

## American Cultural Resources Association's First Annual Conference

### In This Issue

#### ACRA-L

ACRA has its own  
Internet listserver -  
*Page 4.*

#### Legislative Update

Read the latest news  
from Capital Hill on  
business issues,  
appropriations, and  
legislation - See  
*Page 11.*

#### Members Elect Two To Board

Meet Don Weir and  
Cory Breternitz on  
*Pages 6 & 7.*

#### Five New Committees

Education

\*

Competitive  
Practices

\*

Wage Determination

\*

Best Practices

\*

Membership

See Minutes of  
Meeting - *Page 3.*



This issue of the ACRA Newsletter celebrates the the American Cultural Resources Association first annual conference. It was held in Washington, D.C., on October 7 and 8, 1995, at the Governor's House Hotel. This special issue is intended to more completely inform you about the results of the conference and future direction of ACRA.

Over 80 attendees participated in 6 workshops and panel discussions at the ACRA meeting. Topics included governmental affairs, Section 106 compliance, meeting insurance needs, and marketing and business management. Speakers included the heads of various national preservation lobbying organizations and federal agencies such as the Advisory Council on Historic Preservation and the Keeper of the National Register of Historic Places.

Among conference attendees were over 60 business owners, officers, directors and managers of cultural resources firms. These attendees represented the fields of archaeology, history, architectural history, architecture and planning who were representing literally hundreds of people who work within their firms.

This was not just another conference of individuals hailing from the preservation community, the academic sphere or from the halls of government. This meeting marked the coalescence of ACRA as a viable organization of business people from diverse parts of the preservation field. With its initial splash earlier this year as part of the effort to retain federal funding for cultural resources, ACRA represents a rich mix of preservation professionals in the private sector - a positive, active body working within the business community to study and to preserve the cultural resources, the heritage of our country.

The conference was a tremendous success by all accounts. Attendees all agreed that the tone of this meeting was significantly different than the more academically oriented meetings of the past. The meeting focus centered on the business of cultural resources management: how it is conducted, managed, and regulated. While it is clear that significant problems exist within the compliance process, the free exchange of information between the regulatory and business community offers great hope for cooperation and problem-solving opportunities.

One of the most productive results of this meeting was the formation of a number of proactive committees to tackle some very difficult issues. Following is a brief explanation of the committees' charges:

**Committee on Wage Rates.** This committee was formed as a result of considerable concern about new regulations within the Federal government concerning wages that has the potential to negatively affect the business of cultural resources management.

**Education Committee.** This committee was formed to issue a policy statement of ACRA concerning education, curriculum development, and to establish what ACRA's role should be in this, and to find ways to encourage member firms to be more involved with interns and training.

**Competitive Practices Committee.** This committee

..continued on Page 11

## **Board Of Directors**

**Shelley Bookspan**

PHR Environmental Consultants

**Cory D. Breternitz**

Soil Systems, Inc.

**Lee Cox**

Dolan Research, Inc.

**David Heisler**

Calverton, MD

**Dale Jaeger**

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**David Ketz**

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**Carol Mehls**

Western Historical Studies

**Dana McGowan**

Jones & Stokes Associates, Inc.

**Loretta Neumann**

CEHP, Incorporated

**Charles Niquette**

Cultural Resource Analysts, Inc.

**Patrick O'Bannon**

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**W. Kevin Pape**

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**Michael Polk**

Sagebrush Archaeological  
Consultants, L.L.C.

**Daniel Roberts**

John Milner Associates, Inc.

**Judith Robinson**

Robinson & Associates

**Kathryn Toepel**

Heritage Research Associates, Inc.

**Charissa Wang**

Hardlines: Design & Delineation

**Donald J. Weir**

CCRG, Inc.

**Thomas Wheaton**

New South Associates, Inc.

## Opening Address from Charles M. Niquette, President ACRA First Annual Conference, October 7, 1995, Washington, D.C.

Welcome to ACRA's first annual conference. It is exciting to be standing at this podium less than a year after ACRA was formed, and to have accomplished what we have done administratively, organizationally and politically in so short of time.

The formation of ACRA should be seen as an evolution rather than as a revolution. ACRA is the only professional organization that represents the business interests of all the disciplines involved in cultural resources—such as archaeology, architecture, architectural history, history, and landscape architecture. ACRA members share much more than an interest in historic preservation: we are bonded by common worries about running a business, that is, for example, making payroll next week, workers compensation insurance, unemployment and professional liability insurance, personnel problems, federal contracting procedures, state and federal review requirements, and feast versus famine workloads. Our members have recognized the need for a voice in state and national politics that reflects our interests and concerns, not simply those of the established historic preservation community. We have joined hands in an effort to promote and support the business needs of cultural resources practitioners to advocate professionalism in our industry, to provide education and training opportunities for our members, and to influence public policy. We desire to create a business environment for our clients, our members, the regulatory community and the public where people can interact within an actively shared pool of information. Such an environment is essential to making informed decisions. It is an environment where sound and reasoned public policy can be implemented. We seek accountability in the decision-making process at all levels.

ACRA is unique in this country's historic preservation establishment in that it represents a coalition of businesses, not individuals. As an organization, ACRA remains in its infancy. As such, the organization remains dependent on those who founded it. Unfor-

tunately, this also means that every task we face requires more work than ACRA's founders can do. This will change. As our membership grows over the next few years, we can expect some awkwardness in our dealings with ACRA's multifaceted public and with internal coordination but nevertheless, our founding member's entrepreneurial skills will be replaced gradually with more professional management techniques and competence. I look forward to that day when we can create the business environment necessary to most effectively serve the needs of our members. When this time comes, ACRA will perhaps expand and enter into new areas of service.

For now, ACRA's mission will focus upon the opportunities created by the 104th Congress. Yes, I said opportunities. This Congress offers us possibilities, not necessarily problems. We have received a wake-up call that cannot be ignored. No longer can we accept the status quo as "business as usual." We must seize the opportunity to re-examine the national historic preservation program and to do what we can to fix what is wrong in a manner that recognizes efficiency, accountability, the needs of private property owners as well as those of federal agencies. How can we find a comfortable fit between the federal mandate and our client's needs, the wishes and desires of local communities, and still provide a public return for the moneys spent on historic preservation? If this sounds like a hopeless task, it is not. ACRA's members are responsible for completing the vast majority of cultural resources work in this country today. As such, our industry frequently finds that we are the interpreters of public policy with regard to federally mandated historic preservation endeavors. As ACRA's membership interacts with colleagues, clients, the public and the regulatory community, we serve as the conduit through which almost all information passes. This provides ACRA and its members with a unique perspective from which problem areas can be identified and from which solutions can be developed. I hope that today's workshops and roundtable discussions will provide us all with a springboard for future action.

