The Federal Archeology Program as Seen from the Inside

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THE FEDERAL ARCHEOLOGY PROGRAM

AS SEEN FROM THE INSIDE

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A Thesis

Presented to

The Faculty of the Department of Anthropology
The College of William and Mary

In Partial Fulfillment
of the Requirements for the Degree of

Master of Arts

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by

Susan Katherine Scherff

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APPROVAL SHEET

This thesis is submitted in partial fulfillment of
the requirements for the degree of

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Susan Katherine Scherff

Approved, May 1987

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DEDICATION

This thesis is dedicated to my parents, they paid for it and kept me going.
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The writer wishes to express her appreciation to Ted Reinhart, under whose guidance this work was done. The author is also indebted to Jean Belvin without whose expert help this thesis would never have been completed.
ABSTRACT

The federal archeology program has been developing since the Antiquities Act was passed in 1906. The 1966 Historic Preservation Act, as amended, had perhaps the greatest effect on how our archeological resources are surveyed, evaluated and preserved. The 1966 Act and others placed the onus of this preservation on the federal land managing agencies.

The process by which these resources are preserved is spelled out in the laws and regulations, but carried out by federal employees, archeologists, contractors, state compliance officials and staff of the Advisory Council on Historic Preservation. This operation is examined through the opinions and remarks of professionals gathered by a questionnaire. Respondents rated the legislation, overall performance and made suggestions for future changes. The analysis of these responses revealed that overall the point of discussion is no longer a question of compliance or non-compliance with federal guidelines, but the manner and degree of this compliance. Archeology has become part of federal agencies' planning processes to some extent, but greater communication is still necessary. Overall, the program is seen to be working, but insiders feel that there is still more to be accomplished.
THE FEDERAL ARCHEOLOGY PROGRAM

AS SEEN FROM THE INSIDE
INTRODUCTION

The passage of the Historic Preservation Act took place 21 years ago. Since 1966, historic preservation has become part of both American life and language. Public Law 89-665, as The Historic Preservation Act of 1966 is also known, was not the first federal attempt to legislate protection for cultural resources, but it was the first highly successful attempt. In the wake of PL 89-665 other legislation was passed to amend, simplify, or "put teeth into" other previous legislation. The initial effect of this law and the Environmental Policy Act of 1969 (PL 91-190) was to place the requirement for protection of cultural resources on public lands in the hands of the federal agency which administered those lands.

Requiring federal land managers to "take into consideration" (Section 106 of PL 89-665) the effect of their actions on cultural resources eventually led to the 1976 and 1980 amendments to PL 89-665, the former specified protection for cultural resources that were on or eligible for the National Register of Historic Places, and that if these resources were potentially present, a survey should
be conducted to ascertain their eligibility. But the 1980 amendments essentially codified the Executive Order 11593, signed by President Nixon in 1972. EO 11593 (Protection and Enhancement of the Cultural Environment) directed that all federal agencies identify, evaluate, nominate and protect all cultural resources under federal stewardship by July 1973.

The immediate effect that these legal measures had on federal land managers was to identify a need for them to develop and implement some sort of survey procedure. Of primary concern for this study is the portion dealing with archeology. The required pairing of federal agency officials and professional archaeologists was going to result in a unique and quarrelsome match. Both groups had professed a common goal, but the development of a survey and evaluation program and contracts would ultimately show differing goal interpretations, at the least. Federal land managers would comply with the letter, if not the spirit, of the law by appointing individuals to handle the historic preservation program within the agency; but seldom was a preservation professional hired. More likely, archeology fell under "other duties as assigned" on one's job description. This resulted in a deep and profound distrust of agency motives on the part of professional archeologists. The development of the Advisory Council on Historic
Preservation as a court of last resort or an ax wielding savior can be seen in the following anonymous poem from 1974 (King et al. 1974:175):

We must now learn all the tricks
To be found in 106
When we find a fed whose EIS is lacking.
We most look 'em in the eye;
Holler "FAILURE TO COMPLY!"
And the legions of the Council start attacking.

In spite of this uneasy partnership, archeological surveys had to be conducted and the federal agencies were expending funds. These funds which seemed so endless created a new sort of archeologist, the contract professional who worked for a company and whose living depended on the pursuit of government contracts. These contract archeologists often had no affiliation with an institution of higher learning. In Anthropology in Historic Preservation these new "preservationists" are described thusly:

The consultants, contractors, and agency employees who do preservation's legwork are largely unregulated. Many archeological surveys done under terms of the historic preservation statutes are
embarrassingly bad examples of scientific research; little attention is given to maintaining high standards of scholarship or documentation. Much contract work is done by people primarily interested in financial gain or security of employment; as a result, both price-gouging and "whitewashing" of destructive projects occur... (King 1977:189).

It is this sort of opinion that made the pairing of federal land managers and archeologists a quarrelsome one. It would be foolish to imagine that a federal agency that was preparing a major project would be overjoyed at the prospect of a long delay while archeologists evaluate and excavate in the project area. Academic archeologists on occasion were prepared to work years on a site prior to identifying its potential to yield data necessary for the advancement of the public archeology record. And often this approach was the only logical one, but the federal managers found such delays to be both maddening and costly. In situ preservation often became the option of choice for many federal managers. The implementation of the identify and evaluate directives in EO 11593 often stopped with a cursory Phase 1 site identification. If sites were merely being located on federal lands, and no further evaluation or excavation was taking place, how was this expenditure of
tax dollars advancing archeological knowledge for the greater public good?

But in spite of the problems generated by the pairing of the federal managers and archeologists, hundreds of thousands of dollars were being spent on archeology. In its 1984 *Report to the President and the Congress of the United States* the Advisory Council on Historic Preservation states:

There is no doubt that Federal legislation has greatly benefitted archeology in recent decades. Through funding made available as the result of the protective provisions of the National Historic Preservation Act and other statutes, hundreds of archeological sites have been safeguarded from harm or salvaged in the face of approaching development. In some cases, the contribution to knowledge has been considerable.

One recent piece of legislation and its regulations have also had an effect on the archeology problem. The Archaeological Resource Protection Act of 1979 and its enabling regulations passed in January 1984 (43 CFR 7) have both protected sites from unnecessary excavation and looters, and have also, in some cases, created a paranoid reluctance
on the part of federal land managers to provide copies of contractor generated reports to other researchers. It is in these reports alone that the finds and their implications are discussed. Contractors seldom have time to publish works in scholarly journals and often the terms of their contracts prohibit such writing. If the goals of archeology are to use the evidence found through excavation and study to illuminate past lifeways, how can this be accomplished if the federal agencies do not allow excavation of their sites or, if excavation is performed, do not distribute copies of the findings? In light of this, can it be said that the expenditure of federal funds on a great scale to survey federal land is being used for the betterment of the archeological community and the United States as a whole?

This again begs the question on the ability to use the information gathered from federal agencies in the archeological data base. Recently the Advisory Council on Historic Preservation has been requiring the submittal of all reports generated under the preservation memorandum of agreements to the National Technical Information Service (NTIS) (Memorandum of Agreement Pamphlet, ACHP)> Perhaps this will create a wider dissemination for contract data in the future.
The question of the validity of the federal cultural resources management program, specifically that portion which deals with archeology is the subject of this report; not in terms of dollars and cents or in actual numbers of sites located per dollar spent, but in terms of the expectations of the land managers, the contract archeologists and the academic archeologists. Also, the opinions and expectations of the federal regulatory agencies and agencies such as the State Historic Preservation Offices and the National Park Service will be addressed to determine if the experts in the field of archaeology feel that the expenditure of federal dollars is both warranted and the best solution for the cultural resources that the legislation seeks to protect.

This study is divided into three chapters. The first is an analysis of the legislative base. It will deal with the laws and federal regulations which directly effect the cultural resources under federal management. There are many regulations which might indirectly affect cultural resources, but the major pieces of federal legislation have precedence and only they will be discussed.

The second chapter will deal with a questionnaire which was sent to 100 individuals who are involved in the federal preservation program, either as reviewers, contractors and
federal employees (archeologists and non-archeologists). This questionnaire will be analyzed as to content and the responses. While a questionnaire is an inexact polling, by being aware of its shortcomings in language or format one can still gather an accurate appraisal of the correspondent's position on a question.

The third chapter will deal with the results of the questionnaire. Given the opinions and expectations expressed in the questionnaire one can evaluate the federal program, on average, and perhaps make some suggestions to the various individuals. Based on the past, a expectation for the future will be developed.
CHAPTER ONE
THE LEGAL BASE
Archeological sites were the first of our cultural resources that legislation attempted to protect. In the late 19th century the developing anthropological and scientific societies, such as the American Society for Advancement of Science, Smithsonian Institution and the Archeological Institute of America, dominated scholarly archeology of the period. An awakening awareness of the value of archeological data to the national search for past was beginning during this period. Due to this interest the rising number of exhibitions, new museum development and the writing of popular accounts of past lifeways placed a strain on archeological sites, especially the southwestern ruins. Entrepreneurs were removing whole rooms from the ruins, and homesteading placed added pressure from development. In 1900 the Archeological Institute and the American Association for the Advancement of Science influenced the introduction of a bill into Congress for the development of archeological preserves (King 1977:18). After a six year battle, the Antiquities Act of 1906 (PL 59-209) was passed; but it was not until 1907 that the federal agencies involved (war, agriculture and interior) could come up with regulations to implement the Act (King 1977:19). Since archeologists were rapidly making advancements in their
science, such as development of field techniques and research methods, it was important that sites which were undisturbed be available. Also, the development of the excavation of features and the use of stratigraphy were critical to their developing theories (Willey and Sablof 1974:123).

The Antiquities Act developed the need for permits to be granted to anyone who wished to undertake archeological excavations on federal land. In 1916, the National Park Service Act created an entity within the Department of Interior to administer historic as well as scenic areas (Utley 1974:4). A division of this National Park Service (NPS) was later developed to provide interagency support services, called IAS or HCRS under various administrations. It was this entity of the NPS who would be responsible for the investigation of qualifications and the issuance of the permits for all federal agencies until October 1984. On this date, agencies were required to provide their own regulatory body to ascertain the worth of a permit seekers research design and credentials. A large portion of the Department of Defense permit requests are being handled by the Army Corps of Engineers' staff archeologists.

