



NATIONAL ASSOCIATION OF STATE ARCHEOLOGISTS

NEWSLETTER

Fall/Winter, 1990/91

Volume XI, Number 1

ANNUAL MEETING

The National Association of State Archaeologists will hold its annual business meeting in New Orleans, Louisiana on April 24, 1991, in conjunction with the annual meeting of the Society for American Archaeology. The meeting will begin at 9 a.m.; please see posted conference agenda and schedule for room number. President Tom Witty has prepared the following agenda:

Morning Session:

- I. Approval of 1990 Minutes
- II. Reports of Officers
 - A. President
 - B. Secretary/Treasurer
 - C. Newsletter Editor
- III. Report of 1991 Election Results
- IV. Old Business
 - A. Burial Issue
 1. Report from Maria Pearson
(Iowa Indian Advisory Council)

Afternoon Session:

2. Report from Bob Brooks
(Oklahoma State Archaeologist)
 3. Federal Legislation
- V. New Business
- VI. Planning for 1992 Meeting
- VII. Adjournment

If you have any additional topics to add to the agenda, please call Tom Witty, NASA President, at (913) 296-4781 as soon as possible.

PRESIDENT'S NOTES BY TOM WITTY

There were state archaeologists and representatives of twelve states at our 1990 meeting in Las Vegas. The business of our meeting was related in the minutes recorded by Susan Collins, the secretary/treasurer. The dominate topic for the meeting was the reburial issue with emphasis upon remains and burial goods of Native Americans. Officially, statements of the principals drafted at the 1989 annual meeting were passed, with an amendment, by those present at the recent meeting. The text of that resolution is included with the annual minutes report. At the meeting a motion was made and passed for NASA to contact the Governor's Interstate Indian Council concerning discussions of interests and issues. In that regard, I have been talking with Maria Pearson of that organization and it has been suggested that they have representatives at the 1991 NASA meeting. As in 1990, we are looking for open discussion with the emphasis being upon areas of cooperation. Obviously, the reburial and repatriation issue already does or soon will involve all of us in a major way. I sincerely hope we can develop a session with a meaningful outcome.

I have also been contacted by Bob Brooks of Oklahoma, concerning suggested action relating to archaeology and Native American sacred places. He has been working with individuals of both state and federal agencies in a number of states. Certainly the issue of sacred places is one which is gaining notice. Brooks' concern is also one of a basis for cooperation and workable programs and would like to make this a part of the 1991 meeting. Considering the above, we should count on at least a full day in 1991. If the volume of newsletter articles and attendance at our annual meeting are indicators it apperars that NASA has lost some momentum. I realize budget cutbacks have had their impact but we still remain a very unique, if not elite, group given to our profession and our states. If you have comments or suggestions for the annual meeting, newsletters. or other action I would very much like to hear from you.

BALLOTING RESULTS

For offices of the National Association of State Archaeologists 1990 to 1992 (the term begins at the end of old business during the 1990 annual meeting). The following are elect:

President: Tom Witty (Kansas)
 Vice-President: Mark Miller (Wyoming)
 Sect./Treas.: Susan Collins (Colorado)
 News.Ed.: Nicholas Bellantoni (Connecticut)

A total of 21 ballots were recieved.

NASA ANNUAL MEETING 1990 (MINUTES)

The meeting was called to order at 9:18 a.m. by Tom Witty (Kansas), new President. Minutes from the 1989 meeting were not available, nor did the outgoing officers submit reports.

ELECTIONS: Tom Witty reported the results of the 1990 elections, in which 21 ballots were returned. Tom Witty was elected President, Mark Miller (Wyoming) was elected Vice-president, Susan Collins (Colorado) was elected Secretary-Treasurer, and Nicholas Bellantoni (Connecticut) was elected Newsletter Editor.

OLD BUSINESS: At the 1989 meeting, the members drafted "NASA Principles on Treatment of Human Remains." Bruce Rippeteau (South Carolina) moved that we adopt this statement; Susan Collins seconded. President Witty reconvened the meeting as a Committee of the Whole, and moved that the statement be amended by inserting the following language (addition noted in CAPITALS):

3. We endorse the resolution of conflict between principles 1 and 2 through the use of EXISTING OR ENACTMENT OF state, federal, and tribal law.

