



1999 CTA FALL MEETING

Friday, October 29th

12:00 to 2:30 pm

Fort Worth, Texas

The 1999 CTA Fall Meeting will be held in conjunction with the Texas Archeological Society's Annual Meeting in Fort Worth, Texas. The CTA meeting will be on the afternoon of Friday, October 29, 1999, from 12:30–2:30 pm. It will be held in Salon D at the Green Oaks Park Hotel in Fort Worth (6901 West Freeway). Driving directions appear on page 2, and the hotel phone number is (817) 738-7311.

Meeting Agenda

Registration: 11:30 am

Call to Order: 12:00 pm

Approval of Minutes from Spring 1999 Meeting

(as published in this CTA Newsletter)

Welcome New Members

Announcements

Officer Reports

- President
- President-Elect
- Secretary-Treasurer
- Newsletter Editor

Standing Committee Reports

- Governmental Affairs
- Ethics and Standards
- Contractor List
- Public Education
- Multicultural Relations
- CTA Web Page
- Membership

Special Committee Reports

- Accreditation and Review Council
- Archeological Survey Standards

Old Business

- Antiquities Advisory Board changes

New Business

- Upcoming Elections–2000 CTA Spring Meeting
- THC Announcements
- Report on TAAM Archeology Fairs
- Other New Business

Adjourn: 2:30 pm

In this issue . . .	
Presidents' Forum	2
Committee News:	
Contractors List	5
Membership	5
Web Page	6
ARC	6
Government Affairs	7
Other CTA Business:	
Action Alert Thanks	8
Minutes of 1999 Spring Meeting	9
Articles and Updates:	
New Federal Regulations	15
TAPA News	17
AAB Update	18
Native American Reburial	20
Announcements	21

Directions to the GREEN OAKS PARK HOTEL, located on the west side of Fort Worth, adjacent to I-30 (south side).

Entering Fort Worth from the west (going east): Go past Loop 820 about 1.5 miles and exit on Green Oaks Road. Stay on the access road until you reach Green Oaks Road. Turn right and go one block to a stop light and turn right on Calmont Street. Turn right and go one block and turn into the back side of the Green Oaks Park Hotel.

Entering Fort Worth from the east (going west): Go all the way through Fort Worth on I-30. Go past I-35 and about three miles past Camp Bowie Blvd. Take the Green Oaks Road exit. Turn left on Green Oaks Road and cross over I-30. Go straight one block to Calmont Street. Turn right and go one block and turn into the back side of the Green Oaks Park Hotel.

Entering Fort Worth on I-35 from the south or north: Stay on I-35 until you reach the center of Fort Worth. Take the I-30 exit and head west. Go three miles past Camp Bowie Blvd. Take the Green Oaks Road exit. Turn left on Green Oaks Road and cross over I-30. Go straight one block to Calmont Street. Turn right and go 1 block and turn into the back side of the Green Oaks Park Hotel.

Presidents' Forum

Douglas K. Boyd

The 1999 CTA Fall Meeting in Fort Worth will be the last one of the millennium – and its an excellent time to take stock of where CTA is going in the future. We have made some progress, but still have lots of room for improving our work in governmental affairs, public outreach, and increasing student participation in our professional organization. These three areas will continue to be a focal point in the immediate future. For the long term, however, problems relating to archeological

ethics and standards remain a bone of contention, and we have yet to resolve what our CTA Ethics and Standards Committee can do (if anything) to help our profession. Ethics and standards has been a subject of discussion for as long as CTA has been in existence (i.e., 1979). More precisely, the question is, “What can we do about archeologists whose performance is seriously flawed and grossly unethical?” The situation recently brought before the Antiquities Advisory Board (see AAB Update) is an excellent case in point. The Texas Historical Commission is trying to come to terms with an individual who has many outstanding Antiquities Permits and who failed to curate collections from at least two of those permitted projects. Failure to curate collections and records that are owned by the state of Texas is not only a serious violation of archeological ethics, but it may be ultimately viewed as a criminal offence if the materials have been lost or suffered serious damage due to neglect. It remains to be seen how this situation will be resolved, but we should all watch closely to see how it plays out. All of us have a vested interest in knowing whether or not professional archeology in Texas can police itself in any way.

For the long-term health of our profession, we all need to be giving serious thought to finding ways to improve the practice of archeology, especially when it comes to weeding out bad apples. Yes, we have had these discussions before, but issues relating to ethics should be revisited from time to time as the climate changes. Perhaps the Register of Professional Archeologists, which has gained the support of several national archeological organizations (i.e., Society for American Archeology, Society of Historical Archeology, and the American Institute of Archeology) and is growing in size, represent a step in the right direction. It is worth remembering that a person convicted of breaking a law relating to the practice of archeology may continue to practice archeology in this state. Without some form of licensing, serious violations of archeological ethics may occur with impunity simply because no laws are broken. If we are ever to have anything remotely resembling a license to practice archeology, it will likely come in the form of ROPA certification (or something very similar) and be implemented by requiring certification of principal investigators

conducting CRM work for state and federal agencies in Texas.

As the millennium ends, perhaps we should begin reconsidering ethics and standards issues? Please let me know your thoughts on this! (email Doug at >staff@paiarch.com>)

The Y2K Crisis in Archeology?

David O. Brown, CTA President-Elect

With the millennium approaching, doomsday prophets are everywhere. I guess I should be worried about it; odds are that sooner or later they'll be right. But out here in Utopia there are other things to worry about. And sometimes it seems that things move so slowly out here that if the world does end, Utopians may not even know about it for a few days. My strategy for the coming Y2K crisis is simple – buy some beer, chips and salsa, rent a few videos, and hope that CNN goes off the air first so we don't get sucked into 24-hour live coverage of every person whose computer has crashed. We'll be fine out here, but I do occasionally find myself wondering how archeology will fare in the brave new world of the next millennium. Will CTA continue its rise from the ashes or will we crash and burn in a new and unfamiliar world?

In general, I'm optimistic. Over the years, despite its problems, CTA has been successful in many areas, particularly in regard to communication among professional archeologists in the state. We have also been reasonably successful in communicating our ideas as a group to THC, although THC may not always be listening. As we approach the millennium, CTA and Texas' CRM archeologists have reason to be content with their accomplishments. We are making great strides in public education, one of the critical needs of the past few years. At least a handful of serious archeologists are continuing the dialogue with Native Americans and perhaps other groups that are not generally part of the CRM process. And regardless of almost annual threats to the laws and regulations that govern archeology, public archeology has survived and seems to be as strong as ever. Though looting is still rampant and developers and public agencies alike still shirk their responsibilities under the law, no one is walking

away from the challenge; we continue to believe that the laws are enforceable and that sites can ultimately be protected. And while some complain about shoddy work by a few contractors, on the whole, CRM archeology is better conceived and better executed than ever before in its history. All things considered, the prospects for archeology in post-millennial Texas are quite good.

Of course, there are the perennial problems that continue to plague us. Every professional archeologist can point to some favorite area where CTA fails him or her or the profession as a whole. The lack of responsiveness of CTA and the general apathy of its members almost killed the organization a few years ago. Thanks to a few determined and hard-working individuals, we survived. Today I would judge that we are back on track, but we still face a few obstacles to achieving our potential as an organization.

More than ever we need members. It is still too early to fully assess the results of the recent efforts to recruit new members and re-attract old ones, but the effort must continue. To be stronger as an organization we must be larger, and we must count amongst our members a majority of those who are active in Texas public archeology. To do this, we may need incentives, new membership categories, interesting meeting programs, and/or member services among other things. Don't laugh. We need to do whatever it takes to strengthen ourselves in this respect. We're literally running out of members that haven't served in some capacity as an officer or committee chair, and we badly need infusions of energy and ideas from outside.

