

## BLM Implements the Permian Basin MOA

Meade Kemrer and Deni Seymour

The New Mexico Bureau of Land Management has begun to implement the Permian Basin Memorandum of Agreement (MOA), signed May 5 by the Advisory Council on Historic Preservation, the New Mexico State Historic Preservation Officer, and the BLM. The New Mexico Archeological Council is a concurring party to this MOA. The full text of the agreement concerning "improved strategies for managing historic properties within the Permian Basin, New Mexico" can be downloaded from:

[http://www.blm.gov/style/medialib/blm/nm/programs/more/cultural\\_resources/cultural\\_docs.Par.63525.File.dat/MOA\\_Permian\\_basin\\_final.pdf](http://www.blm.gov/style/medialib/blm/nm/programs/more/cultural_resources/cultural_docs.Par.63525.File.dat/MOA_Permian_basin_final.pdf)

Subsequent to the signing of the MOA in May, Carlsbad BLM Field Office has implemented the MOA and began collecting funds for research work. Participation is already high, representing just under half of the industry-driven projects proposed for the 28-quad area. BLM has also solicited proposals from cultural resource firms for five individual work-years.

NMAC was represented by Deni Seymour at the kickoff meeting of the Permian Basin MOA Working Group on July 23, 2008, in Albuquerque, New Mexico. Others present at the meeting included Jan Biella (NM SHPO), Bruce Boeke (BLM-CFO), Nancy Brown (ACHP), Dave Carmichael (UTEP), Glenna Dean (SHPO/HPD), Dan Girand (IPANM/Mack Energy), Patrick Hogan (OCA/UNM), Holly Houghton (Mescalero Apache Tribe), Paul Katz (PRIAM), Meade Kemrer (Las Cruces), Signa Larralde (BLM), George MacDonell (BLM-CFO), Tom McCulloch (ACHP), Bill Merhege (BLM-NMSO), Lisa Meyer (SHPO/HPD), Carl Moore, (facilitator, Community Store), Sarah Schlanger (BLM-NMSO), Phil Shelley (CPRC), Dave Simons (BLM-NMSO), James Smith (BLM), and Jim Stovall (BLM-CFO).

The Working Group reached consensus on the following priority projects for the first year of the five-year experimental program:

- Contracting for a Historic Context and Research Design for the 28-quadrangle Permian Basin MOA area. The contracted product will summarize and synthesize excavation and data

recovery projects in the area, place the area within the larger context provided by the Regional Research Design, clearly identify what we want to know, what we know now, and what we need to know, and provide a problem-specific context for out-year research programs. The product will address the area's natural history as well as the full range of human history. It will include consideration of questions guiding the profession now, and will address human behaviors, adaptive strategies, and performance. The finished product will include a sampling program for out-year testing and excavation selections.

- Site recordation/re-recordation in areas of Permian Basin MOA with older survey inventory, i.e., sections of Loco Hills and other highly impacted areas
- Ethnographic/Historic Contexts identifying Native American interests in the MOA project area
- Training in site monitoring for archaeological monitors, in identification of archaeological resources for construction crews and other energy field personnel, and in reporting/notification procedures for monitors and field crews and personnel
- Developing and signing written conflict of interest statements

A large amount of cultural resource inventory has taken place in the oil and gas field in southeastern New Mexico, as have substantial cumulative indirect impact losses. Still, relatively little information has been produced regarding the nature of the prehistoric and protohistoric occupation in this area. Past work has been mostly redundant and cultural historical in nature, based largely on inventory in the context of compliance work. In an effort to refocus work in a way that is more method and theory driven (e.g., research and problem oriented) the BLM has developed an alternative to the "flag-and-avoid" approach that, through contractors, will focus on innovative data recovery research projects. The purpose and structure of this agreement is laid out in the Memorandum of Agreement (MOA) between BLM and New Mexico State Historic Preservation Officer

(SHPO); and Advisory Council on Historic Preservation (ACHP).