This amendment was seconded by Julie Francis (Wyoming, proxy). The amendment and the motion passed unanimously. Extensive, informal discussion of burial issues followed. Brona Simon (Massachusetts) reported that the November board meeting of the National Conference of State Historic Preservation Officers will probably formulate policy on Native American issues. The March, 1990 NCSHPO meeting in Washington, DC included sessions on press relations, natural disasters, Native American concerns, computers, and the National Park Service Programmatic Agreement.

NEW BUSINESS: Bill Green (Iowa) made the following motion:

NASA shall contact the Governor's Interstate Indian Council (GIIC). NASA officers shall draft a letter indicating our interest in discussing issues and attending the 1991 GIIC meeting.

The motion was seconded by Bruce Rippeteau. The motion was passed. This concludes the business conducted at the 1990 Annual Meeting.

AMMENDMENTS TO MASSACHUSETTS UNMARKED BURIAL STATUTE

Brona Simon, State Archaeologist of Massachusetts, reports that her state has amended its unmarked burial statute to allow more flexibility in the ultimate disposition of non-Native American human remains. Previously, Native remains were reburied while non-native remains were permanently curated. In response to

public concern, the law was amended to provide reinterment as an option for non-Native remains. Application of this statute necessitates the State Archaeologist to make the decision whether such remains will be deposited in a curatorial facility or reinterred. Copies of the Massachusetts Historical Commission's "Policy and Guidelines for the Disposition of Non-Native Human Remains which are One Hundred Years or Older" are available upon request to Brona's office, MHC, 80 Boylston Street, Boston, MA 02116 (617) 727-8470.

CONSULTING ABOUT ARCHAEOLOGY UNDER SECTION 106

The Advisory Council on Historic Preservation has recently published a new document entitled "Consulting about Archaeology under Section 106". In the case of archaeology, the Council has acknowledged that effects of an undertaking that would otherwise be found to be adverse may be considered as potential contribution to archaeological, historical, or architectural research, and when such value can be substantially preserved through the conduct of appropriate research, and such research is conducted in accordance with applicable professional standards and guidelines.

What principles guide the Council with respect to making decisions about the appropriate treatment of archaeological properties? This fact sheet may be considered a starting point for agencies and individuals requiring guidance on how the Section 106 process addresses archaeological issues. The publication is free upon request from the Advisory Council on Historic Preservation, 1100 Pennsylvania Avenue, NW, Suite 809, Washington, DC 20004 (202) 786-0503.

AMERICAN SOCIETY FOR CONSERVATION ARCHAEOLOGY (ASCA)

Curtis Schaafsma, State Archaeologist of New Mexico, has been appointed liaison person between the American Society for Conservation Archaeology (ASCA) and NASA. To assist Curt in facilitating effective communication between ASCA and NASA, we are including a listing of ASCA Officers for 1990-1991 below. Many of the members of ASCA are professional cultural resource managers and obviously share many interests with State Archaeologists. Information about joining ASCA can be obtained from either Ken Deaver or Peter Miller. We hope many NASA members will join ASCA.

ASCA OFFICERS

W. James Judge
 ASCA President
 Department of Anthropology
 Fort Lewis College
 Durango, CO 81301
 (303) 247-7409

Peter Miller
 ASCA Secretary
 USA Centrl. Ident. Lab
 Fort Shafter, HI 96858
 (808) 438-1200

John L. Montgomery
 ASCA Editor
 1019 W. University
 Portales, NM 88130
 (505) 562-2254

Herrick E. Hanks
 ASCA Exec. Committee
 417-219 Circle Drive
 Susanville, CA 96130
 (916) 257-5381

Diane Gelburd
 ASCA/SAA Rep.
 7222 Pinewood Street
 Falls Church, VA 22046

Edward B. Jelks
 ASCA Vice-President
 605 N. School Street
 Normal, IL 61761
 (309) 452-1223

Ken Deaver
 ASCA Treasurer
 Ethnoscience
 711 Rimrock
 Billings, MT 59102

Tyler Bastian
 ASCA Exec. Committee
 1 East University Parkway
 Baltimore, MD 21218