We also need to continue many of the good things we are already doing, and perhaps take some of them a step further. Raising the bar on public education in archeology has created new opportunities and new challenges for CTA and its members in the past few years. This past spring's meeting presented a number of alternatives to the old faithful public report, giving many of us some new ideas on how to convert a natural public interest in archeology into a resource conservation ethic and committed support for public archeology. For those of us who have been involved in public education measures, it was an important validation that we

are not alone. And hopefully it may have been inspirational to those who have been less involved. We can't let up on this front. It's one of the biggest challenges facing archeology today, and an area where we desperately need new ideas and energy. In the spirit of this, I personally encourage every CTA member to go out and do something useful for Texas Archeology Awareness Month this fall, perhaps volunteering some time and energy to the various archeology fairs being organized by universities around the state. And I encourage the CTA public education committee, coming off of the successful spring meeting, not to drop the ball, but to find ways to become a permanent archeological public education advisory board to the CTA.

CTA's efforts to build a multicultural support base, or at least to reach out and touch other groups, ought to be applauded. Thanks to a few insistent and interested people, these efforts have continued, but the impact of this seems to have not yet completely filtered out into the general membership. We need to redouble these efforts, perhaps setting some concrete goals so folks on both sides of the fence can see and feel the progress. Cultural resources belong to everybody, and the experience of our shared past should be a base on which to build community, and a framework to better understand our world and ourselves. But those resources are particularly pertinent and perhaps uniquely important to those whose ancestors created them and we must not forget that. We should not be so arrogant to think that we can educate the public to the meaning of those resources without knowing what they mean to those closest to them in cultural space.

There are still lots of problems out there that CTA has yet to address or perhaps only pay lip service to. One problem is that project budgets seem to skyrocket while information return may not be keeping up. Can we find new ways to get the most out of our money in archeology? Do we need to rethink traditional approaches and try new ones? And while budgets are soaring, salaries are stumbling along behind. Archeology has enormous respect and envy as a profession, but little financial recognition. Few other areas pay as little for persons with graduate degrees (or perhaps even for BAs). Does heated competition over limited

projects doom us to professional status with laborer pay? How do other professions deal with this problem?

Many other problems are going to confront archeologists in the next millennium; some of these we can't yet even conceive, but others are only a heartbeat away. For example, how will increasing curation costs and inevitable limits on space in curation facilities affect post-2000 archeology? What else will change with the new era? Many new high-tech applications already depend on specialists, increasing costs and lengthening project schedules, and perhaps creating greater challenges to interpret highly technical findings to our newfound lay audience. Are we up to the challenge? On a more general note, will the cyber age overwhelm archeology or just pass us by? Will we continue to churn out tons of paper reports that will strain bookshelves everywhere or can we plug ourselves into new media and new means of communication? And finally, will increasing regulation of other fields of environmental activities like biology and geology threaten some of archeology's autonomy or challenge the scope of our future activities? The recent potential threat from licensing geologists by the Texas Legislature was narrowly averted, but it might be a wake-up call for the future. Despite the ever-present complaints about too much government, current trends suggest that everything we do will become ever more regulated in the next millennium. We should anticipate that possibility.

It's a bit overwhelming thinking about being the first CTA president to take office in the new millennium. Then again, for those of you who believe the millennium begins in 2001, I won't be (what a relief, but in any case, the archeologists' millennium began in 1950 so none of us will be the first). I don't expect CTA to suddenly become a vital part of our professional lives in my tenure as president, any more than I expect each of us to anxiously await the arrival of the latest CTA newsletter like a treasured issue of *Natural History* or *National Geographic*. Dream on. But I hope that we can continue to make the organization serve as an important medium of communication among ourselves and to others outside of our immediate group. I hope we can continue to place emphasis on

educating the public and educating ourselves. And I hope that those who still believe that archeology is more than just a job and that archeological sites really are scarce resources will contribute whatever energy they can spare to helping make CTA responsive to the needs of archeologists and to the demands of protecting our dwindling resource base.



Committee News

Contractors List Committee

Co-Chairs Ann Scott and Audra Pineda

The CTA Archeological Contractors List, consisting of 40 contractors, was updated, published, and distributed May 13, 1999. Expenses for production and mailing included \$12.55 for envelopes, \$40.92 for postage, and \$234.00 for printing 150 copies (totaling \$287.47).

The Contractors List has also been updated on the CTA Web Page. This means that both the May 1999 printed version of the Contractors List and the Web Page version are currently the same (as of July). Furthermore, there is a link on the Web Contractors List page to download a copy (MS Word 97) of the May 1999 printed version of the list for your convenience. All Contractors are responsible for reviewing their listings in both the printed version and the Web Page version and notifying us of any errors. Requests for changes from contractors regarding their listings will be updated on the CTA Web page as soon as possible given everyone's busy schedules. Those changes will be updated and printed in the next version of the Contractors List due November 1999. If anyone has any questions or comments, feel free to contact either Audra Pineda or Ann Scott at (512) 459-3349 or <staff@paiarch.com>.

CTA Membership Committee Report

Karl W. Kibler, Chair

The Membership Committee would like to report that \$2,553.00 has been raised so far for the

CTA Student Scholarship/Grant Fund. The money is currently in CTA's general fund until a separate tax-exempt, charitable-status fund can be established. This can be handled one of two ways. The first is the establishment of a separate charitable organization under the administration of CTA that could accept tax-deductible contributions. This should not be difficult given that CTA is already a §501(c)(6) organization; it would just be a matter of filing paperwork for charitable tax status. The second option is to let another organization, such as TAS, who already has this status to administer the fund (but CTA would still control and oversee the presentation of scholarships and grants).

The \$2,553.00 is a nice start, but it is somewhat disturbing that less than 5 percent of the membership has contributed to the fund (this figure excludes any money CTA members may have contributed via last year's raffle) and that only one contractor from the CTA contractor's list has contributed. There seems to be a lot of enthusiasm for the establishment of this program, but this enthusiasm seems to die the minute the CTA meeting is over! Outside funding sources, which we will be pursuing, will NOT seriously consider contributing if our own membership does not take it seriously. The amount of an individual member's contribution is not important. What is important is that we get a majority of the membership to contribute to the fund. Checks to CTA and earmarked "CTA student scholarship/grant fund" can be sent to Karen Gardner, CTA Treasurer, 7701 N. Lamar, Suite 104, Austin, Texas, 78752.

At the Spring meeting, a questionnaire about the CTA Student Scholarship/Grant Fund was given to members to obtain their input, opinions, and ideas. Eight questions were asked of the membership for which 23 members took the time to express their opinions and return their questionnaires. The first question asked the membership if they approved of using general CTA funds to supplement or subsidize a limited amount of scholarships/grants until a sufficient amount of funds is secured for a permanent endowment. Those surveyed overwhelmingly approved of this idea. Those surveyed also supported the notion that monies should be used to award both scholarships

and research grants based on good academic standing and outstanding proposals, respectively. A slight majority approved of linking a scholarship(s) or grant(s) to something specific, such as a scholarship to attend a Texas field school or a travel grant to attend and present a paper (on a relevant Texas topic) at a conference. A slight majority also approved of awarding equal numbers (dollar amounts as well as quantity) of both scholarships and grants. Asked whether the scholarships and grants should be given to either graduate or undergraduate students, a slight majority suggested both, although those who suggested that the funding be reserved just for graduate students gave specific reasons why graduate students should be the recipients. Finally, those who responded overwhelmingly said that they would be willing to serve on a committee to evaluate grant proposals and applicants for scholarships. The Membership Committee, along with the Executive Board, will use these opinions and ideas to hammer out the finer details regarding the number of scholarships/grants, dollar amounts, and the eligibility status of the applicants.

Web Page Committee Report

Sue Linder-Linsley

The CTA web site continues to grow. The largest addition to the web site since the last meeting is from the Accreditation and Review Council. Many of the existing pages were updated with current information, but this is an ongoing process.