While the Antiquities Act regulated those who would enter federal lands for the purpose of archeological
investigations, it did not protect the sites on federal lands from federal development. However, the mood of the citizens continued to move towards conservation and historic concerns. J. D. Rockefeller and the Reverend Godwin were making plans for Williamsburg during the 1920's and archeology figured in their restoration scheme. By the 1930's the Southwest archeologists would be developing stratigraphy and chronological controls (Wiley and Sabloff 1974:94-103). Archeologists were also developing other field techniques and research methods. The excavation of features within sites and their stratigraphy were critical to their newly developing theories (Wiley and Sabloff 1974:123). The passage of the Historic Sites Act of 1935 (PL 74-292) and the development of the Historic American Buildings Survey (HABS) as a "New Deal" employer created a surge of archeological knowledge and interest. The massive federally supported archeology programs of this period probably foreshadowed the later federal salvage operations (Wiley and Sabloff 1974:127). HABS had been given the task to look beyond federally owned structures to consider the historicity of buildings regardless of ownership. Many professionals in the field of archeology began their careers in a joint Works Progress Administration-Smithsonian project during this period.
During the next thirty years archeology would grow to be separate and distinct from the overall preservation movement. Perhaps it was because it was easier for the local citizens to rally to save a local landmark structure than it was for these same citizens to see the cultural resources that waited in the earth. The archeologists had further refined their discipline, and in the process had developed research criteria which made use of the context and perceived function of artifacts. The direction that archeology was taking made it imperative that the cultural areas remain for excavation and that the less disturbance these sites received prior to study the better. The passage of the 1960 Reservoir Salvage Act (PL 86-523) set the National Park Service as the senior mediator of archeological concerns by requiring federal reservoir building agencies to notify the NPS prior to construction and that these agencies cooperate with the Secretary of Interior once the salvage operations had begun. The major federal reservoir building agencies were now required to consider archeological resources during planning and siting, but the resources of the NPS could not cover all the areas where archeological resources might be threatened if federal agencies did not assist in their identification.

By the 1960's archeology was feeling the same sorts of concerns as other areas of society. The archeologists were
interested in environments, economics and socio-cultural groups. These interests led to searches for new data at old sites in addition to the application of the methods on previously unknown areas. The previous federal work throughout the last 30 years had coined the term "salvage archeology." This could loosely be defined as salvaging what one could prior to the destruction or inundation of the site. This new type of archeology made some aspects of the salvage operation look bad. It wasn't always possible to develop or use an elaborate research design, and excavate the most valuable resources in an area. In salvage, one excavated only that which was threatened, often leaving a portion of the site untouched.

The continuing federal legislation and the apparent opinions of the "new archeologists" against federal work gave rise to a whole new group of archeologists: the contractors. Contractors did not need to seek permission to excavate on federal lands in order to add to their data base or to provide a field school for students. Contractors survived by winning contracts to perform archeological services for federal agencies. However, it was the National Historic Preservation Act of 1966 which really changed how archeology was being done and who was doing it.
The passage of the Historic Preservation Act of 1966 (PL 89-665) gave preservationists a better statutory base on which they could develop a more national program. The creation of this national program was to be aided by placing requirements on federal agencies that should require the addition of professionals to federal staffs and the development of a state based preservation program. In addition, this would take some of the responsibility from the NPS agencies and a greater degree of enforcement of the provisions of the law would be possible. PL 89-665 was highly successful and did much to broaden and strengthen the federal preservation program. It enlarged the identification process for cultural resources through the creation of the National Register of Historic Places (NR).

The Historic Sites Act of 1935 (PL 93-291) and the Antiquities Act of 1906 allowed first the President and then the Secretary of Interior to designate sites of national importance to history or prehistory as national monuments. This was later incorporated into the National Historic Landmark Program. PL 89-665 created the NR, not to replace the National Historic Landmark program but to enhance it. A designation to the NR did not require that a cultural resource be of great national significance, and the concept of eligibility based on state or local significance began. By opening up the definition of historic, the
NR would be able to include many more properties. Because the concept of protection under the law is tied to NR eligibility, many more sites would gain this protection. But many archeologists did not feel the provisions of the PL 89-665 addressed the peculiar requirements of archeological resources. Of particular regret was that PL 89-665 did not require survey of public lands. Archeologists sought another piece of legislation to supercede and correct PL 89-665 (King 1977:40).

Section 106 of the National Historic Preservation Act of 1966, as amended, reads:

The head of any federal agency having direct or indirect jurisdiction over a proposed federal or federally assisted undertaking in any state and the head of any federal department or independent agency having authority to license any undertaking shall, prior to approval of the expenditure of any federal funds on the undertaking or prior to the issuance of any license, as the case may be, take into account the effect of the undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register. The head of any such federal agency shall afford the Advisory Council on Historic Preservation established
under Title II of this Act, a reasonable opportunity to comment with regard to such undertaking (Section 106, PL 89-665).

The intent of this section was to provide protection for historic properties by developing a procedure whereby federal projects which might damage historic resources are subject to review.

Since "take into account" and "afford an opportunity to comment" was open to a great deal of interpretation, the exact procedure for the process which became known as the 106 Review was set forth in the enabling regulations for PL 89-665, 36 CFR 800. The procedure of the 106 review as identified in 36 CFR 800 required all federal agencies or federally funded projects to assess the "effect" their undertakings would have on the cultural resources. The first step in this assessment was to identify the resources which might be present in the area of the project.

The 106 review extended not only to NR properties but to any potentially eligible (to include undiscovered) properties. But since the protection process still required that an archeological site be evaluated in terms of the NR, many felt that a great number of sites were being excluded and
were thereby open to destruction. In order to be determined eligible for the NR properties must:

...possess integrity of location, design, setting, materials, workmanship, feeling and association, and that

(a) are associated with events that have made a significant contribution to the broad patterns of our history, or

(b) that are associated with the lives of persons significant in our past; or

(c) that embody the distinctive characteristics of a type, period, or method of construction, or that possess high artistic values, or that represent the work of a master, or that represent a significant distinguishable entity whose components may lack individual distinction; or

(d) that have yielded or may be likely to yield information important in history or prehistory (36 CFR 60.4).

As King relates (1977:97) these criteria were clearly written with buildings in mind; with respect to many archeological research concerns they become virtually indecipherable. It is the potential for research based on a research design that decrees eligibility for the NR.
This may be taken in context of a national, state, or local informational base when considering eligibility. But as Lipe (1974:227) found, if that eligibility is tied too tightly to research potential based on some regional research design this fails to consider that this design and needs will change as new techniques and questions develop. The question of archeological eligibility for the NR is still under discussion. In 1985 the NPS was still issuing updates and clarifications on archeological nominations to the NR.

After identification, the "effect" either positive or negative must be assessed (36 CFR 800.3 and 36 CFR 800.4). The agency's determination of effect is coordinated with the State Historic Preservation Officer (SHPO). The SHPO, originally called the State Liaison Officer in PL 89-665, was created as a part of the national program outlined in the National Historic Preservation Act. The responsibilities were to be:

...administer the state historic preservation program and to:

(a) in cooperation with federal and state agencies, local governments, and private organizations and individuals, direct and conduct a comprehensive
statewide survey of historic properties and maintain inventories of such properties;

(b) identify and nominate eligible properties to the NR;

(c) prepare and implement a comprehensive statewide historic preservation plan;

(d) administer the state program of federal assistance for historic preservation within the state;

(e) advise and assist, as appropriate, federal and state agencies and local governments in carrying out their historic preservation responsibilities;

(f) cooperate with the Secretary, Advisory Council on Historic Preservation, and organizations and individuals to ensure that historic properties are taken into consideration at all levels of planning and development... (PL 89-665 Section 101(b)(3), as amended).

If the SHPO concurs with the agency in a finding that the project will have "no effect," the paperwork is filed and there is no further review; the project may proceed. If the project is found to have any potential for effect, good or bad, or the SHPO does not concur with an agencies
findings, the documentation must be forwarded to the Advisory Council on Historic Preservation (ACHP).

The Advisory Council on Historic Preservation was created as a part of PL 89-665 and refined under the amendments. As defined by John Fowler, the former Chief Council of the ACHP and currently its executive director:

...the Advisory Council is an independent federal agency created to advise the President and Congress on historic preservation matters. Its 29 members include heads of 15 federal agencies... balanced by 14 nonfederal members. The latter group includes 12 presidential appointees as well as the President of the National Conference of State Historic Preservation Officers and the Chairman of the National Trust.... Meeting on a quarterly schedule, the Council relies on a 30-member professional staff to carry out its duties on a regular basis (Fowler 1980:22).

The ACHP staff consists of professionals in architectural history, archeology, planning, history and other disciplines that might relate to preservation projects. These professionals review all the projects which states and federal agencies send each year. Most of these projects
can be handled at the staff level, but 36 CFR 800.6 allows for review and a decision of the actual council members on difficult cases. Once the staff or council comments, it is the responsibility of the federal agency to "take into account" their comments and proceed with the project.

In 1974 the Archeological and Historic Preservation Act (PL 93-291) was passed to amend the Reservoir Salvage Act and to take into consideration some archeological concerns that had been missing from the PL 89-665. The Archeological and Historical Preservation Act of 1974 (AHPA) had provisions which were designed to apply after the project had complied with the provisions of PL 89-665, if after the finding of significant archeological resources it is decided to continue with the project. It also contains a provision for the Secretary of the Interior to be notified of significant archeological resources that may be lost, or that are found after the area was cleared for the project to begin. AHPA established that up to 1% of the project funds may be used for the mitigation of adverse effects on archeological resources. Perhaps the most important portion of AHPA is the "accidental discovery" section. Many federal agencies were to contact the NPS to gather data on sites which were discovered during construction; it is believed that the later development of time limits on the NPS response time has made a larger number of federal
agencies avail themselves of this provision. No federal manager would be glad to have marched through all the paperwork involved with the 106 Review and then just as the project begins be stopped again because something that all the archeologists and reviews missed turns up!

Also during this period of the early 1970's President Nixon signed Executive Order 11593 (Protection and Enhancement of the Cultural Environment) which directed federal agencies to:

...provide leadership in preserving, restoring and maintaining the historic and cultural environment of the Nation.

EO 11593 went on in Section 2 to direct that:

...no later than July 1, 1973, with the advice of the Secretary of the Interior, and in cooperation with the liaison officer (SHPO) for historic preservation for the state or territory involved, locate, inventory and nominate (emphasis added) to the Secretary of the Interior all sites, buildings, districts and objects under their jurisdiction or control that appear to qualify for listing on the National Register of Historic Places.
EO 11593 further directed the SHPO and Secretary of the Interior to assist the federal agencies in this endeavor. The Secretary of the Interior was to assist the state and local preservation offices in surveying federal lands. Interior also was to develop criteria for the federal agencies to apply for nominees to the NR. These criteria were set forth in 36 CFR 60 and the accompanying pamphlet "Suggestions to Archeologists Nominating Properties to the National Register of Historic Places". These "suggestions" contained a sort of credo for archeological sites and the NR:

...Archeological properties do not have to be large, impressive, or rich in artifacts or data to qualify for the NR, nor do they have to be suitable for public interpretation. Any archeological resource is potentially eligible if one can legitimately argue that it is likely to be associated with a cultural pattern, process, or activity, important to the history or prehistory of its locality, the US, or humanity as a whole, provided its study can contribute to an understanding of that pattern, process or activity (King 1977:231).