Larry Banks
 ASCA/SOPA Rep.
 4909 Weyland Drive
 Hurst, TX 76053
 (817) 589-2870

Curtis Schaafsma
 ASCA/NASA Rep.
 Lab. of Anthropology
 Museum of New Mexico
 P.O. Box 2087
 Santa Fe, NM 87504-2087a
 (505) 827-8941

The next issue of the ASCA Report will contain a series of papers on curation that emerged from an ASCA sponsored workshop/symposium held in Las Vegas, NV, last April at the time of the SAA meeting.

36 CFR PART 79

National Park Service has completed a new regulation entitled "Curation of Federally-owned and Administered Archaeological Collections", which became effective on October 12, 1990. This new regulation will be instrumental in improving the Federal agencies care for collections of prehistoric and historic

archaeological remains, and associated records, that are excavated or removed in conjunction with their projects and programs. Those collections often are the only remaining evidence of places and events significant to our nation's prehistory and history because the actual archaeological or historic site has been destroyed. Promulgation of the final regulation is the culmination of six years of work (and a lot of perseverance) by Michele C. Aubry, a senior archaeologist in the Departmental Consulting Archaeologist's office. The regulation reflects her thorough professionalism and her skill in accommodation and reconciling, to the extent practicable, the comments and suggestions submitted by Federal agencies, repositories, Indian tribes, the States, and others. We are confident that you will find the new regulation an effective tool in developing and improving the care afforded to archaeological collections. Copies can be obtained by contacting Francis P. McManamon, Chief of the Archaeological Assistance Division, at (202) 343-4101 (FTS 343-4101).

NCSHPO/UPDATE: REPATRIATION BILL PASSES CONGRESS

H.R. 5237 also now includes carefully worded definitions of terms including "cultural affiliation" and "cultural item" (which includes funerary objects, sacred objects and cultural patrimony). It requires museums to inventory human remains and associated funerary objects and to provide culturally affiliated tribes with an inventory of their collections. (A less extensive "summary" is required for other items). Repatriation, on request, to the culturally affiliated tribe is required for human remains and associated funerary objects. Repatriation of the other categories of items will be determined based on whether or not the original acquisition of the object was from an individual with the authority to alienate it from the group. A grant program is established within the Department of the Interior to assist tribes and Native Hawaiian organizations in repatriation and to assist museums in preparing the inventories and collections summaries. A copy on H.R. 5237 is included in this newsletter.

REVIEWERS AND REPORTS NEEDED

Reviewers are needed for both American Antiquity manuscripts and for the book reviews and book notes section. Potential reviewers should provide the following information to either the editorial office (for manuscripts) or the Associate Editor (for book reviews and book notes): name, address telephone number(s), bitnet address(if available), topical area(s) of expertise, and language literacy besides English. Book reviews range from 250-word book notes to 1,000-word reviews. Two months are usually provided for book reviews. Prompt manuscript review is essential

to the journal, thus those of you who are sent articles, reports, comments, and forum submissions to review are asked to complete and return them within 30 days. The offices are as follows:

Editorial Office: J. Jefferson Reid, Editor, Department of Anthropology, University of Arizona, Tucson, AZ 85721.

Assoc. Editor, Book Reviews: Diane Gelburd, Soil Conservation Service, 7222 Pinewood Street, Falls Church, VA 22046.

We would also like to provide an opportunity for review of archaeological reports that are relevant to the Society for American Archaeology membership. Please send reports to Diane Gelburd.

NEWS FROM KENTUCKY

R. Berle Clay reports:

Attempts to pass a comprehensive archaeological site and burial protection act in the 1990 Kentucky State Legislature were not successful. The proposed bill, developed by a special legislative commission (the state archaeologist was a member of the commission), had little support from any sector. In retrospect it is felt that it was probably far too complex a piece of legislation. The question of financing its provisions was a thorny one which severely hampered the bill. Increasing the cost of the burial permit to fund burial protection was seen as "taxing the act of dying" and was not popular. The majority of the commission hoped to approach the reburial question with a "mausoleum" solution. There were obviously no funds for such a venture and little change, given the state's finances, that funding would be forthcoming in the general session. I will be happy to send those who are interested a copy of our attempt.

