

# MESA VERDE NATIONAL PARK

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HEARING  
BEFORE THE  
SUBCOMMITTEE ON NATIONAL PARKS  
OF THE  
COMMITTEE ON  
ENERGY AND NATURAL RESOURCES  
UNITED STATES SENATE  
ONE HUNDRED TWELFTH CONGRESS  
FIRST SESSION

TO

EXAMINE ISSUES AFFECTING MANAGEMENT OF ARCHAEOLOGICAL,  
CULTURAL, AND HISTORIC RESOURCES AT MESA VERDE NATIONAL  
PARK AND OTHER UNITS OF THE NATIONAL PARK SYSTEM

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MESA VERDE NATIONAL PARK, CO, NOVEMBER 5, 2011



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## MESA VERDE NATIONAL PARK

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SATURDAY, NOVEMBER 5, 2011

U.S. SENATE,  
SUBCOMMITTEE ON NATIONAL PARKS,  
COMMITTEE ON ENERGY AND NATURAL RESOURCES,  
*Mesa Verde National Park, CO.*

The subcommittee met, pursuant to notice, at 11:10 a.m. in the CCC Recreation Hall, Mile Post 19, Mesa Verde National Park, CO, Hon. Senator Mark Udall presiding.

### **OPENING STATEMENT OF HON. MARK UDALL, U.S. SENATOR FROM COLORADO**

Senator UDALL. Good morning. The National Parks Subcommittee will come to order here at Mesa Verde National Park. Before we begin this morning, I'd like to recognize Terry Knight, who's the Tribal Historic Preservation Officer for the Ute Mountain Ute Tribe for a welcoming prayer.

So Terry, if you would come forward. We're really pleased you're here.

Mr. KNIGHT. Where? Up there?

Before doing the invocation I just want to thank all of you for being here. Say good morning. Traditionally when we, the native people, have a gathering for whatever purpose, we always call upon the Creator and the Great Spirit to give us that added assistance. So whatever we're doing and whatever we're going to be discussing. That way we have some kind of a satisfactory feeling that we have accomplished something. That kind of paves the way for our endeavors whenever we go. I just wanted to say that before my prayer.

[Speaking in different language.]

Senator UDALL. Thank you, Terry.

I'm tempted to ask Terry how much snow he asked the Creator to deliver the rest of the day.

[Laughter.]

Senator UDALL. We all know how much moisture can do. Thank you for setting the right tone. I've had a chance to go over for a couple of minutes to the museum and looked at the Spruce Tree House. It only takes a moment to realize the power that's here on this Indian, green, Mesa. It's Mesa Verde.

So welcome to all of you. I'm really pleased to be able to chair a hearing of the Senate Subcommittee on National Parks to examine the issues affecting the National Park Service's management of archaeological, cultural and historic resources both here at Mesa Verde and at other National Parks throughout the country.

During this hearing today, I'd also like to explore other resources that contribute to the economic development and job growth in the communities surrounding the special places we call parks. When people think about National Parks they think of the amazing landscapes and spectacular scenery, but many don't realize nearly two-thirds of the almost 400 sites protected as a part of the National Park system were primarily established to preserve cultural and historic resources. In fact Mesa Verde was designated as a National Park in 1906 and I think actually the National Monument was later. I don't know. Was it a National Park in 1906?

Alright. Thank you for that clarification. So this is right.

You all know the important process by which national monuments are designated and designated by the Congress as a National Park, the Grand Canyon being one more example. But the Congress had wisdom in 1906. Could we see some of that wisdom in 2011?

[Laughter.]

Senator UDALL. But in fact Mesa Verde was designated as a National Park in 1906 to protect its amazing archaeological resources in the famous cliff dwellings making it the very first National Park created primarily to protect cultural resources. I see a number of friends here among them, Jim Dyer, who worked with—for many years for us and everybody gathered here today. The personal connection is a powerful one.

I had the good fortune to pick my parents. My mother, Patricia Emery was a Coloradan. She loved this part of the world. As a young boy we traveled over and over again to this part of the Southwest and—we'd see—on the National Monument. I'd spent many a day on the tour of the canyon. I was amazed at the astronomy sites at Chaco Canyon. The list goes on and on.

I've even imagined what it would be like to be a John—or a Rich—and ride through the rim of one of these canyons 100 years ago. So this is really special and personal to me.

That contact at Mesa Verde really makes history come alive, but it's also a really important economic resource that provides important local jobs, over half a million visitors from around the world a year. In a difficult economic time you hear some people say, well can we afford to protect the special places in our history and our culture? My answer is a resounding yes, might even say it's a hell, yes. That's partly what I want to do here, which is highlight the strong benefits to the local economy that a park like Mesa Verde brings.

In effect, that's why I want to hold this hearing here today. To draw attention to the amazing resources here, the threats they face and the steps that need to be taken to recognize all the values that the park provides. As an example, I know the park is building a visitor research center on the way up the beautiful winding road at the top of the Mesa. In addition to the new research center, there are improvements that are right for the park investment, park interest I should say. Those investments, not only that showcase what the park has to offer, make it more accessible to visitors and help protect threatened, irreplaceable resources. But they're also important to the local economies.

Just in Montezuma County, Mesa Verde National Park has helped generate around \$70 million each year in tourism related revenue which helps support about 1,000 local jobs. When one job matters, 1,000 local jobs are very, very significant. I think it's important to note that the size of the construction appears related to benefits. The park also provides for important historical and archeological research throughout the region and the country.

This region is blessed with cultural resources. I should note that Senator Bennet and I offered a bill to create the Chimney Rock Archeological Area and National Monument. We've been joined by Congressman Tipton, who has introduced the bill in the House. That site is very close to why we are here today and becoming a unit of the National Park Service. It would—when we get Chimney Rock designated it would help protect the unique Chaco archeological site that's located between Durango and Willowtail Springs where there are two spectacular rock spires there as well as the remains of the Great House and other buildings built by the ancestors of the Pueblo Indians over 1,000 years ago.

Much remains unknown about the Chaco people and the site itself. It is a site of astronomical and religious significance. It's certainly a very important archeological site.

But with that backdrop, it's important to note that the park's cultural resources face a number of challenges. That's also what I wanted to explore in this hearing. For example, Mesa Verde's cliff dwellings are threatened by weather changes, such as drought, which then in turn causes an increase in wildfires. In fact, the Superintendent and I were talking and I understand that over half the park has been burned at some point in the last 15 years.

The park has exposed a lot of new archeological sites, but now those sites are vulnerable to erosion and rain damage. They're also at risk of being damaged by plants and animals as well as vandalism.

If you look beyond Mesa Verde, the management of cultural resources throughout our country poses a tremendous challenge for the National Park Service. The Park Service preserves and protects over two million archeological sites, over 27,000 historic structures and over 120 million historic documents. So those numbers are amazing to me. They point out that the Park Service has vast responsibilities which are even more of a challenge as the agency faces increasing budget limitations.

So one of my goals as the Chairman of this Subcommittee, was to spend more time on the older side of park management issues. So in that spirit I've asked a very distinguished panel of witnesses to come here today so that we can better learn what can be done to protect these amazing resources, what still remains to be done and any legislative actions that we need to consider in the Congress. I'd like to explore additional economic opportunities related to our cultural heritage and what we can do to encourage generations of Americans to come and enjoy our National Parks.

Finally I'd like to thank, I should use a more formal title, the Park Superintendent, Cliff Spencer and his fantastic staff for their help in making this hearing possible. I'd like to particularly recognize Bill Elliott for his efforts. He went the extra mile to ensure that this day was planned so that we can maximize our time.

As a quick aside there was a proposal a while back to privatize the National Park Service. I sit on the Armed Services Committee in the Senate. Jim Dyer is the Marine, best Marine—and when I heard that proposal to me it sounded a little bit like we’re going to privatize the Marine Corps. We’re not going to privatize the Marine Corps. We’re not going to privatize the National Park Service. They are wonderful, unique, American institutions filled with dedicated people, who are a part of what I call the portfolio of America’s best ideas.

So thank you, Superintendent, for all that you do and your staff do as well.

So let’s turn to our panel because I didn’t come here to listen to myself talk for very long, I hope.

Let’s turn to our first witness, Laura Joss of the National Park Service. Ms. Joss serves as the Intermountain Region Associate Director for Cultural Resources. Welcome. We’re glad to have you here, Laura. We look forward to your testimony. When you’re finished I’ll have a few questions I will direct your way.

So thank you. The floor is yours.

**STATEMENT OF LAURA JOSS, DEPUTY REGIONAL DIRECTOR,  
CHIEF OF STAFF, INTERMOUNTAIN REGION, NATIONAL  
PARK SERVICE, DEPARTMENT OF THE INTERIOR**

Ms. JOSS. Thank you, Senator Udall. I do want to correct that my title is Deputy Regional Director, Chief of Staff.

Senator UDALL. Thank you for that correction.

Ms. JOSS. That will be the last correction.

Senator UDALL. We’ll make sure that’s in the record.

Ms. JOSS. OK.

Welcome Senator Udall and all of our distinguished guests who made it up the hill this morning. Thank you for being here. We are honored to have you at Mesa Verde National Park and the Intermountain Region of the National Park Service. We are honored you have chosen this World Heritage Site for your hearing.

Mr. Chairman, I appreciate the opportunity to appear before you today at this oversight hearing on issues affecting management of archeological, cultural and historic resources at Mesa Verde National Park and other units of the National Park System. I would like to submit our full statement for the record and summarize the statement here.

Senator UDALL. Without objection.

Ms. JOSS. Thank you.

Congress established over half of the National Parks specifically to protect cultural resources. Almost all parks contain some type of cultural heritage. Resources are at risk of destruction from lack of maintenance, intentional looting and vandalism. More intense fire regimes and changes in precipitation and temperature patterns have begun to affect the stability and integrity of cultural resources as well.

Nationally, the National Park Service is working to coordinate and redirect cultural resource efforts in a way that aligns with Director Jarvis’ emphasis on stewardship, relevancy, education and the work force and that supports both the President’s America’s Great Outdoors Initiative and the National Park Service Call to Ac-

tion. Current efforts are focused on using available resources to address our most critical needs, providing renewed coherence to our efforts and identifying areas where additional support is needed. The National Park Service has already started to address these goals by planning to integrate and link our 14 cultural resource data bases to facilitate management efficiencies.

One of the most successful responses to the challenges of caring for cultural resources in recent years has been the Vanishing Treasures Program, which is an Intermountain Region initiative to support cultural resource management in parks in the arid West. This program is helping to address the devastating destruction of irreplaceable historic and prehistoric structures, as well as the potential loss of traditional building and preservation expertise.

Mesa Verde National Park is a good example of a park that, with support from the Vanishing Treasures Program, identified and prioritized cultural resources and took concrete steps to preserve and protect the most significant resources. Since 1998, the program has provided funding for cultural resource projects and to support positions for cultural resource staff. As a result, 106 cliff dwelling sites in back country areas, including 24 dwellings that had been affected by wild fires, have been assessed and prioritized for future documentation and preservation treatment. Vanishing Treasures also funded documentation at 2 large cliff dwelling sites, Spring House and Spruce Tree House.

The National Park Service is implementing a variety of other cultural resource management strategies throughout the National Park System. In Nevada, the Southern Nevada Agency Partnership shares resources among Federal agencies for a volunteer site stewardship program. Private citizens assist agencies in monitoring and protecting archeological sites on Federal lands from looting and vandalism and receive training in site stewardship. This community civic education is crucial for the protection of the sites. The Cultural Site Stewardship Program received the Department of the Interior Cooperative Conservation Service Award in 2007.

In Hawaii, traditional organizations and local communities are working with a national park to repair temple compounds that were damaged by earthquake. The stone structures are being repaired with traditional methods and traditional tools. The park has facilitated sharing and teaching these technologies and the community involvement benefited the park by saving \$3.5 million in repairs. For their work, the coordinating traditional organization was awarded a Partners in Conservation Award in 2011 from Secretary Salazar.

We have many different programs that train young people to be tomorrow's cultural resources stewards.

In Texas, San Antonio Missions National Historical Park has partnered with its friends group, Los Compadres, and a youth group to develop an apprenticeship program in masonry repair.

In Massachusetts, the Salem Maritime National Historic Site has developed the First Jobs Youth Program to provide employment to young people while teaching them cultural resource preservation skills.

Also in Massachusetts, NPS employees at the Frederick Law Olmstead National Historic Site are working to get cultural land-

scape learning activities into the third grade curriculum of the public schools. To date, 1,000 third graders from the Boston and Brookline public schools have participated in the Good Neighbors program. The program has greatly raised the visibility of the NPS in this region as a source of teaching and learning.

Here in Colorado we have hosted hundreds of young people through the Colorado Preserve America Youth Summit Program. They have held on-site programs here at Mesa Verde, Great Sand Dunes, in Florissant Fossil Beds, Dinosaur National Monument and in 2012 they plan to be at Rocky Mountain National Park.

Mr. Chairman, we appreciate the opportunity to discuss our efforts to meet our cultural resource challenges. This concludes my prepared statement. I would be pleased to answer any questions you may have.

[The prepared statement of Ms. Joss follows:]

PREPARED STATEMENT OF LAURA JOSS, DEPUTY REGIONAL DIRECTOR, CHIEF OF STAFF, INTERMOUNTAIN REGION, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman and members of the subcommittee, I appreciate the opportunity to appear before you today at this oversight hearing on issues affecting management of archeological, cultural, and historic resources at Mesa Verde National Park and other units of the National Park System.

Over half of the units of the National Park System were established by Congress specifically to protect cultural resources, and almost all of the units contain cultural resources in the form of prehistoric and historic sites and structures. Many of these resources are at risk of destruction from lack of attention, intentional looting, and vandalism. Recently, more intense fire regimes and changes in precipitation and temperature patterns have begun to affect the stability and integrity of cultural resources as well. The National Park Service (NPS) manages over 72,000 known archeological sites, of which only 50% are in good condition; 27,000 historic structures, of which only 41% are in good condition; and 2,200 cultural landscapes, of which only 29% have been adequately documented. The NPS also manages 42 million objects in collections and 52,000 linear feet of records that requires maintenance and protection.

A management approach that protects cultural resources in national parks should emphasize identifying resources—their significance, location, condition, and threats to their integrity—and uses that information to make management decisions to prioritize efforts and allocate scarce financial and human resources to protect the highest priority resources. The NPS furthers the important work of caring for cultural resources through national and regional initiatives, park-based programs, and a wide range of partnerships.

Nationally, the NPS is working on coordinating and redirecting cultural resource efforts in a way that aligns with NPS Director Jon Jarvis' emphasis on stewardship, relevancy, education, and the workforce, and that supports both the NPS A Call to Action and the President's America's Great Outdoors Initiative. Current efforts are focused on using available resources to address our most critical needs, providing renewed coherence to our efforts, and identifying critical areas where additional support is needed.

The NPS has already started to address these goals by increasing management efficiencies. The bureau has adopted a set of standards developed by the Cultural Resources GIS Program for cultural resource locational data. Cultural resource locational data reported in the same format, be it a landscape or an object, is required of all 14 cultural resources databases. Standardization of the locational data allows cross-referencing and integration of multiple data bases, facilitating compilation of information about cultural resources. By querying databases linked through locational data reported in a standardized format, managers can more quickly comprehend the full importance of each cultural resource, and the effects of management actions. It also allows managers to link cultural information to interactive GIS-based maps. Consequently, a more sensitive and effective management of NPS cultural resources can be realized.

One of the NPS's most successful responses to the challenge of caring for cultural resources in recent years is through the development of a region-wide initiative, the

Vanishing Treasures Program. Vanishing Treasures is an internal NPS program whose goals address both the devastating destruction of irreplaceable historic and prehistoric structures, as well as the potential loss of traditional building and preservation expertise.

Mesa Verde and 44 other national parks in the Intermountain and Pacific West Regions benefit from the NPS Vanishing Treasures Program. States that contain Vanishing Treasure parks include California, Nevada, Arizona, Utah, Wyoming, Colorado, New Mexico, and Texas. The program's goals include documenting the rate of deterioration of cultural resources; repairing structures in imminent danger and, in the process, developing new techniques and materials toward that end. In the last decade, the program was provided with over \$1 million annually to help protect and preserve cultural resources in parks. In 2011, the program funded 12 projects in western parks that helped to preserve and/or assess conditions of 160 archeological and historic sites.