Nevertheless, in 1986 federal agencies still had not totally completed their surveys. EO 11593 had not provided
funds that could be "earmarked" for preservation use. Funds for the environment were pooled, and the preservation concerns often had to wait until more pressing environmental problems had been alleviated. Perhaps this was because of the National Environmental Policy Act of 1969 (PL 91-190) and the EO 11514 (Protection and Enhancement of Environmental Quality). Unlike the legislation dealing with the cultural environment, the environmental quality legislation contained enforcement provisions which took the attention of federal managers. Since federal agencies could have fines levied against them that would increase daily under this legislation, federal managers tended to pay greater attention to compliance with the environmental laws. But NEPA, as PL 91-190 became known, also refers to the cultural environment. Agency managers could not complete their NEPA review requirements without the consideration of any resources that are on or eligible for the NR. Since the provisions of NEPA often included a public meeting, and at the least the publication of a FNSI (finding of no significant impact), the public was able to bring up the problem of cultural resources. PL 89-665 and NEPA were closely tied, but completion of responsibilities under one did not automatically cancel the requirements of the other. It did appear that often the state reviewer that handled the NEPA paperwork did not have a clear
understanding of the PL 89-665 process, and many resources "fell through the cracks."

While all this legislation required that federal managers consider all their potential resources, it was not until 1979 that the enabling regulations for PL 89-665, 36 CFR 800, were published. From 1966 until 1979 there was no standardization in the ways that agencies handled their preservation responsibilities unless it was developed within the specific agency. In spite of these difficulties, archeologists and preservationists were plying their separate trades. An important chance to ally the preservation movement with the archeological movement was lost in 1974 when the Archeological and Historic Preservation Act (AHPA) was tied not to PL 89-665 but instead to the Reservoir Salvage Act. Archeology was still seen as separate from the mainstream "building preservers." The Moss-Bennett Bill, as the AHPA was called for its supporters, had a difficult 4 years. Introduced in 1970 it was not passed until 1974. Originally it was proposed as a reaction to federally funded projects that didn't fall under the Reservoir Salvage Act. A review process had been developed within the many states under NEPA. This review was a means of all state permitting agencies knowing what permits the other divisions were handing out. Eventually all potential threats to archeological sites should have
been caught under NEPA or PL 89-665. What was missing from the AHPA was an overall provision for advance planning (King 1977:40). Once again archeology was taking a new tack outside the mainstream of preservation. Also at the time there were the beginnings of a movement to restrict the "salvage attitude" of many archeologist, the development of the "Conservation Model" for archeology (Lipe 1974:19). Even within the archeological community there was great discussion of the value of conservation archeology (Lipe 1974). But in spite of the differences within the community, 36 CFR 800, which was revised in 1979, would have a profound effect on the way preservation was being handled both by archeologists and "building preservers."

36 CFR 800 (Procedure for the Protection of Historic and Cultural Properties) would at last carry out the provisions of PL 89-665 in a uniform manner from state to state, agency to agency. As was discussed, the backbone of both Section 106 and 36 CFR 800 was the determination of "effect." The work that the national preservation agencies had gone through drafting these regulations and the added knowledge that EO 11593 would lose even more power under continued changes of administration, showed that PL 89-665 should be amended.
In 1980 PL 96-515 amended the National Preservation Act of 1966. Skillful drafting allowed for the combination of the two into a reference to the 1966 Act, as amended. The 1980 amendments codified the responsibilities of EO 11593, without the time limits; it changed the ACHP, making it less responsive to political changes and added the professional members; and it introduced the concept of tax advantages for the preservation of standing structures. The addition of Section 110 directed agencies to use greater care in planning and preserving National Historic Landmark properties.

The 1980 amendments to PL 89-665 created legislative authority for many of the perceived weaknesses of the 1966 act. It requires federal agencies to appoint preservation officers and allowed leasing of structures no longer needed by agencies rather than their demolition. But as with the original PL 89-665 archeological concerns were not actually addressed.

One other piece of legislation which arose out of the 1960's and 70's is the American Indian Religious Freedom Act of 1979 (AIRFA). An additional result of EO 11593 was Interior's determination of "intangible cultural values." AIRFA attempts to recognize and protect traditional religions values. This makes artifacts and archeological
resources a source of conflict. There have been some federal responsiveness to AIRFA, the Air Force requires a 30 day notification to tribal governments if a project has the potential to impact on a traditional religions site or practice (AF Ltr. dtd. 4 May 84, Subj. American Indian Religious Freedom Act and Native American Interests in Historical Preservation).

Also in 1979 the Archeological Resources Protection Act (PL 96-96 or ARPA) was passed. This act would take the spirit of the Antiquities Act of 1906 and place it in a firm statutory base. ARPA is believed by some to be one of the most important pieces of legislation dealing with archeological resources under federal control. The language of the act shows that Congress found that:

...these resources are increasingly endangered because of their commercial attractiveness; and ... existing federal laws do not provide adequate protection to prevent the loss and destruction of these archeological resources and sites resulting from uncontrolled excavations and pillage... [ARPA Sect. 2(a)].

ARPA contained many important sections. For the first time an "object of antiquity" or "archeological resource"
was defined within the law rather than left to the court's whim. ARPA was to make the strongest possible statement, but collectors, metal detector manufacturers and avocational archeologists are credited with the exemption of fossils and surface coins and arrowheads, and the 100 years of age prohibition. Also, anyone taking arrowheads from the surface are not liable under the civil and criminal sections of ARPA, but arrowheads do fall under the definition of a archeological resource. As used in ARPA the term "archeological resource" means:

...any material remains of past human life or activities which are of archeological interest, as determined under uniform regulations promulgated pursuant to this act. ...shall include, but not be limited to: pottery, basketry, bottles, weapons, weapon projectiles, tools, structures, or portions of structures, pit houses, rock paintings, rock carvings, intaglios, groves, human skeletal materials or any portion or piece of the foregoing. ...No item shall be treated as an archeological resource ... unless such item is at least 100 years old (ARPA Sect. 3).

ARPA more clearly defined the permitting requirements for excavation on public lands, and the responsibilities of
federal managers. This section would be further clarified in the enabling regulations published in 1984. But the identification of criminal and civil penalties for prohibited acts were an important addition to the legislative base.

An ARPA permit or exemption is required for any person who shall:

...excavate, remove, damage, or otherwise alter or deface any archeological resource located on public land...[ARPA Sect. 6(a)]. ARPA also makes it illegal to traffic in artifacts taken from public lands in violation of the permitting requirements. No one shall: ...sell, purchase, exchange, transport, receive, or offer to sell, purchase, or exchange ...
[Sect. 6(b)].

ARPA gave the federal land manager a tool with which to develop a protection program and to enforce a prohibition against the "pot hunting" of sites.

Large tracts of federally controlled land contain a vast wealth of resources. By controlling archeology requests from clubs and schools and by prosecuting looters; federal managers were becoming more involved with the decisions
concerning what would and would not be excavated. Since there is currently no legislation protecting cultural resources on private lands from the general public, the archeological resource base on federal lands is even more important.

In 1984 the enabling regulations (32 CFR 229 for Defense, 43 CFR 7 for Interior) for ARPA were published. These regulations established uniform definitions, standards and procedures for federal land managers to follow in the protection of archeological resources. They took into consideration the provisions of AIRFA but did not impose any additional restrictions to the federal agencies land use.

43 CFR 7 further defined "archeological resource" by defining "archeological interest" [ARPA Sect. 3(1)] as:

...capable of providing scientific or humanistic understandings of past human behavior, cultural adaptation and related topics through the application (emphasis added) of scientific or scholarly techniques such as controlled observation, contextual measurement, controlled collection analysis, interpretation and explanation [43 CFR 7.3(a)(1)].
It also noted the potential value of surface artifacts concentrations or scatters. However, certain "artifacts" were still to be excluded: paleontology remains, coins, bullets and unworked minerals and rocks.

The permitting procedure was more clearly defined in 43 CFR 7. Prior to issuing a permit, a requestor must produce a research design which proves that the excavation will answer some valid questions or advance the body of archeological knowledge. While this will effectively limit excavations, it places the federal manager in the position of reviewing archeological research designs when he has no previous archeological experience. Currently federal agencies are attempting to develop a sort of clearing house of peer review in the area prior to issuing a permit.

On October 1, 1986, the newly revised 36 CFR 800 series took effect. As these changes were being drafted over three years, several serious threats to the federal archeology program took place. Several attempts to have the Justice Department overturn the old 36 CFR 800 series finally resulted in proposed changes in 1985. One of the goals of the new regulations was to streamline the review process. It was also hoped that the ACHP staff would be involved less often. Provisions were made for the 106
review to be completed at the state or local level rather than having the ACHP add a further 30-60 days for review.

The ACHP becomes an optional consultant in the 106 review, which is primarily the SHPO and local government's responsibility. In addition, agencies are able to break off consultations at this lower level and to request the comments of the ACHP. No longer can the cost of delay be used to force agencies into agreement on mitigation procedures.

The new 36 CFR 800 also has special provisions for Section 110 of the 1980 amendments to PL 89-665. Prior to this, National Historical Landmarks were covered under 106 review, but Section 110(f) directed:

Prior to the approval of a Federal undertaking which may directly and adversely affect any National Historic Landmark, the head of the responsible Federal agency shall, to the maximum extent possible, undertake such planning and actions as may be necessary to minimize harm to such landmark, and shall afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on the undertaking [Section 110(f) of PL 89-665, as amended].
It now specifies in 36 CFR 800.10 that certain parts of the 800 series must be followed, the ACHP must be a party to any consultations, and the Secretary of Interior may be asked to comment on the resource and propose ways to avoid the proposed impact. The new regulations appear to depend a great deal on the SHPO and local certified governments. It is possible that local pressures could cause agencies to receive differing interpretations of the law in different states. Hopefully this will not happen; preservation has matured.

Not even the new 36 CFR 800 series completely unites the two main stream preservation concerns: archeology and buildings; but it does move a great deal towards that end. Archeologists are now an equal partner in the preservation planning movements around the country.

The legislative base requires agencies both under NEPA and PL 89-665 to consider the possible effect of these actions on cultural resources. This effect is then weighed against other factors in the agency's plans. If possible most agencies will avoid having an impact. The ongoing archeological investigations funded by the agencies and the state preservation plan are enabling agencies to make the statements concerning significance with a broader knowledge
of both the state resource base and the research gaps that a new site could fill.

As SHPO reviewers will be able to obtain more information through the state plan, more stringent controls can be levied on those who wish to do archeological excavation. Research design reviewers prior to the issuance of an ARPA permit will limit the destruction of sites by both over-eager amateurs and pot hunters. By keeping abreast of all state archeological developments agencies will be able to utilize state archeologists to assist in preventing looting and the persecution of those apprehended.

36 CFR 800 is still considered the cornerstone of preservation and rightly so. However, the needs of the federal archeology program are beginning to move away from simply requiring a survey and mitigation prior to construction. Emphasis is being gradually switched to planning. Regional, state, or agency cultural resource management plans are being developed. The Department of Interior is placing more emphasis on resource management during their state reviews. The NR has grown tremendously but it is still relatively more difficult for an archeological resource to be nominated; but that is considered acceptable. Due to the planning taking place, less archeology is being done just for "salvage". Research designs and
research questions are requirements even for requests for ARPA permits.