# ACRA 1995 Annual Business Meeting

The meeting was called to order in the Governor's House Hotel, Washington, D.C., at 9:00 a.m. by ACRA President Chuck Niquette of Cultural Resource Analysts, Inc. The attendance for the meeting was 44.

Tom Wheaton circulated election ballots of two new board members. Persons put forward for election to the board include Cory Breternitz of Soils Systems, Inc., Don Weir of Commonwealth Cultural Resources Group (CCRG), and Mike Moratto of Applied Earthworks, Inc. Cory and Don stood to introduce themselves. Mike Moratto could not attend due to illness.

Dan Roberts of John Milner and Associates then circulated the proposed ACRA ethics statement DRAFT and described it. He asked for any questions or comments - none were brought up. The statement will be published in the October newsletter and have a 30-day comment period.

Two students present stood up to introduce themselves. They are what is hoped to be the first of many students who will come to this conference to learn and introduce themselves to prospective employers.

## Discussion of Internships/Training

Loretta Neumann of CEHP, Inc., discussed how she uses interns in her office. Chuck discussed how he uses interns with partial reimbursement by the Commonwealth of Kentucky. Dana McGowan of Jones and Stokes Associates discussed this too as it relates to her work in California and how her clients like it because of lower cost billing rates. A discussion about the lack of a statement of policy of how to encourage member firms to be more involved with interns and training was held. This proved to be a popular subject at the meeting and so a committee was formed to deal with the issues. The committee is to develop a statement of policy for ways of encouraging firms to be more involved in this way and get back to the board by February 1, 1996, with a statement. It was mentioned that the National Council of Preservation Education should be contacted as part of this effort.

## Membership Concerns

Chuck Niquette brought up questions to membership about what is important to them. "What do you want this organization (ACRA) to do?" To date, the board has decided the direction

of ACRA: membership needs to provide that information now. This was a popular topic for the audience. There were many ideas put forward that the membership thought should be considered as important issues for ACRA to pursue as an organization. They included:

- \* Public Policy (Influence)
- \* Best Practices Council
- \* Taxpayer supported competition
- \* Unfair competition - non-profits, universities

There was particular interest in exploring the problems of unfair competition between government and the private sector. There was a discussion about various issues, are example cases were put forward. The decision on this was to form a committee to gather information. The consensus was that ACRA should not make policy, but rather be a clearinghouse of information. In light of this, a standing committee was created called the Competitive Practices Committee. A preliminary report from this committee was scheduled to be due to the Board of Directors by February 1, 1996.

## John Douglas, BLM, Addresses Membership

John Douglas, Archaeologist with the Bureau of Land Management in Washington, D.C., was in attendance at the meeting and wanted to bring up a few ideas for the membership. He discussed the work that his agency is now doing about developing an all encompassing Programmatic Agreement (PA) for major land owning and land management agencies (including the Forest Service, National Park Service, BLM, BIA, Department of Defense and others) to cover workings of Cultural Resource Management under their purview. This would be done to speed things up in the standard review process. This would allow agencies to be more self sufficient most of the time, eliminating slow downs in SHPO review and agency review. All agencies would have their own PA's, but all would look very similar to each other. The cooperating agencies are looking at doing this very soon. If anyone has questions or comments about this process you are welcome to contact John Douglas at JGDouglas@aol.com.

## Education Committee Members

Joe Schuldenrein ,  
Chair  
Ann Hubber  
Loretta Lautzenheiser  
Ian Burrow  
Loretta Neumann

## Competitive Practices Committee

Patrick O'Bannon,  
Chair  
Kay Simpson  
Cory Breternitz  
Tom King

## Wage Determination Committee

Kevin Pape,  
Chair  
Don Weir  
Dan Roberts  
Tom Wheaton

## Best Practices Committee

Mike Polk,  
Chair  
Steve Mikesell  
Tom Lennon  
Shawne Skinner

## Membership Committee

David Ketz ,  
Chair  
Michael Binder  
Joe Schuldenrein

..continued on Page 4

## New Board Member

### Donald J. Weir

President, Commonwealth Cultural Resources Group, Inc. (CCRG), M.A. Michigan State University, 1979; BS. Michigan State University 1970.

Mr. Weir's professional services with the Society for American Archaeology Financial Committee (1992-Present); Society for American Archaeology - COPA State Representative (1985-1992); Conference on Michigan Archaeology, Vice-President (1987-1988, 1988-1989); Conference on Michigan Archaeology, President (1989-1990, 1990-1991); Conference on Michigan Archaeology, Executive Board (1985-Present).

His professional experience: Cultural Resources Professional since 1974. Employed by Gilbert/Commonwealth, Inc., from 1974 to 1988. Last position held was Manager of the Cultural Resources Department.

In 1988 formed the Commonwealth Cultural Resources Group (CCRG), and presently holds the position of President. Has conducted a wide-range of projects throughout the continental United States and Alaska.

## Business Meeting ..

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### Election Results

The results of the election for board members were then announced. Cory Breternitz and Don Weir were both elected to the Board of Directors by the membership in attendance.

### Issue of Wage Determinations

Kevin Pape of Gray and Pape, Inc., spoke to the membership about the issue. The problem discussed concerns a Department of Labor wage determination for "Archaeological Technicians" across the country. The wage rates given for that level of occupation sometimes exceed the rates paid to Principal Investigators and often exceed that paid to mid level archaeological professionals. These rates have begun to be incorporated into contracts put out by the Federal government. The first to be seen was a Corps of Engineers RFP out of North Carolina. Soon after it was released it was withdrawn by the Corps archaeologist because there was not nearly enough money in the contract to cover the costs which would be incurred using these rates. There were also other major problems with the rates including sometimes drastic changes from county to county within states (e.g. \$8.00/hr in one county and \$18.00/hr in an adjacent county). It was strongly suggested that contractors look at their own contracts to see if there are wage determinations in them. If so, it is possible that you could be liable for back wages not paid at those rates. If not, it is probably a professional services contract that is exempt from this requirement.

This is seen as a very serious problem for the contracting community. Most of the rates shown on the chart sent around to the membership greatly exceed what companies normally pay archaeological technicians. There is a very poor definition of "archaeological technician" also which could include mid-level and even PI personnel. This is not an issue that can be ignored and not one that we, as a business organization, should let stand. It could have devastating consequences for the profession as well as the preservation legislation that we have fought so hard to retain and enhance.

Coupled with this is the situation posed by the United Archaeological Field Technicians (UAFT). This organization has made requests for wage rate information about several eastern U.S. firms. Through the Freedom of Information Act, they have already obtained information about wage rates on specific projects from at least two companies. In at least one of these cases, the union has appealed to the federal agency to grant the higher Department of Labor wage rates for an ongoing project. The implications for those working on or bidding for Service Contract Act contracts is sobering.