The Vanishing Treasures program also focuses on training young people, through mentorship, so they can replace our aging craftspeople when they retire. Since the first year of funding, in 1998, more than 60 cultural preservation-related positions have been funded by the program. It is a testament to the importance of these preservation positions that the majority of the original 60 positions remain filled in parks and some of the individuals trained in Vanishing Treasures positions have moved on to continue preservation efforts in other agencies or in the private workforce.

#### VANISHING TREASURES PROJECTS—MESA VERDE NATIONAL PARK

We acknowledge that a number of recent reports have documented that cultural resource stewardship is under tremendous pressure, but Mesa Verde National Park is a good example of a park that identified and prioritized cultural resources and took concrete steps to preserve and protect the most significant resources. Mesa Verde is one of our oldest national parks and contains over 586 cliff dwelling sites that represent a significant challenge to monitor and manage. Since 1998, the Vanishing Treasures initiative has provided \$786,800 for cultural resource projects and \$493,000 added to the park's budget to support eight positions for cultural resource staff. Vanishing Treasures project funding was used as a cash match for other state and federal grants, which helped the park leverage additional funds to complete multi-year documentation projects.

The majority of Vanishing Treasures project funds for Mesa Verde National Park supported the Backcountry Condition Assessment Program. Site condition assessments aid in the development of baseline information regarding deterioration factors and thereby provide archeologists and park managers with a foundation for determining the need and urgency for preservation treatments. As a result of Vanishing Treasures funding, 106 cliff dwelling sites in back country areas have been assessed and prioritized for further documentation and necessary preservation treatments.

The Vanishing Treasures initiative also provided funds to help complete architectural documentation at two large cliff dwelling sites. Spring House contains well-preserved and spectacular architecture that is being threatened by erosion from the spring that gave the dwelling its current name. The site consists of at least 70 rooms and 6 kivas and a 3-story tower that is nearly 25 feet high. Vanishing Treasures funding allowed park staff to document Spruce Tree House, stabilize structures, and monitor the effects of erosion. It is the third largest cliff dwelling in the park, and was constructed between A.D. 1211 and 1278. The dwelling contains about 130 rooms built into a natural alcove.

In 2005, Vanishing Treasures funding was used to assess the conditions of 24 back country cliff dwellings totaling about 142 rooms that had been affected by wild fires. An increase in wildfire activity and changes in precipitation and runoff patterns has the potential to accelerate destruction of these magnificent monuments of the first people to live in this land.

We would like to share with the committee additional examples of successful cultural resource programs that echo the successes of the Vanishing Treasures Program in training young people in traditional technologies and strengthening relationships between parks and local communities through project involvement and public education.

#### CULTURAL SITE STEWARDSHIP PROGRAM—SOUTHERN NEVADA AGENCY PARTNERSHIP

One of the most important ways to protect cultural resources from vandalism is through public education, and the NPS has been very active in community involvement in site stewardship programs to monitor archeological and other kinds of sites to protect them from vandalism. The Southern Nevada Agency Partnership Cultural

Site Stewardship Program is one such program. This partnership between the NPS, the Bureau of Land Management, the U.S. Fish and Wildlife Service, and the U.S. Forest Service has provided the framework for a site stewardship program that engages communities in protecting archeological sites on lands managed by these agencies.

Since the program's inception in 2004, over 450 community-based volunteers have logged more than 14,000 hours monitoring cultural sites at risk from vandalism and looting. Site stewards learn about cultural resource preservation laws, desert safety, and archeological site and artifact identification and discovery protocols. This training imparts and reinforces a site preservation and protection ethic, which is the best kind of site protection. The Cultural Site Stewardship Program received the Department of the Interior Cooperative Conservation Service Award in 2007.

#### HEIAU REPAIR—PU'UKOHOLA HEIAU NATIONAL HISTORIC SITE

One of the lessons the NPS has learned from the Vanishing Treasures Program is the need to build strong partnerships and engage the younger generation in learning traditional technologies. The repair of two temples provided Pu'ukohola Heiau National Historic Site, on Hawaii Island (Big Island), with an opportunity to engage local communities in traditional masonry. In 2006, an earthquake caused significant damage to the Mailekini Heiau and the Pu'ukohola Heiau. Approximately 1,000 cubic meters of the walls and faces of the two temples required repair. The damage, involving 15 major collapses of the terrace, main foundation, and walls, was estimated to cost over \$6.5 million to repair using mechanical equipment and, in the repair process, would have excluded participation of the descendants of the people who originally built the heiaus.

A community partner organization, Na Papa Kanaka o Pu'ukohola Heiau, volunteered to assist the park to repair the earthquake damage. Beginning in 2007, around 600 volunteers have been working to repair damage to these massive 16th century and 18th century temples using the same technologies that were used to build them. The temples were repaired using traditional methods of manual dry-stacking of stone masonry and traditional tools following traditional Hawaiian protocols appropriate to a sacred space.

Master and journeyman stone masons led the volunteers, who worked alongside NPS archeologists, safety officers, and project crew. Twenty workshops involving 12 to more than 400 volunteers were conducted over this four year span, resulting in substantial savings to the NPS (\$3.5 million saved) to preserve significant architecture and to continue the commitment of the descendant peoples, successfully transferring the skills of traditional dry stacking masonry and hand lashing of wooden ladders, used in place of scaffolding, to the next generation of Native Hawaiians. In the process, people who had personally put their hard work into the stabilization efforts built and reaffirmed personal and perpetual connection to the temples. For their work, the traditional organization was awarded a Partners in Conservation Award in 2011 from Secretary Salazar.

#### MASON APPRENTICESHIP PROGRAM—SAN ANTONIO MISSIONS NATIONAL HISTORICAL PARK

To foster interest and opportunity for a new generation of skilled historic preservation professionals, the National Park Service promotes training opportunities for young people. San Antonio Missions National Historical Park has facilitated a partnership between its friends group, Los Compadres, and the Environmental Corps of American Youthworks to establish an apprenticeship program in masonry repair. American Youthworks engages youth and young adults in conservation work with a community focus and Los Compadres provides financial investment for the apprentice program.

Beginning in 2008, the program hosted four apprentices. Since then, nearly two dozen individuals have moved through the program, working with NPS experts to repair limestone and sandstone walls. The apprentices have contributed more than 2,000 hours of work on walls in the four mission compounds, the nation's only functioning Spanish colonial aqueduct, a grist mill, and two historic dams. The program inspired one of the students to return to graduate school in historical architecture. Another student turned his experience in the apprenticeship program into a highly qualified applicant rating, and gained seasonal work with the NPS. The preservation skills and knowledge that young people gain while assisting the San Antonio Mission staff with cultural resource preservation will provide benefits both to the resources and the apprentices in years to come, by building good foundations for future work.

## FIRST JOBS YOUTH PROGRAM—SALEM MARITIME NATIONAL HISTORIC SITE

Another example of the NPS's commitment to training cultural resource stewards for the 21st century is the First Jobs Program at Salem Maritime National Historic Site. Since 2009, the park has worked with the Massachusetts North Shore Youth Career Center to reach out to disadvantaged youth, a segment of the general population usually not attracted to national parks. The park approached the North Shore Workforce Investment Board (Department of Labor) to obtain funds to pay the young people, and the Essex National Heritage Area managed the program's administration.

The program began with 10 students, and has since grown to 25. The park's goals are to provide students with employment skills, and to place the best students in positions in parks in the Boston area. The students learned prepping and painting, and the park further invested in them by teaching the specialized skill of gold leafing. The group made impressive contributions to the maintenance of historic buildings in the park. They repainted the trim on one historic structure, the Customs House, built in 1819; painted the entire exterior of the 1675 Narbonne House; and refurbished a portion of the site's fencing that contributed to the historic 1938 landscape plan.

For many students, this was their first employment experience. They learned important life skills, such as writing resumes, correctly completing job applications, dressing appropriately, and interacting with the public, which will stand them in good stead in the future. The project manager, NPS woodcrafter Douglas Law, was given the NPS Director's 2010 Appleman-Judd-Lewis Award for Facility Maintenance. By combining the needs of the park cultural resource management program with a willingness to help disadvantaged youth, he was not only able to complete much-needed work but was able to instill in the youth an appreciation for cultural resources, which will pay dividends in the future for the NPS.

Good Neighbors: Landscape Design & Community Building—Frederick Law Olmstead National Historic Site The NPS is committed reaching very young audiences, as well, with cultural resource educational messages. In Massachusetts, the Frederick Law Olmstead National Historic Site is growing citizens with an appreciation for cultural resources, and cultural landscapes in particular, through a program that targets third graders in the community of Brookline. Begun in 2007, this unique program draws on children's skills and creativity and encourages them to plan parks and cultural landscapes. Good Neighbors takes place at Fairsted, the historic Brookline home and office of landscape architect Frederick Law Olmstead, and uses the grounds, restored office, archival collection, and model workshop to explore landscape design and park stewardship.

To date, a thousand third graders from the Boston and Brookline public schools have participated in the Good Neighbors program. In 2011, alone, the park hosted 18 classes consisting of 440 students, totaling more than 2,350 visitor hours. The Brookline public schools system has embedded the program in its grade three curriculum, ensuring that every student who moves through the school system will be exposed to the Good Neighbors program. The park received the prestigious Award of Excellence in Communication from the Boston Society of Landscape Architects for their work on Good Neighbors.

This is the first program to introduce young learners to cultural landscapes and to the community-building power of public parks as part of an integrated elementary level curriculum. It has greatly raised the visibility of the NPS in this region as a source of teaching and learning, successes that can be translated to other parks. In 2012-2013, Olmstead National Historic Site will begin a national roll-out of the Good Neighbors programming model in collaboration with the National Association for Olmstead Parks.

Mr. Chairman, we appreciate having the opportunity to discuss our efforts to meet our cultural resource challenges. This concludes my prepared statement. I would be pleased to answer any questions.

Senator UDALL. Thank you, Deputy Regional Director for that testimony. Before I direct some questions, I want to recognize State Representative J. Paul Brown who is in the audience today. Thank you for being here, Representative.

If I have a chance to visit with you before you ran out every time I've tried to talk to you. I'd been running for Senator, so there are worse things than losing an election. One of them is winning the election.

[Laughter.]

Senator UDALL. Jim Dyer is here as well. Thank you both for being here.

A few minutes ago I highlighted the economic benefits or at least some that accrue the Four Corners region because of Mesa Verde. Do you have any sense of whether other cultural and historical parks throughout the National Park System would provide similar economic benefits to the local economies?

Ms. JOSS. Definitely. When I was working at Yellowstone National Park, we were creating a museum partnership with all of our surrounding communities. Our gateway communities are very important to our visitors as well as to the park. So what we tried to do through the creation of the Yellowstone Museum Consortium was to share our visitors with those museum sites by informing the visitors of those sites and also providing professional assistance to the museums outside of the park.

But this is a very important issue to the Park Service as a whole and it's listed in Director Jarvis' Call to Action. Our Regional Director, John Wessels leads up the Economic Benefits Committee of the Call to Action. So we're all very interested and try to document those numbers as well as increase them.

Senator UDALL. Let me move to another subject which you touched on in your remarks. I've been trying for years to find ways to get children into our parks, both because of exposure to the national, cultural treasures, but also employment programs that provide for youth jobs working on our public lands. Finally because we are seeing increasingly lower levels of fitness and increasing levels of obesity in our population. An unfit country is not a strong country and a fit country, by definition, will be a strong country.

Can you talk about what you're doing in Colorado through the Park Service to improve access and encourage access on the part of, not just children, but also adults to our parks and any park related job initiatives?

Ms. JOSS. Definitely. I did mention the Colorado Preserve America Youth Summit.

Senator UDALL. Yes.

Ms. JOSS. We are very proud to help assist with that program.

In Rocky Mountain National Park we have seven different programs that provide a variety of work, educational and research opportunities for young people particularly urban youth initiatives. These programs address youth with a range of needs, ages, backgrounds and provide training and employment, then encourage young people to obtain those skills to compete for permanent National Park Service jobs.

I can read those names if you'd like.

Senator UDALL. Why don't you submit it for the record? How does that sound?

Ms. JOSS. OK.

We have Pathways to Park, Eagle Rock Internship Program, Groundwork Denver Internship Program, the Environmental Learning for Kids Internship Program, 50/50 Program, the Pro Ranger Program.

Senator UDALL. Great.

Ms. JOSS. The George Melendez Wright Climate Change Internship and Fellowship Program.

Senator UDALL. Do you have anything you wish to add to that list, that question?

Ms. JOSS. Not at the moment, thank you.

Senator UDALL. For a number of years the Park Service has had a successful program known as the Natural Resource Challenge. It was designed, as I understand it, to increase funding for protection of threatened natural resources at our parks throughout the country. Given the success of that program should the Park Service consider establishing a similar challenge to identify and protect cultural resources, maybe the Natural Cultural Resource Challenge would be a term we could apply?

Ms. JOSS. The Park Service is facing great challenges in managing cultural resources as we've discussed earlier. To identify what resources we have, what the threats to those resources are, how best to respond to those threats and to share the knowledge learned so that all involved are in power to make better decisions, we're developing strategic priorities for focusing our efforts using our available resources to address the most critical needs and providing renewed coherence to our efforts.

This coordinated effort to better deploy our resources in management of our cultural heritage is articulated in Director Jarvis' Call to Action and in President Obama's America's Great Outdoors Initiative. We also hope to use successes that we've learned at individual parks to extend those out service-wide.

Senator UDALL. How do we pay for this in a tough budget environment?

Ms. JOSS. We have appreciated the Secretary advocating for the Historic Preservation Fund and the Appropriations Committee has maintained a steady level of funding. We also appreciate the support that's been given to our Cultural Resources Program.

Senator UDALL. But we need to be vigilant is what I'm hearing you saying. I think one underlying opinion on my part, but it's backed up by the fact that there are many reasons to do this including economic reasons.

Here's an easy question. What do you think the most critical priority the Park Service needs to address is with respect to cultural resource management?

Ms. JOSS. I actually have a list of those, if I can find it. OK. I'm going to speak from the Intermountain Region to answer that question.

Senator UDALL. We're over biased. We're Westerners. As my friends from California remind me, we're Rocky Mountain Westerners. I'll wear that title proudly. They can be far Westerners. We're Rocky Mountain Westerners.

Ms. JOSS. One of the most pressing challenges in cultural resource management includes loss of structural integrity of the exterior adobe walls at the Spanish Mission at Tumacácori National Historic Park. In both 2010 and 2011 Southern Arizona received major rains over a period of several days. The rain softened the adobe walls and a hole 14 feet wide and 10 feet tall was created in the sanctuary where 1.5 tons of material collapsed.

Another is that climate change is threatening the integrity of archaeological resources at high altitudes. You referred to this earlier, Senator. But formerly protected sites are now within the fire danger zone. Melting glaciers and snow are revealing frozen objects and artifacts that deteriorate quickly.

Then the third issue would be that 76 percent of the parks in the Intermountain Region manage significant museum collections such as those at Grand Teton National Park and Little Big Horn National Monument without the benefit of a professional-level museum curator.

Senator UDALL. Thank you for those three areas. In the parks are and I think specifically Mesa Verde, the debate we've had as Western communities when it comes to ceramic pot hunting, for lack of a better term. It's a crude term, but those who vandalize sites that in effect rob the future generations of knowledge and also, of course partake of our Native American brothers and sisters from those sacred sites.

Have those kinds of activities and incidents been rare in the parks?

Ms. JOSS. I can't give you figures on that. But we have addressed those incidents through the Archaeological Resources Protection Act. Unfortunately, they do happen. But we're trying to work to address them as quickly as possible and to prevent them, more importantly.

Senator UDALL. I know we have similar challenges on our forest and BLM and national wildlife units.

This is an iconic site here. What are some of the best practices learned here that have been applied to other parks or could be replicated at other National Parks, National Park units?

Ms. JOSS. Mesa Verde National Park and its friends group, the Mesa Verde Foundation, is a good example of the ways that partners can work together effectively to protect cultural resources. The park has also successfully leveraged Vanishing Treasures funding to complete many long term rehabilitation projects.

Senator UDALL. Can I go back to the previous question?

Will you provide for the record statistics on looting and vandalism in the National Park?

Ms. JOSS. Sure. We will provide you with those. Yes.

