

NHPA and the Practice of Archeology

Although the National Historic Preservation Act (NHPA) has profoundly affected the practice of archeology, its drafting, consideration, and passage by Congress, and its progress for a few years thereafter, slipped by archeologists unnoticed. Those concerned with national politics at the time were bound up with the grassroots effort to get other, more specifically archeological legislation (Moss-Bennett Act, PL 93-291) passed. The archeologists involved in its drafting and amendments over six years knew next to nothing about the workings of the 1966 Act¹ or how the NHPA might apply to their concerns and vice-versa.

Establishing Significance

Perhaps one of the more subtle but long-term effects of NHPA on the practice of archeology has been the need to “establish significance” of sites that are considered important to “prehistory

and history.” Criterion D of the National Register of Historic Place’s criteria for establishing significance was not considered particularly helpful in making these decisions because archeologists contended that all sites could be considered significant until proven otherwise. This approach proved cumbersome to the bureaucracy, as did the initial requirement that significant sites had to be actually listed on the National Register before “mitigation” measures could be considered. The amendment to the NHPA that allowed all requirements for consideration to kick in if a site was “on or eligible for inclusion in the National Register” occurred in 1976, and allowed data recovery to take place quicker and earlier in project planning.

Archeologists soon began exchanging comments on what constituted appropriate criteria for significance: significant to whom and for what? Were some significant sites more significant than others? What about large projects with many significant and therefore eligible sites where the amount of money available for protection or data recovery was not adequate? Was a site significant only for its research potential? Were big sites more significant than little ones? Should the cost of data recovery be considered? What about added significance for those sites that could be easily interpreted to the public?

What has evolved out of this debate is that it is the judgment of the archeologist regarding the kind and amount of information that can be recovered from a site, which is appropriate for establishing its significance. This judgment is now made explicit in a research design, and it is upon that document that agreement is reached as to how much data recovery will be done and/or how much money is to be spent to obtain that information. This



A cooperative effort of the South Dakota State Historic Preservation and the Black Hills National Forest, a statewide survey of ancient rock art produced a body of data and written reports that could be used in subsequent research and cultural resource management activities. The survey led to the nomination and listing in the National Register of Historic Places of a group of rock art sites, which are significant for their ability to yield information about prehistoric art and ideology. Photo by Glen Fredlund and Linea Sundstrom for the South Dakota State Historic Preservation Office.

is a fundamental change in how archeologists do research. Prior to working out this system, archeologists seldom did more than indicate a few simple goals prior to going into the field. The research design, if it was expressed as such at all, was written after the field work was done and the archeologist knew what raw data was available.

Public Archeology, the Conservation Model, and Cultural Resource Management

In *Public Archeology*, Charles R. McGimsey, III, expressed the philosophy that “the past belongs to everyone.”² His development of this concept paralleled, but was not influenced by those involved in the drafting and passage of the NHPA. Over the next decade, however, this concept became accepted, at least by most archeologists: the public was paying for most of their research and they were accountable to that public. Federal agencies were, of course, mandated to “manage” the evidences of the past on land they controlled, regardless of the “mission” of the agency. And they were required by the National Environmental Policy Act (NEPA) of 1969 as well as the NHPA, to “take into consideration” the important cultural resources effected by any project with federal involvement. The Forest Service and the National Park Service stopped setting fire to old homesteads; the Corps of Engineers began to rehabilitate historic buildings and to preserve and interpret archeological sites.

After passage of the Moss-Bennett Act in 1974, which allowed federal agencies to expend their own funds to meet the requirements of various cultural resource and historic preservation laws, the increase in the amount of field archeology that took place was enormous. Some archeologists became alarmed at the number of significant sites which potentially could be excavated in the name of “mitigation.” In anticipation of these changes, William D. Lipe of Washington State University (and current President of the Society for American Archaeology) published an article in 1974 that had long-lasting effect on the way archeologists approached these new research opportunities.³ Lipe cautioned that we might be digging up all the good sites and leaving nothing for the future, when techniques would have advanced and different questions could be asked of the data. Set some of the significant sites aside, he advised, just as the folks supporting natural conservation measures do. Put fences around them; do whatever is necessary to see that they are actively protected for the future. In the language of the law, don’t consider data recovery as the only way to mitigate impact on archeological sites. Lipe’s “Conservation Model” for archeology means that impact on many significant archeological sites is avoided. The federal agency upon whose lands those sites occur

must, as a consequence, “manage” them. Cultural Resource Management (CRM) is not only considered a part of federal historic preservation regulation, it is now a specialty within the profession.