In light of this alarming information, the Board of Directors (the day before the general meetings began) formed a Wage Determination Committee to explore the problems and ways to deal with them.

### Best Practices Council

Next discussed was the idea by Eric Hertfelter

of a "Best Practices Council". This idea was to form a committee from a cross section of the preservation community who would look into the practices of cultural resources, into contracting, into agency regulations, and other issues pertinent to the business of cultural resources in order to help find answers to nagging problems and help to rethink the process. Several people have already volunteered to be on that council including: Carol Shull, Keeper of the National Register and Eric Hertfelter, Executive Director of the NCSHPO. ACRA is very interested in being a part of this and would certainly seek a position on that board. However, it was pointed out that it could become so large that our voice would be very diluted. Thus, it was proposed that we establish our own best practices committee to explore the problems and report back to the Board of Directors with our suggested solutions to various problems. The most important problems addressed by the membership include the intractability and sometimes arbitrary nature of the SHPOs and agencies, and poor and inconsistent contracting procedures, and regulatory procedures.

In light of this, an ACRA committee was formed called the Best Practices Committee. Its charge is to compile a collection of horror stories that members have about the process and to condense these stories into a statement of concerns to be sent as a letter by the Board of Directors to the NCSHPO and others. The committee is to respond to Chuck Niquette and the Board with a list of general problems and a statement of concerns by October 31, 1995, or as soon thereafter as possible. All ACRA members are urged to send their horror stories via e-mail to Tom Wheaton as soon as possible at TomWheaton@aol.com.

### ACRA Membership Concerns

The next item of business was that of membership. We will not last long as an organization without members and dues. Tom Wheaton addressed this issue. He said to take back the packets of ACRA brochures and distribute them to get more businesses to join us.

Several issues about membership were discussed including concerns about membership categories and underrepresented constituencies. To address the need for more members and some of the concerns of members, a membership committee was formed. Its charge is to make recommendations for targeting and recruiting underrepresented constituencies as well as how more members in general can be recruited. The committee is to respond to the Board of Directors by February 1, 1996.

### Advisory Council Regulations

A last item of the meeting was addressed by Chuck Niquette. The need to respond as an organization to the Advisory Council's new proposed regulations was emphasized. It was decided that Chuck would write a letter and ask the board for input and suggestions about its content.

The membership meeting was adjourned at 12:30 p.m.

Mike Polk, Secretary  
American Cultural Resources Association

# ACRA 1995 Annual Meeting Sessions & Workshop Summaries

## Federal Contracting Session

Moderator (and author of these minutes): Charissa Wang

The speakers only used a half hour of their time; the remaining hour was spent in an interactive discussion session between the panel and the audience.

**Patrick O'Bannon (ACRA)** began by saying that ACRA currently had no formal position on federal contracting. He put forth three positions that may be of concern to ACRA's constituency:

1. Professionalism in CRM: the use of a technical qualifications-based procurement by the federal government for CRM work.
2. Appropriate Professionals doing Appropriate Work: Recognition of the different and distinct services in the field of CRM.
3. Indefinite Delivery-type Contracts: These contracts appear to be more and more popular to the benefit of large firms and the detriment of small ones. In the future, small firms will have to team with the large firms, suffering if they are not a DBE.

**Comments:** Since much CRM work is being absorbed into large A-E (Architecture-Engineering) or E-E (Environmental-Engineering) contracts, ACRA members are advised to have on file a current SF 254/255, which is the standard qualifications statement for A-E and E-E contracts.

**Stewart Binstock (American Institute of Architects):** Mr. Binstock discussed four issues that are of concern to the AIA which may also be of concern to ACRA:

1. The Brooks Act requires the government to procure A-E services on a technical ability basis. Congressman Brooks, the author of the act, was defeated last year, putting the future of the act in question, but Mr. Binstock believes it will survive.
2. 6% Fee Limitation: Presently, the selected A-E firm can receive no more than 6% of the estimated construction cost. It will be repealed and a "fair and reasonable" compensation used instead. This would benefit small firms that work on small contracts, which unlike large contracts, don't have enough "additional" services to add to the contract that would be outside of estimated construction costs.
3. Design-Build Contracts: Traditionally, buildings are contracted on a design-bid-build schedule. Now that design-build has flourished in the private and government sectors, the procurement procedure needs to be reformed. The new method is to short-list 3-5 firms based on technical ability. These short-listed firms would then be asked to submit a preliminary design and cost estimate for consideration.
4. FACTNET: The government is planning to convert to electronic commerce, CBDs would be eliminated

and jobs would be announced on FACTNET; contract payments would be made electronically. FACTNET is streamlining government and bumping the threshold of small business procurement levels. Mr. Binstock thought the system will be implemented by 2000.

### Comments

1. There was concern that FACTNET would cost businesses a lot of money to implement (in addition to buying the software, it was rumored that maintaining it might cost \$1500.00 a month). Mr. Stewart did not know how much the software would cost, but did not think there would be a fee to maintain it.
2. Getting CRM services covered by A-E type procurement: Mr. Binstock stated that the Brooks Act was needed because of the nature of A-E services--until a firm is hired, there is no building designed and thus no real scope of work on which to set a price. Members of the audience pointed out that CRM has always been a part of A-E services, and that the nature of CRM work (especially archaeology) is often that the true scope of work is not known until a firm actually starts work. Mr. Binstock felt that ACRA would have a case getting CRM services covered by the Brooks Act or something similar.

**Sue Henry Renard (National Park Service):** Ms. Renard spoke about the revision of qualifications for CRM personnel. New regulations are meant to reflect how the industry has matured since the qualifications were developed back in the late 1970s. The new regulations will have 13 professions, including archeologist, historian, historic architec preservation planner, ethnographer, folklorist, traditional property specialist, etc. The new qualifications are for "minimum journeyman level."

**Comments:** The audience thought the federal professional qualifications for its CRM employees were too loose; archeologists don't need graduate degrees and architects do not have to be licensed. Ms. Renard said the government cannot discriminate against anyone who may have received his/her expertise from somewhere other than a classroom. The audience also thought the government set too rigid standards for certain types of CRM work; e.g. only a historian can write histories. Small firms would suffer, especially if they don't have enough individual people to assign to specific job categories.

**CONCLUSION:** At the end of the session, it was recommended that ACRA pursue two actions:

1. Look into getting CRM services procured in the same manner as A-E services.
2. Look into getting all states to universally accept the SF 254/255 (as developed by the federal government) for CRM qualifications so that firms doing work in multiple states don't have to waste time re-typing different forms for each state.