[The information referred to follows:]

At the November 5, 2011, hearing on issues affecting management of archeological, cultural and historic resources at Mesa Verde National Park and other units of the National Park System, the National Park Service witness, Laura Joss, Deputy Regional Director for the Intermountain Region, indicated that she would provide additional information to the subcommittee. This letter provides the requested information.

You requested statistics on looting and vandalism within the National Park System. The following statistics document known violations of the Archaeological Resource Protection Act (ARPA), the Antiquities Act, or other statutes protecting cultural or paleontological resources from 2006 through 2010:

- 2006, 471 cases (Cultural and paleontological resources)
  - 6 arrests made in cases of documented vandalism or looting
  - 53 citations issued in cases of documented vandalism or looting
  - Example: An individual was arrested and sentenced to 18 months in jail for stealing historic letters written by George Washington and Abraham Lincoln and selling them for \$97,000.
- 2007, 403 cases (Cultural and paleontological resources)

- 16 arrests made in cases of documented vandalism or looting
- 56 citations issued in cases of documented vandalism or looting
- Example: Two brothers were arrested and sentenced for stealing historic Navajo rugs from Hubbell Trading Post National Historic Site, and Cook Collection museum pieces from Agate Fossil Beds National Monument totaling over \$200,000.
- 2008, 454 cases (Cultural and paleontological resources)
  - 16 arrests made in cases of documented vandalism or looting
  - 42 citations issued in cases of documented vandalism or looting
  - Example: “Operation Antiquities,” a five year investigation involving the National Park Service, Internal Revenue Service, and Immigrations and Customs, led to numerous warrants and subpoena services in several states for looting, importation, sale and tax fraud violations related to historical and cultural items.
- 2009, 276 cases (Cultural resources)
  - 8 arrests made in cases of documented vandalism or looting
  - 66 citations made in cases of documented vandalism or looting
  - Example: Three juveniles were convicted of vandalizing the Kane Cemetery in Bighorn Canyon, Wyoming. The juveniles destroyed historic headstones through physical breaking and spray painting.
- 2010, 401 cases (Cultural resources)
  - 23 arrests made in cases of documented vandalism or looting
  - 44 citations made in cases of documented vandalism or looting
  - Example: After a three year multi agency investigation by the National Park Service and Fish and Wildlife Service, over 30,000 artifacts, mostly burial goods, were returned to the California Native American Heritage Commission.

Please note that prior to 2009, the National Park Service recorded total paleontological violation cases with cultural resource violation cases. The 2009 and 2010 statistics are cultural resource violations only.

Senator UDALL. Thank you very much.

Let’s turn to—unique management regime. What steps does the Park Service take to coordinate management protection of cultural resources with interest in tribes?

Ms. JOSS. We work together with the tribes through tribal consultation on a regular basis and related to the sacred sites on park lands. If I could refer the Park Services Committee to section 304 of the National Historic Preservation Act of 1966, that section ensures confidentiality about the information about historic resources that would cause a significant invasion of the right to privacy that would risk harm to the resources or interfere with the use of sacred sites.

Mesa Verde National Park is a good model for holding information about archeological sacred sites confidential.

Senator UDALL. Would that be one of the other best practices, perhaps, that could be applied to other parks dealing with their cultural resources?

Ms. JOSS. Yes. Thank you. Yes, it is.

Senator UDALL. Do you have anything else you’d like to offer for the record at this point?

Ms. JOSS. I do not.

Senator UDALL. Do you have any questions you want to ask me? That’s not—

Thank you. Thank you, Deputy Director for your testimony and for your interest. We’d like to invite you stay on the stage. Then I’d like to call the next panel to the stage, if they would.

Ms. JOSS. Thank you very much.

Senator UDALL. Thank you.

[Various speakers as next panel moves to stage.]

Senator UDALL. Alright we'll get started with our second panel. I'm going to ask the panel to project when they speak. I think we've got the audio system at least somewhat in balance.

It's great to see these children back here who have joined us.

I see Senator, former Senator Whitehead is here. That's his family. It's great to see you here.

Again, thank you all for taking time. I know, Terry, it's still snowing out there. It's starting to accumulate. We love our moisture, though.

Let me introduce the members of our second panel as a group. Then we'll come back and start with Chairman Hayes with the initial comments.

But we do have Chairman Hayes here. He's with the Ute Mountain Ute Tribe. I'm really happy to welcome you here.

I did want to mention the tribe and I think all of us lost recently a much loved and respected leader, former Chairman Earnest House, Senior. He was a friend to many here in the room and the tribal park adjacent to Mesa Verde was a real source of pride for him. I know our hearts are heavy, but I know he'd want us to carry on and appeal to the best in each other. So you have and will carry on in his spirit.

Next to the Chairman is Jim Dyer, a former Board Member of the Mesa Verde Foundation. Jim and I served in the State legislature. Everything I know, J. Paul Brown, I learned from Jim Dyer. He also served in our State senate, served on the PUC, our Public Utilities Commission. He is a Marine. It's really great to see, Jim. Always someone who has dedicated himself to causes greater than his own self. Thank you.

Next to Jim we have Bambi Krauss, who represents the National Association of Tribal Historic Preservation Officers. Welcome.

Then finally we're joined by Dr. Gail Dethloff, Senior Director of the National Parks Conservation Association's Center for Park Research.

So thank you all for joining us. I'm really eager to hear your testimony.

I'm going to turn to the Chairman. I'll ask each of you to do all you can to keep your remarks to 5 minutes so that we can then have a lively conversation and add additional material for the record.

So, Mr. Chairman, the floor is yours.

**STATEMENT OF GARY HAYES, CHAIRMAN, UTE MOUNTAIN UTE TRIBE, TOWOAC, COLORADO; ACCOMPANIED BY TERRY KNIGHT, TRIBAL HISTORIC PRESERVATION OFFICER**

Mr. HAYES. Thank you, Senator. I appreciate the opportunity here. Thank you for comments on regarding Earnest House, Senior. It's definitely a loss to us. I know that if he was here I would help him instead of taking his place because he was very into preserving culture and history and the conditions of the site. Thank you for your comments, Senator.

Good morning, Senator Udall and distinguished guests. I'm Gary Hayes from the Ute Mountain Ute Tribe whose tribes are located

in Colorado, Northern New Mexico, Eastern Utah. Accompanying me today is Mr. Terry Knight, our Tribal Historic Preservation Officer for the Tribe.

Thank you for the opportunity to testify before the Committee and bring you information important to the protection of all the National Park resources within the Rocky Mountain region. Because of Mr. Knight's knowledge and experience the Ute Mountain Tribe is an active participant in the Region as a consulting tribe and partner in many projects. Each park within the Region has its unique assets and common concerns in consulting with tribes.

The challenge for all in this economy is funding. Careful goal oriented budgets regarding staffing and training is key to a successful protection of all park cultural resources. The economy forces all agencies to supplement the work force with volunteer groups and youth conservation groups.

How all this affects cultural resources?

By hiring and training qualified staff we can:

One, protect the Tribal collections and sites and the laws that protect these previous collectionsites must be firmly enforced.

Two, ensure the proper care and maintenance of NAGPRA inventories and materials held within the parks.

Three, the National Park Service policy for NAGPRA and associated objects is followed.

Four, implementation of NAGPRA policy should include consideration of whether these collections should be held in a regional Federal repository and not individual parks. The National Park Service needs to ensure that the 106 Tribal consultation protocols are followed and include all of the National Park Service sites, objects and inventories, as well as the notification of collections they hold for other agencies.

In the eyes of the affiliated Tribes, inadequate information and unproductive consultation costs money and time and creates frustration that the National Park Service, as well as other Federal and State agencies, are not adequately considering the Tribal perspective and taking in the advice on Native culture heritage.

The Tribal viewpoint that I have heard expressed is that all Federal and State held lands over which Congress and related agencies have jurisdiction because of culturally rich resources areas are not limited by park boundaries or State borders.

The Tribes request that all training of National Park Service employees includes cultural awareness, competency to do their National Park Service duties and respect for each Park's affiliated Tribes and Pueblos. The Rocky Mountain Regional Office of the National Park Service has initiated consultation with its affiliated Tribes and Pueblos and maintains communication and consideration of their concerns.

The cultural heritage and landscapes within the Rocky Mountain region are important to all of the affiliated Tribes and Pueblos. These resources must be protected and appropriately preserved when found on all lands. They are extremely important far more than their commercial value or artistic pleasure when displayed. They are, to the affiliated tribes and pueblos, a part of history of native people, a remembrance of the strength of their survival, their initiative, their innovation and life practices. All agencies

should consider with respectful attention to the spiritual and cultural beliefs concerning sacred sites, sacred activities and their associated sacred objects. To our people, these are not objects for barter or show, they are the tools of our lives, the cultural heritage left to us from our ancestors.

The Ute people have protected these lands from time immemorial. These lands are a part of our original homeland and at one time a part of our reservation lands. We continue to regard these lands and the associated cultural resources with great respect and it is extremely important to us that these lands be managed and properly regarded to the peoples who have historically occupied these lands, whose ancestors and buried here and who prayed here.

We wish to participate in the preservation of these lands and the resources to the greatest extent possible. It is Native heritage and practices that give these lands their unique character. The preservation and protection of these cultural resources is a fundamental trust responsibility.

Again, given the economic landscape, we should not forget the important functions of the National Park Service. Congress needs to support the Park Service's policy of maintaining its long standing and extremely valuable relationships with the tribes.

In closing I would like to thank you, Senator Udall and distinguished guests, for the opportunity to express our point of view to establish in advance the tribal government involvement in the development and implementation of laws, programs and policies that affect tribal interests in the protection of our natural resources.

[The prepared statement of Mr. Hayes follows:]

PREPARED STATEMENT OF GARY HAYES, CHAIRMAN, UTE MOUNTAIN UTE TRIBE,  
TOWOAC, CO

Good Morning Senator Udall and Distinguished guests;

I am Chairman Gary Hayes from the Ute Mountain Ute Tribe whose lands are in Colorado, Northern New Mexico and Eastern Utah. Accompanying me today is Mr. Terry Knight, Tribal Historic Preservation Officer for the Tribe.

Thank you for the opportunity to testify before this committee and bring you information important to the protection of all National Park resources within the Rocky Mountain Region. Because of Mr. Knight's knowledge and experience the Ute Mountain Ute Tribe is an active participant in the Region as a consulting Tribe and partner in many projects. Each park within the Region has its unique assets and common concerns in consulting with Tribes.

A challenge for all in this economy is FUNDING: careful goal-orientated budgets regarding STAFFING and TRAINING is the key to successful protection of all Park Cultural Resources. The economy forces all agencies to supplement their work force with volunteer groups and youth conservation groups.

How all of this affects Cultural Resources? By hiring and training of qualified staff we can:

- (1) Protect the Park collections and sites; the laws which protect these previous collections and sites must be firmly enforced.
- (2) Ensure the proper care and maintenance of NAGPRA inventories and materials held within the parks;
- (3) The National Park Service policy for NAGPRA and associated objects is followed.
- (4) The Implementation of the NAGPRA policy should include consideration of whether these collections should be held in a regional Federal repository and not the individual parks. The National Park Service needs to ensure that the 106 Tribal consultation protocols are followed and include all of the National Park Service sites, objects and inventories; as well as the notification of the collections they hold for other agencies,

In the eyes of the affiliated Tribes, inadequate information and unproductive consultation costs money and time, and creates frustration that the National Park Service, as well as other Federal and State agencies are not adequately considering the Tribal perspective and taking in the advice on Native culture heritage.

The Tribal viewpoint that I have heard expressed is that all Federal or State held lands over which Congress and related agencies have jurisdiction because of culturally rich resources areas are not limited by park boundaries or State borders.

The Tribes request that all training of National Park Service employees includes cultural awareness, competency to do their National Park Service duties and respect for each Park's affiliated Tribes. The Rocky Mountain Regional Office of the National Park Service has initiated consultation with its affiliated Tribes and Pueblos and maintains communication and consideration of their concerns.

The cultural heritage and landscapes within the Rocky Mountain region are important to all of the affiliated Tribes. These resources must be protected and appropriately preserved when found on ALL lands. They are of extreme importance far more than their commercial value or artistic pleasure when displayed. They are, to the affiliated tribes, a part of history of native people, a remembrance of the strength of their survival, their innovation and life practices. All agencies should consider with respectful attention to the spiritual and cultural beliefs concerning sacred sites, sacred activities and their associated sacred objects. To our people, these are not objects for barter or show...they are the tools of our lives the cultural heritage left to us from our ancestors.

The Ute People have protected these lands from time immemorial. These lands were part of our original homeland, and at one time a part of our reservation lands. We continue to regard these lands and the associated cultural resources with great respect and it is extremely important to us that these lands be managed with proper regard to the peoples who have historically occupied these lands, whose ancestors are buried here, and who prayed here. We wish to participate in the preservation of these lands and the resources to the greatest extent possible. It is Native heritage and practices that give these lands their unique character and the preservation and protection of these cultural resources is a fundamental trust responsibility.

Again, given the economic landscape, we should not forget the important functions of the National Park Service, and Congress needs to support the Park Service's policy of maintaining its long-standing and extremely valuable relationships with tribes.

In closing, I would like to thank you Senator Udall and distinguish guest for the opportunity express our point of view to establish and advance tribal government involvement in the development and implementation of laws, programs and policies that affect tribal interests in the protection of natural resources.

Senator UDALL. Thank you, Chairman Hayes, for that very powerful and eloquent statement, particularly the two paragraphs that speak to the value of these lands that are beyond price, so key to the history of a unique people. Thank you for that—

Mr. Dyer, it's good to see you Jim.

**STATEMENT OF JAMES DYER, FORMER BOARD MEMBER,  
MESA VERDE FOUNDATION, DURANGO, CO**

Senator DYER. Thank you.

Senator UDALL. I should note for the record that Jim Dyer did not submit a statement which is his way of doing things which I have always admired. He speaks from the heart. He speaks from the head.

Senator DYER. You're using up my time.

[Laughter.]

Senator UDALL. You have all the time you'd like.

Senator DYER. We go back a long ways. I was—had a couple terms in the State House and Senate from House District 59 that J. Paul Brown, ably represents now. I can't mention J. Paul Brown without mentioning his dad, Casey Brown and mom, Jean, who formed this boy. Welcome, J. Paul.

Yes, we go back a long ways. Welcome to this part of the world that I was honored to represent in the State legislature and thanks for mentioning my Marine Corps service, 3 years in a place called Vietnam. I'm proud of that service as well.

In the mid-1990s the need for a new visitor and research center became evident because the Far View Center was, well, far, into the Park. Many times people were reluctant to drive that distance because they weren't assured of having a ticket to go visit the sites. So it became evident that we needed to get a place where they could find out about the park much closer to the highway.

There's a powerful story that goes around from some tourists from New York, I think it was, asked how come the Ute's didn't build the site closer to the highway? Not true.

Also, the archeological collections were stored in the tin shed which was neat. We needed proper storage and conservation preservation. So a new visitor and research center would address both these issues. Mesa Verde Foundation was formed in 1997 with the goal of building this new center.

The Mesa Verde Foundation purchased land near the Park's entrance in 1999. Then the Park's boundaries were expanded in 2007 to include this land. Then the Mesa Verde Foundation deeded the land over to the Park.

The Mesa Verde Foundation raised funds for the architectural design and planning documents for the VRC. These plans, drawings and also were donated to the Park for the project. I should note that the 24 tribes who share the heritage of Mesa Verde were involved in the planning of the site. Things like where do you board out the entrance to it. It had to be according to what the tribal folks said it should be.

Through the efforts of the Mesa Verde Foundation Board and Board Friends in particular, Frederick Lau of Phoenix, and General were on the phone with the U.S. Air Force. He was the 15th Chief of Staff of the Air Force, of Durango, in particular. Funding was secured through congressional appropriation. Then Representative John Salazar and Interior Secretary Ken Salazar, his brother, were instrumental in helping shepherd the appropriation through Congress. About 20 million in stimulus funds from the American Recovery and Reinvestment Act went toward the project.

The Mesa Verde Foundation remains a strong committed partner to the Mesa Verde National Park. The Foundation's purpose is to fund capital improvements, projects and educational endeavors that promote an understanding and preservation of the park's cultural and natural resources.

That concludes my testimony, Sir. I will sit down and shut up. [Laughter.]

Senator UDALL. OK, thank you, Senator Dyer.