Committee Chairs, if your committee does not yet have a page, I need your information. If you need help or have questions about what to send for your committee page, please see me after the meeting.

The CTA Web Committee needs additional active members. If you are interested or know of someone who might be interested in being on this committee, please contact the CTA President. It would be great to have a student member or someone who is interested in learning about creating web pages. No experience necessary!

Accreditation and Review Council News

Patricia A. Clabaugh

Some of you may have already received an invitation from the Accreditation and Review Council to participate in the upcoming Field Reviewer Training Session. ARC accreditation is a service provided to the profession to evaluate museums and repositories that house archaeological collections and improve their care in the state of Texas. This fall, the training session will be hosted by the Center for Ecological Archaeology at Texas A&M University (November 12, 9 am to 5 pm, and November 13, 8:00 am to 4 pm). For those of you who are not on ARC's mailing list or have not received an invitation and would like to participate, please consider this an open invitation to become an ARC Field Reviewer.

Why become a Field Reviewer?

- professional experience
- to assess your own collections
- to reinforce your commitment to improved collections care

What are the qualifications for becoming a Field Reviewer?

- professional in the field of museum, repository, and/or collections care or management
- available to participate in the two-day training session

Saving the best for last, let's all give a round of applause to the first group of ARC Field Reviewers. We want to thank these individuals for their public service and dedication to collections care. The Council especially recognizes their commitment to the preservation of cultural heritage for the State of Texas.

Certified ARC Field Reviewers:

Joan Baker (Ph.D. candidate, Texas A&M University)

Maureen Brown (Research Scientist II, CAR-UTSA)

Valerie Butler (Research Assistant, Texas Tech University)

Jeff Indeck (Curator of Anthropology, Panhandle-Plains Historical Museum)

Linda Johnson (Museum Intern, Terry County Heritage Museum)

Reba Jones (Collections Manager, Amarillo Museum of Art)

Stephanie Judjahn (M.A. candidate, Texas A&M University)

Nicky Ladkin (Registrar, Museum of Texas Tech University)

Rebecca Lewis (M.A. candidate, Museum of Texas Tech University)

Sue Linder-Linsley (Director, Collections Management, Department of Anthropology, SMU)

Charles E. Locke (Garfield Video Productions)

Karen O'Brien (Collections Manager, Dallas Historical Society)

Amy Ringstaff (Archeologist I, Texas Parks and Wildlife)

Rolla Shaller (Assistant Curator of Archeology Panhandle-Plains Historical Museum)

Tanya So (Assistant Conservator, Southwest Collection, Texas Tech University)

If you would like more information about ARC and its mission, please visit our Web site at <http://www.thc.state.tx.us/cta_web/cta_ARC/ARC.html>. This site is meant to be user-friendly with useful links to many archival suppliers, conservation services, pest management, and general references. Requests to be put on the ARC mailing list should be directed to Ms. Susan Baxevanis at (806) 742-2479, or email her at <mxseb@TTACS.TTU.EDU>. See you in College Station!

The Cemetery Bill (HB 817) Passes – or Did It?

Dan Potter

CTA Government Affairs Committee

When House Bill 817 was filed on January 20, 1999, by Representative Jesse Jones (Dallas), yet another brick was optimistically laid in the long, tortuous road towards protecting both marked and unmarked cemeteries in Texas.

The bill recognized the fact that, in addition to human remains themselves, cemeteries contain historical information about our society as well as its diverse ethnic origins. It also encapsulated the fact that modern management of the dead has become a civil rights issue in Texas. Citing inadequacies in current state law, HB 817 provided amendments to strengthen protection.

The introduced version of the bill – largely based on previous failed bills – was substantial, weighing in at 5,000-plus words and over 500 lines. If single-spaced, it could be printed on 14 pages. The bill was also strong, making burial records more readily available to the public, specifically calling for the involvement of archeologists in cemetery studies and relocation projects, and providing criminal penalties for individuals who destroy or desecrate cemeteries. Finally, the bill sought to preserve unrecorded as well as recorded cemeteries, and clearly was intended as the primary legal “roof” that would shelter the entire range of cemeteries, both historic and prehistoric.

By April, the beefy bill must have drawn the attention of powerful opponents. In February the bill was referred to committee, where it toiled through a public hearing, testimony, and legislator’s considerations. But in two short days in late April, the bill underwent a massive and very sudden “loss of weight” with the introduction of a substitute bill, known as CSHB 817 (Committee Substitute House Bill 817). CSHB 817’s 500-plus words fit easily on two printed pages, and thus a more appropriate (and easier to remember) name for the bill would be “HB 817 Lite.” HB 817 Lite

effectively rid the original not only of its fat, but also of its bone, muscle, internal organs, teeth, hair, and most of its skin.

As was drily noted by the Office of House Bill Analysis in their report:

“C.S.H.B. 817 differs from the original bill by deleting all proposed text of the original with the exception of SECTION 5, which adds Section 711.013 (Filing Record of Unknown Cemetery), Health and Safety Code. This proposed section is redesignated to SECTION 1, Section 711.011, Health and Safety Code, of the substitute. Therefore, with the exception of Section 711.011, the substitute proposes entirely new text.”

The long list of deleted sections is too extensive to be described in detail here, and can be viewed at the Texas Legislature Online web site at <<http://www.capitol.state.tx.us>>. However, it is accurate to say that the bill lost all of its protective power, and most of its scope. In fact, HB817 Lite now did only three things:

- (1) it allowed the owners of “unknown” and/or “abandoned” cemeteries to petition the state registrar, or county courts, for their complete removal to perpetual care cemeteries
- (2) it stipulated that “discoverers” of unknown or abandoned cemeteries file notice of these cemeteries with the appropriate county clerk’s office, including a legal description of the cemetery’s location
- (3) it allowed nonprofit cemetery organizations to conduct a range of operations to run and maintain cemeteries under their ownership

Of the three parts coming out of the house committee, the first is perhaps the most perplexing to see in a bill supposedly intended to protect cemeteries, particularly historic ones. The wording seems to open the way for wholesale removal and transport of a wide range of historic cemeteries

without any consideration for possible living descendants, or the historical study needed to determine the significance of old cemeteries. Some sources familiar with the bill’s history have hinted that the first provision may have been inserted in sympathy to certain development concerns.

In its Lite form, the bill passed the House with one further floor amendment, and quickly passed the Senate as amended by the House. The bill was signed by Governor Bush on June 19th, and became effective law on that date. However, those who study the bill closely may wonder whether cemetery protection gained a step, or lost one.



Other CTA Business

A Word of Thanks for “Action Alert” Response

Being novices at politics and having been burned for many years in our attempts to pass an unmarked burial bill, archeologists are often gunshy and skeptical about making any difference in governmental affairs. I, too, have learned enough to know that our skepticism is well founded, but we had one minor victory this year. The Governmental Affairs Committee (Dan Potter, Chair) was alert and notified me as soon as they realized that the Bill to License Geoscientists (SB 129) was moving in the legislature. It quickly passed in the Senate and was on its way to the House Committee on Licensing and Administrative Procedures. The language of this bill was very disturbing because archeologists and geomorphologists would have fallen under the broad-based definition of geoscientists, despite the fact that the bill attempted to exclude archeology. CTA opposed this measure two years ago when it first came up, but no official action was taken because the bill didn’t get very far. This time around, it was moving fast and we had to quickly take action if we were to do any good. The Governmental Affairs Committee researched the

bill and all agreed that archeologists should oppose it unless the exemption for archeology was made much clearer. The executive committee made phone calls and talked to enough people (especially geomorphologists) to quickly learn that there was general agreement that we should oppose the bill. I began making phone calls to the Texas Association of Professional Geoscientists (TAPG), the main group supporting the bill. I was told that our (archeologists') concerns were valid, but that it was too late in the session for them to try to change it. They offered to work with us after the bill was passed to make a better exclusion in the rules governing the licensing board. Although the offer was made in good faith, waiting for it to pass was not in our best interest. I sent an "Action Alert" email to all CTA members asking them to call the committee clerk to oppose the bill and ask for a better exemption. Within a few days, I received a call from the clerk, who said, "OK, call the dogs off. TAPG will insert the language you want."