At present, and despite the well-publicised Slack Farm incident in Western Kentucky, there is little systematic legislation on the books in Kentucky providing protection for archaeological sites on private land and human burials in general (a state antiquities act provides protection and fines for archaeological sites on public lands). The Office of State Archaeology has been working with the State Historic Preservation Officer and the Kentucky Organization of Professional Archaeologists to develop a legislative proposal for the 1992 legislature (Kentucky legislatures meet only every other year, a considerable problem). All have agreed that simpler solutions in law should be sought, perhaps from several different legal directions. All are aware, as perhaps not before, that proposals will need a lot of selling across the state.

OTHER NEWS: The Office of State Archaeology at the University of Kentucky has continued to enhance its ability to deliver information on archaeological sites to those with a need to know,

primarily, but not entirely, archaeologists doing contract research. All site information is on an updated computer file and a number of report formats have been developed in response to information requests. At the same time the Office maintains the National Archaeological Database Bibliography for the state for Kentucky: the file contains over 3,000 entries and the Office provides users both with output and copies of the program and data files for "heavy users". Updated NADB files are periodically supplied to the Atlanta Office of the National Park Service. Finally the Office continues to act as a central repository for reports of all archaeological work done in the state and most "paper", however "grey", is available in Lexington and gets heavy use.

NEW TENNESSEE ARCHAEOLOGICAL LEGISLATION SIGNED INTO LAW

Nick Fielder, Tennessee State Archaeologist, writes:

This is a time of unprecedented changes in the practice and philosophy of archaeology in Tennessee. On April 10, 1990, Governor Ned McWherter signed into law House Bill 2129/Senate Bill 2350 which amended and added new sections to the Division of Archaeology statutes. This bill was initiated by Indian activists from Tennessee and other states as a means to make radical changes in the law. A newly formed group in Nashville, the Alliance for Native American Indian Rights, worked on passage of the law. Also active in the lobbying efforts was Mr. Michael Haney, a Seminole, representing the United Indian Nations in Oklahoma, an inter-tribal coalition of 26 tribes/nations in Oklahoma. Through meetings with the primary sponsors, Sen. Douglas Henry and Rep. Gary Odom, the Division of Archaeology, and representatives from amateur societies who represented the interests of artifact collectors, unworkable sections of the original bill were able to be deleted. The final version represents a reasonable compromise since in the legislative process, neither opponents nor proponents usually get everything they want. From an archaeological standpoint, the most significant changes in the law are the sections which cover burials and reburial. Human burials which are excavated or discovered after April 10, 1990, must be reinterred within six months after discovery. I can grant a six month extension if needed. The bill provides funds for a physical anthropologist on the staff of the Division to perform analysis for our projects and the removals done under our direction. However, persons designing archaeological projects which involve burial removal should include funds for osteological analysis in the overall budget. The new law requires that, except for excavations authorized by the Division, the discovery of human remains during construction or other activities must be reported to the county medical examiner and to the Division of Archaeology. Failure to notify is a misdemeanor offense. Normal farming operations are exempted from this penalty.

The law also prohibits the public display or exhibition of Native American human remains and prohibits the import or export of human remains with some exceptions. It adds three Indians to the Archaeological Advisory Council and gives Indians the right to be present during excavation of Indian remains. The Council will set rules and regulations for reburial. The above comments only highlight some of the changes to our statutes. Copies of the present and new laws are available upon request from the Tennessee Division of Archaeology, 701 Broadway, Nashville, TN 37243-0443.

NEWS FROM SOUTH CAROLINA

The South Carolina Institute of Archaeology and Anthropology has received a \$50,000.00 grant from the South Carolina Department of Wildlife and Marine Resources and the South Carolina Department of Archives and History to determine the state's most important cultural sites for possible acquisition through the state's Heritage Trust Program. This program's mandate is to preserve through acquisition or registration the state's natural and cultural heritage. In the past, the program has concentrated on natural areas because a lack of staff with archaeological training. This grant will fund the survey and identification of the state's top sites by archaeologists within SCIAA's Office of the State Archaeologist. For more information contact Co-Principal Investigator's Steven D. Smith or Christopher Judge at SCIAA, 1321 Pendleton Street, Columbia, SC 29208-0071, (803) 777-8170.