A great deal of progress has been made, and the emphasis should continue towards preservation planning. Archeology should come to be identified as a part of mainstream preservation. It is up to archeologists for that to happen. The major professional societies are taking part with the National Conference of State Historic Preservation Officers and Preservation Action (preservation lobbyist) in requesting increased funding. They were also involved with the drafting of the new 36 CFR 800. This sort of action must continue for the federal archeology program to continue to prosper.

Several suggestions have been made to improve the legislative base. At the very least an adequate piece of shipwreck legislation is needed. But what other gaps in the legislation would archeologists perceive? After 21 years under the 1966 Historic Preservation are there any problems? In order to answer these sorts of questions a questionnaire dealing with the federal archeology program, its legislation and the "players" was developed and sent to various professionals in the program. A questionnaire was chosen because it would allow respondents to voice opinions without having to write extensive letters. Also a
questionnaire is anonymous and can be answered at varied moments during the day as opposed to conducting phone interviews which are not anonymous and must be scheduled in advance. As the widest possible participation would be required in order to obtain an adequate example of responses, a questionnaire appeared to be the easiest, fastest and cheapest alternative. This is the topic of the next chapter.
CHAPTER TWO

INSIDERS AIR THEIR VIEWS
During the development of the questionnaire used in this report, consideration was first given to making it informative yet simple. If the questionnaire was simple and easy to fill out a busy professional would be more likely to take time to answer. For this reason a descending numerical scale was used for all questions where a yes-no answer was not enough. While a 1 to 10 scale does not require an extensive written answer, areas of grey in a good-bad dichotomy can be expressed.

The length of the questionnaire was the second consideration. Two sides of a single sheet was chosen as a compromise. However, the required brevity and the nature of the questionnaire created several "givens."

In order to assess the federal archeology program several things must be considered. As in all areas of endeavor, federal agencies vary in their performance in the area of archeology. Nevertheless, it was not possible to divide each question so that the answers would be agency specific. The federal agencies also have a variety of programs dealing with historic preservation. The archeology program is the subject of this study. This is
the program many agencies appear to find the most difficult of all their resource management programs to deal with on a daily basis.

In addition, as the legislation singles out federally funded or permit requiring programs for review and compliance, it is only the federal agencies who deal with this program every day. Cities only occasionally have a grant from a federal fund that would require a "federal level" of compliance by that city. Therefore, an average overall consideration was denoted when the term "federal agency" was used. Space was provided for the respondents to designate specific agency performance, and in several cases they did. While this is not the best way to assess the performance of specific agencies, one should remember that the questionnaire deals with the perceptions of a diverse group of professional united by the law in the preservation of cultural resources.

Another concern is the difference between a legal requirement and protection. Many federal agencies perform admirably when confronted with the requirements of NEPA and a 106 review, but these same agencies do not avail themselves of the protection provisions under ARPA to prevent unauthorized excavations. The majority of agencies equate their program with their score under 106 review. A lack of
letters of protest from the SHPO or ACHP and no long delays created by court injunctions are taken to mean the agency must be doing a "good job" of dealing with its archeological resources. This was pointed out by several respondents. But, as the questionnaire was sent out to professionals, the bias of meaning the 106 review was left in the questionnaire. It is not possible to create a questionnaire under the givens which is totally without bias and addresses all agencies equally.

Once the questionnaire was developed, a mailing list was selected. Since the emphasis of the questionnaire was totally on the federal program it was important that the respondents were those professionals who daily deal with this program. It was also important that not all the respondents be holders of an advanced degree in archeology. Federal agencies, in particular the Department of Defense, do not always hire professional archeologists to handle their cultural resource management program. Because the Department of Defense maintains such large tracts of land, the addresses of non-archeologist federal land managers were taken from its ranks. Defense maintains far more non-archeologists in positions where archeological decisions are made than any other agency. A few of the addresses also were taken from the ranks of the Departments of
Interior and Agriculture, but these agencies tend to hire professionals to manage their programs.

Additionally, other preservation professionals also were sent questionnaires, so not all those responding were either archeologists or untutored in archeology.

Those identified as review and compliance officers or former holders of that position were chosen from the SHPO offices. Also non-SHPO archeologists such as a highway department or state archeologist were included in the category state-non-SHPO.

Academic archeologists were chosen from those schools known to either contract with or do field schools on federal lands. But, these professional's primary concern is with the training of new archeologists. It was expected that this concern would be shown in their comments.

Therefore, the questionnaire was to be sent to 100 professionals who would hold degrees from a bachelors to a doctorate in fields from archeology to waste management engineering. The only tie would be that all respondents were currently involved in the development, management or review of a federally funded archeology program, or in the business of contracting with one.
The 100 questionnaires were sent out in the following manner: Corps of Engineers Archeologists 13, Department of Defense Non-Archeologists 27, Department of Interior Preservation Professionals 11, Contractors (archeologist) 13, SHPO Archeology Reviewers 13, ACHP Professional Archeologists 3, State Archeologists (non-SHPO) 6, Academic Archeologists 13. The questionnaire was designed to remain anonymous and no means of reconstructing identities was inserted. The questionnaire requested that the respondent identify themselves only as either a reviewer, a contractor, or as a federal land manager.

It was anticipated that the mailing categories would be translated as follows:

REVIEWER:

SHPO, State Archeologists, ACHP and few of the Interior archeologists who deal with contractors;

CONTRACTORS:

Contract Archeologists, Academic Archeologists; and

FEDERAL MANAGERS:

Corps of Engineers Archeologists, Department of Defense personnel, the rest of the Department of Interior professionals.
Another consideration was the timing of the questionnaire mailing. It was mailed on December 16, 1986, scheduled to arrive during the holiday season. Since many federal agencies go on 1/2 staff due to leaves and passes few if any projects are forwarded for review. Internally there is often a slow down due to people on leave. It was hoped that this lack of review projects would allow the SHPO and ACHP personnel time to answer the questionnaire. Also, several agencies prepare calendar year or mid-year reports which fall in the December-January time frame. These people would have fresh facts and figures at their disposal. It was anticipated that both of these occurrences would help to make the questionnaire more current and ensure a greater response.

The data from the questionnaire was divided according to the response to question 1. Of the 100 mailed, one was returned addressee unknown (contractor) and one was returned with a note from the respondent stating that they could not answer the questionnaire. Of the other 98, 60 were returned. These fell into the three categories as follows:

Reviewers 12
Federal Managers 31
Contractors 11
There were 6 additional who identified themselves in 2 or more categories, or did not answer the majority of the questions. These were not used in the overall evaluation, but any written comments were taken into consideration.

The analysis of the responses was done in three ways. First, all the responses were listed in accordance with the number or answer that was marked for example:

Reviewers:

Question 5 answers were as follows (10)2, (9)1, (5)6, (1)2 and 1 non-responsive.

This was then translated into:

Reviewers #5: 3/12 greater than 5, 6 at 5, 2/12 less than 5, 1NR. So it could be said that 50% of the respondent reviewers wished the agencies to stay the same (#5), 25% felt that they should be more selective (greater than 5), and 17% felt they should definitely ease the restrictions (less than 5).

As only 10, 5 and 1 had written descriptions next to them, the numbers between were the "grey" areas. In analysis of these numbers between, a certain criteria must be established and used throughout. Therefore the words "just better than" could be used to denote a response at 4,
also "slightly better than" could denote a 6 or 7 response. In this manner the responses were distilled into percentages and verbal descriptions, such as 50% wishes to stay the same. Any written comment would also be taken into consideration.

The review of the responses to the questionnaire will be done question by question. Comments that related directly to the question will be included in the section for that question, overall comments and comments on the questionnaire itself will be dealt with at the end of this section. The questionnaire in its entirety is included in the appendices.

The percentages listed do not always add up to 100%. On the majority of questions there was at least one "no response". Therefore in the example, 1NR is "1 no response" and that equals 8% of the 12 responses received.

The percentages are taken based on the number of questionnaires received listing a particular category. Since "Reviewers" was checked by 12 respondents each response is 8% of the total reviewers category. Under the federal managers category there were 31 responses so each response (or no response) was 3% of the total.
When the total is given as an "overall percentage" the actual number of responses were tallied and taken as a ratio of 54. Fifty-four being the total number of usable responses. So 1 response is 2% of "overall total."

1. Do you deal with federal funded archeology projects?
   - As a Reviewer ____
   - As a Contractor ____
   - As a Federal Manager ____

Overall 61% responded to the questionnaire. Of this total 6% were unusable because they were incomplete. Of the usable responses, 57% identified themselves as federal managers, 22% as reviewers, and 21% as contractors.

2. Do you feel the agency you (work for or contract with) understands the "goals of archeology"?
   - YES ____  NO ____

Some of the responses to this question were somewhat unexpected. Forty-two percent of those identifying themselves as reviewers commented that their agencies did not understand the "goals of archeology". Because the cross section of respondents would place SHPO personnel in this category, this sort of response was interesting. Seventeen percent commented that their agencies would be characterized by an answer of both yes and no, and that it could vary within the different agency simply depending on the
supervisory level that one was discussing. Several said that it had varied greatly in the different agencies that they had worked with over the years.

Conversely, those identifying themselves as federal managers were evenly split. Forty-five percent said their agencies did not understand, 45% said that they did. As the federal manager category could contain Corps of Engineers archeologists, this was an expected response.

Contractors were divided, 46% felt that the agencies with whom they contracted understood the "goals of archeology". Eighteen percent felt that some of the agencies they worked for did, and some of them did not.

This question must have been very difficult to answer as it was very difficult to analyze. It is necessary to remember that the respondents were dealing with an "average" for all federal agencies. Overall 43% of respondents commented that they were working with employers that understood archeology. But 40% found that it varied so greatly that the answer must be both yes and no. It appears that the majority of respondents are in agreement, and that one can assume that a majority of federal agencies are seen as understanding the expressed "goals" of archeo
logy. But, the respondents clearly commented that a few agencies still do not.

The responses on this question show that the federal agencies have increased their awareness and understanding through the forced education process of the 106 review. But, as expected, agencies differ. The SHPO office might be under a different pressure and the goals of the professional might not always be perceived as adequately translated into state programs and procedures. As will be discussed in question 17, different agendas and goals exist across the board; even occasionally within agencies at different supervisory levels.

3. Please rank the following in importance to the national archeology initiative 10 being the most important, 1 the least.

   Reservoir Salvage Act
   Historic Preservation Act of 1966
   1974 Archeological and Historic Preservation Act
   Archeological Resources Protection Act of 1979
   36 CFR 800

This question was created to elicit a response from the respondents regarding the difference between enforcement of legislation on their program, i.e., PL 89-665 and 36 CFR 800, and enforcement of protection laws on other archeologists and the public, such as ARPA.
The responses were varied, but only a few of the professionals in federal service identified ARPA as an important piece of legislation by giving it a high numerical score. The ranking supplied by federal managers was (in order of importance):

National Historic Preservation Act
1974 Archeological and Historic Preservation Act
Archeological Resources Protection Act of 1979
36 CFR 800
Reservoir Salvage Act

Routinely the Reservoir Salvage Act received the lowest scores. Its 1974 amending legislation was only listed as important by federal managers.