They did insert the language we requested. We didn't have any lawyers review it because there was no time, but it was certainly much better than what it had been. SB 129 passed out of the House committee and was put on a calendar committee and scheduled for a vote on the House floor. TAPG were excited about the possibility of getting it passed. Then, in some kind of behind the scenes politics (of the type we are very familiar with), unseen opposition pulled strings and got SB 129 moved from the top of the calendar to the bottom. This action was so late in the session that it effectively killed the bill. I am not sure if all of the details are precise, but this is the general gist of the story.

Two things are important in this story. First, the action alert had its intended effect. People had to sit up and take notice, and we got what we wanted. Second, we made it clear to TAPG that we do not oppose their bill and only want a reasonable exclusion for geoscience done for archeological purposes. I think that we are now in a good position to work with them to achieve something we can both live with before the next legislative session.

To those of you who took the time to make the phone call and express your concerns, I thank you.

Doug Boyd

**Minutes of the
1999 CTA Spring Meeting,
April 16, 1999**

Karen Gardner, Secretary-Treasurer

President Douglas Boyd called the meeting to order at 9:03 am at The Commons, J.J. Pickle Research Campus in Austin. Approximately 81 members were in attendance.

As the first order of business, Doug called for approval of the minutes of the 1998 CTA Fall meeting as they appeared in Volume 23(1) of the *CTA Newsletter*. A motion was made and seconded that the minutes be approved. The motion carried unanimously.

Announcements

President Boyd announced that the Scholarship Committee was accepting donations and handing out CTA pens as thanks at the Registration Table, and everyone was encouraged to make a donation and receive their pen. He also announced that Charles Locke was also accepting donations to cover the costs of producing the *Pioneers in Texas Archeology* video, which will document round table discussions with participants from the early days of Texas archeology. Doug thanked the Public Education Committee for their efforts in putting together the coming afternoon symposium, *Hooking the Public on Archeology*.

Elton Prewitt provided a brief update on the Register of Professional Archeologists and encouraged everyone who qualified to apply. Fees have been waived until January 1, 2000, and application forms are available on both the Society for American Archeology and the Society for Historical Archeology's web pages.

Officer Reports

President's Report: Doug briefly reviewed the Antiquity Advisory Board's discussions on outstanding permits and collections. The AAB will recommend to the Texas Historical Commission that action be taken against Alton Briggs, who has a large number of defaulted permits.

Past-President's Report: Past-President Alston Thoms is CTA's liaison for Texas Archeology Awareness Month. This October, following the success of TARL's Archeology Fair, there will be a variety of Archeology Fairs, including one at TARL, one at UTSA, and one at Texas A&M (subsequently cancelled). These fairs will be eligible to receive matching funds from the Texas Historical Commission's TAAM Fund. CTA will make contributions to the TAAM Fund as well as to the three fairs mentioned.

Secretary-Treasurer's Report: Secretary-Treasurer Karen Gardner presented the 1999 Income and Expense Report which showed total income for the year to date to be \$6,608.01 and total expenditures to be \$1,844.12. The checking account has a balance of \$9,245.76 (of which \$1,943.00 belongs to the Scholarship Fund) and the Money Market account has a balance of \$7,855.68 for a total in current assets of \$17,101.44.

Karen also thanked everyone for readily following the Executive Committee's decision to adjust the membership year to a calendar-year basis, rather than from Spring meeting to Spring meeting. This will allow easier bookkeeping, as well as alleviate the continual problems of membership and the Contractors List.

Newsletter Editor's Report: Newsletter Editor Robyn Lyle thanked everyone for their continued support and timeliness in providing her with information for the newsletter. The newsletter has also switched to a calendar-year format, and will have some new features, including a Current Information section where contractors can put information on current projects, publications, and

so forth. She encouraged anyone with any ideas or input on the newsletter to contact her.

Standing Committee Reports

Governmental Affairs: President Boyd provided updates on HB 721 (cemeteries) and HB817 (burials), as well as SB 1445, which is Senator Barrientos' unmarked grave bill. Of concern is also HB 34, which outlines standards for geoscientists accreditation. Doug has seen copies of this bill and, with the way the wording currently stands, this could apply to archeologists. He has spoken with the committee supporting this bill, who have asked for CTA's support, and has requested that this bill be modified to clearly and specifically exclude archeologists.

Doug also mentioned the new Advisory Council Regulations, which are available at <http://www.capitol.state.tx.us>.

Ethics and Standards: No report was presented or submitted for presentation.

Contractors List Committee Report: Co-chair Ann Scott referred members to the committee's report in the most recent Newsletter, in which they outlined problems with the Contractors List and problems with procedures. Contractors List fees must be paid by May 1, 1999, at the latest to be included in the next printed Contractors List. She also asked that if anyone had decided not to renew, please let them know. The Contractors List will be mailed during the third week of May, with the information also being passed on to the Web Page committee for listing there.

Public Education: Chair Pam Wheat gave a brief overview of the upcoming afternoon symposium, *Hooking the Public on Archeology*. There will be three sessions that members will rotate through, and at the conclusion of each a raffle ticket will be handed out. These raffle tickets were for the door prizes awarded at the end of the day. Pam also thanked all committee members for their hard work in organizing the symposium.

Multicultural Relations Committee: Co-chair Alston Thoms reviewed the Common Ground Conference, which CTA co-sponsored with TIBA. The Common Ground Conference resulted in a journal comprised of papers presented at the conference, including several given by CTA members. TIBA also has an annual conference, and CTA and the Multicultural Committee may be able to participate.

The committee is also looking into what is happening in the State Legislature, especially with regard to Senator Barrientos' bill on unmarked graves. TIBA feels that the bills should wait and see what happens with changes in federal statutes. On a positive note, Ruth Souci, a lawyer with the Attorney General's office, has been appointed to a position as a liaison with Native Americans. Ms. Souci was a participant in the Common Ground Conference.

At President Boyd's request, the committee has come up with a suggestion for the Spring 2000 symposium, entitled *Multicultural Perspectives on Archeology*. This symposium would focus on ethnic viewpoints from nonarcheologists and incorporate not only Native Americans, but also African American, Hispanic, and other ethnic viewpoints. Alston suggested that CTA consider inviting Paul Kaskash, a representative of the Umatilla Tribe that is claiming the remains known as Kennewick Man. Mr. Kaskash will be at the Houston Museum of Natural Science on August 12, 1999.

At this point, Doug opened the floor for general discussion of the possibilities of having this symposium. Steve Black asked who was going to be President next spring, since he felt that this should be the President's decision. Doug will still be President at that point, and he is supportive of the symposium concept. Duane Peter expressed concern that Texas perspectives be well represented, which was also expressed by Nancy Kenmotsu. Doug thanked everyone for their comments, and recommended that anyone with comments contact the Multicultural Relations Committee.

Alston concluded his report by announcing that Dorothy Lippert has agreed to serve as Co-chair of the committee.

CTA Web Page Committee: Chair Sue Linder-Linsley is setting up a Members Page where, with each member's written permission, she will list their name, phone number, e-mail address, etc. There will be a disclaimer at the bottom of the page indicating that CTA is only listing this information, not verifying it. Sue will periodically check to make sure that everyone listed is a member in good standing; i.e., that they are up-to-date on their dues.

Sue recommended that each committee appoint someone to be responsible for providing her with information on committee activities, which she can then list on the Web Page.