The MOA mitigation involves five major components:

(1) use of the Regional Research Design as a baseline document that structures archaeological work. This document and will be supplemented by project-specific research designs that are specific to each scope-of-work; it can be downloaded at:

[http://www.blm.gov/style/medialib/blm/nm/programs/more/cultural\\_resources/cultural\\_docs.Par.66693.File.dat/SENM\\_Report\\_jes.pdf](http://www.blm.gov/style/medialib/blm/nm/programs/more/cultural_resources/cultural_docs.Par.66693.File.dat/SENM_Report_jes.pdf),

(2) identification of the mitigation project area, 28 7.5' quadrangles in eastern Eddy, western Lea, and a small portion of Chavez counties,

(3) calls for the formation of a Working Group comprised of individuals from BLM, SHPO, ACHP, NMAC, New Mexico Oil and Gas Association (NMOGA) and researchers knowledgeable in the area, who develop and guide the mitigative tasks,

(4) outlining the nature of data recovery tasks: excavations, special surveys and other basic research projects, including studies designed to enhance the quality of cultural resources management in the area,

(5) selecting one or several cultural resources contractors to perform the research work

Most of the funding came from individual oil/gas development activities, such as well pads, roads, pipelines, etc. The funds are collected in lieu of the costs for archaeological "flag-and-avoid" work. The funding formulas are shown in Appendix B in the MOA. Oil/gas developers voluntarily participate in the Permian Basin MOA Project, provide funds for each activity.

## **Albuquerque's Early Citizens: Human Remains Uncovered at Old Town**

*Jim. Railey, SWCA Environmental Consultants*

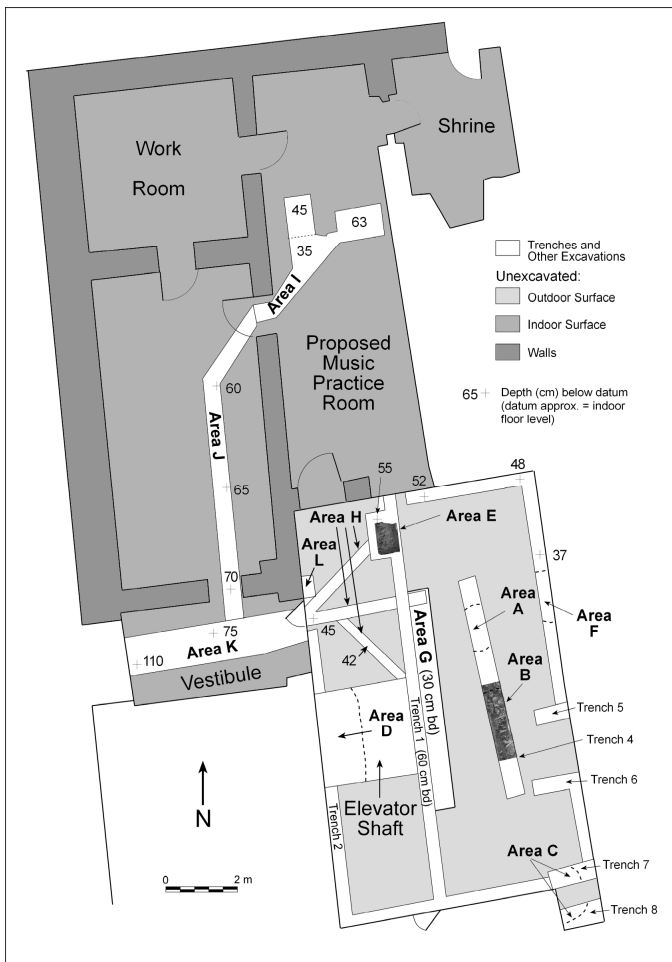
First founded in 1706, San Felipe de Neri church lies at the heart of Albuquerque and its Old Town. The original church was built on the west side of the Old Town plaza, and according to historical maps there was a cemetery, or *campo santo*, in the surrounding churchyard. In 1793 a new church was built on the north side of the plaza, where it still stands today. Historical records suggest that, following the church relocation, the *campo santo* may have either expanded or shifted location, with deceased individuals buried on both the south and west

sides of the new church building. The new church complex expanded over time, with various facilities constructed on both the east and west sides of the building. On the west side is the *convento*, reportedly constructed in 1881. According to historical maps, the *convento* overlaps the reported boundaries of the original *campo santo*.

Previously, in 1854, a new cemetery was established across Mountain Road north of Old Town, and was in use until 1869. After that, the Santa Barbara Cemetery (now known as Mt. Calvary) was consecrated. Many graves and human remains from San Felipe de Neri were reportedly exhumed and re-buried there. From 1854 on, the San Felipe de Neri churchyard apparently ceased to serve as an active burial ground, yet the bones of many people remained interred – and unmarked – within the church grounds and beneath its buildings.