Contractors and reviewers ranked the legislation the same:

National Historic Preservation Act of 1966
36 CFR 800
Archeological Resources Protection Act of 1979
1974 Archeological and Historic Preservation Act
Reservoir Salvage Act
Overall the rating matched the contractors and reviewers except that ARPA and the 1974 Act were reversed in position. So it appears that ARPA and the protection it affords sites by requiring permits and research designs is not valued as highly as the review provisions of PL 89-775 and 36 CFR 800. Perhaps to question was too vague, as there were many who chose not to respond (9% overall).

4. Have you ever used information from a federally funded project in which you were not involved?
   
   YES _____ NO _____
   
   If yes, was the information difficult or easy to obtain?
   
   10 9 8 7 6 5 4 3 2 1
   Very Hard Very Easy
   
   This question has two sections and also relates to question 5. Prior to the development of this questionnaire, several sources had commented that they felt federal agencies made it too difficult for the results of federally funded surveys to be disseminated. Survey results did show that some felt this way also.

   Reviewers had the largest positive response, 100% said that they had used a report that they had not worked on, and 67% found the information relatively easy to obtain. However, due to the nature of the positions that reviewers
hold, copies are usually forwarded to their offices for routine review. This could affect their experiences.

Federal managers, however, only had 71% who had tried to get information; but 52% found that it was relatively easy to obtain. This could also be the results of routine dissemination of reports. These are always provided to the higher headquarters and to the contracting officer's representative such as the Corps of Engineers.

However, it is the outside public who perceive a problem. Contractors responded that 91% of them had attempted to obtain information, and 55% found it relatively difficult to get. One respondent felt the "popular editions" of reports should be put out, without site specific information, to increase the public's awareness and involvement with archeology projects. Another felt that the "jargon" in archeological reports is what limits their utilization, even by other federal agencies.

It is clear from the percentages (22% overall) that the federally funded reports could be more widely and easily disseminated. However, in order to appreciate how the respondents would solve the problem the results of question 5 must be taken into consideration.
5. Do you feel that federal agencies should be more or less selective about providing copies of their reports to the public?

10 9 8 7 6 5 4 3 2 1
More Stay Same Less

Overall, 44% of respondents feel that federal agencies should be less selective in providing copies of their reports.

Among federal managers it was broken down to 35% for remaining as the system is now, and 35% for easing the restrictions.

Contractors felt strongly (55%) that the agencies should be less selective. Reviewers however took an entirely different approach. Fifty percent requested that the agencies stay the same, but 25% wanted the selectivity increased.

Taken in consideration with question 4, it appears that the dissemination of reports varies by agency and that the majority of respondents want increased access without the endangering of sites by releasing maps. They also seem to feel that the limited dissemination could be a result of cost. One respondent (federal manager) said that the number of copies of a report is proportional to the cost of reproduction; and that the NTIS should be utilized. But
perhaps one respondent got it best--get a copy from the SHPO, since they get them all!

6. Do you feel that federal agencies adequately protect archeological resources under their control?

10 9 8 7 6 5 4 3 2 1
Yes, Very Well Adequate Poorly

Among contractors 82% feel that the federal agencies, overall, do not protect archeological resources. Fifty-eight percent of reviewers feel that the federal agencies do "pretty poorly" protecting archeological resources. A surprising 55% of federal managers feel that the agencies do rather poorly protecting resources. This corresponds to a 69% overall who feel that the agencies do poorly or worse. But 9% felt that it varied too greatly with different agencies to make an average statement.

Because the protection of resources is mandated by federal legislation that is a distressingly high percentage of professionals who feel that the agencies are not doing a good job. Several respondents also noted that the federal program is only a portion of the threat to archeological resources. City, state and private sector impacts on archeological resources are important too, as there are no restraints on them like those placed on federally funded agencies. As these respondents stated--the federal program
must be addressed in light of their (non-federal) actions. Protection also was defined in terms of ARPA by several respondents. But many federal agencies do not avail themselves of the civil and criminal penalties of ARPA by actively pursuing and prosecuting violators, these respondents felt that protection was "inadequate".

Overall 20% commented that federal agencies were doing a good job, this number resulted from 32% of the federal managers indicating a highly positive response.

7. Do you feel that federal agencies expend too many federal dollars on archeology?

10 9 8 7 6 5 4 3 2 1
Too Much Enough Too Little

Question 7 and 8 attempt to address the question of federal funds and the use of these funds. Over the years critics of the federal government have tended to think that the government "pours money on a problem hoping it disappears". This was not the case with archeology according to the respondents.

Only 19% of federal managers said that the money spent is adequate for the federal needs. Eight percent of the reviewers, and 27% of the contractors found the funds adequate. This translates to 19% overall.
Sixty-one percent overall commented that the federal agencies spend too few dollars on archeology. Fifty-two percent of the federal managers, 73% of the contractors, and 75% of reviewers agree. Because the federal managers include both archeologists and non-archeologists, the percentage is not too surprising. Twenty-nine percent of the managers feel they spend too freely.

8. Are the funds used wisely?

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Overall 46% of the respondents stated that the federal agencies were not expending fund wisely. Considering that 61% said that too little dollars were being spent, it appears that what money is going to archeology is not being used to the best advantage in the opinion of the respondents.

Fifty-eight percent of reviewers commented that the funds were expended unwisely, and only 25% said that the use of funds was adequate. Sixty-four percent of the contractors commented that the funds were expended unwisely, surprising considering contractors use these funds to run their companies. Nine percent of the contractors thought the return was adequate, while 27% said that the agencies were getting good value for their money.
Federal managers were somewhat evenly divided, 29% stated that the funds were used adequately. Thirty-five percent of the managers stated that the funds were expended somewhat unwisely, and 32% said that the overall effect was a "pretty good value".

9. Overall, how would you rate the federal archeology program?

   10  9  8  7  6  5  4  3  2  1
   Excellent  Okay  Terrible

Forty-eight percent of all respondents rated the federal archeology program as more "terrible" than "okay". Twenty-eight percent rated the program as "okay". Considering that the majority of respondents are in some way in a position of responsibility within the federal program, this sort of dissatisfaction was unexpected.

Fifty-nine percent of the reviewers stated that the program was somewhat inadequate. Twenty-five percent rated the program as adequate. Because these respondents rate all federal agencies, a percentage (8%) thought that it varied so widely by agency that an average comment was not possible.

Contractors had a different opinion, 46% said that the program was better than just okay. But this was balanced
by 36% who agreed with the others in rating the program less than adequate. Federal managers were more evenly divided; 36% commented the program was somewhat inadequate. But 32% each said that the program was adequate or better, in fact pretty good.

10. Would the federal program be improved by requiring employment of agency archeologists for in-hours work?
   ___ Yes       ___ No

The question of the development of an in-house archeological work force was handled in a variety of ways by the respondents. Sixty-five percent of the federal managers felt that in-house personnel were needed. In addition, many respondents believe that the archeologists already on staff could be better utilized. One federal manager stated that it depended on the individual how well or how poorly the job was done, and it had little to do with the system. It would not matter if more were hired if they were not highly qualified and motivated, it depends on their field experience, aggressiveness and ability to get cooperation from those in research or contracting agencies, he also noted.

Surprisingly 55% of all contractors identified a need for in-house archeologists in federal agencies. One
respondent clarified his position by saying that this in-house force would not result in the loss of contracting opportunities as the in-house workers would develop and administer contracts. Eighty-three percent of all reviewers identified a need for the in-house force. One of the concerns expressed by this group was continuity, and they thought an in-house force could offer this continuity.

Overall, 67% thought that the hiring of archeologists by the federal agencies, to act as an in-house force was a positive step.

11. Are the archeologists that are now hired by federal agencies (including contractors) adequately trained and reviewed?

10 9 8 7 6 5 4 3 2 1
Highly Qualified Some Good Poorly Trained
Good Peer Review Some Bad Poorly Supervised

Overall 43% of respondents commented that archeologists employed by the federal agencies were average (some good/some bad). Thirty-seven percent said that on the average they were good and well reviewed.

Reviewers (58%) responded that the majority of federal archeologists were average. Twenty-five percent said that they were, on the whole, very qualified and well reviewed. Only 17% responded very negatively.
Contractors split in an interesting way. An overwhelming 64% found the archeologists average. But the rest split at 18% each for very good and very poor.

Federal managers (including the archeologists) responded that 48% found the archeologists "very well qualified and well reviewed". Thirty-nine percent found their performances merely average, but 10% responded very negatively.

12. Should federal archeologists and contractors be required to hold as a terminal degree (check one only):
B.S./B.A. _____ M.A./M.S. _____ Ph.D. _____

Most job announcements currently circulating require at least a masters degree for those who wish to work in the field of cultural resources. This is supported by the respondents. Seventy-two percent overall said that a masters should be required to work as an archaeologist in the federal program. Only 7% responded that a PH.D. should be held, and 17% said that you could get by with a bachelors.

Sixty-eight percent of the federal managers commented that a masters degree is preferable. In order to achieve a higher grade (and the corresponding salary) in the federal
rating system, a Ph.D. is required; and 6% of federal managers responded to that end. Twenty-six percent of the managers said that a bachelors degree was sufficient, and one should note that among the non-archeologist federal managers the B.A./B.S. is usually the degree held.

Eighty-two percent of contractors responded that a masters should be required, dividing evenly at 8% for Ph.D. and 8% for B.A. Many government contracts require that the overall supervisor hold a doctorate, but the work is usually done by archeologists that have a masters. This group also thought that those where A.B.D. Ph.D.'s should have the same treatment as those holding the doctorate.

Among reviewers a fourth category was also used. Eight percent said that a Ph.D. candidate would be the minimally qualified to work in the field. Seventy-six percent identified that a masters should be a minimum, 8% also identified a fully qualified Ph.D. as a requirement. The majority of doctorate holders are in academic areas and review positions.

13. Could increased review by the Advisory Council on Historic Preservation improve the federal agencies responsiveness to their archeology programs?

10 9 8 7 6 5 4 3 2 1
Yes Needs Stay Same Need Less to Increase Review
In the preliminary paperwork for the "new" 35 CFR 800 series of regulations it was identified as one of the goals that fewer reviews by the ACHP would be necessary. But many of the respondents seem to agree with other professionals that it is the "threat" of ACHP involvement that keeps many federal agencies in line. Fifty-six percent of all respondents commented that the ACHP needs to increase its review. Only 19%, overall, responded that less review paperwork would be preferable.

Seventy-five percent of reviewers responded that the ACHP should greatly increase their reviews of federal projects and 17% said that the current rate was okay. None of the reviewers responded in favor of less review.