The Accreditation and Review Council now has information listed on the Web page, including information about the accreditation process.

The complete version of Prewitt's Roberts Rules of Order, which were summarized in the CTA Newsletter 23(2), have been added to the Web page.

Dan Julien provided some basic statistics on the Web Page, with the page receiving 6,709 hits from 1,207 users, with 564 hits in April (103 users).

President Boyd asked Bill Martin of THC if THC is telling people about the availability of the Contractors List on the Web. Bill said that THC recommends the site to callers, but still provides a hard copy of the Contractors List upon request.

Membership Committee: Chair Karl Kibler reported on the activities of the committee, which have focused on developing the Scholarship Endowment Fund approved at the Fall 1998 meeting. The Fund has received almost \$2,000 dollars, which has come from student membership dues (\$5 of each student's dues go to the Fund), \$300 raised at the Fall meeting raffle, and a \$500

donation from Prewitt and Associates, Inc. Karl asked that other companies also consider making donations to the Fund. The committee put together a questionnaire, which was distributed at the meeting, to get input on how the Scholarship should function.

Karen Gardner and Doug Boyd will be meeting with a CPA who has graciously offered her services free of charge, once tax season is over, to review how to best establish the Endowment Fund.

The committee hopes to be able to seek outside donations and funding, and would like to have the Fund up to \$20,000 in the next two years.

The Membership Committee is also working on revitalizing the Speakers Bureau, and are putting together guidelines towards this. Copies of these guidelines will be provided by Karl to anyone who would like to have input. The Speakers Bureau list will ultimately be posted on the Web page, listing available speakers and the regions available.

Special Committee Reports

Accreditation and Review Council: Chair Eileen Johnson outlined the council's progress since the 1998 Fall meeting. The first ARC training session was held in Lubbock in February, resulting in a pool of 14 reviewers. The next training session is planned for this fall, tentatively scheduled for November 4-5, at Texas A&M University. The council met for a work session on April 15, and one of the topics discussed was the possibility of starting education workshops for interested institutions and groups as a way to provide information and resources.

Eileen submitted her formal resignation from the Council; since she is Chair of the Antiquities Advisory Board, she wants to avoid any potential for conflict of interest. She will remain on the Council as immediate past-chair, but the Council will meet after the Business Meeting to elect a new Chair.

Eileen's resignation opens a position on the Council and the Executive Board. At the recommendation of the Council, they nominated Susan Baxevanis for selection to the Council. There were no other nominations, and Ms. Baxevanis was unanimously approved.

President Boyd thanked Eileen for her long and continued efforts for the Accreditation and Review Council.

Archeological Survey Standards: President Boyd recommended that the Survey Standards committee send a questionnaire, via email, to the membership to get feedback on how the Standards are working.

Old Business

None was brought forward.

New Business

President Boyd said that Meg Cruse, as Chair of the Nominating Committee, has recommended David Brown for President-Elect. Doug emphasized that the roles of President-Elect, President, and Past-President represent a four-year commitment, and that CTA appreciates that David is willing to make that commitment. Doug asked for other nominations from the floor. No other nominations were made, there was no discussion, and David Brown was voted in as President-Elect by unanimous acclamation.

Proposed Budget: Secretary-Treasurer Karen Gardner reviewed the proposed budget for the remainder of the 1999 year. Income is down, mainly due to membership and Contractors List decreases, and expenses are up. She thanked Geo-Marine and Paul Price, Inc., for their donations to help cover costs associated with the Spring Meeting Social. Mark Denton recommended that CTA back off donations and emphasize a membership drive. Elton Prewitt encouraged the membership to make individual donations to the Archeological

Conservancy and TAS Donors Fund, and that CTA put these donations on hold. After discussion, it was agreed that CTA would put the donations to the Archeological Conservancy and TAS Donors Fund on hold for the time being, with a notice being put in the next Newsletter encouraging CTA members to make donations to these organizations. President Boyd will also write the Archeological Conservancy stressing our support of the organization, but explaining the hold on our donation.

Discussion turned towards Mark Denton's suggestion of a Membership Drive. Suggestions were made including producing a membership pamphlet and the possibility of opening membership to others, such as avocational archeologists. A special membership category could be created where they would be nonvoting members, but be able to attend meetings and receive the Newsletter. Alston Thoms emphasized the need to reach students and university professionals. Karen Gardner suggested doing a survey of past members to see why they discontinued their membership. It was decided that the Membership Committee would meet with the Executive Board to review the possibilities and potential of conducting a Membership Drive.

President Boyd directed discussion back to the budget and asked for any further discussion. Elton Prewitt suggested that CTA donate \$500 to the Scholarship Endowment Fund and add \$100 to the Membership Committee funds. This motion was approved and seconded. Doug asked for discussion on the overall budget. There was no discussion and the budget was unanimously approved.

Bylaws Amendments: President Boyd asked for discussion of the proposed bylaw changes, which were outlined in the CTA Newsletter 23(2). These bylaw changes affect the length of terms for the Accreditation and Review Council, changes in the purpose statement of the Multicultural Committee, and changes to tighten Contractors List policies. A motion was made to approve the bylaws amendments, it was seconded, there was no discussion, and the bylaw amendments were approved by unanimous vote.

Texas Historical Commission Announcements: Jim Bruseth announced that Executive Director Curtis Tunnell retired in January, with Larry Oakes being appointed the new Executive Director.

The next Antiquities Advisory Board Meeting is April 28, 1999, followed by the THC's quarterly meeting on April 29.

Jim reminded everyone that the application deadline for archeology fairs to receive matching funds from TAAM/THC is 5-1-99. He said there is approximately \$9,000 in the fund.

The new Section 106 regulations should go into effect in mid-May, with the new regulations affecting about 80 percent of projects done. He said the new regulations greatly enhance the role of Native Americans. THC will have workshops to review and discuss changes in regulations.

Jim briefly reviewed actions the Antiquities Advisory Board is taking regarding outstanding permits. They are looking at where collections are and how they are being handled, as well as into discrepancies. At the January meeting of AAB, it was recommended that THC work with the Attorney General's office to take legal action to locate "missing collections" and take steps to get them properly curated.

THC is also looking at outreach programs, such as TAAM and the Stewards Network, in other states to see what is being done to best allocate limited resources. THC is proposing to regionalize programs, with the exception of Section 106 and Texas Antiquities Committee compliance, with a June 1, 1999 implementation date. This will have a positive impact on the Stewards Network, allowing increased interaction with the stewards on a regional basis. Lain Ellis pointed out that the regional approach is already working well in areas such as west Texas, where help was provided to donate the Keystone site to the Archeological Conservancy. Margaret Howard asked what effect the regionalization policy would have upon completion of old projects. Jim said that THC is working to see that projects are completed, although they

may have to change some priorities to ensure that old projects are completed. Pat Mercado-Allinger explained that part of the regional archeologist's job is to check on these old projects and to determine why they have not been completed and/or curated.

Jim explained that with the switch to the regional approach, TAAM will no longer have a central coordinator. Helen Simmons will be assuming some of the responsibility for TAAM. He also thanked CTA for their continued support of TAAM. THC is looking at the potential of the archeology fairs, and mentioned a handbook being written by TARL dealing with archeology fairs. The current dates for the archeology fairs are: October 9, TARL; October 9, Texas A&M (subsequently cancelled); October 16, UTSA. THC will continue to compile the TAAM calendar of events, as well as focus on education. They have received a grant from the Council of Humanities for promoting workshops with teachers, and will host a summit later in the year for archeological educators. Jim concluded by encouraging the CTA membership to support TAAM, through both service and donations.