The concise and informative set of comments. I did want to acknowledge the wonderful work that the MVF does. Take note, that most, if not all of the National Park units have similar organizations. Increasingly we're working in partnership with those organizations to complete projects, generate volunteers and nurture and take care of the parks. So thank you for that incredible gift you've given to all of us in leading this important effort.

Senator DYER. There were some people early on that buying that land was critical to the whole, you know, the critical piece of the whole thing. I mean, without that land it could be, you know, a set of lemons for us.

Senator UDALL. I was going to let you say that. Exactly, exactly. We're all for commerce.

It's—what's important to note is that there are people who love this park who are far, far afield. Americans in every State, every territory and even of course, citizens of other countries who fall in love with Mesa Verde and want to support it, be sure that it's protected in perpetuity. You created a way in which that can happen.

Senator DYER. Yes.

Senator UDALL. Ms. Krauss, it's great to have you here. The floor is yours. Look forward to your testimony.

**STATEMENT OF BAMBI KRAUSS, PRESIDENT, NATIONAL ASSOCIATION OF TRIBAL HISTORIC PRESERVATION OFFICERS**

Ms. KRAUSS. Thank you very much. My name is Bambi Krauss. I'm the president of the National Association of Tribal Historic Preservation Officers and our chairman, Reno Franklin, had planned on being here today, but unfortunately family obligations kept him in California and he asked that I come here and represent our organization.

As you know, NATHPO submitted a lengthy written statement that will be entered into the record, I'm assuming. So I'm going to summarize some of the points in that testimony.

I think in the opening statement, I think NATHPO feels confident that cultural preservation is a tribal success story. With a little time and resources and effort it could be premier preservation program in the United States. You know, we've survived misguided efforts of the Federal Government to eliminate Native American cultures. They have prohibited the speaking of our Native languages and prohibited Native traditional healing practices and look what it's created, a variety of social and economic and health damages throughout our history. The past, as I said, 150 years have been devastating and yet, Native people are here today.

I work with the tribal historic preservation officers and they were created legislatively 20 years ago in the 1992 amendment to the National Historic Preservation Act. Since passage, the Indian tribes have been more actively involved in the preservation and protection of their culture and life ways. This last, kind of, helping tribes preserve and protect is the reason why NATHPO was created. We, the 12 original THPOs in 1998 created NATHPO. We're based in Washington DC. Today there are 124 Indian tribes participating in the program.

Mr. Terry Knight here in the front row is a living example of the THPO program in action. I wanted to recognize him and his family in the back for all their hard work. They're one of the more recent THPOs, but that is merely a name in terms of a THPO program because Terry Knight has been practicing his culture and traditions throughout his entire life. Cultural preservation is not something that once you become a THPO, you become an automatic expert in traditional Native ways. But it is something that is a major commitment for any Native person.

NATHPO has an annual conference each year. We also do provide technical assistance to our member tribes. We also conduct original research and publish reports.

A few of them are significant for today's hearing is we are about to publish one on tribal cultural landscape.

We published the first ever evaluation of Federal agency compliance with the Native American Greatest Protection and Repatriation Act.

We did an original study on tribal consultation and the benefits of actually including tribes at the beginning of all your projects.

Then finally we actually had a Tribal Park and Environmental Organization Summit for the Pacific West region back in 2005 and that was led by, at the time, Pacific West Regional Director, John Jarvis.

So today I'm just sharing a tribal perspective and it's one that's rarely heard. We really appreciate this opportunity, Chairman Udall. Thank you for calling this hearing.

I'm probably going to run out of time, but I was hoping to highlight six tribal specific issues, 2 tribal park issues and then one overriding tribal deficiency issue. So I'll run through those very quickly.

Again, the statement has much more detail.

I want to thank Chairman Hayes for bringing up the government—relationship and the trust responsibility because I kind of assumed that the whole world knows that now. NATHPO and our tribal members believe that's some of our bedrock. So I wanted to thank Chairman Hayes for making sure that he brought that up.

Just to touch on the THPO program. It's been an overwhelming success at the tribal level and the Federal agency level. But the THPO program, any kind of Federal development, any undertaking related to Federal moneys has to ensure compliance with the National Historic Preservation Act.

So we have strong THPO tribal programs that any health service clinic, that tribal school, that road that goes, you know, in or out or on a tribal land is going to be a lot more efficient. We feel that it's, the THPO program, not just a feel good program. It's really essential to making Indian country work. It's an important part of the infrastructure that's still needed in Indian country. So I want to make sure that people understand that it's not just a feel good program.

You know, the pace of the program is very quick. There were 12 in 1996 and now we're up to 124. So the issue is not with the success of the program. The issue is the Federal funding.

So this is an example of the disparity between the level of support that states get verses the level that tribes get. So the average THPO grant will be about—will be below \$70,000 a year. I don't have the exact number but the average SHPO, State Historic Preservation Officer grant in the hundreds of thousands, usually about \$500,000. The Tribal Historic Preservation Officer program has—the tribe has assumed the responsibilities of the State on tribal land. So that's the crucial part of that.

So I think with my time left I can keep going or I can come back and bring some other issues up.

Senator UDALL. Why don't we come back to some of the additional issues?

Ms. KRAUSS. Thank you very much.

[The prepared statement of Mr. Franklin follows:]

PREPARED STATEMENT OF RENO KEONI FRANKLIN, CHAIRMAN, NATIONAL  
ASSOCIATION OF TRIBAL HISTORIC PRESERVATION OFFICERS

Good morning, Chairman Udall.

My name is Reno Franklin and I am the chairman of the National Association of Tribal Historic Preservation Officers (NATHPO) that is based in Washington, DC, and which has members throughout the lower 48 states. I am a Kashia Pomo from Coastal Northern California and am also the interim chairman of my tribe, the Stewart's Point Rancheria. On behalf of NATHPO, we thank you for the opportunity to participate in this hearing on cultural resource issues in Mesa Verde National Park and other units of the National Park system.

Indian tribes have been preserving and protecting their cultures for thousands of years, yet, the last 150 years have been some of the most devastating to Native people. Historic and misguided efforts by the Federal government to remove traditional Native cultures, prohibit the use of Native languages, and stop the practice of traditional healing ways, have left a wide swath of disruption from which most tribal communities have yet to recover. Traditional Native societies have been attacked and western governing models inserted with the end result of new, historic levels of unemployment and poor health indicators. It has been a long fight for Native people to remain true to themselves and their traditions and heritage and I am proud to be one of 124 Tribal Historic Preservation Officers in the country who are committed to preserving, protecting, and rejuvenating our respective cultures in agreement and partnership with the National Park Service.

We welcome the opportunity to share our perspectives as well as provide helpful examples and suggestions for the Committee's consideration on how we can better preserve and protect tribal cultural resources. Our message is simple: Indian country needs to be at the table when issues affecting our ways of life are being considered and our voice needs to be heard. Should this be truly achieved, the National Park Service will have more fully fulfilled its core mission, will more accurately and vibrantly reflect the cultures of Native America and in return we will receive a boost in efforts to maintain our identities.

THE NATIONAL ASSOCIATION OF TRIBAL HISTORIC PRESERVATION OFFICERS

NATHPO is a national not-for-profit membership association of tribal governments that are committed to preserving, rejuvenating, and improving the status of tribal cultures and cultural practices by supporting Native languages, arts, dances, music, oral traditions, cultural properties, tribal museums and cultural centers, and tribal libraries. NATHPO assists tribal communities to protect their cultural properties, whether they are naturally occurring in the landscape or are manmade structures. In addition to members who serve as the Tribal Historic Preservation Officer (THPO) for their respective tribe, our membership includes many other tribal government officials who support our mission and goals. NATHPO provides technical assistance, training, timely information, original research, and convenes an annual national meeting of tribal representatives, preservation experts, and federal agency officials.

In 1998, the initial cohort of 12 officially recognized Tribal Historic Preservation Officers (THPOs) created NATHPO. In 2011, there are now 124 officially recognized THPOs whose tribal governments are responsible for managing over 50 million acres spanning 28 states. In addition to convening training workshops and national meetings, NATHPO provides technical assistance and conducts original research. Examples of completed research projects include:

- Tribal Cultural Landscapes (in final editing 2011)
- Federal Agency Implementation of the Native American Graves Protection and Repatriation Act (2008)
- Tribal Consultation: Best Practices in Historic Preservation (2005)
- Report of the NATHPO Tribal Tourism Toolkit Project: Cultural and Heritage Tourism in Indian Country (2005)
- A New Beginning for Equity and Understanding—National Parks and Traditionally Associated American Indian Tribes, Report of the Pacific West Region Summit of National Parks-Tribes-Conservation Organizations (2003)

My testimony is organized into three sections:

## 1. TRIBAL SPECIFIC ISSUES

- a. THPO Program
- b. Preservation Creates Needed Jobs and Revitalizes Tribal Communities
- c. Gathering of Traditional Plants Materials on Public Land
- d. Assessment of Actual Needs and Challenges Facing Indian Country's Cultural Preservation
- e. Tribal Needs and Challenges—Native American Graves Protection and Repatriation Act (NAGPRA)
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## 2. TRIBAL-NPS ISSUES

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## TRIBAL SPECIFIC ISSUES

*a. Tribal Historic Preservation Officer Program (THPO)*

In recognition and support of Indian Self-Determination and tribal sovereignty, the 1992 amendments to the National Historic Preservation Act, P.L. 102-575 (16 U.S.C. § 470) (“the Act”), enhanced the role of Indian tribes in the national preservation program authorized by the Act and provided for greater protection of places of cultural significance to Indians and Native Hawaiian organizations. Toward that end, the 1992 amendments authorized the creation of a Tribal Historic Preservation Officer (“THPO”) program funded through the National Park Service, Historic Preservation Fund (“Tribal”<sup>1</sup> line item).

THPOs have the responsibilities of State Historic Preservation Officers (“SHPOs”) on tribal lands and advise and work with state and federal agencies on the management of tribal historic properties, as authorized under Section 101(d)(2) of the Act. As a policy matter, the establishment of THPOs has been an overwhelming success, allowing THPOs to work closely with federal agencies to assist them in complying with the Act on tribal lands, and at the same time allowing Tribes who have THPOs to develop the expertise to efficiently protect cultural and sacred resources that are vitally important to their identity as American Indians.

At the local, tribal level, an efficient and well-working THPO program has been shown to be of great benefit to federal agencies. THPOs are not just another “feel good program,” rather they perform the important role of expediting all federal undertakings, including planning and construction of Indian Health Service clinics, tribal schools, water treatment plants, roads, energy development, and housing construction. Without a THPO in place, and without the federal funds to support their work—akin to that performed for National Environmental Policy Act (NEPA) compliance—many of these important development projects are delayed until the National Historic Preservation Act (NHPA) requirements are met, sometimes at great cost to all concerned parties.

THPOs also preserve and rejuvenate the unique cultural traditions and practices of their tribal communities. In order to fully understand what the THPO programs are able to accomplish at the local level, here are a few examples of their work that goes beyond federal compliance:

- All THPOs believe that their work is an active expression of tribal sovereignty as they assume the state historic preservation responsibilities for their respective tribal lands.
- THPOs have worked with hundreds of local Tribal elders for history interviews. For example, the Spokane THPO was able to purchase audio recording equipment to assist in preserving the knowledge and experiences of their tribal elders. As for almost all tribal languages, their native language is shared verbally and is not in a written format.

<sup>1</sup>It is important to note that the “Tribal” line item under the Historic Preservation Fund includes both noncompetitive THPO funding and funding for a competitive tribal grant program. The entire “Tribal” line item does not go to THPOs, and NPS determines how much THPOs and the competitive grant program will get each year.

- THPOs actively work to preserve and protect historic structures, including historic Bureau of Indian Affairs schools. For example, the White Mountain Apache Tribe is preserving and restoring the Fort Apache Historic District, and the Navajo Nation is restoring their Capitol Complex that was built in the 1930 by the Civilian Conservation Corps. The Yurok Tribe in California restored one of its satellite offices that was an original U.S. Forest Service Forestry Research Station. The Lac du Flambeau Tribe in Wisconsin has embarked on a long term effort to fully restore a tribal building that once served as an Indian boarding school.

#### Federal Support of the THPO Program:

In furtherance of the modern federal policy of tribal self-determination, tribes were authorized in the 1992 amendments to the NHPA to assume historic preservation activities and responsibilities with respect to tribal lands. In FY1996, tribal governments received the first congressional appropriations under this authorization for these activities via the Historic Preservation Fund (“HPF”). By comparison, states have been authorized and have been receiving funding under the HPF for over 40 years for historic preservation activities on lands within respective state boundaries, but those funds were rarely if ever utilized for tribal historic preservation activities, particularly on tribal lands, prior to the 1992 delegation of authority to tribal governments.

Unfortunately, vitally important and successful THPO programs are severely threatened by lack of adequate funding to sustain them. THPOs received their first federal appropriations in FY1996. At that time, only 12 Tribes had established a THPO, with an average award of almost \$80,000. By FY2005, 43 Tribes had established THPOs (an increase of 350%), and the average award was down to approximately \$44,000 because appropriations increased only 38% percent from inception of the THPO program. New THPOs further the purposes of the Act, but also dilute the pool of available funds for all tribes. As funding for each respective THPO program shrinks, they are less able to assist federal agencies with their preservation compliance responsibilities and perform other important tribal duties and functions.

Since FY1996, the THPO programs have become very popular and successful with tribal governments. By FY2011, the THPO program has grown to 124 participating tribes. The NPS has stated that they expect 131 THPO programs to be funded in the FY2012 cycle.

In FY2001—the height of funding for state and tribal historic preservation—SHPOs started with a \$385,000 base level support and THPOs with a \$52,000 base level for each THPO in existence at that time. The average SHPO award in FY2001 was \$850,209. The average THPO award was \$154,815. States undertake very important historic preservation activities with their funding and tribes are not seeking to dilute that funding, but seek increases to their important tribal historic preservation activities as well.

However, despite tribal government and NPS support, neither the annual Department of Interior budget requests nor congressional appropriations have increased the line item under HPF that supports tribal historic preservation in a way that keeps pace with increasing interest of tribes in taking responsibility for historic preservation duties under NHPA. Despite rapidly growing THPO programs and NPS support, funding remained relatively flat from FY2002 through FY2005, with a small but meaningful increase by Congress in FY2006 of \$795,000, which was preserved in the President’s FY 2007 budget request.

One final illustration will indicate an important funding disparity: In FY2004, eight (8) U.S. territories received \$2.68 million in HPF funding, and all 43 THPOs together received \$2.25 million. Despite territories receiving more funding, the land base of the 8 Territories was 2.93 million acres (from CIA factbook) and the land base of those 43 THPO tribes was about 30.1 million acres.

#### *b. Preservation Creates Needed Jobs and Revitalizes Tribal Communities*

Heritage tourism in Indian country creates jobs, new businesses, builds community pride and can improve quality of life. THPOs play an important role in this planning process. Not only are tribal preservation programs asked for their input on important tourism endeavors, they are also involved in developing the important infrastructure necessary to bring visitors to tribal communities. THPO programs are thus an important part of a tribe’s investment in local jobs, non-federal contributions, and long-term economic development. For example, the Nez Perce THPO has worked with soil and conservation districts for watershed restoration projects and livestock watering grants, reviewed Indian Health Service and U.S. Department of Agriculture projects needed for water and sewer improvements, and is involved in

a myriad of transportation projects, including bridge replacements, repaving projects and bus station development.

*c. Gathering of Traditional Plant Materials on Public Lands*

The use of plants is integral to the continuance of Native American cultural traditions. For example, plants are used as food and medicine, as well as playing an important role in the creation of ceremonial regalia and basketry. Plants are also integral to manufacturing other aspects of traditional culture, such as clothing, housing, and transportation (boats/canoes). Because Native American cultures and their use of natural products have evolved on this continent over thousands of years, traditional harvesting practices tend to not destroy, but rather enhance, plant population vitality.

Past flawed policies of the Federal government has resulted in the serial reduction of tribal lands. Expansive territorial homelands were reduced to reservations, which were then—through the allotment era—fractionated into small parcels with remaining lands given or sold to non-Indians. One result of this land reduction is that the resulting smaller parcels that are available to Native Americans do not contain the myriad of plant resources necessary to represent the full spectrum of a culture. Non traditional uses by lands no longer controlled by Native Americans have become subjected to practices that either remove or damage or destroy traditional plant communities. One remaining source of plant materials may now be found on public lands that have not been subjected to intensive land disturbance. Inevitably Native gatherers have relied on these public lands and that reliance has, at times placed traditional gatherers in conflict with non-native commercial gatherers or immigrants from other continents that have adapted their own foreign gathering traditions to the plant biomes of America.