Sixty-four percent of contractors responded that the ACHP should increase their reviews. Many respondents preferred that the ACHP should increase their responsiveness and if more reviews were the way to do this, fine. It appears from several respondents comments that the ACHP was not "timely" in their comments. Increased responsiveness could be interpreted as speedier replies, and this is how the author chose to interpret it. Twenty-seven percent responded that the program should stay as it is now. Federal managers split on the subject of increased review. Forty-five percent responded that the ACHP should greatly
increase their reviews, but 26% said far less review than currently used would improve the program.

A common comment among all respondents was the concept of increased responsiveness as the preferred way to handle the ACHP. If this question was taken to mean increased review was increased responsiveness than this explains the high percentage who requested increased review.

14. Do you feel the federal program meets the intent of the 1966 Historic Preservation Act.

10 9 8 7 6 5 4 3 2 1
Quite Well Adequate Doesn't Come Close

It is relatively easy to assess how well a federal agency meets the letter of the law; merely check the ACHP records and the SHPO review files. It is much more difficult to define how well an agency keeps to the "spirit" of PL 89-665.

Only 20% of all respondents said that the federal program meets the intent of the law in an adequate manner. Fifty-four percent said that the program is less than adequate. That the program does "rather well" was the opinion of only 26%.
More than half of the contractors responding (55%) commented that the program falls just short of meeting the intent of the law. Twenty-seven percent said that the program meets the intent of the law rather well. Among reviewers 66% said that the program was just short of adequate. And 17% each identified the program as "pretty good" and adequate. Federal managers were more evenly divided. Forty-eight percent responded that the program was slightly inadequate, but 23% said it was adequate. In the opinion of 29% of the federal managers the program met the intent of the law very well.

15. Do you think that the federal legislation should be amended?

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Yes, Increase Requirements and Penalties
Clarify
Decrease Needless
Do No Change
Costly Reviews

This question was constructed poorly. The intent was for only those who responded yes to the first part to circle a number. However, many circled a number other than 5 after checking no.

It appears that 43% of respondents think that the legislation should change, but overall 27% did not check either yes or no. Federal managers were evenly distributed
between a no response (35%) and those who said the amendments might be necessary (39%). In addition, 39% of those expressing a preference wanted increased requirements and penalties. Thirteen percent responded that the needless costly reviews should be limited. Fifty percent of reviewers did not think amendments were necessary, 42% thought that they were. Of those expressing a desire, it was for increased requirements and penalties (67%).

Fifty-five percent of all contractors said that amendments were necessary. Sixty-four percent of those responding would like to see increased requirements and penalties. Twenty-seven percent would like no changes at all.

It does appear that many would like to see clarification of the current legislation, which is another of the professed goals of the new 36 CFR 800 series. It is also apparent from the comments that many would like to add penalties for non-followers of the current legislation. But not all of these respondents singled out federal agencies as the object of these proposed sanctions. Many wished the public sector could be held accountable, that archeological sites could be called "national treasures" and protected from the owners of the lands in which they are located. It is doubtful with how much success this
would meet, given the concern for property rights in this country.

16. Should course work targeted at the federal archeology program needs be offered?

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<td>Yes, Need More</td>
<td>Have Good Courses Now</td>
<td>Have Too Much</td>
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This question was added at the request of a federal regulator who was hoping to elicit support for new classes aimed at the non-archeologist who deal with the federal programs. An overwhelming 80% requested additional classes. Sixty-seven percent of reviewers thought more course work would be an improvement, 82% of the contractors agreed as did 84% of the federal managers. It is obvious that all manner of federal archeology program workers wished additional classes for their agency. No one mentioned that the classes should be limited to, or directed at, the non-professional.

17. Are the goals of the archeologist different from those of the federal land manager, and does this cause a problem?

Yes, different ____  No, they're the same ____

An overwhelming 85% of all respondents said that the goals of the archeologist differ from those of the land
manager, and that a problem could exist because of it. Seventy-five percent of reviewers see the goals as different, along with 91% of the contractors. Eighty-seven percent of the federal managers saw the goals of the archeologists as different from their own.

Several respondents said that the goals should not be different as both the archeologist and the manager should be striving to obey the law. But many did not seem to find that plausible. Federal managers also thought that the problem of the significance of sites was one of the major areas where there was a difference of opinion. Archeologists were not seen as understanding the federal managers concept of the time constraints placed on the agency. Because the significance determines the protection of a resource, archeologists cannot spend a great deal of time in study and then produce an illegible (sic) report as the only product says one federal manager. Some reviewers took a hard line, a few responded that the federal agencies tend to reject anything historic as a resource tends to impact negatively on the agency mission. Overall, the reviewers thought that the federal agency was most happy when no resources were found, or that there was a chance to declare those that were found not significant.
Overall a majority of the respondents seem to have an attitude that many of the really negative aspects are changing as the two become more aware and tolerant of each other's goals and priorities.

One of the most interesting aspects of the replies was the subject of anonymity. The questionnaire was designed to be anonymous, in fact the cover letter issued a warning against respondents signing their names. But archeologists must be a brave or "cheeky" lot. Several signed their names to the questionnaire itself, but many more attached letters, business cards, and even small notes. Several of these notes were simply additional comments where space had been lacking on the form. There were several, however, which were long and involved justifications for answers or overall justification for a position taken, these were all signed and usually were on the agency letterhead.

Several respondents identified problems with the questionnaire. Because no mention in the cover letter had been made about averaging the federal agencies into one answer, many noted that there was not enough space to deal with each agency.

Many of the respondents said that they were not able to average out the agencies. Several commented on a specific
agency's performance as a way of answering a question. A few identified that the performances within federal agencies was too varied to allow for averaging either. Also, many identified that they felt unable to "lump" together such varied opinions and actions as they have seen in the different agencies into one neat clean answer. It also appeared that a few of the questions were vague to some. Prior to mailing the questionnaire, it was read by one academic archeologist, a federal regulator and a lawyer for the federal archeology program. Some of their comments forced changes in the questions, but one could not please everyone and hope to have a thesis published in the time allowed. However, there did not seem to be too many comments about problems with the questionnaire, and one respondent even found it "insightful". The most interesting comment was made by a reviewer who thought that the questionnaire was too restrictive, that he was intimidated by the fact that one had to take one of the numbers printed on the page. He said that there was no room for the "grey" areas. But the descending number system was supposed to allow the use of a span of numbers to mark slightly positive or slightly negative answers. There was only one respondent who felt this way, but he filled out the questionnaire and asked the author to call his office to discuss his answers if necessary.
Several respondents identified a possibility of bias within the questions. One felt the questionnaire would not allow for a great many conclusions to be drawn, as it was too biased. The bias this respondent spoke of was not identified. Two other respondents also indicated that the questionnaire was biased, but each seemed to feel that the bias was in opposing directions, one in favor of the agencies and the other condemning them.

The questions were carefully considered, and worded in attempt to elicit comments. It can be assumed that a 60% response overall is a result of this wording. The respondents appeared to be able to find an answer that met their needs as most questions had only one or two no-response answers per category.

The mailing list was gathered with the same care and consideration. Lists of attendees at training sessions, conference lists and professional society membership roles were used. Also the current Guide to Departments of Anthropology was chosen for its listing of archeologists in federal agencies, such as the Department of Interior, NPS and Forest Service. By no means were all the respondents known by the author, but their positions were known prior to selection. This was done to ensure that the respondents would have first hand knowledge of the federal program.
Based on the responses and added comments the questionnaires were taken seriously and adequately reflect the opinions of those professionals who answered.
CHAPTER THREE
CONCLUSIONS
Philosophy verses Execution

In April 1981 the Comptroller General began a report to a Congressional Committee with this statement:

The National Archeology Program which costs about $100 million a year, is not working well (GAO report 1981:i).

Is this statement still true? Are problems endemic to the program? Based on the results of the questionnaire quite a few of the professionals working in the federal program would agree. Perhaps one can write off a certain amount of this to job dissatisfaction, but not all.

Only a few of the respondents indicated that, in their opinion, federal agencies did not concern themselves with cultural resources. This might have been the majority response ten years ago. Federal agencies on the whole appear to have made cultural resources more a part of their overall planning. But the respondents thought that these agencies still had some ways to go. Is the problem with these agencies as basic as their philosophy or just a result of their execution of the legal guidelines?
The majority of respondents, except reviewers, felt that federal agencies had at least a basic idea of the goals and responsibilities of archeology. This can be taken as both a positive and negative response. On the positive side, agencies are better able to deal with the federal requirements if they have an understanding of archeological goals. Knowing what is important to archeologists makes it easier to plan and comply with archeology needs. Taken negatively, there is a greater responsibility to comply when the agencies understand the importance of certain sites and types of information. In this case, disregard for sites and their destruction would be more indicative of an illegal act. Federal agencies clearly can no longer plead ignorance of the destructive nature of their actions. Several of the respondents did identify specific federal agencies who, in their opinion, did not comply with the law; but, over all, compliance did not appear to be a major issue.

While outright compliance did not appear as a major consideration, the respondents did comment that in their opinion, the daily execution of the program was often faulty. This opinion was evidenced by the overall response to questions 14 and 17.
It is no revelation that the archeologists and non-archeologists working in the federal program have different approaches to their work. This is certainly evident in their responses to the questionnaire. Respondents believed that the federal land managers and archeologists have different goals and that caused problems. But when listing the potential problems the overall theme was "mission differences". One respondent quite succinctly stated that it was in the agency's best interest that the goals of the agency include cultural resources, in view of the legislation. This interweaving of mission and other concerns is the intent of both NEPA and PL 89-665.

Respondents believed that the agency mission is allowed to take precedence and the archeologists were required to rush reports. "Crisis management" was the term used by one respondent to define the federal land manager's attitude. Respondents among federal managers also identified supervisory problems as reasons for poor cultural resources judgement calls. Based on the responses, is there any means by which the differing goals can be united in this overall planning as identified by NEPA and PL 89-665?

It seems that the respondents did not feel that the basic philosophy under which federal agencies operate is the source of the problems. Rather it is the execution of
their programs and philosophy with which many respondents found fault. An agency's execution of its historic preservation responsibilities is made up of several parts. One of these is personnel.

Execution Part I: Personnel

Several of the questions dealt directly with the personnel issue. Question 10 dealt with hiring an in-house staff, and question 11 rated those archeologists already in the program. Supervisors were mentioned by quite a few respondents in a variety of ways. It appears that archeologists supervised by non-archeologists have some advantages, but are still subject to pressures from the non-archeologist that they think comes from a lack of archeological knowledge. Respondents thought that they (archeologists) had a different perspective on archeology, and this is quite possible. Some thought that there was too little emphasis on management in archeological training programs. A few respondents (reviewers) felt that there was too much emphasis on academic concerns or anthropological archeology. The requirements of the federal program appeared to need a new type of archeologist. CRM (which stands for cultural resource management) requires more than just the excavation of sites. CRM deals with more than archeology and history. CRM spans the social
considerations in addition to those normally associated with historic preservation (for example AIRFA). Such considerations also include planning. It is not enough in CRM to have excellent field technique, one must also be able to handle the assignment of priorities based on legal requirements, master planning and ethics. A few respondents identified CRM as a training requirement, and one respondent thought that CRM should be taught after technique, ethics and experience has made the archeologists. Other respondents thought that CRM should be taught as part of the academic curriculum, thinking as King (1977:10-11), that CRM involves more disciplines than just archeology. CRM training was made part of their comment by many respondents. Overall it appears that respondents think that at least an introduction to CRM training should be given.