Pat Mercado-Allinger passed out information on the Awards of Excellence program. There are three categories of awards, Archeological Preservation, Archeologist of the Year, and Archeological Research, and she encouraged the membership to nominate and support the awards program. Eileen Johnson also encouraged the membership to develop nominations, as well as to attend the meetings and award presentations. She also encouraged everyone to apply to the Preservation Grants Program, the guidelines for which will be posted on the Web page.

Renovations and Digital Archives: Darrell Creel provided an update on renovations at TARL. The records area is going to be redone during the coming summer, resulting in more housing space and better organization, as well as additional work space and library space.

Steve Black explained that over the next year, TARL is going to be working on the planning of,

and funding for, a digital archive. TARL will be doing a survey to get input on what materials should be considered for archiving, and how it should be done.

Steve also mentioned TARL's continuing struggle with site forms and the amount of effort required to digitize them. TARL received some funding for the site form project, but doesn't have the funding to keep up the process. As a result, TARL is considering charging professionals a site form fee, along the lines of \$15 for submittal of a disk copy of a site form and \$30 for submittal of a hard copy only. Karen Gardner asked about the current status of Texusite; Dan Julien said the new version should be available for Beta testing soon. Steve indicated that TARL would be asking for input and comments on the site form fee, and planned on holding meetings to discuss the issue. Margaret Howard expressed concern about the cost a site form fee could add to large projects, and Steve agreed that this was an issue that needed to be discussed. Robyn Lyle asked how other states handle the site form issue, and Steve said he wasn't sure what other states did. Darrell Creel said they would welcome any other suggestions or options to help cover the costs of handling site forms. Jim Bruseth said that he thought it would be unrealistic to consider the state being able to help cover these costs. At this point, President Boyd suggested interested individuals get together at the conclusion of the Business Meeting to further discuss the issue.

President Boyd asked if there was any other new business, none was brought forward. Doug briefly reviewed and encouraged the membership to consider donations to the Scholarship Endowment Fund and the *Pioneers in Texas Archeology* video series. He also encouraged everyone to fill out and submit the Scholarship questionnaires to the Membership Committee.

With no other business and no further discussion presented, President Boyd adjourned the Spring 1999 Meeting at 11:17 am.

Articles and Updates

New Federal Regulations Change 106 Compliance

William A. Martin, THC

The Advisory Council on Historic Preservation spent five years working with federal agencies, Native Americans, and other parties interested in historic preservation to revise and streamline its regulations (36 CFR 800) governing compliance with Section 106 of the National Historic Preservation Act (16 USC 470). The new regulations, prompted by 1992 amendments to the act, went into effect June 17, 1999. This is the first time the Council has revised its regulations since 1986.

The new regulations significantly modify the Section 106 review process. For one thing, they give greater deference to decisions made by federal agencies and State Historic Preservation Officers (SHPO), dropping the Council out of many routine decisions. This change was made to permit the Council to focus its attention on larger issues, such as monitoring federal preservation program trends and overall performance.

Major themes found throughout the revised regulations are early compliance, broader consultation, and flexibility. Early compliance is encouraged by allowing federal agencies to integrate Section 106 review with reviews required under the National Environmental Policy Act (NEPA) and other laws. Specific provisions now allow agencies to use information and analyses prepared for one law to meet the requirements of another (see 800.3, 800.8, and 800.11). The goal of consultation is to get all parties with a legitimate interest in effects on historic properties involved early in the process and to keep them informed and seek their input as the process progresses. The regulations allow a greater degree of flexibility than before by allowing a phased approach to identification, evaluation, and applying the criteria of adverse effect. This phased approach is intended for corridors or large land areas where access to some of the property is

restricted. It permits the steps of Section 106 compliance to proceed in those areas where access is available.

Consulting Parties

Under the old regulations, the term “interested persons” was used to designate members of the public who wished to express opinions about a project’s effects on historic properties. This term has been dropped from the new regulations, and the definition of “consulting parties” has been changed to include interested members of the public. Consulting parties specifically named in 800.2 include: SHPOs; Tribal Historic Preservation Officers (THPO); Indian tribes and Native Hawaiian organizations; representatives of local governments; applicants for federal assistance, permits, licenses, and approval; and other consulting parties, including the general public. The Agency Official consults with the SHPO to identify those additional parties who meet the regulatory criteria. The Agency Official may invite consulting parties to become signatories on agreement documents.

Perhaps the biggest change in Section 106 compliance from the perspective of archeologists is the increased emphasis placed on the role of Indian tribes as a result of the 1992 National Historic Preservation Act amendments. Under the old regulations, federal agencies were encouraged to consult with Indian tribes and Native Hawaiian organizations that might attach religious and cultural significance to historic properties within the area of potential effects (which often include archeological sites). Generally, this consultation took place after historic properties had been identified and there was a need to resolve adverse effects. Now, federal agencies are obligated to consult with Indian tribes and Native Hawaiian organizations, and they must do so earlier in the consultation process – prior to initiating identification efforts – and must continue to consult at subsequent steps. Indian tribes must be consulted when eligibility determinations are made and adverse effects are to be resolved. Consultation must be conducted on a government-to-government

basis that respects tribal sovereignty. While the intent of these new regulations is admirable – seeking better ways to involve people who have a direct interest in the history and prehistory of a project area – unintended consequences could result in project delays.

For example, the federal agency is required to provide all consulting parties with its proposed finding of effect at the same time it is sent to the SHPO for review. Each consulting party has the right to disagree with the finding within the 30-day review period. If the agency cannot resolve the disagreement, it must seek the Council’s opinion, which is binding upon the agency. If the consulting party is an Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to a historic property, the agency “should seek” the concurrence of that party. This means that the agency is strongly encouraged, but not legally required, to obtain such concurrence (the ultimate decisions on eligibility and effect still fall to the federal agency in consultation with the SHPO). However, if the tribe or organization does not concur and disagrees with the proposed finding, it can refer the matter directly to the Council for resolution. If this occurs, the Council has 15 days after receiving documentation specified in 800.11 to present its comments to the Agency Official (see 800.5).

Area of Potential Effect

The federal agency is now required to consult with the SHPO when determining its project’s Area of Potential Effect (APE). Under the old regulations, this was a unilateral decision. It is at this point that the federal agency is required to gather information from Indian tribes for identifying historic properties with religious and cultural significance.

Identification Efforts

Section 800.4(b)(1) calls upon the Agency Official to determine the level of effort to be

expended on identification of historic properties. Factors that must be considered include: “past planning, research and studies, the magnitude and nature of the undertaking and the degree of federal involvement, the nature and extent of potential effects on historic properties, and the likely nature and location of historic properties within the area of potential effects.” These factors are to be read together; one cannot be singled out to justify a lesser or greater obligation. Note the new concept of “degree of federal involvement.” This is an addition to the regulations that is repeated in various sections but is not precisely defined. How it will be interpreted is unknown, but we may see our ability to recommend surveys for permitted projects slipping away if agencies decide, for example, that issuing a storm-water permit for a privately owned construction site does not constitute a significant degree of federal involvement.

Evaluation and Determinations of Eligibility

Under 800.4, the National Register Criteria (36 CFR 60.4) must now be applied by the federal agency in consultation with the SHPO and Indian tribes that attach religious or cultural significance to the properties being evaluated. The federal agency is instructed to rely upon the expertise of the Indian tribes in assessing eligibility of properties of concern to them. This applies on or off tribal lands. However, off of tribal lands, determinations of eligibility continue to be made by a consensus decision between the federal agency and the SHPO, or by the Keeper of the Register if no consensus can be reached. The concurrence of Indian tribes is not required for properties that are not on tribal lands.

Assessing Adverse Effect

Under the old regulations, a determination of effect was made as a separate step after historic properties were identified. Under the new regulations, this step has been combined with the identification of historic properties, resulting in a finding

of “no historic properties affected” or “historic properties affected.” When historic properties are affected, the agency applies the criteria of adverse effect in consultation with the SHPO and Indian tribes that attach religious or cultural significance to a property. The agency and SHPO may agree that a project has No Adverse Effect; the Council will become involved only in the event of a disagreement.

