

# The Federal Archeology Program

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Every time a Federal highway is laid or a foundation dug, archeologists are consulted to make sure America's heritage is protected. With about a third of the nation's land under government jurisdiction and Federal undertakings constantly in progress, hundreds of archeology projects are underway at any time. But archeology at the Federal level means more than turning spades of soil.

As this issue of *CRM* shows, Federal archeology encompasses the activities of a range of agencies at the national, state, and local levels. All share the program's central purpose: managing the nation's archeological heritage in the interests of the public. Federal archeology is part of the larger National Historical Preservation Program, which operates by authority of various laws.

An agency's involvement depends on its function. Some, such as the Forest Service, oversee land. Others, like the Federal Highway Administration, help other departments or the private sector develop resources or facilities. Whether they manage land or not, agencies must ensure that the developments they facilitate, license, or fund do not destroy the archeological record.

Most carry out a combination of the two functions. The land management agencies also undertake or permit development. Some agencies that primarily do development, such as the Corps of Engineers, also administer recreation lands. Large agencies, especially, perform a range of tasks requiring archeological investigations.

As one might expect, agencies can take very different approaches to meeting their responsibilities. Some, such as the National Park Service, have extensive archeological programs with large professional staffs. Agencies that assist other levels of government, such as the EPA, may pass along their responsibilities to a development project's sponsor. Yet, no matter what their mission, all agencies must meet their statutory and regulatory responsibilities. But they do so in different ways.

Land managing agencies have begun to inventory sites they administer. But the degree of completeness varies widely. Before the 1980s, several agencies had inventory programs, but most were eliminated in the Reagan years. Current efforts come largely from investigations associated with development projects.

Many agencies have overviews of the archeology and history of their lands, which assist in assessing known sites as well as in predicting where sites will likely be found. Most land managing agencies consider archeology in their guidelines for managers, and many provide cultural resources training. Land units such as national forests often have specific directives for dealing with archeological resources.

Land managing agencies also undertake archeological projects themselves, which typically involve excavation, collection, analysis, reporting, and—increasingly—curation of remains and associated records. Development and

regulatory agencies tend to require these projects of their clients and applicants rather than do them with staff. On average, there are over a thousand of these annually.

Increasingly, all Federal archeological projects, whether funded, permitted, or carried out by an agency, include public outreach efforts such as lectures, publications, newspaper articles, and archeology fairs.

This is quite a leap from the Federal program's humble beginnings. The preservation of archeological remains became a concern for the Federal government in the 19th century. But it wasn't until 1892, when President Benjamin Harrison issued an executive order to preserve Arizona's Casa Grande Ruins, that the nation had its first federally protected archeological site.

During the next two and a half decades the concern grew within and outside the government, leading to the Antiquities Act of 1906. This far-reaching statute made Federal officials responsible for protecting sites on lands they administered, while presidents could protect sites by designating them as national monuments.

With that law and the 1935 Historic Sites Act for authority and guidance, Federal activities increased dramatically during the massive public works programs of the 1930s. In the late 1940s, professional and scholarly groups—along with the National Park Service and the Smithsonian Institution—worked with the U.S. Army Corps of Engineers and the Bureau of Reclamation to mitigate damage to sites threatened by the widespread construction of dams and reservoirs.

The National Historic Preservation Act of 1966 embodied the concern for adverse impacts to historic properties of all kinds. In 1974, with amendments to the Reservoir Salvage Act, Congress required that agencies fund archeological activities necessitated by their projects.

The Archaeological Resources Protection Act of 1979 enforced prohibitions against looting and vandalism, stiffened penalties, and prohibited trafficking in illegally removed artifacts. The Act also addressed the custody of collections and called for cooperation among Federal authorities, professional groups, private archeologists, and individuals. Amendments in 1988 improved enforcement and emphasized inventories and public outreach.

In 1990, the Native American Graves Protection and Repatriation Act signalled a new relationship between Indian tribes and the government. Land managing agencies now must consult with Indian tribes and Native Hawaiian groups before archeological investigations that might lead to the excavation or removal of Native American human remains, funerary objects, sacred objects, or objects of cultural patrimony. By law, these kinds of remains and artifacts must be turned over to groups culturally affiliated with them. Similar provisions apply to collections in museums and repositories receiving Federal funds.

Today, it is clear that the past belongs to all Americans. As more and more of the archeological record is uncovered under government auspices, the Federal program looms large as a steward of that heritage.

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