Now taken as an overall, the respondents thought that in-house personnel are a necessary part of the federal archeology program. As was discussed in the section dealing with who was sent a questionnaire, many agencies do handle their cultural resource program with an in-house staff, like the US Army Corps of Engineers archeology staff. Since many Corps archeologists appear to have responded to the questionnaire they would be rating their peers in question 10. Overall both federal in-house
archeologists and contractors were rated as "some good and some bad". The author had equated this to average. Based on the comments of respondents, archeologists working with the federal program are like those working anywhere else in the discipline: they vary in their techniques, education and performance. In other words, they are average. In this context average does not have any negative connotation. It was the comments that question 11 engendered that really defined what many respondents thought about the personnel. One respondent (federal manager) found that the non-archeologist land manager gets a basic understanding of archeology, thinks he knows more than he does and believes that he (the manager) knows what is best for the archeological resources under his agency's control. This sort of behavior is human and not restricted to archeological concerns, but it can be quite damaging to sites. Respondents also found quality a problem. As one respondent stated, because supervisors did not care "one iota" for quality, reports which were professionally embarrassing could be pushed through if the SHPO did not require them redone. This gets back to the respondent who thought that personal traits not personnel rules decreed how successful an in-house archeologist could be. This was discussed under question 11 in Chapter 2. This idea carried over into many questions. A professional who is respected within both the agency and the archeological community is
the most likely to be successful selling concepts to the supervisors and then getting good performance and reports from the contractors. This also was reflected by question 12 which concerned degrees. Only a few holders of a bachelors degree could command the knowledge and personal convictions to make them successful in leading a federal program, but this type usually goes to a graduate program anyway. In the opinion of the respondents, at least a Master's degree should be completed before working in the federal program. Few respondents felt that a doctorate was required. Perhaps by the doctorate level too much emphasis is placed on academic pursuits, something few respondents felt was necessary.

Overwhelming support was given by respondents to the concept of increased course work dealing with the federal program. Perhaps this sort of training should be included in more programs for both academic and professional development. Course work was also discussed in terms of financial considerations and will be discussed again later.

Respondents did identify some areas where staff archeologists could have the advantage. These areas all dealt with the allocation of agency resources. Some respondents put the responsibility on the contract archeologist to explain archeology in such a way that non-archeologists
could understand and set priorities. This theme was commented on by several. In order to compete for scarce federal dollars archeology has to be more than just legislated. It has to be comprehensible to the individual who must present the budget for approval. In this way a professional on staff would be better able to define the needs of the program and would be better able to make adjustments as the budgetary process goes along. Where a non-archeologist manages the program one could be hampered by the jargon contained in reports and cost proposals received from contractors. Also, as one rarely receives the budget requested, a non-archeologist might not be able to provide a new plan in short order as the dollar amount fluctuates. Certainly a strong professional would have the edge in this area.

Having a professional on staff would not always mean that the archeological requirements would all be met in-house. Contractors who responded in favor of in-house personnel did not think that it would create fewer jobs for them. Rather in-house personnel should make the contracting process easier. But others saw the relative naivete of the federal archeologists as a drawback. One contractor responded that archeologists in federal agencies need more actual work experience prior to reviewing others. The respondent believed that the in-house archeologists do not
know enough about actual current costs. This idea appears in the comments of several respondents. Contractors mentioned that managers could save money if they had a better understanding, and overall a better product would result.

**Execution Part II: Finance**

Financial matters appeared as a major concern in all areas of the questionnaire. Several questions dealt directly with the topic. Question 7 allowed respondents to comment that they did not think enough money was spent on the federal archeology initiative. Then in question 8 respondents thought that what money had been spent had not gotten good value. In view of the cost estimate given by the Comptroller General of $100 million in 1981 this is an important point.

Respondents seemed to find a variety of ways in which lack of funding created limitations in the federal program. Federal managers complained that under the current government austerity program they are constrained and that, unless CRM is given more of the federal dollars, agencies cannot protect their resources. A few of the contractors responding also cited funding and allocation of funds as a difficulty. One thought that CRM concerns should be given
top priority. One reviewer also stated that new budget cuts have further weakened the federal program, and still the federal program gets a larger percentage of federal dollars than state and local initiatives. Federal agencies did not, as a rule, receive money earmarked for historic preservation until the 1987 budget; and it appears that this earmarking took place at the Secretariat level and below. For the first time (1987), the budget of a Major Army command was written with an allocation of $400,000 for preservation. This $400,000 was designated by Headquarters, Department of the Army. This was to fund the preservation initiatives of 24 Army installations in 14 states.

Finance is also related to the personnel issue. If a in-house staff of qualified people who hold Master's degrees are to be assembled, it will add cost to the program. Each additional person at a GS-7 grade, the lowest grade where a Master's degree is of basic requirement, would involve at least an expenditure of $24,416 per year; a Ph.D. could command as much as $56,310 per year. As even the respondents were aware, these additional personnel do not mean that the expense of contracting out studies will be eliminated.
Several of the respondents dealt with the issue of finance in conjunction with requesting additional course work. One respondent stated that additional course work would not be useful if agencies continued to lack travel and training funds. In government agencies such courses should be made part of an individuals development plan (IDP). IDPs are the professional development charts of federal employees and are funded year by year over the employees professional life. Internships in various career areas, such as architect-engineers and scientists and environmental, should include mandatory course work in CRM, because these career programs most often include cultural resources at the installation level. Perhaps having a federal funded agency, such as the NPS, provide all training at a variety of regional centers would decrease the overall cost. Requiring such CRM courses in an individuals academic preparation also would create a new pool of personnel who have had a basic training course.

Results

Overall the respondents did not appear overly positive on the results of the federal archeology program. Questions 6, 13 and 14 requested that the respondents rate the overall federal program in regards to resource protection, closeness to the intent of PL 89-665 and an overall rating
for question 9. The respondents seemed to think that the federal program does not meet the goals they had thought it should. This adds up to destroyed resources. One respondent believed that penalties attached to the federal regulations would make the agencies strive to make a greater effort at compliance. This is probably true. Placing the ability to levy fines within the federal legislative base would necessitate either the creation of a watchdog agency or allowing the ACHP to levy fines based on their reports and reviews. In order not to have an additional drain on the federal dollar, whatever agency handled enforcement would have to exist on the fines collected. This is not the way NEPA, Clean Air Act or Clean Water Act standards are enforced. So a question is naturally posed to the respondents who want agencies, states and local governments fined: are the violations so bad that they justify the diverting of funds from protection to development of a policing agency? It does not appear that creating a policing agency would have an instant positive response.

The concept of increased enforcement does related to comments made in the area of personnel and finance. Most respondents who commented seemed to think that more funds and more personnel would improve the performances of agencies overall. This probably is very true, but a few
professionals are of the opinion that overall federal funding will not be increasing. It is important then to review the comments of the respondents looking for suggestions that would not have a substantial cost or that would reuse funds already available. This should be possible, as the majority of respondents did not feel that current funding was always used wisely.

Preservation on a "Shoestring"

The comment which appeared most often appeared in conjunction with question 17. The problems most respondents found could be linked to communication. One actually tasked archeologists with "educating" the federal managers as a part of normal contractual relations. It is also important, in the opinions of many respondents, that archeologists fully understand the responsibilities and goals of the federal managers. Respondents (federal managers) commented that the contractors and reviewers do not appear to understand the agency needs. Their needs all involved timeliness and a readable report. The non-archeologists in the federal manager category might be identified by their references to reports that were quickly produced and readable. Perhaps creating a synopsis style report that non-archeologists could quote in their 106
review paperwork and placing the more detailed research-oriented work in appendices would solve this problem.

Another theme which appeared in the comments was planning as a tool for historic preservation. This has become more important in the last few years. The emphasis on planning on federal reserves could allow for less crisis-oriented archeological work and might make improvements in contracting expenses. Planning at the state or regional level outside the federal reserve would better enable archeologists to relate a site's significance and to define research needs. Simplifying the search for what research is needed would perhaps decrease the time needed to prepare proposals and reports, as research questions and contexts would already be identified. It would also help federal managers better assess the requests that they receive for ARPA permits. Academic archeologists could use the sites on federal lands to both meet their needs and fill a valid research information gap that exists in the state or region.

By integrating cultural resources in an agency's planning process, it will get more exposure. Cultural concerns should not be treated separately. The ability of supervisors to separate archeology from mission requirements is one of the greatest dangers to sites which exists
today. By not having mission concerns include protection, archeology can be seen as a threat to that mission by involving delays and increased expenditures. If archeology exists as part of the overall planning and land management functions it will cease to be seen as a separate threat, it will merely be another step that is automatically handled prior to a new project. Respondents also seemed to think this integration is important. Long term planning would result in cultural resources being considered more routinely. By making cultural resources part of an agency's routine, funds could be allocated over several budget cycles rather than requiring a major outlay just prior to a land disturbing activity.

Training of both archeologists and non-archeologists was the third theme which was found in most responses. To develop a totally new method of training would require a capital outlay. However, there are courses such as "Cut Red Tape" given by the ACHP and "Archeological Resource Protection Planning Series" by the Northern Arizona University. Within federal agencies there are many sections that deal with CRM, some are already being given course work and some are able to give instruction. Legislation has tasked the NPS with many responsibilities within the federal preservation program, but education is one that they can and should control. A few respondents
identified the role of the NPS as the national reviewer of SHPOs, requesting that funds be withheld from SHPOs who fail to meet certain standards of enforcement of federal guidelines. Perhaps one can take the suggestions that as part of this NPS review that federal agencies and SHPO's be given a "refresher". As the reviewers already are funded to move from state to state, a slight increase in funds would allow a few extra days. Several federal agencies have requested the ACHP take their training program to a specific agency and train their employees. This is both expensive and time consuming as the ACHP review personnel are also their training personnel.

Future?

Calling the last section "Preservation on a Shoestring" was a reference to the current financial climate. In February of this year "Preservation News", the paper of the National Trust for Historic Preservation, led its front page with a story titled "SHPO Business: State Preservation Offices Feel Federal $ Crunch". The article goes onto state that SHPO offices have had their budgets cut from a high of $60 million (1970s) to $20 million (1980s) for 57 directors and their staffs, and their responsibilities have increased. The article also states the 1987 cuts were nothing compared to the 1988 allotment for SHPO work: $0.
Hopefully this zeroing out will be reversed by lobbying as it has ever since the Reagan Administration took office. But states are going to have to assume a large share of the costs of preserving our heritage. Several states are already attempting to do just that, Georgia has a bill before the legislature to double the SHPO operating budget according to the article's conclusion.