## New Board Member

**Cory Breternitz**

President & owner of Soil Systems, Inc. - purchased company from Professional Service Industries, Inc., November 1984 and maintains an office in Phoenix, Arizona. Established branch office in Cortez, Colorado, in 1992. Currently employs 57 professional and support staff including ceramic, lithic, faunal and ethno-botanical specialists, and has 15 Native American employees working in the field and laboratory.

SSI provides cultural resource overviews, survey, testing, and data recovery service to federal, state, county, municipal, and private clients in Utah, Colorado, New Mexico, and Arizona.

Since 1984 Mr. Breternitz has served as Principal Investigator on over 10 million dollars in contracts. He has been working as an archaeologist in the American Southwest since 1970.

He earned a BA in Anthropology from the University of Arizona in 1978 and an MA in

*...continued on Page 6*

**Breternitz***...continued from Page 5*

Anthropology from Washington State University in 1982.

Mr. Breternitz is a member of ACRA, SAA, AAA, Arizona Archaeological and Historical Society, Arizona Archaeological Council, New Mexico Archaeological Council, Utah Professional Archaeological Council, Colorado Council of Professional Archaeologists, and is a member of the SAA Task Force on CRM Archaeology.

Prior to operating SSI, Mr. Breternitz worked for the University of Colorado, the Laboratory Tree-Ring Research, Museum of Northern Arizona, Arizona State Museum, National Park Service Chaco Project, Dolores Archaeological Project, and the Navajo Tribe.

He is married to Adrian S. White, SSI Vice-President, and has two children ages 5 and 13.

## Emerging Issues - Big Ideas for Small and Growing Businesses

Moderated by Michael R. Polk, Principal Archaeologist, Sagebrush Archaeological Consultants, L.L.C. (author of this summary).

This session was the most eclectic of the entire conference and is one of the first, if not the first session within a cultural resources conference to focus upon the tools that business people need to have and continue to develop in order to maintain a growing, dynamic business.

The panel participants included Chris Butler from Atlanta, Georgia who owns C&D Butler, Inc. an insurance company; Harry Harrison, CPA and Partner in Aronson, Fetridge and Weigle of Washington, D.C.; and Leslie Atkins, President of Leslie Atkins Communications, an image and advertising development company in Washington, D.C. Mike Polk, Principal Archaeologist and owner of Sagebrush Archaeological Consultants, L.L.C. of Ogden, Utah, was the moderator.

Chris Butler gave an overview of the insurance industry and its importance in any business, cultural resources included. Mr. Butler insures several clients in the CRM field and is a member of ACRA himself. He outlined five different types of insurance that could be vital to our businesses and passed out detailed information covering this area of our business. These insurances include: 1) commercial property; 2) commercial general liability; 3) commercial automobile; 4) workers compensation; and 5) professional liability.

Mr. Butler emphasized the need to procure these forms of insurance for the protection of our business. It makes no sense to spend years building a business such as this and then lose it all in a fire, through theft or through a lawsuit. Professional liability (errors and omissions), many firms do not have and yet, is one that cultural resources businesses find as their biggest exposure. Mr. Butler is currently working to obtain a group plan for ACRA members.

Leslie Atkins specializes in writing, designing and producing communications materials on behalf of a wide range of clientele including small businesses to Fortune 500 companies. Her emphasis at this session was on marketing. Properly developing marketing strategies can make a big difference in the profit margin. Properly designed brochures, stationary, company profiles, etc., can make or break a company. How you are perceived by others is a vital part of how seriously you are taken as a professional and business person. Everything from mailing labels to biographies to the sign on your door must represent your company favorably. While marketing and positioning can make or break your company, one should not skimp on image development. One poorly designed business card or even a good one on poor quality card stock can cost thousands of dollars when the potential client one gave it to judges you and your company by that card (and such often happens whether you believe it or not).

Harry Harrison completed the session with a very

*...continued on Page 7*

## Emerging Issues - Changing Climate for CRM Work

Moderator - Dan Roberts, John Milner Associates, Inc. (author of this summary).

The overall theme of this workshop was to offer ideas on the ways we as a preservation/cultural resources community should be positioning ourselves in a newly downsized climate (due to impending Congressional cuts) and the ways in which we should be re-defining how we go about our business. Each of the four speakers as referenced above offered pertinent ideas, as follows:

**Dana McGowan (ACRA):** The current challenge is to take our minimal public support, combine it with our practically non-existent political support and, using our dwindling financial resources, somehow give the many historic resources the attention they need.

We must close the gap between "us and them", and make the historic preservation community a real community, not a group of loosely aligned factions. These bonds need to be forged at the national, state and local levels alike.

The public must be allowed to participate in more meaningful ways, so that it can recognize historic preservation as worthwhile. If we aren't making decisions at least in part to benefit the public, then who are we saving the resources for - ourselves?

Mitigation programs should be undertaken that directly benefit the public, and could include such things as video productions for PBS, popular publications, museum creation and planning, and the creation of parks with historic resource interpretative programs.

Programmatic approaches and other creative strategies need to be more routinely developed, including the construction of larger evaluative contexts.

We need to proactively work with state and local governments to develop regulatory structures at those levels.

Internet will be of great importance as these changes are implemented, since ideas from hundreds, perhaps thousands, of people will now be available more or less instantaneously.

Finally, we need to win political and public support for historic preservation and work together to establish priorities and develop regulations and guidelines that support those priorities, i.e., we need to make historic preservation relevant to the average American.

**Elizabeth Merritt (National Trust for Historic Preservation)** stated that emphasizing "form over substance" may be hurting the preservation/cultural resources community, and wants to see procedural safeguards in place to ensure that the public will have adequate input, especially on what kinds of properties are thought to be significant.

The National Trust is trying to work with government agencies to keep historic buildings from falling victim to benign neglect.

The Trust is also working with states to come up with creative ideas to leverage more funding (Kentucky and Florida have innovative methods in place for funding preservation programs without depending on the federal government).

The National Trust thinks that the waning

influences of the Advisory Council on Historic Preservation will provide states with the opportunity for even more responsibility, perhaps also opening up opportunities for the private sector to become involved in regulatory oversight (one such example has already occurred in California).

**Carol Shull (Keeper of the National Register, NPS):**

Recent trends indicate that controversial projects are increasingly more common, and "marginal" properties are being questioned more.

"Marginal" properties should not necessarily make it to the National Register of Historic Places - if one would be embarrassed for a property to be nominated, one should not send it through with an eligibility recommendation.

The preservation/cultural resources community needs to be conscious of and consider the views of the public with regard to what is "historic." We need carefully to articulate significance in terms that the public can understand, and also to make the process more flexible so the public can be more involved.

Consultants need to improve on making their work more accessible to the public.