In recent years several federal agencies have developed policies that attempt to manage gathering activities of various user groups, including Native American gathering practices. The U.S. Forest Service and the Bureau of Land Management have such policies. It is anticipated that more land managing agencies will develop similar policies over the next decade. NATHPO is interested in advocating for such policies while being careful to ensure the recognition of the unique and fundamental relationships that Native Americans hold with the federal government and the sustainability and vitality of plant populations.

*d. Assessment of Actual Needs and Challenges Facing Indian Country's Cultural Preservation*

As stated earlier, Native Americans have been engaged in cultural preservation for thousands of years. For purposes of entering into THPO agreements with the NPS, it has only been in the past 20 years that the federal government was able to commit to work with Native people in preserving, protecting, and rejuvenating their cultures and lifeways. In 1990, the National Park Service, under NPS Director James Ridenour, conducted the first-ever national study—with funds appropriated by the U.S. Congress—directing the NPS to “report on the funding needs for the management, research, interpretation, protection, and development of sites of historical significance on Indian lands.” For the past 10 years, NATHPO has been seeking to work with the NPS and other federal agencies in developing and conducting another such effort that could serve as a blueprint for future work, knowledge, and understanding.

NATHPO'S LEADERSHIP ROLE TO PROVIDE ESSENTIAL TRAINING

Notwithstanding the need to take the pulse of Indian country in terms of overall cultural preservation needs, NATHPO has listened to our member tribes and has been offering training opportunities since 1998. Our trainings assist Native Americans in building capacity, including supporting tribal leadership, members, and communities, and provides valuable knowledge and skills needed in today's world to preserve tribal history and traditions for the future.

NATHPO's efforts are designed to fill a long-standing void of training opportunities in Indian country. This training void was first identified and studied in 1996 and was summarized in the National Park Service-funded report, “Historic Preservation Training by and for Indian Tribes: Report of a Workshop on Tribal Needs & Priorities,” that was contracted to the University of Nevada and Crow Canyon Archaeological Center. More than 20 years later, there is still a dearth of culturally appropriate training sessions.

NATHPO has also been offering training via our National Native Museum Training program that was created in 2006 and is designed to expand the knowledge and skills of museum leaders, increase the number of trained native museum professionals, and strengthen the overall capacity of tribal museums. The trainings sup-

port tribal museums and cultural centers to preserve cultural resources within tribal communities and serve as a hub for community members to learn and connect the past with the present. As an outgrowth and response to the Institute of Museum and Library Services study that was published in 2003, “Tribal Museums in America,” the program fills an important niche for Native American professionals.

*e. Tribal Needs and Challenges—Native American Graves Protection and Repatriation Act (NAGPRA)*

The Native American Graves Protection and Repatriation Act was enacted into law on November 16, 1990 (P.L. 101-601) to address the rights of lineal descendants, Indian tribes, and Native Hawaiian organizations to certain Native American cultural items, including human remains, funerary objects, sacred objects, and objects of cultural patrimony. The Act assigned implementation responsibilities to the Secretary of the Interior, including making grants to assist museums, Indian tribes, and Native Hawaiian organizations in fulfilling their responsibilities and opportunities under the Act.

Many THPOs are also their tribe’s “NAGPRA representative<sup>2</sup>” meaning they are part of the NAGPRA process and consult directly with museums and Federal agencies—including the NPS—which also administers the overall National NAGPRA Program. This tribal role requires detailed knowledge and skills prescribed by the act and the associated implementing regulations.

As a result of successful repatriation efforts, many Indian communities have brought their relatives and ancestors home. Solemn ceremonies honor the return of these individuals: an honor that each family and community in the United States conducts for their dead in their own way. Also, resumption of ceremonial life can begin anew with the return of sacred, ceremonial items. Each repatriation enables Native communities to employ the objects and items that have been handed down for countless generations in teaching their younger generations not only the important role that these sacred items have in their Native culture but also the pride, responsibility, and honor that are associated with the profound duty of caring for and conserving these precious resources.

Grants to Support Tribal NAGPRA Activities:

Section 10 of the Act authorizes the Interior Secretary to make grants to Indian tribes and Native Hawaiian organizations for the purpose of assisting them in the repatriation of Native American cultural items and to make grants to museums to assist them in conducting inventories and preparing summaries. Over the years, the NPS NAGPRA program has been using funds from the grant program to cover some of their administrative costs with the result that fewer dollars are making it to the local, tribal level. The resources currently available to effect repatriations fall far short of what is needed. While the U.S. Congress and administration have appropriated funds to support the NPS NAGPRA program, overall, those funds have been inadequate to effectively address the mandates of the Act. Insufficient resources also prevent Native governments and organizations from maintaining a robust NAGPRA program effort needed to assure protection of a tribe’s cultural resources. NAGPRA grants to Indian tribes and museums have decreased in the past five years, thus it is recommended that the program be substantially increased from its current level of \$2.4 million for grants in FY2008.

MAKAH-NATHPO REPORT, FEDERAL AGENCY IMPLEMENTATION OF THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

In August 2008, the Makah Indian Tribe and NATHPO released the report, which is the first ever study and analysis of how federal agencies are complying with the Act. One of the major findings is that the Federal government neither assures compliance with nor enforcement of the federal law enacted to protect American Indian remains and funerary objects and to reunite them with their families and homelands. In some instances, agencies have withheld or changed information about the objects or human remains in their possession, in blatant disregard of the law, according to the report. The report also stated that while some federal agencies have good working relationships with Native Americans, many Indian tribes say federal agencies rarely made good-faith efforts in contacting them about their collections. Tribes also have discovered that some of the federal agencies’ official notices of cultural determinations have been withdrawn for unknown reasons and without consulting the tribes.

Other report highlights:

<sup>2</sup>Only one Federal law cites the need to name one tribal employee—the THPO—as the point of contact. There is no federally created “NAGPRA representative.”

- Study only examined federal agencies—not museums. However, it is estimated that museums hold at least eight times as many human remains and objects as federal agencies. Using the database of Culturally Unidentifiable Native American Inventories Pilot Database as an example of the split between Federal agencies and museums (as of 2007): There are 118,400 individual Native Americans listed and 828,641 associated funerary objects inventoried by 627 museums and agencies in the database. Federal agencies account for 13,785 of the overall 118,400 Native Americans and 66,407 of the overall 828,641 funerary objects.
- The NPS has failed to enforce the mandates of the Act on its fellow federal agencies and encouraged some federal agencies to withdraw the pending Notices of Inventory Completion. Overall, the NPS has withdrawn the most information from the entire repatriation process by unilaterally deciding to withdraw pending Notices of Inventory Completion (and thus, no repatriation process). The Act requires each museum and agency to provide notice directly to the culturally affiliated Indian tribe or Native Hawaiian organization. However, since 1995 these notices have undergone increased scrutiny by the National Park Service, resulting in delays; an unknown number of these notices have been “withdrawn” by the National Park Service without adequate notification to the culturally affiliated Native American. Many of these pending Notices have been on hold in the NPS administrative office in Washington, DC, since 1995-96 (over 13 years).

The report also identifies these additional weaknesses for all Federal agencies:

- Federal staffing to implement the Act is insufficient.
- Federal officials responsible for implementing the Act are inadequately trained.
- Identifying the appropriate NAGPRA contact within each agency is extremely difficult, thus making the repatriation process even more burdensome for both tribes and federal agencies.
- There currently is no publicly available listing of which agencies and museums have submitted summaries and inventories.
- There currently is no standard for adequate consultation with Native Americans.
- Some agencies, like the Tennessee Valley Authority, knowingly unearthed Native American remains in the 1930s and simply listed the over 8,000 human remain as “culturally unidentifiable,” thereby denying them a respectful burial by culturally affiliating the remains.
- Other agencies, like the Bureau of Land Management in the Spirit Cave case, have listed human remains as “culturally unidentifiable” despite the incredible amount of information to the contrary that was provided at great cost by the culturally affiliated Indian tribe.
- While the Department of the Interior can investigate allegations of failure to comply by museums, there is no similar mechanism to ensure that Federal agencies comply with the Act.
- Compliance with the Act varies from agency to agency. There needs to be some way to verify Federal compliance.

The Makah-NATHPO report also called for the Government Accountability Office (GAO) to investigate federal repatriation programs, which has now occurred. The GAO released the following two reports:

1. Native American Graves Protection and Repatriation Act: After Almost 20 Years, Key Federal Agencies Still Have Not Fully Complied with the Act (2010)
2. Smithsonian Institution: Much Work Still Needed to Identify and Repatriate Indian Human Remains and Objects (2011)

#### *f. Tribal Cultural Landscapes*

Over thousands of years, Native American cultures have lived in the area now known as the United States. Resident plants, animals, natural and geologic features, weather patterns, geographic features and Native American long term manipulation of these landscape attributes have all contributed to sense and identity that is characterized as a homeland. When a young native child asks his or her grandparents who they are, inevitably the answer is to point to the landscape and its contributing attributes and to provide instruction on appropriate native relations to these attributes.

The National Historic Preservation Act and various guidelines that inform regulations provide definitions for types of historic properties. One type of historic property, called a “cultural landscape” or “ethnographic landscape” was created in order to recognize the tendency of human cultures to evolve in holistic ways with landscapes broadly defined. The National Park Service Brief 36 provides guidance on

how to document Cultural Landscapes. The National Register of Historic Places and the National Landmark registries are replete with examples of ranch landscapes, mining landscapes and urban garden landscapes such as New York's Central Park or San Francisco's Golden Gate Park. However, the registries lack adequate representation of Native American cultural landscapes. This lack of representation has resulted in lack of education about Native cultures and practices and consequently, it has reduced the protection of these special places.

Over the last several decades two new terms have been added to the historic preservation lexicon in order to bring more awareness to these broad places: Traditional Cultural Properties (see NPS Bulletin 38) and Sacred Sites (see American Indian Religious Freedom Act and Executive Order 13007: Federal Land Manager Sacred Site Protection). Unfortunately this additional awareness has also wrought confusion over what the similarities and differences of these three terms are and why three terms are needed when perhaps only one term will suffice. In very gross general terms Traditional Cultural Property literature puts less emphasis on objective documentation of the land and how specific cultures interact with the land and more emphasis on consulting with the cultural representatives who use and understand the land and demonstrating that a particular landscape feature remains vital to the continuance of traditional culture into current times. Sacred Site policy concerns under what conditions and manners federal land management agencies can allow or restrict access of the public or Native American practitioners to special places particularly for use in spiritual or religious purposes. It is the Cultural landscape concept and methods of documentation that most objectively provides understanding of what the landscape actually is by requiring identification of contributing elements or attributes. Understanding the components that go to make up a cultural landscape allows the most adequate means of developing Historic Property Treatment Plans that provide guidance for managing landscapes in keeping with traditions and in the face of an on-going federal undertaking.

NATHPO advocates and stands ready to assist the National Park Service in melding the three concepts into one coherent concept.

*g. Tribal Parks*

America's National Park Service is a means of protecting our special places that includes educating and interpreting those special places' natural and cultural qualities to the general public. As a result the National Park Service is a central participant in the Nation's heritage and eco tourism industries. State, counties, and cities also operate park systems that promote enjoyment and educational opportunities within natural and open settings. Other countries have representative spaces set aside for similar purposes. The NPS maintains a solid relationship with Parks Canada and the National Park System of Mexico. Likewise, several Indian tribes have developed their own parks. Examples include the nearby Ute Mountain Ute Tribal Park, Navajo Tribal Parks, and the Agua Caliente Tribe's Palm Canyon Tribal Park. Other tribes are in the process of establishing tribal parks or preserves. For example the Yurok Tribe is in negotiations with a timber company, a city, Redwood National Park and other land holders to cobble together a Yurok Tribal Park System that protects and manages resources for traditional usage and public education and recreation.

While the Bureau of Indian Affairs may have some role in the establishment and partial funding of some of these tribal parks it is suggested that in recognition of tribal sovereignty the National Park Service establish a NPS program to assist in the establishment, operations and where appropriate (such as in areas where Tribal Parks and National Parks are in close proximity to one another) co-management of some or all of the involved parks, park related features and the resultant tourism opportunities.

TRIBAL-NATIONAL PARK SERVICE ISSUES

*a. NPS Regulations for Native Use of Traditional Plant Materials*

The NPS has fallen behind other federal land managers in allowing Native Americans to conduct traditional gathering of plant and mineral materials on the park lands that they now manage. This lapse, arguably inconsistent with the NPS mission, is partially due to regulations found at 36 CFR Part 2.1 that have prevented most tribal gathering except where either treaties explicitly allow gathering or specific Park enabling legislation allows gathering. Until these regulations are modified, some park law enforcement zealously prevent the Native American gathering while in other parks, Native gathering practices are ignored. Neither policy treats Native people in a respective manner and may very well create tension within park units and externally between tribes and park service personnel. This tension has ex-

isted since the 1970's and there have been several attempts to revise the otherwise prohibitive "gathering regulations." Recently NPS Director Jarvis has put in motion a path to revising the regulations. An NPS spokesperson, recently speaking on behalf of NPS Director Jarvis stated, "Director Jarvis has deep experience working in parks where the ties between First Americans and the lands that are now parks have never been broken. He believes that maintaining those ties can nourish our landscapes while supporting native cultural traditions and providing opportunities for all Americans to better understand the history of America's first peoples."

The NPS wishes to revise the regulations to support long traditions of the original inhabitants and managers of National Park lands by allowing park superintendents to work in partnership and agreement with tribal governments to identify respective plant populations, methods and quantities of gathering and to establish mutually agreeable communication, access and monitoring protocols. The revisions make clear that this is to be done in recognition of tribal sovereignty, government to government relationship building and recognition of first nation/land manager statuses without opening parks to commercial gathering to all interested parties.

While there are some critical of these proposed revisions, NATHPO reminds all of those involved that many of the landscapes fastidiously managed by NPS units are the vestiges of long term Native American gathering and related land management practices (e.g., the pristine Bald Hills of Redwood National Park would not be bald had it not been for thousands of years of Native American burning practices that were conducted in part to encourage plant re-growth to assure ample supply of materials vital to the continuance of Native material culture). Today, practices conducted by Redwood National Park staff mimics traditional burning mosaics and provides interpretation at its visitor centers concerning Native basket weaving and the role of fire in procuring good basketry materials. Yet traditional basket weavers cannot harvest the resultant plant growth. Should native plant gatherers go onto adjacent private lands they do so at risk to prosecution for trespass and theft and also expose themselves to harmful pesticides and herbicides. The NPS, in some instances, hold the best populations of plants for traditional practitioners.

NATHPO applauds Director Jarvis's leadership fueled by his strong sense for the bond between Native people, their landscapes and particularly the plants that result from and play a vital role in the continuance of America's oldest traditions. NATHPO is available to assist in educating the general public and particularly those critical of the revisions. Once revisions are made, NATHPO is also ready to assist in facilitating a NPS-Native gathering program that provides benefits to Native cultures and people, enrichment of the education of park visitors, and ultimately meaningful caretaking of the landscapes that NPS now manages.

#### *b. Co-management of National Park Units*

One significant method for addressing NATHPO's simple message of being included at the decision making table early and often is for NPS to embrace various co-management relationships with tribal governments, tribal parks and THPOs. While some are critical of the co-management concept or philosophy because they fear that tribal governments will usurp inherent federal decision making authorities, NATHPO suggests that the "co" of comanagement can mean many different things, all with positive connotations. For example the "co" can be for "collaborative" relations or the co can be for "coordinated" operations. Co-management in whatever form of cooperative arrangement is simply a smart philosophy to pursue in these times of budget cuts, reduced staffing and resulting erosion of staff morale. NATHPO envisions a future where a tribal park superintendent shares office space with a National Park superintendent; a place where a critical animal population that does not recognize park or reservation boundaries is researched and managed seamlessly with coordinated budgets, staff and research agendas that avoid duplications or contrasting recommendations; or a time when a combined park employee/tribal young adult trail crew build a trail available to the general public that connects tribal lands with National Park service lands; or where a National Park superintendent and staff negotiate with a tribal government over an agreement to allow traditional gathering and interpretation of a particular plant. There are successful models that exist internationally (e.g. aboriginal roles in Australia National Parks/Preserves). There are several ongoing and emerging examples in the U.S. National Park Service such as Canyon De Chelly, Grand Portage Rapids, Pipestone National Park and the south unit of the Badlands. NATHPO urges that more relationships are explored that move beyond the realm and practice of "consultation" to the realm of true "co" stewardship of the lands and the plants, animals, other resources and people that are sustained by such lands regardless of ownership, boundaries or authorities.