In light of this sort of information the expectation by many respondents of an increase in funds is unrealistic. The preservation movement in general and archeology specifically will have to not only find funding elsewhere but to work on a reduced budget. This makes the respondent's "cost saving" suggestions even more important. Preservation will have to be made more cost effective in its operation and hopefully increased public awareness will make public support possible. For this reason, the federal program will become even more important. The private sector survey initiative will be slowed by the SHPO staff work load. Fewer staff members with increased responsibility might find it difficult to deal with the increased development going on in many areas. Under the current federal legislation, the federal survey efforts will continue. With increased communication between the archeologists and non-archeologist federal managers the quality of these surveys will continue to improve. It may
come to pass that only federal parks and military reserves remain as green space. If this were to happen the information contained in sites preserved on these reserves would become even more important.

The major responsibility of those now involved in the federal preservation program is to strive to improve the quality of the current program. Also these professional should use education and communication to increase public awareness and support. In this manner the tangible remains of our past will remain safe for our future.
APPENDICES
APPENDIX A

PLEASE CHECK OR CIRCLE (AS APPROPRIATE) THE ANSWER YOU WISH

1. Do you deal with federally funded archeology projects?
   As a Reviewer _____ As a Contractor _____ As a Federal Manager _____

2. Do you feel the agency you (work for or contact with) understands the
   "goals of archeology"?  Yes _____  No _____

3. Please rank the following in importance to the national archeology
   initiative 10 being the most important, 1 the least.
   Reservoir Salvage Act _____
   Historic Preservation Act of 1966 _____
   1974 Archeology and Historic Preservation Act _____
   Archaeological Resources Protection Act of 1979 _____
   36 CFR 800 _____

4. Have you ever used information from a federally funded project in which
   you were not involved?  Yes _____  No _____
   If yes, was the information difficult or easy to obtain?
   10 9 8 7 6 5 4 3 2 1
   Very Hard Very Easy

5. Do you feel that federal agencies should be more or less selective
   about providing copies of their reports to the public?
   10 9 8 7 6 5 4 3 2 1
   More Stay Same Less

6. Do you feel that federal agencies adequately protect archeological
   resources under their control?
   10 9 8 7 6 5 4 3 2 1
   Yes, Very Well Stay Same Poorly

7. Do you feel that federal agencies expend too many federal dollars on
   archeology?
   10 9 8 6 5 4 3 2 1
   Too Much Enough Too Little
8. Are the funds used wisely?

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<th>Adequate</th>
<th>Wasted</th>
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9. Overall, how would you rate the federal archeology program?

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<th>Terrible</th>
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10. Would the federal program be improved by requiring employment of agency archeologists for in-house work?  
Yes _____ No _____

11. Are the archeologists that are now hired by federal agencies (including contractors) adequately trained and reviewed?

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<th>Poorly trained</th>
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<th>Good Peer Review</th>
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12. Should federal archeologists and contractors be required to hold as a terminal degree (check one only):

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<th>Ph.D.</th>
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<td>6</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>

13. Could increased review by the Advisory Council on Historic Preservation improve the federal agencies responsiveness to their archeology programs?

<table>
<thead>
<tr>
<th>Yes Needs to Increase</th>
<th>Stay Same</th>
<th>Need Less Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>9</td>
<td>8</td>
</tr>
<tr>
<td>7</td>
<td>6</td>
<td>5</td>
</tr>
<tr>
<td>4</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

14. Do you feel the federal program meets the intent of the 1966 Historic Preservation Act.

<table>
<thead>
<tr>
<th>Quite Well</th>
<th>Adequate</th>
<th>Doesn't Come Close</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>9</td>
<td>8</td>
</tr>
<tr>
<td>7</td>
<td>6</td>
<td>5</td>
</tr>
<tr>
<td>4</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

15. Do you think that the federal legislation should be amended?

Yes _____ No _____

<table>
<thead>
<tr>
<th>Yes, Increase Requirements and Penalties</th>
<th>Clarify</th>
<th>Decrease Needless Costly Reviews</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>9</td>
<td>8</td>
</tr>
<tr>
<td>7</td>
<td>6</td>
<td>5</td>
</tr>
<tr>
<td>4</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

95
16. Should course work targeted at the federal archeology program needs be offered?

10 9 8 6 5 4 3 2 1
Yes, Need Have Good Have Too Much
More Courses Now

17. Are the goals of the archeologist different from those of the federal land manager, and does this cause a problem?

Yes, different _____ No, they're the same _____

Problems ____________________________________________
____________________________________________________

Comments: __________________________________________
____________________________________________________
## APPENDIX B

### Contractors

<table>
<thead>
<tr>
<th>Question</th>
<th>Responses</th>
</tr>
</thead>
</table>
| 2        | 46% think agencies understand  
|          | 18% think its some yes, some no  
|          | 27% think agencies do not understand  
|          | 9% no response |
| 4        | 91% have used information  
|          | 9% no response  
|          | 55% found it relatively difficult to get information |
| 5        | 55% think agencies should be less selective  
|          | 27% think it is okay now  
|          | 18% think agencies should be more selective |
| 6        | 82% thought the federal program does pretty poorly  
|          | 9% think the program is adequate  
|          | 9% think it varies greatly |
| 7        | 73% thought agencies expend too few dollars  
|          | 27% thought funds were adequate for the job |
| 8        | 64% think the funds are expended somewhat unwisely  
|          | 27% think agencies get a slightly good value  
|          | 9% think its adequate |
| 9        | 46% think the program is slightly better than okay  
|          | 36% think program is less than adequate  
|          | 18% see it as adequate |
| 10       | 55% think in-house personnel are not needed  
|          | 45% think in-house are needed |
| 11       | 64% thought archeologists/contractors are average  
|          | some good/some bad  
|          | 18% think archeologists/contractors are pretty good  
<p>|          | 18% think archeologists/contractors are pretty bad |</p>
<table>
<thead>
<tr>
<th></th>
<th>9% require B.A./B.S.</th>
<th>82% require M.A./M.S.</th>
<th>9% require Ph.D.</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>64% think ACHP should increase their reviews</td>
<td>27% think it should stay the same</td>
<td>9% no response</td>
</tr>
<tr>
<td>13</td>
<td>55% think program falls just short of adequate</td>
<td>27% think program fills intent pretty well</td>
<td>18% think program is adequate as it is</td>
</tr>
<tr>
<td>14</td>
<td>55% think amendments are needed</td>
<td>27% think amendments are not needed</td>
<td>18% no response</td>
</tr>
<tr>
<td>15</td>
<td>64% think some increase in requirements is good</td>
<td>9% request clarification</td>
<td>27% no response</td>
</tr>
<tr>
<td>16</td>
<td>82% think more coursework is needed</td>
<td>9% think there are good courses now</td>
<td>9% no response</td>
</tr>
<tr>
<td>17</td>
<td>91% think the goals are different</td>
<td>9% think the goals are the same</td>
<td></td>
</tr>
</tbody>
</table>
**ADDENDIX C**

**Reviewers**

<table>
<thead>
<tr>
<th>Question</th>
<th>Responses</th>
</tr>
</thead>
</table>
| 2 | 42% thought agency does not understand  
33% think that it does  
17% think answer is both yes and no  
 8% no response |
| 4 | 100% have tried to get information  
67% found it easy  
17% found it relatively difficult  
 8% found it varied  
 8% chose #5 |
| 5 | 50% thought agencies should stay the same  
25% think they need to be more selective  
17% think they need to get less selective  
 8% no response |
| 6 | 58% thought feds do rather poorly  
26% think it varies greatly  
 8% think feds are one step over adequate  
 8% no response |
| 7 | 75% think feds spend too few dollars  
17% think feds spend too many dollars  
 8% think expenditures are adequate |
| 8 | 58% thought the funds were spent somewhat unwisely  
25% think its adequate  
17% found expenditures a pretty good value |
| 9 | 59% rate the federal program as pretty inadequate  
25% rate the program as adequate  
 8% rate the program pretty good  
 8% found it varies widely |
| 10 | 83% thought in-house personnel are needed  
17% thought in-house personnel are not needed |
11 58% think the archeologists/contractors are average, some good/some bad
25% thought most were well qualified and reviewed
17% thought most were badly trained and reviewed

12 76% said require M.A/M.S.
8% said require a Ph.D.
8% said A.B.D. Ph.D.'s are okay
8% no response

13 75% thought ACHP should greatly increase their reviews
18% thought it was currently okay
8% no response

14 66% thought program just short of adequate
17% thought program is adequate
17% thought program does pretty well

15 50% don't think amendments necessary
42% thought amendments were necessary
8% no response
67% thought increased requirements needed
25% requested clarification only
8% no response

16 67% thought more coursework is necessary
17% thought it is okay now
8% want less coursework
8% no response

17 78% thought the goals were different
17% thought the goals were the same
8% no response
APPENDIX D

Federal Managers

<table>
<thead>
<tr>
<th>Question</th>
<th>Responses</th>
</tr>
</thead>
</table>
| 2        | 45% thought agency understands  
           | 45% thought agency does not understand  
           | 7% thought answer is both yes and no  
           | 3% no response |
| 4        | 71% have tried to get information  
           | 29% have not tried to get information  
           | 52% found it relatively easy  
           | 13% found it relatively difficult to get information  
           | 6% chose #5  
           | 29% no response to second half |
| 5        | 35% think agencies should stay same  
           | 25% think agencies should be less selective  
           | 26% think agencies should be more selective  
           | 4% thought it varied greatly |
| 6        | 55% thought the federal program does rather poorly  
           | 32% thought the program does rather well  
           | 3% thought it varies greatly  
           | 10% thought it was adequate |
| 7        | 52% think feds spend too few dollars  
           | 29% thought feds spend too many dollars  
           | 19% thought expenditures were adequate |
| 8        | 35% thought funds were expended somewhat unwisely  
           | 32% thought it is pretty good value  
           | 29% think it's just adequate  
           | 4% no response |
| 9        | 36% think the federal program is somewhat inadequate  
           | 32% think the program is adequate  
           | 32% thought the program does pretty well  
           | 4% no response |
10 65% thought in-house personnel are needed
32% think in-house are not needed
3% no response

11 48% think federal archeologists/contractors are well trained and qualified
39% thought they were average (some good/some bad)
10% think they are rather badly reviewed and qualified
3% no response

12 26% should require B.A./B.S.
68% should require M.A./M.S.
6% should require Ph.D.

13 45% think ACHP needs to increase reviews
26% think the program needs much less review
23% think it should stay the same
6% no response

14 48% thought the program is just short of adequate
29% think the program is pretty good
23% think the program is adequate

15 39% thought amendments are necessary
35% no comment
39% requested some modification, increased penalties
13% requested limiting reviews
13% requested clarification
35% no response

16 84% want more coursework
3% found it okay now
3% wanted less coursework
10% no response

17 87% thought the goals were different
13% found the goals the same
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DEPARTMENT OF INTERIOR PUBLICATIONS

"National Register of Historic Places Bulletins"
VITA

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