The National Register is currently trying to make the National Register process more accessible to the public. This includes initiatives such as lesson plans, videos, books, itineraries, use of Internet, and automating the National Register process.

**Frank McManamon (Departmental Consulting Archeologist, National Park Service):** Aspects of the CRM climate that ought not to change include:

- the existing national policy of maintaining the public's interest in preserving, protecting, and interpreting the nation's historic resources;
- resources still need to be identified, not simply taken into account only if they are already listed or otherwise known; and
- political support will continue to be important.

Aspects of the CRM climate for which change is already underway include:

- increased public education and outreach efforts to all segments of the American public, students and teachers, the press, ethnic groups, service organizations, and political leaders.

Aspects of the CRM climate for which change is needed include:

- increased consultation with native people;
- increased professionalism of the cultural resources community;
- increased early involvement in the Section 106 consultation process, and improved application of procedures, associated investigations, and resulting decision-making;
- increased Section 110 work needs to be undertaken by federal agencies to learn more about resources and manage them effectively before they are impacted by development projects, and to permit better resource preservation when Section 106 undertakings are proposed; and
- the formation of ACRA should help improve dialogue as changes begin to take place.

## Emerging Issues in Compliance: Changes in Section 106

Moderated by Judy Robinson, architectural historian and principal of Robinson & Associates, Inc. (author of this summary).

This session focused on critical issues involved in the development of proposed revisions implementing Section 106 of the National Historic Preservation Act (36 CFR Part 800). Major changes from current regulations include greater deference to agency/SHPO decisionmaking, added provisions to encourage early initiation of the Section 106 process, provisions for increased coordination and integration between Section 106 review and other reviews required under NEPA and related laws, provisions that permit agencies to use the Environmental Impact Statement process to meet 106 needs, new techniques to deal with marginal or routine cases, enhanced public participation, and expedited agency/SHPO resolution of adverse effects.

The session included the following speakers: Tom Lennon (ACRA); Ron Anzalone (ACHP); Evan DeBloois (USDA Forest Service); and David Dutton (Virginia State Historic Preservation Office).

Leading off the discussions, Tom Lennon identified and reviewed key elements of the proposed 36 CFR Part 800 revisions which are of concern to ACRA, including comments regarding issues related to agency/SHPO decisionmaking, marginal cases, and the role of applicants in the Section 106 process.

Drawing experience from over 15 years with the Advisory Council, Ron Anzalone described the National Historic Preservation Act — and particularly Section 106 — as a delicate balancing act, in which the balance now seems to be shifting and change seems inevitable. Debates about the necessary form of that change have surfaced a number of concerns about basic direction, as well as good professional practice. He discussed challenges revolving around the Council's issuance of proposed regulations for Section 106, with the additional context of changes in governmental roles and structure, public sector budgetary constraints, and possible upcoming action in Congress on these and related issues.

Evan DeBloois described the evolution of the Forest Service's Heritage Program, which has created a growing need for fundamental change in how historic preservation is perceived, performed, and proclaimed. This need, coupled with emerging pressures from a new Congress, has increased the urgency of efforts to develop a new and more integrated approach, an efficient and proactive "Framework for Heritage Management".

David Dutton's remarks addressed the fact that State Historic Preservation Officers often act as "regulators" when assisting federal agencies with their Section 106 responsibilities. He briefly discussed the role of the SHPO as defined in the NHPA and in 36 CFR Part 800 "Protection of Historic Properties", which is to assist and consult with federal agencies and their applicants. He emphasized how the Virginia SHPO focuses on functions that emphasize assistance and service to customers in the Section 106 review process. The Virginia SHPO's strategy is to rely more on preparedness than regulation to achieve an acceptable balance between preservation and development.

Session I laid the groundwork and provided input into the companion Session II "Emerging Issues: Changing Climate for CRM Work".

### Small and Growing Business..

*..continued from page 6*

dynamic presentation about the importance of attention to productivity in our businesses. He emphasized the need to operate our businesses as businesses, develop a corporate mentality to provide world-class service to clients and not to be afraid to charge for that service. You should divide your business up into "profit centers" within which to focus productivity, accounting for all time invested. Differentiate your business from the competition. What do you do that is better, more unique than others? Demand reasonable compensation for what you do and do work where your time will yield the highest return. Be aware of the accounts payable for your business, of the number of billable hours available to your company, of the expenses of your company. Examine your collection policies. Cutting the time it takes to get paid by a client by 10 days and stretching the time you pay bills by 10 days can make a tremendous difference in your profit margin. Mr. Harrison's final challenge was to be proactive in making your company as productive as possible by paying attention to details. Regularly check overhead costs, income statements, billable percentages of employees, and anything else that can enhance your productivity.

## Preservation Politics: New Challenges and Opportunities

This session was moderated by Loretta Neumann, President, CEHP, Inc. She provided a handout listing key legislation. She noted that the United States Congress operates in two year sessions; it is currently in the first session of the 104th Congress. Attention in recent months has been focused on the appropriations bills, especially for funding the cultural resources programs in the Department of Interior and related agencies. Included are the Historic Preservation Fund and other programs in the National Park Service, the Advisory Council on Historic Preservation, Bureau of Land Management and USDA Forest Service. She noted that ACRA took a lead roll in successfully lobbying to continue funding for these programs.

Loretta also noted that other legislation affecting cultural resources has also been introduced, and is being handled by the "authorizing" committees--the Resources Committee in the House of Representatives and the Energy and Natural Resources Committee in the United States Senate. In addition, several bills affecting businesses--including changes to the definition of an independent contractor versus an employee and changes in federal procurement laws--have been introduced; the former has had hearings but no further action; the latter passed the House and is pending in the Senate.

Nellie Longworth, President of Preservation Action, a grass roots preservation lobbying organization, described the Homeowners' Tax Credit legislation introduced by Rep. Clay Shaw (R-Florida) and Senator John Chafee (R-Rhode Island). Although the legislation does not have much chance of passage in the House this year, there was hope that it would get included in "budget reconciliation" legislation by the Senate. Subsequently, however, the homeowner's tax provisions were dropped, and will not likely be taken up until next year. Nellie also spoke about how her organization and ACRA have worked successfully together to use the Internet to get information out to a wider audience. "It's a wonderful tool," she said.

Page Miller, Director of the National Coordinating Committee for the Promotion of History, explained the concerns that historians have had relating to the appointment of the new head of the National Archives--a former governor and dairy scientist with no background in history or archival management. She also spoke of the appropriations for the National Endowment for the Humanities, which funds a significant amount of historical research and publications. She noted that when the Republicans in the House first started attacking the Endowments, the charge was that the agencies were "elitist." However, after hearing from their constituents back home, the Representatives talked about "fiscal responsibility" and, although funding was reduced substantially, the Endowments were not eliminated entirely, as was originally proposed.

Helen Hooper, director of public policy for the Land Trust Alliance, spoke about several bills that cut across environmental and historic preservation concerns, including the preservation of wetlands. She also spoke of the need for lobbying at the grass roots level. "It's really effective," she said. "You don't have to be an expert on a subject to let your representatives in Congress know how you feel. Even a few letters from home on a particular issue can have a big impact."

## ACRA-L ACRA's Internet Mailing List

This spring and summer, ACRA conducted a highly successful e-mail campaign to keep the Advisory Council intact and to maintain at least minimal levels of funding for a variety of historic preservation programs targeted by Congress. This campaign used existing Internet mailing lists (listservs) such as AIA-L, ANTHRO-L, ARCH-L, ARTIFACT, ETHNOHIS, GAARCH-L, H-WEST, HISTARCH, PUBLHIST, SPANBORD, etc., to reach an audience in the neighborhood of 2,500 people within minutes.

For the most part the response from subscribers to our efforts was overwhelmingly positive. However, there were some subscribers who took exception to our efforts to infuse politics into the "pure" academic setting of the Internet, while others from outside the U.S. were not interested in our political problems.

To maintain as much goodwill as possible and get the word out to as many people as possible, ACRA's board decided to start our own listserv. This would allow interested people from the other lists to join together and discuss issues that are often of little interest to the academic community. At the same time ACRA can archive files that even non-subscribers might want to access from time to time and make these files available to anyone on the Net.

As a result, when there is a crisis, we can make a brief announcement to the other lists with pointers to where more in-depth information can be found on ACRA-L. This keeps us from cluttering up the pure academic lists with mundane matters like federal actions and transgressions of cultural resources regulations, while allowing us to get the word out to the world when necessary.

The theme of the ACRA-L list is the business of cultural resources, where members can exchange information and keep up to date on business and management practices, regulatory reform and governmental actions, employee training, business services, and anything else dealing with or affecting cultural resources consulting that subscribers want to discuss. Discussions of individual disciplines are better conducted on lists devoted to those disciplines. While some of this information is presented at our web site (<http://www.mindspring.com/~wheaton/ACRA.html>), ACRA-L is much more convenient for current news since notices come to you, rather than vice-versa.

All ACRA members and those who have expressed interest in ACRA's efforts this spring and summer will be automatically added to the list. If you do not want to participate there will be instructions on how to unsubscribe. Please remember to download or print out your introductory notice that tells you how to use the list. For those of you who have just gotten an e-mail address and would like to subscribe to ACRA-L Please send an e-mail message to: MAJORDOMO@LISTS.MINDSPRING.COM and in the body of your message write: SUBSCRIBE ACRA-L, nothing else. To send messages to the list once you are on and have received your welcome message, send e-mail to: ACRA-L@LISTS.MINDSPRING.COM. See you on the Net.

Tom Wheaton  
Executive Director  
ACRA



# Archaeology and Historic Preservation Legislative Update

Prepared for the American Cultural Resources  
Association (ACRA) October 23, 1995

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## Congressional Update

### Appropriations

The fiscal 1996 Appropriations for the Department of Interior and Related Agencies, H.R. 1977, includes funding for various cultural resource programs. It passed the House and Senate and cleared a House-Senate Conference Committee. The House voted September 29 to return the bill to the conference to resolve differences relating to mining claims. Because of other provisions that cut funding for Indian tribes and affect environmental programs, the President may veto it.

Thanks in large part to the monumental work done by ACRA and other groups, the Advisory Council on Historic Preservation was saved, the Historic Preservation Fund avoided major cuts, and some Forest Service heritage funding was restored.

**Historic Preservation Fund:** The House allocated \$34.434 million for HPF grants to states and tribes and historically black colleges, and \$3.5 to the National Trust for Historic Preservation. The Senate had \$32.712 for grants states/tribes/black colleges and \$5.6 for the Trust. Conferees accepted the Senate amount for the states/tribes/black colleges and the House level for the National Trust. The conference report includes instructions that the Trust find other sources of funding within three years.

**Advisory Council on Historic Preservation:** The House included \$3.063 million for the Council while the Senate had \$2.5 million. The conferees agreed to accept the Senate funding level and issued report language directing agencies to reimburse the Council for its services.

**Forest Service & BLM:** The House had cut the Forest Service heritage program from \$18 million to \$14 million; the Senate cut that further, to \$13.130. The conferees split the difference, providing \$13.565 million. BLM's cultural resource program was set at \$11 million by both the House and the Senate, a sizable cut from the Administration's request of \$12.6 million.

**National Park Service:** The NPS National Register programs would receive \$18.5 million, the National Center for Preservation Technology & Training \$1.9 million and US/ICOMOS \$90,000.

**NEA & NEH:** The House had allocated \$99.5 million each for the National Endowment for the Arts and the Humanities. The Senate increased both to \$110 million. Conferees agreed to \$99.5 million for NEA and \$110 million for NEH.

### BUDGET RECONCILIATION, PARK "REFORM"

Congress has begun to consider budget reconciliation—the bill that “reconciles” existing law with changes needed to meet the budget targets previously set by this Congress. It contains provisions from nearly every authorizing committee. Among these is the inclusion of H.R.260, the National Park System Reform Act (also known as the “park closure bill”), by Rep. Joel Hefley (R-Colorado). H.R. 260 contains a process for planning and designating new park units. It would require the Park Service to review areas for closure or other management and would create a commission similar to

the ones for military base closings to make recommendations for such areas. On September 19, the bill was soundly defeated by a vote of 180 to 231 on the House floor. Then, several hours later, Rep. Jim Hansen (R-Utah) inserted it in the budget reconciliation bill when it was voted on by the House Resources Committee.

### BLM LAND TRANSFERS

Sen. Craig Thomas (R-Wyoming) and Rep. James Hansen (R-Utah) have introduced identical bills to turn over all lands administered by the Bureau of Land Management (BLM) to the states. House Resources Subcommittee on National Parks, Forests and Public Lands’ hearings were held August 1 on Hansen’s bill, H.R. 2032. Senator Thomas’s bill, S. 1031, was referred to the Committee on Energy and Natural Resources which has not held hearings. Both bills require the Secretary of the Interior to offer BLM lands, including mineral holdings and most water rights, to the states. The governor of the state would have two years to accept or decline the offer. Actual transfer of the land would take place over a 10-year period.