The big change in this portion of the regulations is that the data recovery exception to adverse effect is gone. Under the old regulations, when a project was going to affect a significant archeological site defined as significant only for the data it contained, and a data recovery plan was developed in consultation with the SHPO, the federal agency could proceed with a No Adverse Effect determination. Under the new regulations, this situation is considered to be an Adverse Effect and a Memorandum of Agreement (MOA) is required to resolve the Adverse Effect. Of course, the Council was required to be a signatory on all MOAs under the old regulations, but now, in many cases, MOAs can be executed by the agency and the SHPO without Council involvement. The agency may invite applicants for federal permits, licenses, or approval to be signatories on agreement documents along with Indian tribes and other consulting parties. Refusal of any invited signatory to sign the agreement does not invalidate the MOA.

For More Information

This article has presented only a brief overview of some of the key changes in store for those who deal with Section 106 compliance. For further information, visit the Council’s web site at <www.achp.gov>. There you will find the new regulations in their entirety, along with a detailed discussion of the comments and concerns that led to each change. In addition, you can access the new guidance publication entitled *Implementing the New Regulations: Section-by-Section Questions and Answers on “Protection of Historic Properties (36 CFR 800)*.

TAPA News

Douglas K. Boyd

The Texas Alliance for Public Archeology (TAPA) is a new nonprofit group of scientists, cultural resource managers, Native Americans, and educators who wish to raise the public consciousness of Texas archeology, foster and strengthen public appreciation and build stronger support for the protection of the state’s archeological sites, and broaden public understanding of the significance of archeological research. These objectives will be met through special projects, innovative educational initiatives, and building alliances among the many groups having a stake in Texas archeology.

TAPA’s first project is to scientifically document the extent of the public’s awareness of and attitudes about archeology through the commissioning of a professional opinion poll. This will produce the first systematically collected data on how Texans perceive archeology, and will represent only the second such poll ever taken in the nation. TAPA will make poll results available so that its information can be used to increase public awareness regarding the nonrenewable nature and value of archeological resources and help turn the tide of site destruction by looting, indiscriminate land management and land development, and neglect.

TAPA also plans to support production of articles for publication in popular media, reach out to the owners of large ranches and farms on which countless archeological sites are located and can be protected, and advance public appreciation of archeology through development of school curricula, public presentations, and museum projects.

TAPA intends to work in collaboration with existing archeological organizations such as the Texas Archeological Society, the Council of Texas Archeologists, the Texas Historical Commission, and other groups with vested and passing interests in Texas archeology. Although TAPA’s mission

partially overlaps with those of existing organizations, TAPA seeks innovative solutions to long-standing challenges. TAPA has been purposefully designed as a small nonprofit organization able to focus on new initiatives to enhance what is already being done by other groups.

TAPA officers are Elton Prewitt (President), Dan Potter (Vice President), Dan Fox (Secretary), and Brett Cruse (Treasurer). Directors, in addition to the above, include Steve Black, Cecile Carter (Caddo Tribe), Duane Peter, Ronald Red Elk (Comanche Tribe), Dick Schott, Alston Thoms, and Pam Wheat.

If you or your organization share TAPA's objectives and would like to support or join in this fresh collaborative approach, please contact the Texas Alliance for Public Archeology, 4302 Shoalwood, Austin, Texas, 78756.

Antiquities Advisory Board Update

Douglas K. Boyd

The Antiquities Advisory Board (AAB) is an advisory board to the Texas Historical Commission (THC). It has met twice since the CTA Spring 1999 meeting: on April 28 and July 22. Items currently under consideration by the AAB are:

- The appropriate method of conservation for *La Belle's* hull
- THC's plans to regionalize the agency's nonregulatory archeology programs
- Update on the Texas Archeological Stewards Network and switch to regional coordination
- Update on Texas Archeology Awareness Month and the planning of regional archeology fairs
- Update on THC's Red River Wars project and fund-raising efforts

- Update on THC's Fort St. Louis project
- Update on the Texas Historic Sites Atlas and the access process
- Curation of archeological collections and development of a draft agreement for "held-in-trust" collections
- Status of state-owned "held-in-trust" collections generated by Antiquities Permit projects
- Update on the status of possible THC legal actions against Alton Briggs (Lone Star Archeological Services) for failure to curate state-owned archeological collections under Antiquities Permit projects
- Implementation of the Council of Texas Archeologist's Accreditation and Review Council process; proposed date for THC to require repositories receiving Antiquities Permit collections to be accredited by ARC is December 31, 2002
- Implementation of marine archeology permit applications under the Antiquities Code

As mentioned in previous newsletters, AAB is still in the process of being restructured; it was created through Chapter 26, "Rules of Practice and Procedure," of the Antiquities Code of Texas and any changes to the board require an amendment to Chapter 26 "Rules." Details of the proposed restructuring of AAB were published in the *Texas Register*, June 4, 1999 (24 TexReg 4117).

Currently, the seven-member board includes:

- Eileen Johnson, AAB Chair (THC Commissioner, archeology)
- Chris Carson (THC Commissioner, architecture)
- T.R. Fahrenbach (THC Commissioner, history)

- Karen Harry (Texas Parks Wildlife Department, state agency archeologist)
- Doug Boyd (Council of Texas Archeologists representative)
- Elton Prewitt (Texas Archeological Society representative)
- Duane Peter (Contract Archeology representative)

The restructured board will include nine members:

- THC Commissioner, archeology*
- THC Commissioner, architecture*
- THC Commissioner, history*

(*AAB Chair will be selected by THC Chairman)

- Archeologist, CTA representative
- Archeologist, TAS representative
- Historian, nominated by THC
- Historian, nominated by THC
- Historic Architect, nominated by THC in consultation with the Texas Society of Architects
- Historic Architect, nominated by THC in consultation with the Texas Society of Architects

Each board member will serve a 2-year-term, and terms will be staggered so that the board always has new and old members. The TAS and CTA archeology representatives for AAB will also serve as ex officio members of THC's Archeology Committee.

The proposed rule change must be published in the *Texas Register* once more before it becomes effective, and AAB must still decide how it wants to stagger the terms of its various members to

insure continuity. I will keep you posted on these changes as they occur. One issue we need to discuss at the Fall 1999 meeting is who will serve as CTA's representative for AAB. We have talked about creating a separate executive officer to serve as the AAB representative, but I have also heard from several people that the president should remain CTA's official representative. Give this matter some thought and be prepared to discuss it on October 29. We will need to make some decisions on this soon.

New Mexico SHPO Forced to Resign

For those who think cultural resource management is immune to politics, here's a recent event that should serve as a wake-up call. New Mexico State Historic Preservation Officer (SHPO) Lynne Sebastian resigned from her position effective early this month. She was asked by New Mexico Governor Gary Johnson to resign for reasons that are yet unclear. No one knows exactly why the Governor took this drastic step or who persuaded him to do it. Regardless, it sets a very bad precedent when one of the nation's most respected SHPOs can be forced from office so easily. Some information has gone out on ACRA-L (the list serve for the American Cultural Resources Association) and several people are encouraging folks to contact the Governor's office to ask why!

Governor Gary Johnson
 (505) 827-3000
 Office of the Governor
 State Capitol Building
 Santa Fe, New Mexico 87503

Planning Underway for Texas' Largest Native American Reburial Ceremony

Alston V. Thoms

Plans are underway to re-inter skeletal remains of some 150 individuals, mostly Native Americans, along with at least one Caucasian (the precise number of individuals is not yet determined). These individuals, along with others whose bodies were not exhumed, were originally buried in one of two church-floor cemetery areas at Mission San Juan Capistrano in San Antonio, Texas. These mission Indians, widely considered to be representative of south Texas' pre-Columbian Coahuiltecan population, were buried during and after the Spanish Colonial era. Their remains were exhumed in 1967 and 1969 at the request of the Catholic Church in anticipation of planned renovations and to gather information about Mission San Juan's layout, as well as about the skeletal characteristics of the mission's Coahuiltecan population. Excavations were conducted by archeologists working under the auspices of the Texas State Building Commission's (SBC) Archeology Program (precursor to THC).