*c. Revising Bulletin 38*

An issue that is related, yet different from the tribal cultural landscapes discussion above, is the possible revision of NPS Bulletin 38, Guidelines for Evaluating and Documenting Traditional Cultural Properties. The document was authored in 1990 and was last revised in 1998 and is currently being considered for further revisions. While NATHPO has heard from key Park Service staff that the Bulletin is in need of revisions and agrees that it should be, the process to move forward is still being developed. At least one NATHPO member tribe has requested that the NPS conduct consultations with Indian tribes prior to making revisions to assure that such changes will be embraced by tribes and that all aspects of the document are discussed. NATHPO also supports an effort to alleviate any confusion that may currently exist about the similarities and differences of Traditional Cultural Properties, Cultural and Ethnographic Landscapes and Sacred Sites. NATHPO has expressed to the National Park Service our interest in working together in this revision with the goal of improving the process so that Indian country may most effectively and expeditiously preserve and protect their respective historic properties.

*d. NPS and Native Americans Working Together*

The discussion of the NPS working together with Native Americans also should include work force issues and opportunities. Notwithstanding the fact that many Indian tribes are located in close proximity to national park units, there are few structured efforts to encourage Native American participation, including employment. There is a need for a supported and prolonged effort to recruit and train Native American staff to work within the NPS, whether as rangers, or within the museums and visitor centers located throughout the country. Recruiting and supporting Native people in these fields has been slow and needs a influx of attention and resources to make viable career options. It has been encouraging to witness Native American involvement in park Interpretation and there are many park units that would benefit both Native Americans and the visitor experience to our nation's park units.

TRIBAL-FEDERAL GOVERNMENT ISSUE

*a. Tribal Consultation*

One process spans the entire Federal government spectrum: the need for open and transparent tribal consultation protocols. The Obama administration has tasked each federal agency with developing and sharing their tribal consultation process. Without such information, Indian country will continue to be in the dark when it comes to initial and final decision making on issues that directly affect Native peoples and their cultural traditions.

CLOSING STATEMENT

During the 2009 NATHPO membership discussion on priorities to be considered by the incoming administration, one issue that applied to many federal agencies was the need to "enhance and promote the Native voice in all aspects of historic preservation at all levels of government." This sentiment continues to be true today. The THPO program has demonstrated its positive effect—both at the tribal level and at the federal level—yet its existence is threatened by the lack of federal support. Another important federal law enacted for the benefit of Indian country, the Native American Graves Protection and Repatriation Act, is beset with issues that impede full Native American participation. Yet, as described above, if Indian country was encouraged and supported to fully participate as partners with the National Park Service, significant challenges to tribal cultural preservation may be overcome. Perhaps in the next 20 years, Native American people will be allowed to gather plant materials from lands now managed by the NPS in a continuation of a practice that dates back thousands of years. Perhaps the next generation will be allowed to express their history from their own points of view and be a present part of the story for park visitors who want to hear the authentic story of tribal connections to natural and cultural resources. There are many challenges but our resolve and vision to be part of the story is encouraging for me and I hope that you will support us.

Senator UDALL. Very legitimate and—concerns you have. But thank you for that testimony.

Dr. Dethloff, you're presence is important. Thank you for being here representing an important stakeholder institution. The floor is yours. We look forward to your testimony.

**STATEMENT OF GAIL DETHLOFF, DIRECTOR, CENTER FOR  
PARK RESEARCH, NATIONAL PARKS CONSERVATION ASSO-  
CIATION, FT. COLLINS, CO**

Ms. DETHLOFF. Thank you.

Mr. Chairman, I'm with the Center for Park Research at the National Parks Conservation Association.

NPCA is a non-profit, non-partisan, association dedicated to the protection and enhancement of our National Park system. The Center for Park Research provides information on research conditions throughout the system. We appreciate this opportunity to testify because our research shows cultural resources in our National Parks are in some jeopardy. In 91 percent of the parks we surveyed we found cultural resources were in fair or poor condition.

The National Park system encompasses an extraordinary portfolio of American culture. The National Park Service through its stewardship of these sites and its national role in preservation activities is the closest thing the U.S. has to a heritage ministry. As the Senator noted, one finds in the Park System nearly 27,000 historic buildings, an estimated 2 million archeological sites and 123 million museum and archival pieces. Of these sites, stories and programs the agency oversees it largely governs how our cultural—how these cultural resources are managed. Support was gained from the Administration in Congress has a strong bearing on this governance.

Over the past decade our Center has staffed of preservationists, historians and anthropologists assess the condition of heritage properties and collection in 77 parks. To assess the condition of cultural resources we employ the methodology based on NPS's own Cultural Resource Management Guideline. Our findings were recently published in the State of America's National Parks.

Cultural resources in parks generally do not fare well overall. In parks established primarily to protect such resources, they do fair better relatively speaking. While we did not assess Mesa Verde, it is our country's flagship archeological park. Its extensive research programs, preservation leadership and the curatorial work indicate a high level of adherence to the Cultural Resource Management Guideline and correspondingly healthy resource conditions.

Our research shows, however, that Mesa Verde is an exception, not the norm. The history of inattention to cultural resources and inadequate funding have led to decisions that have slighted cultural resources in the system. Across disciplines with designations parks struggle to identify documents, maintain and monitor them. Our National Parks don't have enough professional staff to take care of cultural resources. They often lack the funds to pay for materials to keep them in good condition.

To expand on this, if you don't know what you have or what condition it is in, how can you protect it and share it with others?

All the parks we assessed lacked cultural planning documents. For example nearly half of them had no historic structure reports to guide the preservation and maintenance of buildings listed on the National Register. Olympic National Park had virtually all of its archival collections un-cataloged when we assessed it.

When information is available on what resources are listed at the park—and get them to preserve and interpret them. A good exam-

ple of this is here at Mesa Verde where a structural stabilization crew works to maintain cliff dwellings with thorough documentation guiding that crew. Yet cultural resources staffing has fallen nearly 25 percent in the past 10 years. Even in a major cultural park like Appomattox Courthouse, cultural resources management has occasionally been regulated to the level of collateral duties with staff getting to it when they have the time. Maintenance and monitoring fall by the wayside when staff are absent.

For example at Big Bend there is no annual monitoring program for historic structures when we assessed them. All of the staff are critical to preserving these places for current and future Americans. It takes money to pay for those staff—to maintain them.

NPS cannot currently track the cost of bringing all of those cultural resources into good condition. Only for historic structures do we have a ballpark figure currently estimated at \$2 billion. The current rate of funding and the construction budget doesn't allow the parks to keep up. Construction conditions can worsen when maintenance is delayed.

With all of that said, the challenges to cultural resource stewardship obviously is serious, but they are not insurmountable. In a number of parks, NPS is doing an exemplary job. For that we commend them.

NPC makes the following recommendations for improving cultural resource conditions in the National Park System.

NPS should establish and Congress should fund a Cultural Resources Challenge that enables the agency to work effectively on management and preservation to bring America's stories completely to life.

NPS should continue programs that address the basic needs of completing baseline documentation of cultural resources, providing staff training and providing access to technical expertise.

NPS should better utilize partners to acquire baseline information which would alleviate urgent needs and help parks to identify which resource specialists they need over time.

Congress can encourage community links to park resources by supporting public transportation enhancements to better connect parks and revising certain regulations to simplify historic preservation tax credits for rehabilitation of park historic structures.

NPC thanks you for the opportunity to address the Committee today. Given a long history of inattention to cultural resources we applaud your leadership in calling this hearing.

Here at Mesa Verde it is apparent what can be achieved. It is a global icon attracting half a million visitors a year. That that it is a dynamic economic engine for the entire region. NPS staff are on the front lines in caring for our history. But we are all responsible for safeguarding these irreplaceable pieces of it.

Thank you.

[The prepared statement of Ms. Dethloff follows:]

PREPARED STATEMENT OF GAIL DETHLOFF, DIRECTOR, CENTER FOR PARK RESEARCH,  
NATIONAL PARKS CONSERVATION ASSOCIATION, FT. COLLINS, CO

Mr. Chairman and members of the subcommittee, I am Dr. Gail Dethloff, Director of the Center for Park Research with the National Parks Conservation Association (NPCA). NPCA is a nonprofit, nonpartisan organization dedicated to the protection and enhancement of our National Park System, with 344,856 members nationwide.

Since 1919, NPCA has been the leading voice of the American people on behalf of our national parks. We are happy to have this opportunity to testify today because our research clearly shows that the state of cultural resources in America's national parks is jeopardized by major challenges, including challenges in funding and management.

NPCA's Center for Park Research provides accurate, comprehensive information and analysis on resource conditions throughout America's National Park System. The Center's professional staff has expertise in areas such as ecology, environmental quality and monitoring, historic preservation, anthropology, and environmental history.

Over the past decade, the Center evaluated natural and cultural resources at 80 national park units. Of these 80, the Center for Park Research assessed the condition of park heritage properties and museum and archival collections in 77 parks. NPCA researchers consulted National Park Service (NPS) cultural resources databases, examined reports and studies produced by or for the Park Service, visited parks in person, and conducted interviews with park and regional staff. When assessing the condition of parks' cultural resources, we employed a methodology based on the National Park Service's own Cultural Resources Management Guideline. The methodology analyzed the condition of archaeological properties, museum and archival collections, cultural landscapes, ethnography, and historic structures, and the status of historical research. Our findings were published this summer in *The State of America's National Parks*. The data we collected and the summary report provide the basis for this discussion of cultural resources in the National Park System.

The National Park System encompasses an extraordinary portfolio of significant American culture. More than 65 percent of national park units were designated to preserve places where the North American story took place, from prehistoric times to the present. Across all 396 national parks one finds nearly 27,000 historic buildings, 3,500 historic statues and monuments, an estimated 2 million archaeological sites, and 123 million museum objects and archival documents—collections bested only by the Smithsonian Institution's assemblage of museums. Here at Mesa Verde exist more than 4,000 archaeological sites, including 600 cliff dwellings, which provide an astonishing record of the life of the Ancestral Puebloan people who lived here a thousand years ago, whose descendants still live here in the Four Corners region and along the Rio Grande. Mesa Verde has a unique set of resources but the park is one of a number preserving the historic cultures of the Southwest. Most of the major battlefields associated with the American Civil War are managed by NPS, and by virtue of the sites the agency manages and the stories it interprets and preserves, NPS is one of the largest stewards of African-American, Latino, Indian, and Asian-American history in the country. In addition, the Park System preserves sites fundamental to understanding social forces such as westward movement, industrialization, and the quest for equal rights for all citizens.

The National Park Service is the closest thing the United States has to a heritage ministry. As the steward of these sites and through its federal matching grants for preservation activities, its technical expertise, and its management of a federal tax incentives program valued at more than \$2 billion in private investment each year, the Service governs how our country's cultural resources are managed. The support received from the administration and Congress has a strong bearing on this governance.

With robust preservation management and activities, Americans have amazing opportunities to understand where we've been as a people and how our heritage affects where we are going.

The National Park Service has been charged with protecting our nation's most important historic sites since its beginning in 1916, and works to do so under legislative mandates such as the Antiquities Act (1906), the National Historic Preservation Act (1966), the Archeological Resources Protection Act (1979), and the Native American Graves Protection and Repatriation Act (1990). The agency developed its most recent set of standards to guide the management of cultural resources in the late 1990s. Devoted and talented people from cultural resources disciplines are attracted to working in our national parks because the parks represent the most important parts of our heritage, with the highest standard of preservation. We ourselves used NPS guidelines to shape the methodology we used in assessments and we found that closer adherence to the standards appeared to result in better resource condition. In parks established primarily to protect cultural and historic resources, these resources do fare better, relatively speaking. While we did not assess Mesa Verde, it is our country's flagship archaeological park, and its extensive archaeological research program, preservation leadership, and the curatorial work being done to move the collections to the new Visitor and Research Center indicate a very high

level of adherence to the Cultural Resources Management Guideline and correspondingly healthy resource conditions.

But there is also, in the history of the park system, a history of inattention to cultural resources and their management in many places, especially parks established to preserve natural and scenic resources, and small parks with less visually spectacular but still vitally important cultural resources. Our research shows that a systemic attitude that heritage preservation should play second fiddle to natural and scenic wonders and overall inadequate funding for the system have led to decisions that have slighted cultural resources. Our parks struggle with an inadequate baseline understanding and inventory of resources, a shortage of professionally trained staff, and a lack of funding that have caused overall cultural resources condition to be considered "fair" or "poor" at 91 percent of the parks we surveyed.

#### INTERRELATED ISSUES

The problems affecting cultural resources occur across park designations and across regional divisions. But they are not insurmountable; they are understandable and can be addressed. And there are good examples of NPS staff finding solutions to the problems, which can serve as a path forward from where we currently stand.

The first step in cultural resources management is to identify, evaluate, and document the properties and collections in the Park Service's care. This baseline documentation of resources is the key to next steps. Unidentified and unevaluated resources simply cannot be appropriately preserved, protected, or interpreted. At Rocky Mountain National Park, which the Center assessed in 2002, we noted a need for historic structures resource studies and condition reports, and in the intervening time, park staff worked through the Cooperative Ecosystems Studies Unit to contract with local universities to complete those documents. With that information in hand, park staff had documentation on what they have, what threatens it, and what the next steps are for protecting and preserving the resource. However, all parks the Center assessed lacked cultural and heritage planning documents (such as comprehensive interpretive plans, historic resources studies, ethnographic overviews and assessments, cultural landscape reports, and collection management plans) in one or more disciplines. Because these research and planning documents inform a park's larger planning documents, processes, and decision-making, their absence means that cultural resources continue to be ignored as park managers determine how to spend limited time and money. Simply put, unless park managers seated at the planning table have authoritative proof of the importance and condition of cultural resources in their park, those resources are not taken into account when decisions about park priorities and budgets are made.

With the information in hand on what resources exist at the park and what may threaten them, NPS staff with appropriate expertise on specific resource types can take the necessary steps to protect, preserve, and interpret them. At Mesa Verde, a structural stabilization crew of professional archaeologists and stone masons work together to maintain the cliff dwellings and archaeological structures. At park sites with brick-and-mortar fortifications (e.g., Fort Sumter, Fort Pulaski, Fort McHenry, Dry Tortugas (Fort Jefferson), Gulf Islands (Fort Pickens), Golden Gate (Fort Point)), the presence of a historical craftsman, such as a mason, is essential to properly caring for properties. However, cultural resources staffing has seen a significant decline (> 25%) in the past 10 years, and even in a major cultural park like Appomattox Court House National Historical Park, cultural resources management and historic preservation have been relegated for periods of time to the level of collateral duties.

Very few parks assessed by the Center either had on staff or had access to in the Regional Office the unique complement of professionals needed to do the job. For example, of the parks assessed by NPCA, 65 percent lacked the minimum professional staffing needed to oversee museum and archival collections and address the growing backlog of museum objects. When it comes to these situations, even a single staff person can have a significant impact. At Lake Clark National Park and Preserve, an archival technician with a three-year position significantly decreased the percentage of uncataloged items, even as the collection more than doubled in size, making these materials easily available for park staff and other researchers for the first time. When experts are present, they are finding it more and more difficult to stay current with training, education, and participation in the scholarly arena. These personnel need training and education that allow them to apply relevant, up-to-date scholarship to understanding and interpreting our nation's stories. When it comes to caring for the prehistoric and historic places, monuments, and museum collections in the Park Service's care, there is no higher priority than professionally trained staff.