Even before CRM became a part of our vocabulary, it was obvious to many that, under the NHPA, historic archeological sites must be considered, not just prehistoric. There were enough archeologists specializing in the historic period that in 1967, the Society for Historic Archeology was formed. They were quick to point out that there were significant historic archeological sites that met the National Register and the Advisory Council’s criteria and must be considered. In addition, historic archeologists specializing in underwater shipwrecks pointed out that these are “cultural resources” and come under the definition of the law as well (although a separate law, the Abandoned Shipwreck Act of 1987, was required to specify this). Cultural resources means all cultural resources, not just prehistoric sites or standing historic structures, and indeed, it is being suggested that the term should be stretched to include, for example, contemporary ethnic communities and Native American religious sites (protection of which has required yet another law). The growth and contributions of historic archeology, quantitatively and qualitatively, in the past two decades can be considered a real spin-off of the NHPA.

Other Spin-Offs

There have been other spin-offs and unforeseen consequences of the great increase in the amount of archeological research that has been prompted by historic preservation laws. For example, because research must be completed within a set time frame, more efficient means of recovering maximum amounts of information have been devised, e.g., remote sensing, more sophisticated sampling techniques, more consistency in field methods, etc. In analysis, computerization of records and manipulation of the data for analysis has become commonplace, indeed necessary, given the quantities of information. This also means more likelihood of comparability in analytic procedures. Much information is now computerized and reports are issued in a timely manner to meet contract deadlines. As a consequence, more data is available sooner to other researchers. Many State Historic Preservation Offices have issued standards and/or guidelines for doing field work and writing reports, which are a fine incentive for consistency in data recording.

Issues of curation have come to the fore because of the huge increase in federally generated records and material needing care, storage, and conservation. The National Park Service’s Curation Standards (36 CFR 79) provide a base-

line to measure adequate curation facilities and practices. Because federal agencies are required to see that records and artifacts for which they are responsible are properly cared for, many museums and other curation facilities have been able to improve the physical storage space.

Finally, the whole composition and function of the profession of archeology has changed. Many federal agencies now employ their own archeologists. More significantly, many professional archeologists have gone into business, forming for-profit companies that provide expertise to agencies needing to meet the requirements of the environmental and historic preservation laws.

Indeed, the job market for archeologists is completely different than it was 30 years ago, and the MA degree is now considered a professional one. Formed in 1977, the Society of Professional Archeologists set research and ethical standards. The Society for American Archaeology is now politically knowledgeable and active. While the National Historic Preservation Act did not mandate or specify most of the changes discussed here, its long-reaching influence on how, when, and on what properties archeological research will be conducted cannot be denied.

Public Benefits of Archeology

Many of the “built environment” people still think archeology is a “problem” within historic preservation. Archeology takes too long; it costs too much; sites without real significance have had large amounts of public money spent on them without obvious public benefit. Granted, there are glitches in the system and a bad apple here and there. But some of this criticism has to do with the nature of archeology and of archeological sites.

By definition, archeology is the study of all evidences of past societies. Material culture can tell us much about the past lifeways of historical communities as well as ancient communities whose descendants now make up an important part of the American cultural tapestry. Few professional fields evoke such a feeling of awe on the part of the American public. Thousands of people participate in Archeology Week celebrations across the country and appreciate viewing archeological excavations on both prehistoric and historic sites. Archeology provides an essential key to understanding and interpreting the common man and woman in the past where no, or scarce, written records exist. These are themes that draw the public to archeology. Without the NHPA, archeology might have remained a largely esoteric endeavor. With NHPA, archeology has been transformed into “public archeology,” and has changed the future of the past forever.

Notes

- ¹ King, Thomas F., Patricia Parker Hickman, and Gary Berg 1977 *Anthropology in Historic Preservation: Caring for Culture's Clutter*. Academic Press, Inc.
- ² Lipe, William D. 1974 “The Conservation Model for American Archaeology.” *The Kiva* 39:213-245. Arizona Archaeological and Historical Society, Tucson.
- ³ McGimsey, Charles R. III 1972 *Public Archeology*. Academic Press.

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In Walthill, Nebraska, a Native-American, Dr. Susan LaFlesche Picotte, established a hospital to care for members of her own people, the Omaha Nation. The 1912 vernacular frame structure was listed in the National Register of Historic Places in recognition of its service as a facility for the practice of medicine by Dr. Picotte—the first Native-American woman to practice medicine in the United States. Historical View by George Condra, courtesy Nebraska State Historical Society Photo Collections.