Results of excavations in the cemetery areas and other parts of Mission San Juan were published in two SBC reports (No's. 10 and 11) and one THC report (No. 12). As part of the excavation agreement, the Church transferred legal control to the State of Texas of most of the human remains and associated funerary objects, along with artifacts recovered outside the cemetery areas, for purposes of scientific analysis. In one of the SBC reports (No. 10), it was noted that members of the San Juan parish/community at first questioned the need to exhume and scientifically study the burials. As reported, these concerns were effectively mitigated when these citizens were informed by the archeologists that results of the investigations would be beneficial to their community. Results of further skeletal analysis of a sample of the human remains were reported in a 1971 thesis from SMU.

In 1986, the Catholic Church requested of THC that the remains be returned for reburial.

THC representatives asserted that the skeletal remains represented a scientifically very important sample of early historic native populations and that they clearly merited further analysis. A compromise was soon worked out between the Church and THC officials for a ceremonial reburial of a few human bones in the still-functioning San Juan chapel where some of the remains had been exhumed. During the late 1980s and 1990s, four additional Master's-level studies of these remains were completed, the most recent being in 1999.

Members of the Mission San Juan parish and local community, often represented by the American Indians in Texas at Spanish Colonial Missions (AIT-SCM, a 501-C3 organization) and affiliated groups, renewed their requests for reburial of the human remains and associated funerary objects that were recovered from the mission grounds. While their efforts to claim reburial rights were initially tied to NAGPRA, it became clear that this was an issue to be settled by the Church and local community, not a NAGPRA case per se. The National Park Service, which in the 1970s assumed management of mission grounds as part of the San Antonio Missions National Historical Park, averred that the remains had not been recovered from Federal lands. By the late 1990s, the State had relinquished its claim to the human remains, noting that ownership/control legally rested with the Catholic Church. Neither AIT-SCM nor other local Indian organizations were included among Federally recognized tribes eligible to request repatriation under NAGPRA.

During the last several years, members of the San Juan community, AIT-SCM, and other groups have successfully pressed the Catholic Church for repatriation and reburial. Over the past summer, representatives of the San Antonio Missions National Historic Park helped facilitate several meetings among representatives of the Church, the San Juan community, UTSA (where the remains are presently housed), and various interested groups in San Antonio. The consensus outcome of these meetings was an agreement to rebury the remains sometime in November 1999. As planned,

the Catholic Church will hold a formal mass for reburial, with additional ceremonies and actual reinterment to be undertaken under the auspices of AIT-SCM.

To date, members of AIT-SCM and affiliated groups have participated in several Native American reburials, including a recent ceremony for three individuals at the Comanche National Cemetery, Fort Hood, Texas. These ceremonies require considerable expenditures of time, energy, and

money. As reported by AIT-SCM officials, reburial of even a few individuals requires days of preparation and several hundred dollars in actual expenses. Costs to the San Juan community – in terms of human labor, emotions, and real dollars – for preparation and implementation of reburial ceremonies for an estimated 150 individuals remain to be calculated, but they certainly merit consideration and contemplation by CTA’s membership and other interested individuals everywhere.

Announcements

CTA to Co-sponsor Public Forum at TAS Annual Meeting

Each year at the annual meeting of the Texas Archeological Society, they host a Friday night public forum on Texas Archeology (this is a new tradition that began a few years ago). This year, CTA is co-sponsoring the event along with the Texas Archeological Society, the Tarrant County Archeological Society, and the Texas Historical Commission. The 1999 TAS annual meeting is scheduled for October 29-31 at the Green Oaks Park Hotel in Fort Worth, Texas, and the public forum will be held Friday night (October 29) from 7:00 to 9:00 pm at the hotel. State Archeologist Pat Mercado-Allinger asked CTA to be a co-sponsor, and members of CTA’s public education committee are helping out with arrangements. We are coordinating with regional Texas Education Agency officials and local education groups in the Fort Worth area to make sure that the fourth-grade and seventh-grade social studies teachers in the area are notified about the event. We also are contacting local societies to invite them to set up a membership booth or exhibit during the forum.

The public forum will include three presentations:

- Jim Bruseth (Texas Historical Commission) will speak on investigations at the Timber Hill site, one of the last historic Caddo villages in Texas
- Alston Thoms (Director, Center for Ecological Archaeology, Texas A&M University) will speak on CEA’s work at Camp Ford, a Civil War camp where Union prisoners of war were imprisoned by the Confederate Army
- Someone from Geo-Marine, Inc. will speak on archeology, data analysis, and public involvement in the Freedman Cemetery project in Dallas. Over 1,100 intact burials of African-American slaves and freedmen were exhumed and moved between 1990 and 1994 during a Texas Department of Transportation highway project

If you know anyone in the Fort Worth area who has an interest in archeology, please be sure to invite them to the public forum!

Regional Archeology Fairs Need Your Help

This October, Texas Archeology Awareness Month, will see at least five major regional archeological fairs being offered for the public. Like the large TARL Archeology Fair held in Austin last October, these fairs are big projects requiring lots of volunteer help. Please volunteer to help out with the fair closest to you!

South Texas Archeology Fair

Sponsors: University of Texas at San Antonio and the Institute of Texan Cultures

Date: October 16

Location: Institute of Texan Cultures, San Antonio

Contact: Maureen Brown (210) 732-1834

Texas Archeological Research Laboratory Archeology Fair

Sponsor: TARL, University of Texas at Austin

Date: October 9

Location: J.J. Pickle Research Center, Austin

Contact: Diane Ruetz (512) 471-5960

The Metroplex Archeology Fair

Sponsors: Dallas and Tarrant County Archeological Societies

Date: October 2

Location: Tarrant County College, NE Campus, Hurst

Contact: Pat Rankin (214) 521-5427 or

Mike McBride (972) 618-6781

El Paso Archeological Fair

Sponsor: Wilderness Park Museum

Dates: October 2 and 3

Location: Wilderness Park Museum, El Paso

Contact: (915) 755-4332

Celebration Week

Sponsor: Lubbock Lake Landmark

Dates: October 7 through 14

Location: Lubbock Lake Landmark, Lubbock

Contact: (806) 742-1116



Council of Texas Archeologists
Membership and
Renewal Form

Return to:
 Karen Gardner, CTA Secretary-Treasurer
 c/o Prewitt & Associates, Inc.
 7701 N. Lamar, Suite 104
 Austin, TX 78752-1012

Address correction only (see below).

I wish to join or renew my membership in CTA.

(membership is based on the calendar year Jan-Dec)

- Contractors List \$ 100.00
- Professional (annual income more than \$20,000 per year) 25.00
- Professional (annual income less than \$20,000 per year) 15.00
- Student (annual income more than \$20,000 per year) 25.00
- Student (annual income less than \$20,000 per year) 15.00
- Institution/Library (receive *CTA Newsletter* only, no voting privileges) 25.00
- I would like to purchase a copy of the *CTA Guidelines* 7.50

Total amount remitted to CTA \$ _____

Name (please print): _____
 Company/Institution: _____
 Address: _____
 City/State/Zip: _____
 Phone: _____ FAX: _____ e-mail: _____

CTA Newsletter
Robyn P. Lyle, Editor
c/o Center for Ecological Archaeology
Texas A&M University
210 Anthropology Bldg.
College Station, TX 77843-4352

TO: