

A Message from The Executive Director

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I have received 41 completed questionnaires out of the approximately 120 that were sent. What made some people happy made others angry, but what can one expect of such a diverse group? I am just glad that everyone seems willing to put personal differences aside for the opportunity to work together on the larger problems. For this I offer a very heartfelt thank you.

I have begun to tabulate the responses. In the process I could not help but note the written comments some of you included. These, and the way some of the questions on the questionnaire were answered, made me realize the importance of two respondents' comments. One person noted that there have been, "occasional breakdowns in communication with members," and another noted that we are, "not tooting own horn enough." Perhaps if we had tooted our own horn a little more there would not have been breakdowns in communication.

I would like to take this opportunity to clear up a few misperceptions and do a little horn tooting. The list of initiatives on which we asked you to express approval or disapproval are not ones we plan for the future. These were concrete things that we did over the past year or so. People who thought we had not done anything much, those who thought we were planning a national conference in Washington, D.C., next year, and people who had other unfounded ideas, should read this list again. I, for one, think it is pretty impressive.

While you may approve or disapprove of certain items, when added together we did a lot. For example, we supported private business versus government competition in Montana and Kentucky. We lead and supported initiatives that promote cultural resource legislation and regulations in

Pennsylvania, Illinois and on Capitol Hill. We developed a business ethics statement, dealt with federal agencies to obtain more equitable wages and job descriptions, and informed our members and the rest of the cultural resource community about legislation, regulations, and other important issues. ACRA did more as an organization to make people aware of the industry, to professionalize it, and to protect our businesses and jobs than any other preservation organizations combined.

There, I hope that has tooted our horn some. And just to show that this is not my own, unsubstantiated opinion, talk to the folks at the Advisory Council, talk to the folks at the Department of Labor, talk to the folks in the Washington offices of the Forest Service, the National Park Service, the BLM, and yes, even the Corps of Engineers, and talk to the folks at the Society for American Archaeology (that dirty word again), and ask why they are now talking about CRM as if it were more than a necessary evil. You can also talk to the executive directors of Preservation Action, the National Council of State Historic Preservation Officers, the Keeper of the National Register of Historic Places, and the individual companies embroiled in the wage determination issue.

There were various comments on the completed questionnaire about ACRA meeting the Advisory Council and some other organizations in Washington, D.C., last spring to discuss the "archaeology problem." Why didn't we include the other disciplines, people wanted to know. The only response we have for this is that we

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Executive Director..

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were asked to talk about the "archaeology problem"; we were not asked to talk about the "history problem," presumably because there is no "history problem." If someone invites you to their birthday party, you don't bring along your halloween costume.

This stretches over to some other concerns that members have had about the low number of nonarchaeological firms in ACRA and on the board, as well as the tenor of discussions on ACRA-L. As my mother used to say, "the squeaky wheel gets the grease." If it looks like there is too much emphasis on archaeology, the reason has more to do with the fact that the archaeologists have asked for our help and are not afraid to speak up and then act.

Every member of the present board of directors realizes we need more nonarchaeologists involved. This board may be the most sympathetic to the needs of archaeologists that ACRA will ever have. We have made every attempt and followed every lead presented to us to attract nonarchaeologists to the board and to the membership. I was turned down by various historians and others when I tried to set up the original steering committee and the first board of directors because many of the people I contacted did not consider themselves to be doing CRM, or that they had business type problems, or they were suspicious of our motives and wanted to wait and see what we would accomplish. For people to join any organization there has to be something in it for them. We have made the outreach; we have not been able to convince them that there is something in it for them.

This is not entirely the fault of ACRA, and probably has something to do with the lack of sophistication on business matters of many of the nonarchaeologists and their perceived need of an organization like ACRA. Most of the firms that have been around for a long time, for whatever reason, are archaeologically oriented and after 15 to 20 years of getting dumped on by clients, the government and each other, these firms have matured (well, at least in a business way) to the point that they see a real need for a business organization. Historians, as a general rule, do not seem to think they have such problems therefore ACRA does not

seem relevant to them. Perhaps we can modify our message and goals enough to attract more nonarchaeological firms in the future, but ACRA will only be accepted by nonarchaeologists when they perceive such a need themselves.

When a low, but significant, number of members feel that discussing labor unions, trying to get equitable wages for our employees on federal projects, or obtaining professional liability insurance are things best left undone, they are showing, it seems to me, a lack of understanding of the implications of these issues on their businesses and by extension the very nature of their businesses. To call ACRA's involvement whining or anti-union or a waste of time, shows that these things are not being thought through.

Practically no one I have talked to (in or out of ACRA) thinks any of us are paid too much or that our employees are paid too much and have too many perks. On the other hand, unions do not only concern themselves with wages. A union contract will not only affect how much you pay your employees, but it will also change the way you relate to your employees, whom you can hire, their terms of employment, and a bunch of other things. If you like working with your employees, you should seriously consider what a union will mean for you. You may decide to go for it, but to immediately bristle and call those who would rather not deal with unions (capitalist union bashers) shows a lack of understanding of the real issues here.

Similarly, to say that ACRA should not provide a conduit for firms interested in hiring a lawyer to promote a more equitable federal job description (a conduit that costs the other members nothing) just because one's firm does not have any archaeological technicians, is pretty shortsighted. Two years ago, no archaeologist ever thought that they would have to deal with the Department of Labor over wage determinations. We did not even know what they were. What happens ten years from now, when the DOL decides that historical researchers with a B.A. should be paid more than the owner of a firm? I hope you know that ACRA will be there to help.

Issues such as professional liability insurance may seem pretty esoteric now and a waste of time that ACRA could better spend elsewhere. Talk to some of our members who did not have such insurance and were sued for

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STRAIGHT FROM THE T-SQUARE

Donald M. Durst, Architect

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“BUILDING BRIDGES”

On August 16, 1996, the American Institute of Architects (AIA)-Columbus Chapter, the U.S. Army Corps of Engineers-Huntington District (USACE), the Ohio Historic Preservation Office (SHPO), and the Franklin County Engineer Office signed a Memorandum of Agreement (MOA) for the mitigation of two historic concrete arch bridges scheduled for demolition and replacement. The significance of this particular MOA is that discussion with both the Advisory Council on Historic Preservation (ACHP) and the American Institute of Architects (AIA) indicate that this event may be the first time a local AIA chapter has been a party to a specific MOA.

The Third Avenue and King Avenue bridges, located approximately three miles north of downtown Columbus and just few blocks from the Victorian Village Historic District, are both eligible for the National Register of Historic Places. Columbus, located in Franklin County, is the site of five of the original nine concrete arch bridges still standing in the county. At present, all remaining concrete arch bridges in Columbus are scheduled for demolition. In two to three years, there will be no concrete arch bridges left in the city.

When the Franklin County Engineer announced in early 1995 that their office was planning to demolish the Third Avenue and King Avenue bridges, the AIA-Columbus Chapter immediately became concerned over the long-term plan to demolish all of Columbus' historic arch bridges, the lack of public input, and the appropriateness of the design of the bridge replacements. The Third Avenue and King Avenue bridges were designed by Wilbur Watson, a well-known bridge engineer. Watson wrote several treatises on the proper ornamentation of concrete bridges, recommending that ornamentation emphasized structural members. The Third Avenue Bridge is considered his leading example of the implementation of his own theory.

The Third Avenue and King Avenue bridges played an important role in the development of the City of Columbus. *The Plan of City of Columbus*, published in February 1908, stated that bridges provide the city with “striking sites for sculpture.” The bridge itself, according to the Plan, should be one of the most distinctive and important of civic monuments. The Plan directed that all bridges be given the appearance of strength and permanence. This expression was to be achieved through either the use of masonry or concrete.

The Franklin County Engineer's Office had originally proposed to use a precast post and beam structural system with brick paneling for the replacement of the bridges. The new design was to use Victorian elements to replace a bridge

that was originally built as part of the City Beautiful movement. The new bridges attempted to be slender and elegant whereas the original structures were solid and monumental. Several meetings were held between the Harrison West Society and the City's Historic Resources Commission to try to improve the new design, but reaching an acceptable compromise was extremely difficult.

As a result of the failure to achieve a compromise, the AIA-Columbus made the decision to become involved in the design of the new bridges and the Section 106 review process. Initially, the AIA-Columbus was met with some skepticism because an existing MOA had already been signed between the SHPO and Franklin County Engineer's Office. After a few rounds of persistent but supportive negotiations, it was decided to forgo the original MOA and to allow the AIA-Columbus and the USACE to both participate in the Section 106 review process.

Once this hurdle was cleared, AIA Director Steven Shinn, AIA Historic Resources Chairman Richard Buchsieb, AIA members Charissa Wang, Franklin County engineer Mark Sherman, and neighborhood advocate Craig Copeland worked together to help redesign the new bridges and to develop the appropriate level of mitigation. The new bridges are now designed with smaller arches and all brick has been removed from the side elevations. The approach to the bridges is more monumental in nature and in keeping with the City Beautiful philosophy.

The mitigation includes the placement of several plaques, written in a story book format, that explain the history of these local bridges and the roles they played in the city's growth. These plaques will be located at each light fixture pedestal. A Historic American Engineering Record (HAER) documentation is to be completed prior to commencement of work. The drawings, photographs, and history are to help form the basic information to be included on and with the plaques. All HAER documentation is currently scheduled to be donated to a neighborhood library, the Ohio State University, and the SHPO.

It is important to remember that the bridge replacement project would have gone on regardless of AIA-Columbus participation. However, the AIA-Columbus was able to help bridge the valley between the neighborhood's concern over the insensitivity of the original design and County's concern over budget and project deadlines. It is hoped that associations such as the AIA and ACRA will continue to be proactive and stand in the lead to help their communities preserve their cultural heritage.

VALUABLE PAPERS INSURANCE COVERAGE

Chris Butler
C & D Butler Associates

One type of insurance coverage that is often overlooked, but can be very important to a business is coverage for valuable papers and records. In this month's issue of *ACRA Edition*, I am going to discuss this policy and explain why such coverage might be needed by ACRA members.

Last month I discussed the computer policy and how important it was for most businesses. With computer technology, valuable papers and records are often easily duplicated. However, this does not mean there is not the need to insure some papers and records. I suspect that many of you have reports, maps, documents, and other such items that are in paper form which, if damaged or destroyed, would cause a financial loss.

When reviewing a valuable papers and records policy, the first question to consider is the definition of these items. According to the definition used by Aetna's policy they are defined as:

"Valuable papers and records" means inscribed, printed, or written documents, manuscripts or records, including abstracts, books, deeds drawings, films, maps, or mortgages. But valuable papers does not mean "money or securities," converted data, programs, or instructions used in your data processing operations, including materials on which the data is recorded.

Certainly, most of you have some materials that fall into the definition of valuable papers and records, especially such items as maps, documents, and books. It is interesting to note that computer software, data, and media are not defined as valuable papers and records. Such items need to be insured

under your computer policy.

The next point to consider is what an insurance company will pay if valuable papers and records are damaged or destroyed. Again, referring to the Aetna policy, the company will pay the cost to research or replace the damaged property up to the limits of the policy. An example might be maps that you have purchased for \$5,000. A fire destroys the maps and you discover that your standard property policy only insures valuable papers up to a \$1,000 limit. By having the valuable papers policy you would be able to replace the maps for the full \$5,000. Problems do arise if you have items that are not easily replaced or the valuation is somewhat difficult to determine. It is my recommendation that you discuss your particular situation with your insurance agent and determine if it would be better to specifically schedule these items. The key point I want to make is that, in this case, the standard property policy did not adequately cover valuable papers and records.

There are a few other items to consider. One is that the policy does extend to property of others in your care, custody, and control. Also, the coverage territory includes property away from your premises while in transit or within premises of others whenever located within: U.S., Puerto Rico, and Canada. Finally, the policy does not cover property which is located at a field site away from your office. In order to have property covered in these circumstances, it would be necessary to obtain a separate endorsement.

As important as having insurance to cover a loss, is protecting property from loss in the first place. If you do not have a fire proof vault, get one. Keep your valuable papers and records stored properly so the potential for loss is minimal. The best insurance policy is being actively involved in loss prevention!

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things beyond their control. Even though they won the lawsuit they had horrendous legal costs, and there was absolutely nothing they could do about it. When someone else decides to sue you, even if you know you are right, it is a terrible feeling to know that the suit is essentially beyond your control.

One last thought. There has been much talk on ACRA-L, in the newsletter, and in the comments on the questionnaires about why we are or are not taking the side of small business. There seems to be a misunderstanding of how we use these terms in ACRA, and that is the Board's fault for not making this clearer. All ACRA members, with the exception of two or three, are small businesses by all objective or governmental standards. We all qualify for small business status on loans and federal contracts. We are essentially a small business industry, and therefore ACRA supports small business initiatives and is against things that will hurt small business like EDI/EC and some of the new federal procurement regulations. Within ACRA, we have three size levels (essentially three levels of small businesses): small sized businesses (those making less than \$500,000 gross a year), medium sized businesses (from \$500,000 to \$1,000,000) and large businesses (over \$1,000,000). By everyone's yardstick outside the industry these are all small potatoes. The levels only have meaning for ACRA. The size categories were based on the first set of questionnaires we sent out in 1994, and they were made to more evenly distribute the board members among the different sizes of firms and to give the smaller firms a break in dues, particularly those grossing under \$100,000. For those of you who think that we have not attracted enough of these smallest firms, it may come as a surprise to know that they are the largest single category of members in ACRA, despite the "exorbitant" dues of \$150 per year. Considering everything ACRA has done over the past year and a half, including leading the fight to save the Advisory Council (and thus your livelihood), that's pretty cheap.

I hope to have the data from the questionnaire tabulated and ready to be presented to the membership in Sacramento. This will include new goals suggested by members, and a discussion of your comments on the "best" and "worst" of ACRA. Hope to see you there.

Tom Wheaton
Executive Director

ACRA History News

Carol Mehls, Historian



The November elections are fast approaching and environmental and preservation issues are certainly being talked about in Colorado. I hope that the rest of you are actively involved with local and national elections. During the last year ACRA members learned first hand the value of political connections. If we are to continue to maintain political momentum we must all be involved at the local, state and national level.

If you haven't asked your candidates their positions on NAGPRA, the ACHP or NEPA, do so immediately. Raise the issue in public forums — the debate or lack thereof will provide you with insight about preservation politics.

If a candidate is elected that does not have a strong pro-preservation position - monitor their actions. Find out their committee assignments. Have your name placed on their mailing list for environmental or preservation issues. Ask to be considered an "interested public" for cultural resources issues. Find out the name of their staff member responsible for preservation or environmental issues and talk or write that person regularly.

This column is designed for anyone interested in historical issues relating to cultural resources management or preservation. Your viewpoint and comments are welcome. Please write: Carol Mehls, WHS, 1225 Atlantis Avenue, Lafayette, Colorado 80026.

New Web Site:

Advisory Council Web Site

The Advisory Council On Historic Preservation has a new web site, and ACRA has a couple of links to it. (<http://www.mindspring.com/~wheaton/ACRA.html>)

Among other things, their site has a copy of their response to the Appropriations Committee request to justify their existence last spring. You can download it if you want.

If you visit their site, please let them know you found out about it from ACRA, by sending them a e-mail message. Just click on the mail to link at the bottom of their page where they ask you for input and comments.

ACRA Committee Reports

Labor Relations Committee - Summary

At the 7-8 October 1995 ACRA meeting in Washington, D.C., the Labor Relations Committee (originally the Wage Determination Committee) was charged with investigating issues of member concern associated with labor relations and the McNamara-O'Hara Service Contract Act of 1965. What follows is a summary of the committee's findings, actions, and recommendations for action by the Board.

Summary of The Issues

Many, if not most, of the federal procurements and contracts we are involved with are prepared under the McNamara - O'Hara Service Contract Act of 1965 (SCA). For nonprofessional employees in specific job classifications (e.g., Cartographic Technician, Archaeological Technician), the SCA contains a provision for wage determinations that theoretically are based on the prevailing wage for each job classification in a particular locality. The Department of Labor (DOL) is supposed to use market data (often derived from union sources) to determine what the prevailing wage is. However, in the absence of market data, the DOL is allowed to use a process called "slotting" to come up with a prevailing wage. Through the use of this process, the prevailing wage rates that are appearing in SCA wage determinations are substantially higher than the wages currently being paid to Archaeological Technicians by both consultants and the federal government. According to the Department of Labor, the current prevailing wages (October 1994) for job classification 29020 Archaeological Technician ranges from \$8.49/hr in Fayetteville, NC, to \$21.75/hr in Houston, TX; the median wage is \$16.33/hr in Columbus, OH. The United Archaeological Field Technicians (UAFT) union has used these inflated wage determinations in a bid to obtain higher wages from the CRM industry.

In response to this situation the Labor Relations Committee has four concerns: 1) that the description of Archaeological Technician published in the Service Contract Act Directory of Occupations is inconsistent with the actual duties of Archaeological Technicians as used in our industry, 2) that most of the wage determinations that have been issued for Archaeological Technician establish minimum wages and fringe benefits considerably higher than those actually prevailing, 3) that there is great variability in wage rates between jurisdictions, and 4) that we are interested in understanding how the Department of Labor arrived at the current wage determination and what data sources the Department used as a basis for the wage determination.

Committee Actions

On 25 January 1996, the Labor Relations Committee sent a letter to the Department of Labor, Wage Determination Divi-

sion, introducing ACRA and outlining three of the four concerns cited above. The letter informed the DOL that ACRA was interested in working with the Department of Labor to provide complete and accurate information for position descriptions and wage determinations.

Upon the Committee's recommendation, ACRA retained an attorney to provide guidance to the Committee and represent ACRA's interests to the DOL. Maurice Baskin (Venable, Baetjer, Howard & Civiletti) was recommended highly to the Committee by several sources. ACRA also set up a legal fund to pay the costs of the wage determination challenge (suggested member contributions of \$1000).

During the year, Committee members met with representatives of the U.S. Forest Service (USFS), the National Park Service, and the Bureau of Land Management and held conversations with representatives of the U.S. Army Corps of Engineers. The objective of these meetings and conversations was to develop a unified strategy for presenting modified (Archaeological Technician) position descriptions to the DOL. Ultimately the U.S. Forest Service took the lead in this endeavor, supported by input from ACRA's Labor Relations Committee.

In April, ACRA's Board reviewed a letter drafted by Mr. Baskin, defining ACRA's support for more appropriate job descriptions as established in the U.S. Forest Service's appeal of the Monongahela Forest wage determination challenge. In response, ACRA members prepared letters to the DOL expressing industry's concern with the current wage determination situation and our support for the USFS solution. The Committee has worked diligently to assist the U.S. Forest Service in their efforts to modify the position descriptions and wage rates currently used by the DOL for Archaeological Technician.

In August, the USFS submitted revised position descriptions to the DOL. The revised descriptions reflect some, but not all, of ACRA's comments. These descriptions have the support of the U.S. Army Corps of Engineers, Bureau of Land Management, and National Park Service.

The revised position descriptions recognize three levels of Archaeological Technician and even though levels of supervisory responsibility are not made explicit until the Level 3 description, there is an implication that the three levels generally correspond to the construct crew member, crew chief, and field supervisor. The USFS also attached federal wage grade equivalents to each of the position descriptions ranging from GS-4 to GS-6/7.

Although the position descriptions must be considered in draft form, and the GS levels certainly should not be construed as wage determinations. It is important that ACRA's membership is aware that a change is imminent for the Archaeological Technician (29020) position description. In light of this pending change it is equally important that the membership inform federal contracting officers of the possible consequences for CRM procurements

under the Service Contract Act.

To date, the DOL has not responded to the U.S. Forest Service. Although the Directory of Service Contract Occupations, supposedly containing the revised descriptions, was to have been published in August, it has not yet been published. The Committee, working with Maurice Baskin, is continuing to monitor the situation.

W. Kevin Pape, Chairperson

Workers' Safety Committee Report

Members of the Workers' Safety Committee include Loretta Neumann, John Sprinkle, Anne Giesecke, Clark Dobbs, Loretta Lauentzen, Joe Schulderein, Tom Wheaton, and Chuck Niquette.

After a flurry of activities resulting from forming the committee, the committee has not been very active in the last several months. One thing we do want to bring to your attention is the special workshop we have arranged in conjunction with the ACRA annual meeting.

On November 1, 1996, from 1:30-4:00 p.m., ACRA will host a special workshop on OSHA Health and Safety Training for CRM Practitioners. Two experts from Woodward-Clyde, OSHA Specialist Cathy Carr-Clinch, and Architectural Historian Mary Sayers, will provide an overview of the health and safety concerns that cultural resource professionals are likely to encounter in your everyday work. They will address the interests of architects, architectural historians, historians, and archaeologists. Topics include an introduction to the Occupational Safety and Health Act (OSHA); chemical, physical and biological hazards in the office and field; and trenching and confined spaces. The course is only \$50.00. We hope all of you will attend.

We also hope that discussions and issues raised during the workshop will generate future directions for Workers' Safety Committee.

Loretta Neumann, Chairperson

Awards Committee

Since June the ACRA Awards Committee has worked on Procedures and compiled an Awards List. Every member should have received information in September

outlining ACRA Awards and procedures for nominating candidates. The deadline for receiving nominations for this year was October 9, 1996. We had very FEW nominations this year (4)! We hope that with a longer nomination period in 1997 we can improve on the number of candidates and the number of award categories.

Adrian White, Chairperson

Education Committee Report

At the Sacramento ACRA meeting I intend to discuss the feasibility of implementing a concerted ACRA sponsored program for internships that will center on structure and mobilization of support from universities. There are several thorny issues inherent in formalizing these programs. I would note that for my own operation while the use of interns has dramatically increased efficiency and cut costs, it has compromised continuity. More critically, there are major ethical ramifications implicit in the "overuse and exploitation" of internship programs that expose the cut-throat aspects of our business. On the other hand, interns are ambitious, interested, and motivated, all traits that promote positive work environments and enhance the products we deliver. The major issue, however, is whether or not ACRA wants to actively champion internship programs, advance moves for inclusion of CRM in university curricula, and adopt these issues under the auspices of a major agenda. If the answer is affirmative, we will have to develop an infrastructure for implementation that is above and beyond a committee's charge.

Joe Schuldenrein, Chairperson

Best Practices Committee

The Best Practices Committee was formed in 1995 in an effort to identify and solve problems that ACRA members have observed in the responsiveness of the SHPOs and Agencies to make them less prone to costly review comments and decisions and to generally promote accountability in the process. Recently, the committee contacted Eric Hertfelter, Executive Director of the National Association of State Historic Preservation Officers (NCSHPO) and the originator of the idea for a Best

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Committee Reports..

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Practices Committee. This committee is comprised of members from both the government and private sectors. Mr. Hertfelter provided some enlightening suggestions about how ACRA-L can be used to help in furthering the mission of this committee and a larger Best Practices panel as well. This information will be further discussed at the ACRA Annual Meeting in Sacramento.

Membership Committee

The membership committee of ACRA, formed at the board meeting of the first annual ACRA meeting in Washington, D.C., in October 1995, was tasked with finding ways to increase the membership of the organization. This is a vital part of ACRA since dues represent virtually all of the income it takes to operate the association. The committee has been reviewing ways to attract members and increase ACRA's income, but to do this without relying heavily on board members who are already carrying out other association tasks. In other words, an effort has been made to delegate these duties to the broader membership.

Competitive Practices Committee

The Competitive Practices Committee, similar to the Best Practices and Membership Committees, was set up during the first annual meeting of ACRA in Washington, D.C., in October 1995. At the urging of the membership, this committee was originally tasked with exploring the problems of unfair competition in the business of cultural resources between the government and the private sector. The committee was set up as a clearinghouse for information and not a committee to recommend any kind of policy. The committee is still working on establishing if and how level the "playing field" of cultural resources business is between profit, and nonprofit, and academic institutions. When this is established, intangibles will still have to be defined including training and professionalization issues.

Mike Polk, Chairperson

News From ACRA-L

Request From The Georgia SHPO

The Georgia State Historic Preservation Office would like the ability to advise local governments in Georgia about including archaeology in their local historic preservation ordinances. Most ordinances deal only with historic buildings, and even at the state level, emphasis is on architecture to the near exclusion of archaeology.

If you have access to such local ordinances and historic preservation bylaws/guidelines please fax them to Chip at 404 -657-1040 or mail them to Chip at the Historic Preservation Division, 500 Healey Building, 57 Forsyth Street N.W., Atlanta, Georgia 30303.

The Georgia SHPO is also making personal contacts and has or will post a similar request on the NCSHPO's listserv. If you send something as a result of this message, however, please note in your

Washington Controversy: Discovery of Caucasoid Human Skeletal Material Dating to 9300 BP.

With the ACRA annual meeting quickly approaching, I thought it might be useful to call people's attention to a recent fight over "who owns the past." I'm wondering if ACRA as an institution can take a firm stand on this issue and offer some legal help to the archaeologist involved.

The situation to which I am referring is the discovery in eastern Washington of Caucasoid human skeletal material (with a lithic projectile point imbedded in one of the pelvic bones) radiocarbon dated to 9300 BP. Apparently, the local U.S. Army COE authorities are siding with the Umatilla tribal leaders to quickly repatriate the skeletal material before additional tests (e.g., DNA analysis) can be done.

The Benton County Sheriff's Office initially contacted a local archaeologist, Dr. James Chatters for the forensic work. Dr. Robson Bonnichsen was quoted in favor of additional testing in the recent New York Times article. Another player quoted in the article was Mr. Armand Minthorn, a member of the Umatilla Board of Trustees; he cited the Native belief that their oral history extends back 10,000 years and that the scientists are being disrespectful.

I believe this issue is of critical importance - on the caliber with ACRA's efforts in the legislative lobbying process - and I am hoping that ACRA members and other subscribers to ACRA's e-mail will make a concerted effort to take a stand. Hopefully there is still room and time for a compromise - to have additional studies performed and to turnover the skeletal material to a tribe for reburial in a timely manner. In fact, on the basis of DNA testing it may even arise that the skeletal material is more closely related to an extant tribe different from the Umatilla!

Please share your thoughts and ideas - time is of the essence, as always. Thanks.

Sincerely,
Amy L. Ollendorf, Ph.D.
Braun Intertec Corporation
Mendota Heights, MN

104th Congress Ends with Flurry of Action

By Loretta Neumann, CEHP Incorporated

ACRA scored a major victory on the Hill when Congress passed the reauthorization of the Advisory Council on Historic Preservation. But the Council's reauthorization was one of many important issues that ACRA took an active role in. The following highlights some of our successes.

Advisory Council on Historic Preservation Reauthorization

One of the hardest fought battles this year was the reauthorization of the Advisory Council on Historic Preservation. Early in the year, it looked like the bill would sail right through. In March, ACRA testified in support of the Council before the House Resources Subcommittee on National Parks. Then things took a down swing when the subcommittee abruptly canceled several scheduled mark ups on the bill. By July, staff had added it to an omnibus parks and public lands package they were putting together. Congress kept the Council's reauthorization in the omnibus bill despite reported objections from industry and property rights groups, because of strong constituent support. ACRA worked hard to save the Council and sent letters to conferees to ensure the Council's reauthorization stayed in the bill. All efforts were vindicated when the Senate finally passed the omnibus bill, H.R. 2436, on October 4, 1996, just before adjourning for the year.

ACRA also monitored the proposed reorganization at the Advisory Council on Historic Preservation and made certain that the Council's top executives are aware of ACRA's concerns relating to the proposed downsizing of the Western Office of Review.

Interior Appropriations

Another major victory was final action on the fiscal year 1997 Interior Appropriations. Late on Monday September 30, just before the 1997 fiscal year began, the President signed Public Law 104-208, the omnibus appropriations bill for six federal agencies including Interior. It was a long and winding road as the Senate pushed the bill through just hours before sending it to the President, thus avoiding a looming government shutdown. Despite rumors that the mega-appropriations bill might include provisions from the Presidio/Omnibus Public Lands bill or other anti-environmental riders, this did not happen.

ACRA was active throughout the entire appropriations process. Action really started in March when ACRA testified before the House Interior Appropriations Subcommittee and followed up with letters to members of the subcommittee. In June focus shifted to the Senate and ACRA hand delivered personalized letters to all Senate Interior Appropriations committee members, as well as encouraged individual ACRA members to contact their Senators. All our work paid off with preservation funding remaining level. Following is the breakdown of funding for major preservation accounts:

- * Overall National Park Service \$1.414 billion up from \$1.267 billion in fiscal year 1996.
- * Historic Preservation Fund: \$36.212 million, level with fiscal year 1996. Includes \$29.394 million for states; \$1.896 for tribes; \$1.422 for historically black colleges; and \$3.5 million for the National Trust. The Trust will also receive an additional \$400,000 for emergency restoration at Fort Smith, AR.
- * Advisory Council on Historic Preservation: \$2.5 million, level with fiscal year 1996.
- * Bureau of Land Management: \$12.059 for cultural resource management, up from \$11 million in fiscal year 1996.
- * Forest Service: \$13.570 million for heritage resource management, level with fiscal year 1996.

Presidio/Omnibus Parks Bill

The Presidio bill turned into a "Christmas tree" as members kept adding baubles. One included the Advisory Council's reauthorization. The House offered a revised package, H.R. 4236, and passed it on September 27. All eyes turned to the Senate as the final legislative minutes tick off on October 4. Staff for both Republicans and Democrats were sure that H.R. 2436, the Omnibus Parks and Public Lands bill would get to the Senate floor before time ran out. Senator Frank Murkowski (R-AK) was expected to withdraw his objections and allow the bill to come to the Senate floor in return for Administration agreements concerning increased logging on the Tongass National Forest. (The administration had previously promised a veto of the omnibus bill if it

..continued on Page 10

included increased Tongass logging.) The Administration's letter on the matter was apparently not sufficient to meet Murkowski's demands, however. Other Senators worked mightily to cut a deal. At about 4:50 p.m. the Senate approved H.R. 2436, the omnibus parks and public lands bill by unanimous consent. President Clinton said he will sign it into law.

Earlier versions of the Omnibus Parks bill included other controversial provisions — such as increased motorized use of the Boundary Waters Canoe Area Wilderness and corporate sponsorship of the National Park System — but these were dropped by the House before it passed the legislation on September 27. The revised bill still benefits 113 parks and monuments, creates new historic trails, expands many park boundaries, establishes a number of heritage areas, and reauthorizes the Bureau of Land Management and the Advisory Council on Historic Preservation. It also includes a last minute addition requiring Senate confirmation for the National Park Service Director.

Military Construction

Early in July, we became aware of some damaging language in the senate report accompanying the fiscal year 1997 military construction appropriations. It said that the military was overburdened with historic military housing and rehabilitation costs for such houses were out of line with other rehabilitation costs. It directed services to review all historic housing on installations and prepare a report depicting how they would remove all structures except the most important from their historic inventories. We coordinated letters to conferees for ACRA and members of the National Preservation Coordinating Council and contacted congressional staff and worked with other organizations such as Preservation Action, NCSHPO and the National Trust. As a result of these efforts, additional language was inserted that stated that the military services must coordinate with the Advisory Council on Historic Preservation and other relevant preservation organizations in preparing their report.

NAGPRA

The introduction and quick movement of amendments to the Native American Graves Protection and Repatriation Act caused ACRA members some concern and resulted in a lively discussion on the ACRA-L list serve. We monitored the bill and coordinated with ACRA leadership on the Association's response to the amendments, contacted Congressional staffs, and drafted and hand delivered a letter for the President of ACRA to send to appropriate members of Congress. We coordinated with Senate Indian Affairs Committee staff and alerted

ACRA when NAGPRA amendments passed the Senate in a fast turn around. We also coordinated closely with the House Resources Committee subcommittee on Native Americas regarding prognosis for passage in House and alerted ACRA when action was needed. ACRA hand delivered letters to the Resource Committee leadership outlining the Association's concerns with the bill.

Army Corps of Engineers

The Corps of Engineers' proposed changes in their nationwide permit system for Section 404 permits, relating to projects that affect wetlands. We became aware of the proposed changes and recognized the potential danger to archaeological sites. ACRA took an active role in submitting comments that the Corps' process seems to be in violation of Section 106 of the National Historic Preservation Act. We coordinated with the Advisory Council staff and with other organizations, such as the National Trust and Preservation Action to generate a variety of letters on the issue.

All in all this has been a very interesting, active and - in the end - productive year!

This article was prepared with the help of Kathleen Schamel.

Advertising Space Available

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Sacramento Board Meeting Agenda October 31, 1996

Here is the agenda for the board meeting to be held on Thursday, prior to the annual conference. The board meeting is open to all members, although members may only participate in the discussions if directly recognized by the chair. The meeting has a lot to consider and not much time (3-6 p.m.).

- ◆ Board Meeting (Chuck Niquette)
- ◆ Minutes (Secretary)
- ◆ Committee Reports
 - Ethics Committee (Dan Roberts)
 - Conference Committee (Dana McGowan)
 - Newsletter (Jeanne Harris, editor)
 - Labor Relations (Kevin Pape)
 - Education (Joe Schuldenrein)
 - Competitive Practices (Patrick O'Bannon)
 - Best Practices (Mike Polk)
 - Membership (David Ketz)
 - Worker Safety (Loretta Neumann)
 - Awards (Adrian White)
- ◆ Vote on Officers - President & Secretary
- ◆ Reconfirm Other Officers
- ◆ Vote on Amendments
- ◆ Removal of Board Members
- ◆ Members in Good Standing
- ◆ Notice of Meeting Period
- ◆ Budget/Treasurer's Report (Treasurer, Exec. Dir.)
- ◆ Tax Exempt Status
- ◆ Review Since April 1996
- ◆ Plan for Rest of Year
- ◆ Set up 1997 Budget
- ◆ Next Year's Meeting Date, Location and Chairperson
(Suggested Locations: Denver/Boulder, Kansas City, St. Louis, or Chicago)
- ◆ Presentation of Professional Liability Insurance Plan (Chris Butler and another)
- ◆ Possible Amendment To Set Up a President-Elect, Past President System (Executive Director)
- ◆ Formalize Policy Making Procedures
- ◆ Approval to Hire a Management Firm Executive Director)
- ◆ Preparation of Report to Membership for Sunday Business Meeting (New Secretary)
- ◆ Other New Business

ACRA Annual Business Meeting November 3, 1996

All members are strongly encouraged to attend the annual business meeting. This is your opportunity to assess what the board has been up to, sound off about your gripes and suggestions and generally participate in the direction that ACRA will take in the coming year.

- ◆ Introduce New President
- ◆ Minutes
- ◆ Treasurer's Report
- ◆ Board Meeting Report
- ◆ Presentation of 1996 ACRA Awards
- ◆ Presentation of Professional Liability Insurance Plan (Chris Butler and another)
 - Vote on Plan
- ◆ Overview of the Questionnaires on ACRA
- ◆ Initiatives and Priorities
- ◆ Committee Reports (shorter versions of those given at Board Meeting)
 - Discuss Each Topic to get consensus
- ◆ Appoint new members to committees (and chairs if necessary)
- ◆ Membership Committee Discussion
- ◆ Other New Business

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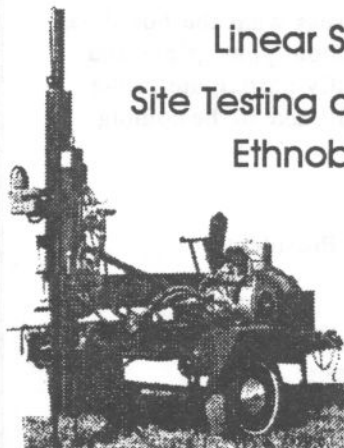
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ACRA Edition is a monthly publication of the American Cultural Resources Association. Our mission is to promote the professional, ethical and business practices of the cultural resources industry, including all of its affiliated disciplines, for the 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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