### HERITAGE AREAS

Two generic bills have been introduced in the House: H.R. 1301 by Rep. Bruce Vento (D-Minnesota) and H.R. 1280 by Rep. Joel Hefley (R-Colorado). Action has occurred on Hefley’s bill, which provides technical assistance for new heritage areas, requires agreement between the Secretary of Interior and the state governor for designation, and provides \$1 million in grants annually for up to 10 years. Subcommittee hearings were held March 28 and markup on September 12. It is uncertain if the full Resources Committee will take it up, however, as “property rights” proponents are lobbying against the bill. Several individual heritage areas have also been proposed; hearings were held on September 7. The areas could be handled individually or added to the generic bill in Committee.

- Cache La Poudre River, Colorado
- National Coal Heritage Area, West Virginia
- Dayton Aviation Heritage Preservation Act, Ohio
- South Carolina National Heritage Corridor
- Tennessee Civil War Heritage Area
- Augusta Canal National Heritage Area, Georgia
- Vancouver National Historic Reserve, Washington
- Ohio and Erie Canal National Heritage Corridor, Ohio

### TAX CREDITS

Rep. Clay Shaw (R-Florida) introduced H.R. 1662, the Historic Homeownership Assistance Act. It would amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes for use as a principal residence. In July the House Ways and Means Committee held hearings on “miscellaneous” tax issues including H.R. 1662. The committee received over 20 written comments in support of H.R. 1662. Rep. Bill Archer (R-Texas), chairman of the Ways and Means Committee, indicated that H.R. 1662 would not be part of his committee’s tax bill, and the Senate Finance Committee did not include the historic homeowner tax credits in their reconciliation package.

### NHPA NUCLEAR FACILITY EXEMPTION

In July Rep. Richard Hastings (R-Washington) introduced H.R.2110, relating to the Department of Energy’s waste management and environmental restoration efforts at the Hanford Reservation in Washington State. Section 14, entitled National Historic Preservation Act, states: “Federal structures at a Defense Nuclear Facility smaller than 100,000 square feet shall be exempt from the National Historic Preservation Act (16 U.S.C. 470 and following) unless the Site Manager deems these structures appropriate for National Historic Preservation Act protection, and deems that such action will not delay cleanup activities or increase cleanup costs at the facility. National Historic Preservation Act review for structures larger than 100,000 square feet shall be limited to no more than 30 days.” No action is scheduled.

...continued on Page 10

## Legislative Update

..continued from page 9

**MOUNT SHASTA/  
NHPA AMENDMENTS**  
Rep. Wally Herger (R-California) introduced H.R. 563 to amend the National Historic Preservation Act. It prohibits unmodified natural landscape features that do not contain artifacts or other physical evidence of human activity from being on or eligible for inclusion in the National Register of Historic Places or considered a historic property or resource under Federal laws. It also prohibits the Mt. Shasta area in California from being designated a historic district, site, or national monument.

**WILDLIFE REFUGE  
MANAGEMENT**  
Rep. Don Young (R-Alaska) introduced H.R. 1675 to make changes in the management of the national wildlife refuges. Among other things, the bill would define the term "compatible use" as it applies in wildlife refuges. Fishing and hunting, now allowed in about half the refuges, would be permitted in most of them.

**GREAT WESTERN  
SCENIC TRAIL**  
Rep. James Hansen (R-Utah) and Bill Orton (D-Utah) introduced H.R. 531, to designate the Great Western Scenic Trail as a study trail under the National Trails System Act. The system of trails would extend from the Arizona-Mexico border to the Idaho-Montana-Canada border. The study would be conducted by the Secretary of Agriculture, in consultation with the Secretary of the Interior. The House passed the bill March 14; it was referred to the Senate Committee on Energy and Natural Resources.

Any Member of Congress can be contacted by phone at (202) 224-3121.

# DRAFT ACRA CODE OF ETHICS AND PROFESSIONAL CONDUCT FINALIZED

submitted by  
Dan Roberts  
John Milner Associates, Inc.

The ACRA Ethics Committee (comprised of Dana McGowan, Patrick O'Bannon, Mike Polk, Duane Peter, and Dan Roberts, Chair), has produced a draft Code of Ethics and Professional Conduct, the text of which follows. The goals of the committee were to keep the code as brief and as broadly worded as possible. It was also not designed to be part of a formal grievance procedure or enforcement mechanism - the assumption is made that all ACRA member firms will abide by the Code.

The draft that follows went through several committee iterations before it was presented to the ACRA Board of Directors on October 6, 1995. The Board then made some minor adjustments, resulting in the document that follows. As such, the draft document would be considered to be a Board consensus document.

The Board does wish the overall membership to have an opportunity to comment, however. Accordingly, it is published here as part of a membership-wide review process. Comments will be taken for a period of 30 days after you receive this newsletter, after which all comments will be duly considered by both the Committee and the Board. A final Code of Ethics and Professional Conduct will then be issued after comments are incorporated, as appropriate.

Please send all comments to Daniel G. Roberts, John Milner Associates, Inc., 309 N. Matlack Street, West Chester, PA 19380, or you may e-mail your comments to him at 73314.3466@compuserve.com, or fax them to 610-436-8468.

## DRAFT CODE OF ETHICS AND PROFESSIONAL CONDUCT AMERICAN CULTURAL RESOURCES ASSOCIATION

### PREAMBLE

This Code of Ethics and Professional Conduct is a guide to the ethical conduct of members of the American Cultural Resources Association (ACRA). The Code also aims at informing the public of the principles to which ACRA members subscribe.

The Code further signifies that ACRA members shall abide by proper and legal business practices, and perform under a standard of professional behavior that adheres to high principles of ethical conduct on behalf of the public, clients, employees, and professional colleagues.

### THE ACRA MEMBER'S RESPONSIBILITIES TO THE PUBLIC

A primary obligation of an ACRA member is to serve the public interest. While the definition of the public interest changes through ongoing debate, an ACRA member owes allegiance to a responsibly derived concept of the public interest. An ACRA member shall:

- 1) Have concern for the long-range consequences of that member's professional actions.
- 2) Be cognizant of the relevance to the public of that member's professional decisions.
- 3) Strive to present the results of significant research to the public in a responsible manner.
- 4) Strive to actively support conservation of the cultural resource base.
- 5) Strive to respect the concerns of people whose histories and/or resources are the subject of cultural resources investigation.
- 6) Not make exaggerated, misleading, or unwarranted statements about the nature of that member's work.

