

IDAHO PROFESSIONAL ARCHAEOLOGICAL COUNCIL, INC.

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April 14, 2008

Senator Larry Craig
Dirksen Office Building
Washington, DC 20510

RE: Senate Bill S. 3794, The Owyhee Initiative Implementation Act of 2006

Dear Senator Craig,

The Idaho Professional Archaeological Council wishes to reiterate its stance against the proposed Title IV, Cultural Resources section of the Owyhee Initiative as currently drafted. As a state-wide professional organization, spanning both private and public sectors, we wish to voice several concerns regarding the management of cultural resources under the pending legislation.

The current draft legislation circumvents long standing federal laws and agreements governing cultural and historic resources on BLM lands. The BLM is mandated to protect cultural and historic resources and commonly consults or partners with federally-recognized tribes. Current federal law includes the Antiquities Act, National Historic Preservation Act, Archaeological Resources Protection Act, American Indian Religious Freedom Act, National Environmental Policy Act, FLPMA and NAGPRA. The BLM's responsibility is to enforce these laws.

Under the Owyhee Initiative, cultural resources would be managed under the Shoshone-Paiute Tribes Cultural Resource Protection Project which is unclear on cultural resource management application and boundary definitions. The Shoshone-Paiute proposal eliminates the scientific study of archaeological sites (Appendix II, p.21) and excludes any independent outside scientific review or evaluation(Section IV, N). All other resources or uses under the Owyhee Initiative are currently scheduled for independent scientific review. The CRPP also opposes scientific cultural resource collection or display which reduces the public's access to information and requests a managing budget of \$900,000 per annum for implementation of the plan. This amount exceeds the entire Idaho BLM yearly budget earmarked for cultural resources. The CRPP also fails to address potential conflict with existing archaeological preservation legislation, avoids

addressing the coordination of cultural resource activities among government or private agencies and claims law enforcement privileges without BLM input

An additional concern is the CRPP statement that: "Virtually every recorded archaeological site in the district shows some evidence of disturbance from looting or vandalism"(P.5). We believe this statement is untrue and misleading, and in fact, if it is correct why is the legislation under Title IV, Cultural Resources, requesting \$900,000 per annum for implementation? A final matter addresses the CRPP position of managing the First Amendment rights of other religious groups, specifically new age practitioners (P. 10).

The Idaho Professional Archaeological Council therefore proposes the impending Owyhee Initiative Implementation Act of 2006, Senate Bill S. 3794, be amended to meet the standards and implementation of all current federal cultural and historic resource legislation and that oversight of antiquities within the Owyhee Initiative lands continue under the purview of the State BLM Office of Idaho.

Respectfully yours,



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P.S. I have attached a copy of a letter previously submitted to Senator Crapo by the immediate past President of IPAC (with his consent) in 2006.