SOCIETY OF PROFESSIONAL ARCHEOLOGISTS REPORT

Mark Lynott, SOPA President, includes this update:

The Society of Professional Archeologists (SOPA) was organized in 1976 to represent and serve the professional practitioners of the discipline of archaeology. Since its inception, SOPA has grown in size and influence. A basic responsibility of the Society has been to define professionalism in archaeology. This has been accomplished through the Code of Ethics and Standards of Research Performance. While some individuals have been critical of SOPA's efforts to codify professional standards, the SOPA Code and Standards have been adopted by professional organizations in several states.

During the last decade, enthusiasm for certification of archeologists has grown in many sectors of the profession. Criteria for SOPA eligibility are often invoked by state and federal agencies as the minimum qualifications for key personnel on funded archeological projects. Many universities refer to SOPA standards when seeking applicants for teaching and research positions. Recently, several municipal archeologist positions were advertised as requiring SOPA certified candidates.

SOPA currently certifies archeologists in 11 areas of professional emphasis: field research; collections research; archeological administration; archeological resource management; museology; teaching; underwater survey; historical archeology; and documents research. The SOPA Certification Committee requires thorough documentation of professional experience for each area of emphasis. Although the SOPA application may appear intimidating at first glance, it is fairly simple and straight forward. Assistance in completing applications may be obtained directly from the SOPA Certification Chair, or through one of the SOPA sponsored membership workshops held in association with regional and national meetings.

SOPA annually publishes the DIRECTORY OF CERTIFIED PROFESSIONAL ARCHEOLOGISTS. The Directory is a valuable reference that we provide annually to State Historic Preservation Officers and federal agencies. Each year SOPA also publishes ten issues of the SOPA NEWSLETTER, which contains information relating to the profession, and comments on ethics or professional activities. SOPA is committed to thoughtful and public discussion of ethical issues that impact the archeological profession, and in 1991 SOPA will publish its first volume of collected papers on ethical issues in archeology. Of course, SOPA members frequently organize symposia and present papers at meetings on ethical issues as well.

The events of the last decade have made it clear that professional archeologists must become involved in public affairs matters that affect the professional practice of archeology. SOPA is actively working for balanced treatment of humanistic and scientific concerns in state and federal legislation dealing with the treatment of human remains. SOPA worked for the passage of the Abandoned Shipwrecks Act, and continues to work in defense against legal challenges to that bill. In a new initiative, SOPA is attempting to build a coalition of archeological societies to promote archeology through a public relations program. Membership in SOPA immediately identifies an archeologist as one who meets high standards of professional competence, having passed review by a committee of peers. It also identifies those archeologists who have made a firm commitment to advancing the profession through active involvement. SOPA members work through various committees to maintain high levels of quality and integrity in the archeological profession. They also devote themselves to enhancing the public's understanding of archeology and its purpose.

State Archeologists are leaders within the archeological community. If you are not yet a member of SOPA, we urge you to join us in working for higher standards of professional activity. Applications may be obtained from:

David Carlson, Certification Chair
Anthropology Department
Texas A & M University
College Station, TX 77843
(409) 845-4044

EDITOR'S NOTE

With this our inaugural edition of the NASA Newsletter, I wish to thank all of you who participated and sent in briefs from your states or organizations. Please feel free to pass on any suggests you may have concerning format or content to improve future issues. The Office of Connecticut State Archaeology has very limited resources (namely, no full-time staff other than the state archaeologist and a none existent operating budget). However, we agree with Tom Witty that a timely newsletter is essential to the continuation of NASA, and, in that regard, we will do the best we can to publish the newsletter at least twice this year.

Please send along any announcements, notices, comments, etc., at any time to the following address:

Nick Bellantoni, State Archaeologist
Connecticut State Museum of Natural History
U-23, Univeristy of Connecticut
Storrs, CT 06269

I look forward to seeing you in New Orleans and have a happy holiday!