemical variability in raw materials; physical properties and microstructure of ceramics; firing transformations. In addition, technologies of ceramic production will be related to the socio-cultural settings in which the activities occurred. Afternoon laboratories will involve examination of prepared ceramic standards and excavated artifacts, with emphasis on low power and petrographic microscopy. Additional mineralogical and chemical techniques (e.g., x-ray diffraction, x-ray fluorescence, neutron activation, electron microprobe, scanning electron microscopy) will be covered as well.

The course is limited to 15 participants and is open to graduate students and faculty or post-doctoral staff. Credit must be arranged at the student's home institution.

The cost is \$500.00 which covers registration and course materials.

Lodging in the M.I.T. dorms can be arranged for an additional cost of approximately \$700.00. Financial assistance is available.

For further information and application forms, write to:

Professor Suzanne DeAtley Director, CMRAE Summer Institute Massachusetts Institute of Technology Room 8-138 Cambridge, Massachusetts 02139

The deadline for receiving applications is February 15, 1984.

The Register to the Papers of
Neil Merton Judd, by James R. Glenn,
and a Register to the Papers of
Frank Harold Hanna Roberts, Jr.,
by Janette Saquet have been published
by the National Anthropological
Archives. Both sets of papers
largely concern the fieldwork and
research of Smithsonian archaeologists focusing on the American
Southwest. Copies of the registers
can be obtained without charge from
the National Anthropological Archives,
Smithsonian Institution, Washington,
D.C. 20560.

The Engineering and Groundwater Committee of the Society of Exploration Geophysicists is sponsoring a session including technical papers on the application of remote sensing and high-resolution ground geophysical methods in mapping and evaluating human cultural resources at the Fall 1984 S.E.G. Annual Meeting in Atlanta on "Archaeology and Geophysics." A 1,000-2,000 word extended abstract will be required by May 1, 1984, by those interested in participating.

Additional information is available from:

Dr. Jeffrey D. Wynn U.S. Geological Survey 913 National Center Reston, Virginia 22092 (703) 860-6564

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1984 MIDWEST
MESOAMERICA CONFERENCE

The 7th Annual Midwest Mesoamerica Conference will be held
March 24 and 25, 1984, at Loyola
University in Chicago, Illinois.
This is a meeting with informal
talks and presentations. We
require no abstracts and participants are discouraged from
reading formal written papers.
The emphasis has traditionally
been on archaeology, but other
presentations focusing on
Mesoamerica (art history,
ethnology, etc.) are welcome.

For more information contact: Michael E. Smith, Department of Sociology/Anthropology, Loyola University, 6525 N. Sheridan Rd., Chicago, Illinois 60626.

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#### SPECIAL ANNOUNCEMENT

#### VACANCY NOTICE

The ADVISORY COUNCIL ON HISTORIC PRESERVATION will soon begin recruiting to fill the position of Chief, Western Division of Froject Review, located in Denver, Colorado. The position will be filled at a GS 11/12 level. For further information contact:

Dr. Thomas King, Director
Office of Cultural Resource
Protection
Advisory Council on Historic
Preservation
The Old Post Office Building
1100 Pennsylvania Ave, NW
Suite #809
Washington, D.C. 20004

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