Having baseline documentation and professional staff on hand are also primary factors in implementing appropriate oversight and monitoring of America's cultural heritage. When resources are catalogued and identified, they can be maintained and guarded in a cost-effective manner. At Capitol Reef National Park in Utah, there is adequate staff to conduct annual monitoring of the park's 25 historic structures, and the data are kept up-to-date in the List of Classified Structures. Comprehensive condition assessments for each structure are performed every five years, and all structures have been evaluated for eligibility for listing in the National Register of Historic Places. Any adverse changes in condition would be noted and could be addressed in a timely manner. But regular monitoring is the exception rather than the rule. In a more extreme example, at the time of our assessment, Big Bend National Park in Texas had no annual monitoring program in place for historic structures, even though the park has 69 structures either listed on or eligible for the National Register of Historic Places. At Big Bend, due to a lack of staff and competing management priorities, inspections of historic buildings are conducted on a five-year rotational cycle only for the most heavily visited or publicly accessible structures.

Documentation and personnel are also important in the maintenance of the most visible of cultural resources in many parks, the historic buildings and structures. If the structures have no documentation to guide treatment, or their condition has not been monitored, park staff can only guess at the work that is needed. But, because of the dollar amounts involved, the construction budget for the Park Service itself has become an over-riding factor when it comes to the condition of these resources. Currently, the deferred maintenance cost for historic structures in the park system is estimated at 52 billion. Certain parks have taken innovative approaches to preserving their structures, even in the face of declining budgets, by taking actions such as partnering with community organizations to maintain and use park structures. For example, Valley Forge National Historical Park in Pennsylvania has had great success leasing one of its historic properties to a local Montessori school. While the property is historic, and therefore the park has an obligation to preserve it, it is not part of the park's main interpretive theme, and the park had no interpretive or administrative use for it. But other parks are struggling with structures whose conditions continue to worsen as maintenance is delayed. Alcatraz Island in Golden Gate National Recreation Area has benefited from rehabilitation work on one of the two remaining guard towers and seismic retrofitting of the Cellhouse, but other structures such as the New Industries Building and the Sallyport of the guardhouse through which all visitors enter are visibly deteriorating.

#### WAYS FORWARD

In a number of instances, NPS is doing an exemplary job of preserving and protecting the historic places and artifacts in its care, and for that we commend them. Championed by loyal and dedicated NPS professional staff, the task of fulfilling the agency's statutory mandate to preserve these places unimpaired while providing for the enjoyment and benefit of these places by the American public has become an ever-increasing challenge.

But striving for that mandate provides the excellent opportunity to connect all Americans with "America's best idea." Given its analysis of resource condition information, the National Parks Conservation Association makes the following recommendations for improving cultural resource conditions in the National Park System:

#### *Recommendations*

- NPS should establish and Congress should fund a Cultural Resources Challenge that enables the agency to work effectively on cultural resource management and historic preservation in the parks and through its programs. NPS should address long-term solutions to problems in cultural resources preservation and protection and leverage such funding through partnerships. This will greatly enhance the level and type of resources devoted to cultural resources preservation.
- NPS should continue internal programs such as the System-wide Archeological Inventory Program (SAIS), the Preservation and Skills Training (PAST) program, and the Ruins Preservation Team based out of Mesa Verde. These programs address the basic needs of completing baseline documentation, providing staff training, and providing access to technical staff identified as fundamental issues in preserving cultural resources. The programs should also be used as models for solutions across cultural resource disciplines.
- NPS should better utilize partners such as the Cooperative Ecosystem Studies Units National Network to acquire technical baseline information that all parks need on cultural resources. This could include educating NPS staff that Net-

work universities or other partners are available to work on cultural resources. Work through such partnerships would alleviate urgent needs and help parks to identify which cultural resource specialists they need over time at the park or regional level.

- NPS should encourage the involvement of community partners in preserving and interpreting cultural resources. Congress should assist in this process by removing barriers to this involvement through such actions as supporting public transportation enhancements to help volunteers get to parks easily, and revising tax and other regulations to make it possible for community partners to take advantage of historic preservation tax credits for rehabilitation of park historic structures.
- The National Park Service should incorporate cultural resource management concerns in all considerations of institutional capacity. The National Park Service Director, all associate directors, regional directors, superintendents, and others must take full responsibility for cultural resources in the System. The National Park Service should establish a Cultural Resources Advisor to the Director of the National Park Service as a complement to the existing Science Advisor position.

The National Park Service holds in trust for the American people the places, artifacts, and stories that form our collective heritage. If we are to continue to understand, appreciate, and learn from our heritage, NPS must have the tools and resources it needs to keep those places open to the public in safe and historically accurate condition, to keep the artifacts on display in appropriate settings accessible to all, and to share those stories in meaningful ways that are relevant to Americans today. NPS staff are on the front lines in caring for our history. but we are all responsible for safeguarding and preserving these irreplaceable pieces of who we are as a people and a nation.

Given the long history of inattention to cultural resources, NPCA applauds this Subcommittee's leadership in seeking insight and perspectives from various knowledgeable panelists on the significant threats and challenges facing these precious resources in our national parks. Here at Mesa Verde, it is apparent what can be achieved with dedicated and highly skilled park staff working with strong partners. This is an extraordinary place. It is a global icon and a source of great pleasure and enjoyment for half a million visitors each year from all over the world. It is also a dynamic economic engine that provides a source of livelihood for the entire region. Thank you for the opportunity to provide this testimony.

Senator UDALL. Thank you, Dr. Dethloff. Thank you to all of you on the panel.

Let me direct my initial question to you, Doctor. You surveyed many, if not all, of the National Park units and you perform an important function. We thank you for that.

Is it your sense that other historic and cultural parks create similar local economic benefits and opportunities as was the case here?

Ms. DETHLOFF. I know that we have done economic studies at San Antonio missions and at Colonial National Historic Park. In those cases there has been a definite economic value associated with the parks.

The San Antonio missions, economic activity was estimated at almost \$99 million coming from that park throughout the surrounding area supporting over 1,000 local jobs.

Colonial National Historical Park was also a driver. That is the historic triangle that is Williamsburg, Jamestown and Yorktown. So in that area there was seen to be \$42.5 million in visitor spending in 2010. Visitation to that park supported that many millions of dollars in visitor spending. There's an estimate of over 1,000 local jobs coming from that economic activity.

Senator UDALL. I think you can understand why I keep asking that question. It's both because I want to draw attention to the economic benefits of the parks, but I also want to look at ways to gen-

erate additional local and private sector support as well as government support to protect cultural and historic resources.

Is San Antonio Park, is that the Alamo?

Ms. DETHLOFF. No, the Alamo is actually a private foundation, I believe.

Senator UDALL. OK.

Ms. DETHLOFF [continuing]. That manages it. It does not include the Alamo.

Senator UDALL. I'm a lawyer so I can ask questions I don't know—I'm not a lawyer so I can ask questions I don't know the answer to.

[Laughter.]

Senator UDALL. But, you know, thank you for sharing some of those other parks and their statistics.

Let me turn to Chairman Hayes to you, if I might. As you mentioned one of the big challenges is finding adequate funding to protect cultural resources. We've got a tough budget situation. Finding additional funding will be difficult within the short term. I'm hopeful, by the way, that we will find a way forward and our economy will return to a robust condition and then we can look at making investments on the government side.

Other than finding more money, what do you think is the most important thing we need to do? I know you talked about coordination on the part of the Park Service with Indian Country. But what else is on—what would be on your list or underline that further, if that's the most important thing we could do.

Mr. HAYES. OK. One of the things that we talked about is participation and funding at the levels that were mentioned earlier and about State funding—actually getting tribes engaged and that those resources to help protect. You know, with this economy that we're facing today, you know, with the shortfalls and all that with the resources. I always tell people, welcome to Indian Country because Indian Country has been facing this for decades.

We've been able to utilize resources. That's why it's important that I believe that the government utilize the tribes as an asset to be able to maintain to be an example. Indian Tribal Park is partnering up and establishing a relationship. We could utilize that also. It's to build economic development here in this area. Partnering up with the tribes is important to be part of that.

As you know you need to generate revenue to all—and that's why I think it's important to tap into the tribal resources and help as a partner in making sure that we protect our resources that are here.

Senator UDALL. One of my take a-ways already from the hearing is to work with you to better understand how we can leverage what you just described.

Mr. HAYES. I just want to say one thing.

Senator UDALL. Please.

Mr. HAYES. For—service and I was in the Navy too. I spent 25 years in the Navy. I retired. So—

Senator UDALL. This is something watching a sailor and a Marine shake hands.

[Laughter.]

Senator DYER. But until we learn to walk on water, we need the Navy.

Mr. HAYES. I always tell the Marine Corps, say look at your emblem here and what's the thing on top? Department of the Navy.

Senator UDALL. Alright, now settle down.

[Laughter.]

Senator UDALL. Now there's actually an enormously synergistic relationship between the Navy and the Marines.

Mr. HAYES. That's the type of relationship.

Senator UDALL. That's a great—yes. I like that metaphor.

Let me turn to Jim on that note.

On the drive in here I noticed that both the new visitor's center, it's under construction, and the current 'Far View', which I like your term of phrase, that it was too far. I know the Foundation has been involved with the transition of the old visitor's center. Will you tell us more about what's going to happen to the Far View Visitor Center?

Senator DYER. It's going to become a tribal center with each of the 24 tribes having a slice of the pie in there. It's a cultural center as opposed to a tourist center. We're—we've shifted since the 20 million came from the, I don't want to use the word stimulus.

Senator UDALL. American Recovery and Reinvestment Act.

Senator DYER. That's what it is. Thank you.

So that took care of that. We've shifted our focus into rebuilding Far View into the Tribal Cultural Center.

Senator UDALL. That's an exciting development. I look forward to having a chance to visit that center when it's completed.

Will that be done in the next couple years? I imagine it's not easy.

Senator DYER. This place doesn't open until next October, the one that's down by the highway. So we'll shift using the shift targets. We've already shifted at the Foundation into kind of looking for funding for that.

Senator UDALL. Jim, thank you for that, for your leadership and your love of this special place.

Let me turn if I might to Ms. Krauss. I'd give you an opportunity to share a few more of your thoughts on ways to improve preservation of and education about our cultural resources.

Ms. KRAUSS. Thank you very much.

One way that I don't think it would cost a lot of money is for the Park Service to work with Indian tribes and updating and promulgating regulations on the gathering of traditional, kind of, mineral materials on lands that are now managed by the National Park Service. Native people have been the only cultures that have been on U.S. soil for thousands of years. Some might say time immemorial, but, you know, scientifically thousands of years.

So there's no denying the fact that Native people have been managing the land for thousands of years. Doing so quite well in terms of making sure that in the past, you know, lands that have been suffered from sea areas, wildfires because of lack of management over the years. So right now there is some proposal to upgrade the regulation so that Native people could gather plant materials for food, medicine, ceremonial objects, the need for ceremonial canoes

would require a large redwood tree. I mean that type of experience. I think that is a crucial element of Native American cultures today.

It actually inspired some kind of—with Native people that they don't need to, you know, ask for any special permission. That it was always their right to gather these materials. It's only been recently that they were told they can't. So try and bridge that gap in terms of making sure that the respect that should be afforded Native people to gather, to use plant materials, instead of having to go through any enormous challenges.

So that's one thing that's on the table. I just want to go back to Tribal parks. I think that's a great economic model. I think for the Subcommittee on National Parks, the Tribal parks have a great opportunity to prove their additional land from any major development. I know that they've done quite well here in Colorado.

The Agua Caliente Tribe in Palm Springs has a significant park. They're a great success story. They train tribal rangers. They have tribal employees who are responsible for enforcing the tribe's quality and codes there.

It would be great, for example, for there to be an exchange of tribal rangers with National Park Service rangers to share their cultural understandings and learn a lot from each other. Just some examples.

Senator UDALL. Thank you for those examples.

I'd like to build on that in a related way and give each of you a chance to talk about what your organizations are doing to encourage young people to be involved with our National Parks. It's not only something that makes us feel good but it's a responsibility that we have to future generations. We didn't inherit the Earth from our parents. We're actually borrowing it from our children.

But we need to share with them what it is that we borrowed from them so that they can then keep faith with their children, which we hope that they continue on.

Mr. HAYES. I think as we talk about the partnership. I remember in the 1970s we used to have tribal members come to the park and police here, the gate that was here. That hasn't happened for quite a long time. That whole region was on a summer program we called the Bushwhacker program for young children to give them an opportunity to go to a tribal park and visit and just have an understanding.

One of the things that we've been talking with the district is our educational curriculum, this thing about cultural language. To be able to maybe come up with a curriculum or who would identify Mesa Verde as historical and the value that's here. Meaning the people we would—and I think a lot of times educating both tribal members and non-tribal members, it would, at that generation at their level. We will build a stronger relationship than we have in the past.

I think that's something that needs to be talked across the board and probably in the State of Colorado because that's one of the things that we've been always advocating is to look at the, not only the use of the Native Americans in the school curriculum but what they offer. I think this is another avenue to mention about the center down here of educating the general population and the world.

I mean, we get many, many foreigners coming into our Tribal Park. We don't advertise. We just maintain in a respectful way.

As was mentioned by Ms. Krauss, you know, we do know how to take care of our resources. By helping us do that and identifying and working with Terry and many of our tribal leaders we can have preservation of our culture. I think that would be a win/win situation across the board for the Park Service.

Senator UDALL. I would welcome any additional ideas as well. I know Historic Officer Knight probably has a lot of ideas we'd love to see included in the record that we could consider.

Jim, I know you've been really focused on the capital needs of the park. Do you do any work in this area of working with the park to encourage young people to enjoy and learn from these resources?

Senator DYER. I have not. I will put that on my to do list.

[Laughter.]

Senator UDALL. We know the Visitor's Center has to get done.

Senator DYER. Yes.

Senator UDALL. The conversion of—

Senator DYER. Yes, first things first.

Senator UDALL. Dr. Dethloff, do you have any insights into what you do, or you think we could do, when it comes to?

Ms. DETHLOFF. NPCA has supported in the past a youth service program—the other thing that we direct later on with funding of that sort of legislation is we have corporate partners that we work with on volunteer opportunities. We've had opportunities for school aged children in the parks working on things like marking field migration paths. We have our California Desert Park field office has done a lot of work with bringing out volunteers including children working with the Marine Corps, actually, on Camp Pendleton on Native plant reseeding and re-storing those.

We also, as an organization, have family days where we, particularly our Central Valley office, which is one where we reached out to the non-traditional park visitors and try to bring more Latino families, not necessarily to Yosemite National Park, but down in the Fresno area. We think it is done a bit more about trying to connect them with those places. Our other regional offices also do family days that have similar events.

Senator UDALL. I wanted to note too since we have the regional directors here that I've been impressed with this last year, the activities at the Colorado National Monument that Michelle Wheatly in particular have put in place.

Then I had the opportunity to be in the Great Sand Dunes National Park. There's a wonderful outreach into local communities to high school and younger youth to experience that park. So those are two local models of success.

I wanted to ask you if you had any response to Ms. Krauss' comment about tribal park ranger cross training opportunities potentially. There may be some of that happening I don't know about. I was wondering if you either a reaction now or a reaction for the record later.

Ms. JOSS. Just a personal reaction. I think it sounds like a great idea.

Senator UDALL. We can build on the sailors and the marines.

[Laughter.]

Senator UDALL. Their engines create a force.

Ms. Krauss, let me move back to you, if I might. I had a question I prepared. I think you spoke to this, but you said over 120 tribes have their own historic preservation programs, most of those set up in just the last decade.

When a tribe develops that interest what's the cost to make that idea real and how much of the funding comes from the Federal Historic Preservation Program steady, verses other ways of funding?

Ms. KRAUSS. So, I understand, how much it cost the government or the tribes to establish a tribal historic preservation program?

Senator UDALL. I think starting with the tribe and then how much are we able to help.

Ms. KRAUSS. The answer is, in as distinct a way as possible, the tribal level requires that the government institute its own process on how the officer will interact with the tribal government. So they've become the front person for Federal agencies. So that's the level of responsibility that the THPO has at the tribal level.

So that requires a tribal component to all get on board and support it. So however much it costs the tribe to get through the tribal council process probably. So that's a separate issue.

But the Federal Government supports the tribal historic preservation officers and the State historic preservation officers from the Historic Preservation Fund that has recently come under some attack, unfortunately, but you know, it's one of the crucial pieces of the funding total for historic preservation in our country. So—

Senator UDALL. Thank you. Sorry. We're getting an update. We've got a plow maybe that's going to run through at 12:35, 12:40, 12:45. So we're going to begin to wind down the hearing over the next 10 minutes or so. So that's the update I was getting.