### THE ACRA MEMBER'S RESPONSIBILITIES TO CLIENTS

An ACRA member is obligated to provide diligent, creative, honest, and competent services and professional advice to its clients. Such performance must be consistent with the ACRA member's responsibilities to the public interest. An ACRA member shall:

- 1) Exercise independent professional judgment on behalf of clients.
- 2) Accept the decisions of a client concerning the objectives and nature of the professional services provided unless the decisions involve conduct that is illegal or inconsistent with the ACRA member's obligations to the public interest.
- 3) Fulfill the spirit, as well as the letter, of contractual agreements.
- 4) Not provide professional services if there is an actual, apparent, or perceived conflict of interest, or an appearance of impropriety, without full written disclosure and agreement by all concerned parties.
- 5) Not disclose information gained from the provision of professional services for private benefit without prior client approval.
- 6) Not solicit prospective clients through the use of false or misleading claims.
- 7) Not sell or offer to sell services by stating or implying an ability to influence decisions by improper means.
- 8) Not solicit or provide services beyond the level

or breadth of the professional competence of its staff or project team.

- 9) Solicit or provide services only if they can responsibly be performed with the timeliness required by its clients.
- 10) Not solicit or accept improper compensation for the provision of judgments or recommendations favorable to its clients.
- 11) Not offer or provide improper compensation as a material consideration in obtaining or sustaining client or prospective client favor.
- 12) Disclose information identified as confidential by its client only if required by law, required to prevent violation of the law, or required to prevent injury to the public interest.

#### THE ACRA MEMBER'S RESPONSIBILITIES TO EMPLOYEES

As an employer, an ACRA member firm has certain responsibilities to its employees, and shall strive to:

- 1) Comply with all applicable employment/labor laws and regulations.
- 2) Provide a safe work environment in compliance with all applicable laws and regulations.
- 3) Appropriately acknowledge work performed by employees.
- 4) Provide opportunities for the professional growth and development of employees.
- 5) Develop clear lines of communication between employer and employee, and provide employees with a clear understanding of their responsibilities.
- 6) Consistently maintain fair, equitable, and professional conduct toward its employees.

#### THE ACRA MEMBER'S RESPONSIBILITIES TO PROFESSIONAL COLLEAGUES

An ACRA member shall strive to contribute to the development of the profession by improving methods and techniques, and contributing knowledge. An ACRA member shall also fairly treat the views and contributions of professional colleagues and members other professions. Accordingly, an ACRA member shall:

- 1) Act to protect and enhance the integrity of the cultural resources profession.
- 2) Accurately and fairly represent the qualifications, views, and findings of colleagues.
- 3) Review the work of other professionals in a fair, professional, and equitable manner.
- 4) Strive to communicate, cooperate, and share knowledge with colleagues having common professional interests.
- 5) Not knowingly attempt to injure the professional reputation of a colleague.

#### First Conference..

..continued from page 1

was created because of considerable discussion about the problems of unfair competition between the Federal and State governments, universities, non-profits and the private sector. The committee is to gather information and be a clearinghouse, but not make policy in this area.

#### Best Practices Committee (ACRA version).

This committee was formed as a result of a suggestion by Eric Hertfelter, Executive Director of the National Association of State Historic Preservation Officers (NCSHPO). He proposed the formation of a national "Best Practices Council" made up of government, academic and private sector people in the preservation field who would address problems in the practice of cultural resource management at all levels including scholarship, professional qualifications, contracting, and review. The ACRA membership felt it would be wiseto form a parallel committee within the organization to address the same issues from our perspective without the dilution of the broad spectrum of people who could be involved in a national Best Practices Council.

**Membership Committee.** This committee was formed to address membership issues within ACRA. Issues include how to best accommodate the various constituences in the membership, recommendations for targeting and recruiting underrepresented areas of the preservation community, and building the membership as a whole.

These various committees are to begin their tasks immediately and report back to the Board of Directors at various points within the next few months. It is anticipated that ACRA's high profile in recent months and its growing constituency will help the results of these committees be recognized within the broader preservation community, and by government regulatory agencies.

The success of the first national ACRA meeting was due in large part to the efforts of Loretta Neumann, owner of CEHP, Inc., and her staff who planned and carried out most of the tasks involved in organizing this conference. Through her efforts and that of many other members and ACRA's Board of Directors, this meeting exceeded all expectations. Next year's meeting is planned to be held again in October in Sacramento, California. It will be hosted by Jones and Stokes Associates of the same city.

#### Legislative Update

##### BUSINESS ISSUES

##### INDEPENDENT CONTRACTORS

Legislation has been introduced to determine whether a worker is an employee or an independent contractor. According to the 1995 White House Conference on Small Business it is the most important issue plaguing small businesses today: H.R. 1972, the "Independent Contractor Tax Simplification Act of 1995" and H.R. 582, the "Independent Contractor Tax Fairness Act of 1995." The House Small Business Committee held hearings on the bills last July; no further action has occurred.

##### FEDERAL CONTRACTING

**Federal Acquisition Changes:** Enacted last year, the Federal Acquisition Streamlining Act of 1994 (P.L. 103-355) radically changes the federal government's rules for contracting. On July 20, the House Committee on Small Business held a hearing to assess the implementation of the Act. Among other things, the Act created a \$100,000 simplified acquisition threshold below which procurements are exempted from numerous statutory requirements. It called for the conversion of the procurement system from a paper-based system to a Federal Acquisition Computer Network (FACNET), it and lessened restrictions for "micropurchases" (under \$2,500). Final regulations for implementing the Act were due October 1.

**Competition in Contracting:** June 29th and August 3rd, the Small Business Committee held hearings on small business participation in Federal contracting. It assessed H.R. 1670, the "Federal Acquisition Reform Act," reported by the Government Reform Committee July 27. During the hearings, concerns were raised about many of the bill's provisions, especially those that would abandon the standard of "full and open competition," the core principle of Federal procurement since passage of the landmark Competition in Contracting Act of 1984. H.R. 1670 passed the House September 14; it was referred to the Senate Government Affairs Committee.

## Membership Information

### Full Membership (check one)

#### Individual:

Grossing less than \$100k dues \$150.00

#### Small Business:

Grossing from \$100k-\$250k dues \$300.00

Grossing from \$250k-\$500k dues \$400.00

#### Medium Business:

Grossing from \$500k-\$1m dues \$600.00

#### Large Business:

Grossing from \$1m-\$3m dues \$800.00

Grossing over \$3m dues \$1,000.00

### Associate Membership (check one)

Individual dues \$75.00

Nonprofit Organization dues \$75.00

Government Agency dues \$75.00

Student dues \$25.00

For more Membership Information, contact: ACRA c/o Tom Wheaton, New South Associates, Inc., 6150 E. Ponce de Leon, Stone Mountain, GA 30083; 770-498-4155.

*ACRA News* is a monthly publication of The American Cultural Resources Association. Our mission is to promote the professional, ethical and business practices of the cultural resources industry, including all of its affiliated disciplines, for the benefit of the resources, the public, and the members of the association.

This publication's purpose is to provide members with the latest information on the association's activities and to provide up to date information on federal and state legislative activities. All comments are welcome. Please address comments to:

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