Because Terry gave a very powerful prayer.

I didn't hear all of what you had to say, but your comments will go in the record.

But I thought as we—because it's been very helpful to me that before I end the hearing I'd like to turn to each and every one of you and give you a chance to make some final comments. In that comment, if you would, it's your view. I'd love to ask you what you think the No. 1 priority for ensuring the protection of our cultural treasures for our children should be.

I'll start with the Chairman. Laura had a chance to share her thoughts with us. So I'm going to start with you, Chairman Hayes.

Mr. HAYES. I think one of the, from a tribal perspective, is to be able to engage the tribe in that conservation process and having them at the table—always been on a menu. I think with everything that's happening with TPHO and with the talk on the tribal side. You know we feel that it's very important. That's why Terry wears many hats.

When you talk about limited resources that's what we have to utilize. We have tribal members, such as Terry stepping up to the plate with limited resources on the tribal side instead of—help us in the preservation of our cultural—and heritage. But that would be really the No. 1. Any programs or any policies that are being considered need to have the tribal perspective especially when it's within Indian Country. I think by that we can be able to be a part,

to participate in the implementation of laws or statutes that we can create.

Senator UDALL. Thank you. I think that's a very timely, very important and has, I think I can say, been overlooked in the past. We should go the extra mile to ensure that it doesn't happen moving forward. I look forward to working with you in that regard.

Mr. HAYES. Thank you.

Senator UDALL. Chairman Dyer, got a lot of titles for you.

Senator DYER. Thank you.

Mr. Chairman, Mesa Verde Foundation is acquiring toward building things, brick and mortar and that's just the way we found it and that's been the implementation. There is another organization, the Mesa Verde Museum Association, and they are more, well they run the bookstore for one thing.

Senator UDALL. Sure.

Senator DYER. So they've got a funding source.

Senator UDALL. Right.

Senator DYER. But they're the educational arm of what the volunteer effort goes to.

We do coordinate with one another. I'm the designated Mesa Verde guy to sit as the museum association does its magic. So we're in sync.

But I think after being here today I think that Mesa Verde Foundation needs to take another look at the educational component of what we can do.

Senator UDALL. OK. Thank you for that insight.

Ms. Krauss.

Ms. KRAUSS. I want to state that in terms of the working relationship with Indian tribes and the Park Service, I don't think it's ever been at a more positive point. Under Director John Jarvis, you know, he's had a long history of working with tribal government.

But I know that NATHPO is encouraged and looks forward to continuing to work with the Park Service. In the written statement, it actually states that, "Perhaps the next generation of Native people will be allowed to express their history from their own point of view and be a present part of the story for park visitors who want to hear the authentic story of tribal connections to natural and cultural resources." I think that summarized our point of view very well.

Senator UDALL. de Tocqueville, the great French observer of America in the 1830s, among many insights that still hold today—Jim, I know you and I talked about this in fact—America's strength is her capacity to undo her mistakes. Sometimes you wonder.

Churchill also said that you can always count on the Americans to do the right thing after they've tried everything else.

[Laughter.]

Senator UDALL. We have more work to do to build, and I say, we, the majority culture in America, to rebuild the best and the relationship and the friendship with Indian country. I'm deeply committed because it has been my family to do so.

Having said that, it's easy to say that. It's challenging to do that. But the comment you just made gets right to the heart of that. I know there are other countries in other parts of the world that also struggle with that challenge and that responsibility. But we need

to continue to struggle. I appreciate the way that you outlined what I see as a real opportunity.

Ms. KRAUSS. Thank you.

Senator UDALL. Thank you for that.

Ms. Dethloff.

Ms. DETHLOFF. I would say from the report we did with the 77 parks that the issues are very inter related. But—some of the linear fashion that do exist that they just don't have the means to document what they have. That's not very effective, but it's what you build on and what you build up all the way through to target our interpretation.

Interpretation needs to be a strong flat foundation for interpretation—that's what gets people to connect. It gets people to care. It gets people to learn from these places.

So we would stress that as an important component of recruiting cultural resources is doing it at a level that will work and then you'll have people wanting to preserve the components of our culture and lives.

Senator UDALL. Powerfully stated and completely on point. Thank you for that.

The set of insights in your testimony really covered all the ways in which we could do that. So again, thank you.

I want to bring the hearing to a close. I'm going to make a couple of additional comments. Then again it will give a chance, I think, to visit a little bit before. The plow literally, I think, is going to lead a convoy down the hill.

[Laughter.]

Senator UDALL. It could be a wonderful afternoon when it clears.

Right, Historic Officer Knight, we're going to see a clearing at some point and God's creation will be in front of us in all its glory and long vistas.

I'm someone who believes strongly that you not only need an economically diverse society and that your natural systems need to be diverse, but cultural diversity, although in some quarters, debated, is crucial for our species. There's no one way of being human.

There are cultures all over our world that were strong, that were fascinating that lived in harmony with Mother Nature. I think a great risk is we let cultures become extinct as well as ecosystems or economies. In a sense we've got that question in a broader way here today in a way that was moving for me, particularly Chairman Hayes, your comments, really hit home. I think we also acknowledge the important role that our Parks play in our economy. Given the tough times that we face we should take note.

I am a long time mountain guide. My friends, like Jim Beaubukery, wonder what got into me to become a politician. But there's been very good news out of the outdoor recreation industry these last few years. Their sales are up, whether they be equipment or the guided trips or whatever it may be. People in our country are staying at home a little bit more and taking advantage of these marvelous natural resources. We have and continue to see people from other countries travel to America. So I think it's important to underline that even in our economy the role that our parks play.

Then finally our National Parks do continue to be one of our best ideas or America's best idea. To speak to Ms. Krauss and others that if our parks can bring us closer together as Americans in all our various shapes, backgrounds, religions, cultural outlooks, all the better for the National Parks and, truly, we moniker America's best idea will hold fast and we can expand on it.

Jim, do you want to comment?

Senator DYER. Just your last name is Udall. I think politics is in the DNA.

Senator UDALL. It's a defective gene.

[Laughter.]

Senator UDALL. It's why I'm a big supporter of genetic research, Jim. See if we can strip it up.

But again let me thank, Cliff, your great staff, the work that you do, the flat hats are special. The people who took the time, the citizens who are here. It's really great to share this important hearing with you.

We'll keep the record open for additional questions and statements.

I hope everybody gets home safely. As I mentioned the snow plow will be here approximately 12:45 to lead a group.

If people want to stay, we'll supply cots and blankets for the night and your ranger team is ready to lead some walks in cold conditions.

[Laughter.]

Senator UDALL. So thanks for coming. It's been a wonderful hearing. Thank you all. With that this hearing of the National Park Subcommittee of the Energy Natural Resources Committee is concluded.

[Whereupon, at 12:45 p.m., the hearing was adjourned.]

[The following statement was received for the record.]

STATEMENT OF CROW CANYON ARCHAEOLOGICAL CENTER, CORTEZ, CO

This statement provides written comments to the Committee on Energy and Natural Resources-Subcommittee on National Parks, Forests, and Public Lands; the comments are in response to the recent hearing on November 5, 2011 at Mesa Verde National Park, Colorado that was chaired by Senator Mark Udall, Colorado. The theme of the hearing was preserving history, culture, and jobs for America's future.

The Crow Canyon Archaeological Center, of Cortez, Colorado is a nonprofit institution with a threefold mission: To conduct innovative archaeological research, to deliver public education programs informed by that research, and to involve American Indians in the Center's research and education programs. Deborah Gangloff, President and CEO of Crow Canyon, and Mark Varien, the Center's Research and Education Chair, attended the subcommittee hearing.

We begin by applauding Senator Udall and the expert witnesses who testified at this hearing. Each of the participants provided excellent testimony regarding the treatment of cultural resources in America's national parks. The hearing emphasized three primary issues: 1) how to best protect and preserve cultural resources; 2) what partnerships are needed to achieve the goals of protection and preservation; and 3) how the management of cultural resources can benefit the U.S. and local economies.

The hearing was exemplary, but an important perspective missing: virtually no attention was given to the "Why" question. Why—beyond the economic benefits of associated tourism in the parks—is the preservation of irreplaceable cultural resources is so important? We believe a principal reason for preserving these resources is so they may be studied and interpreted for the benefit of the American (and world) publics. The study of cultural resources is the primary means by which we learn about the distant human past. The national parks are a treasure trove of ar-

archaeological sites that can contribute invaluable knowledge about human history, if properly studied. The National Park Service (NPS) has both the opportunity and the responsibility to further knowledge about the past by facilitating carefully designed archaeological research on the resources it manages on behalf of the nation. We address this omission and the issue of archaeological research in national parks in these comments.

Acquiring reliable knowledge about the past is essential if we are to understand the cultural development of human society and gain an appreciation for cultural diversity. Our society spends billions of dollars each year on scientific research aimed at important questions such as finding a cure for cancer or the nature of the planet Mars. Little by comparison is spent on research into the human past. Yet it can be argued it is our lack of understanding of ourselves as social and cultural beings that is the biggest obstacle we encounter as we attempt to solve the problems facing society today. In this light, study of the human past is more than the exploration of a distant time. Instead it is an intellectual endeavor that is critical to meeting the challenges of today's world.

We believe that society benefits most from the management of cultural resources in America's national parks when the following three areas intersect: 1) the preservation of cultural resources through careful management; 2) problem-oriented research that amplifies our understanding of the human past; and 3) the dissemination of the results of that research to the public through interpretive programs.

There was testimony about research at the hearing delivered by Dr. Gail Dethloff, Senior Director, the Center for Park Research, National Parks Conservation Association. Dr. Dethloff's articulate testimony focused on the fact that there has not been adequate inventory of cultural resources in most parks: The Park Service cannot manage these resources if they don't have this baseline information. We support this perspective, but inventorying resources so they can be better protected and managed does not address the issue of conducting research to learn about the past. Preservation and management are means to an end—they make it possible to use cultural resources to learn about the human past—but they do not in themselves contribute new understandings of the past. This requires research specifically designed to produce those new understandings—in other words, “problem-oriented research.”

Crow Canyon conducts long-term, multidisciplinary, problem-oriented research into the human past. A guiding principle of Crow Canyon's mission is that there are multiple ways of knowing the past. We focus on two important ways of knowing: 1) archaeological research that employs scientific methods, and 2) the traditional knowledge that American Indian people have about their past. The integration of these two ways of knowing produces an inclusive and multivocal understanding of the past.

A book could be written on the topic of implementing problem-oriented research in national parks; however, our comments will focus on four issues we believe are most important. The first is the intellectual context in which problem-oriented archaeological research is conducted. The second is the importance of including American Indian concerns and traditional knowledge about the past. The third is that archaeological excavation—conducted in a judicious manner that conserves the resource and addresses American Indian concerns—is a critical component of problem-oriented research. The fourth is that the results of problem-oriented research need to be disseminated to the public through a variety of channels, including but not limited to interpretive programs in the parks themselves.

We believe that problem-oriented research needs to be part of the mission of the NPS; research cannot be confined to activities aimed solely at the management of cultural resources to ensure their future availability. Further, archaeological research, like scientific research in general, involves participating in a community of researchers that includes but is not limited to NPS staff.

Problem-oriented research is different than research designed to acquire basic information needed to manage cultural resources. Problem-oriented research begins with questions about the human past and identifies methods to answer those questions. America's national parks contain some of humanity's most important historic resources, and if we are to understand human cultural change those resources need to be open for archaeological research.

A challenge faced by the NPS is that making progress in understanding the human past through problem-oriented research requires a process that exists outside of the NPS bureaucracy. This is the peer-review process. Peer review governs the administration of research funding and the publication of research results. NPS archaeological staff should see themselves as playing a role in the peer community, but they cannot fully constitute a peer community for most types of research problems.

The NPS has made great strides toward including American Indian perspectives in the management of cultural resources since the enactment of the Native American Graves Protection and Repatriation Act in 1990. The same cannot be said for considering the perspectives of a community of scholars when developing and initiating a research program on cultural resources within national parks. We recognize that the NPS has to make the final decisions on how research within the parks is implemented, but we believe the NPS staff needs involve the larger research community in this process. Outside researchers should be able to conduct research projects within the parks—of course with NPS approval and oversight. And the review of both externally and internally initiated research proposals should include a range of informed experts and not be limited just to NPS staff. Nowhere in the conduct of modern problem-oriented scientific research are such administrative limitations considered appropriate.

There are some cases where problem-oriented archaeological research is currently being conducted in the national parks. For example, NPS staff members at Mesa Verde National Park and Bandelier National Monument are part of a large and multidisciplinary research team that is conducting the Village Ecodynamics Project (funded by the National Science Foundation). This provides a model for how an externally-generated program for problem-oriented research can be implemented by the NPS.

It is also imperative that American Indian perspectives be considered when managing cultural resources and designing research in national parks. Mr. Gary Hayes, chairman of the Ute Mountain Ute nation, did an excellent job of addressing this issue in his expert testimony at the hearing. We would emphasize that American Indians should not only be consulted for issues of cultural sensitivity and in the interpretation of cultural resources, as is currently the case, but they should also be included in the development of the research initiatives established by the park.

The expert testimony of Ms. D. Bambi Kraus, President of the National Association of Tribal Preservation Officers, emphasized the important role that Tribal Historic Preservation Officers (THPO) play in the process of involving the tribes on issues concerning cultural resources in the national parks. Our experience supports her testimony. Tribes that have a THPO and/or a cultural preservation office are much more likely to be involved in consultations regarding cultural resources. As an example, Crow Canyon archaeologists recently worked with the Ute Mountain Ute THPO and other consulting archaeologists to conduct field work and develop a preservation plan for an important site on Ute Mountain Ute lands. This project would have been possible because the Ute Mountain THPO could authorize and oversee the project. We believe the federal government should do all that it can to promote the development of THPO programs and cultural preservation offices among the Indian tribes.

A legitimate issue for tribes is whether excavations can be conducted at archaeological sites in ways that do not intrude on culturally sensitive areas or artifacts. Here again, examples illustrate how these issues can be resolved: Crow Canyon. Crow Canyon recently collaborated with the NPS, the Hopi tribe, and the Jemez tribe to conduct a six-year limited excavation project at the Goodman Point Unit of Hovenweep National Monument. The research design for this project resulted from extensive consultation between representatives of these tribes, NPS staff, Crow Canyon researchers, and members of the Pueblo communities having traditional ties to the area.

Despite this example, problem-oriented archaeological projects—and especially those that rely in part on excavations—are increasingly rare in national parks. Several factors account for this, including the cost of artifact curation and the fact that excavation physically impacts the archaeological record. Despite these issues, we believe judicious excavation is critical to the dynamic of problem-oriented archaeological research. Crow Canyon supports an ongoing excavation program, and our excavations have fundamentally altered and improved the interpretations of archaeological sites where we have worked. Excavations are the only means by which archaeologists can obtain certain kinds of specimens necessary to address specific questions. Archaeologists conducting excavation-based research need to design sampling strategies that leave the great majority of the archaeological record intact for future generations and they need to consult with tribes to make sure that the concerns of American Indians are taken into account. But it is critical that excavations remain in the tool kit as we seek to answer questions about the human past. Again, to use the Goodman Point Project as an example, the excavation component of the project intruded on far less than one percent of Goodman Point Pueblo and the smaller sites that comprise the cluster of associated sites in the Goodman Point Unit.

Finally, it is critical that problem-oriented archaeological research be disseminated to a broad public audience through a wide range of products. These include peer-reviewed publications for a professional audience, publications for nonprofessionals, public lectures, educational materials for school children that are designed for use in the classroom and on the Internet, museum displays, tours, etc. The public benefit of preservation is fully realized only when problem-oriented research is conducted and then disseminated to a large audience. The dissemination of research results is another area where the NPS needs to develop partnerships in order to tap the full potential for public benefit of their management of cultural resources. Research, published through the peer review process, provides an important foundation for all educational and interpretive efforts because it provides the content for the development of these materials.

The greatest public benefit of the cultural resources in national parks is their ability to teach us who we are as social and cultural beings so that we can use this knowledge to create a healthy society. This public benefit can only be achieved through the intersection of preservation, education, and problem-oriented research. This research includes integrating archaeological research conducted using scientific methods and the traditional knowledge of American Indian people. Achieving this public benefit can only be achieved through partnerships between the NPS, the archaeological research community, American Indians, and others involved in these efforts.