Over the years, the adobe Church complex has suffered from degradation to its structural integrity, and eventually the *convento* especially was at risk of collapse, due in large part to the lack of proper drainage in its adjacent unpaved courtyard. In 2005, a refurbishment of the *convento* and its courtyard was carried out, including excavations for the installation of a new drainage system within the courtyard and beneath portions of the *convento*, excavation for a new elevator shaft along the exterior eastern wall of the *convento*, and paving over the courtyard's dirt surface. The Church contracted with Ortega and Associates and MSR Contractors to design and construct the project. After consultation it was determined that archaeological monitoring of the construction work would be needed to ensure proper treatment of any human remains encountered during the excavation of drainage trenches and in the elevator shaft. MSR then contracted with SWCA Environmental Consultants to conduct the archaeological monitoring (Figure 1).

Upon commencement of the construction-excavation work, human remains were quickly encountered. These remains were nearly all disarticulated, and many were packed into several very dense concentrations that appeared to be ossuary pits, with scattered elements and bone fragments occurring elsewhere. Construction excavations were halted within areas with densely concentrated human bone, and the SWCA field crew commenced to expose and document these concentrations. Outside of the dense concentrations, construction excavations were allowed to proceed, but the SWCA crew screened all excavated fill to recover human bones and associated artifacts, and coordinated with the construction crew to keep track of, and record, proveniences for the recovered materials.



**Figure 1.** Location of monitored construction activities within the convent courtyard and inside adjacent buildings at San Felipe de Neri, in Albuquerque's Old Town. Areas B and E were within ossuary pits.

Following exposure of the apparent ossuary pits, an on-site meeting was held and attended by the Monsignor of San Felipe de Neri, lead personnel from MSR and Ortega and Associates, State Archaeologist Glenna Dean, and Jim Railey and Anna Osterholtz of SWCA. At the meeting, it was agreed that the drainage system would be re-designed to avoid the ossuary pits and other areas with dense human bone concentrations; archaeological uncovering of the ossuaries ceased, and these features were preserved in place. There was no feasible alternative for the location of the elevator shaft, however, and human remains in moderately dense concentrations were present in the western third of the elevator shaft (and continued to an unknown distance beneath the east wall of the *convento*). SWCA personnel hand excavated this western portion of the elevator shaft, recording and removing human elements (including several skulls) in the process. Human remains were encountered here to a depth of 1 m along the western

margin of the elevator shaft. The only articulated human bones were unearthed at the base of the elevator-shaft excavation, consisting of otherwise isolated leg elements; this was apparently a remnant from a burial originally interred at this location. At the same time, construction excavation of the redesigned drainage-trench network continued, with SWCA personnel screening and recovering human remains and artifacts, and recording their proveniences by trench segments.

Anna Osterholtz of SWCA completed an osteological analysis of the human remains (Osterholtz et al. 2006). The Church requested that no materials be removed from the site, and so a field lab was set up in the *convento* complex, where the analyses were completed. The osteological analysis focused on determining minimum numbers of individuals represented, age, sex, stature, and pathologies. A minimum of 72 individuals were identified, but this does not include skeletal materials left in place within the ossuary pits, and the remains of many other individuals were certainly present in the multitude of human bone fragments unearthed and recovered. A variety of pathologies were observed during analysis, among the more interesting of which were remains an exceedingly large individual who suffered from acromegaly (pituitary gigantism). Dental pathologies were also documented, along with indicators of arthritis, gout, and extensive dietary deficiencies. Numerous skulls exhibited a trough above the brow ridge suggesting use of tumplines for carrying heavy loads.

The findings of the osteological analysis indicate that the analyzed human remains included church parishioners, along with (or rather than?) church personnel. This is suggested by the demographic profile of the analyzed human remains, which included both male and female adults, juveniles, children, and infants. Taken together, the osteological analysis showed that Albuquerque's early citizens faced challenging lives, beset by health and nutritional problems that led to various complications and high infant and child mortality.

The distribution and character of the human remains and historic artifacts uncovered at San Felipe de Neri beg the question as to how so many human remains, along with so much debris, came to be buried within the *convento* courtyard. The evidence suggests the following scenario. First, human burials were interred in the *campo santo* associated with the original church. Following the relocation of the Church, people continued to bury the dead around the new church building, perhaps both inside and outside the original *campo santo*. New graves probably intruded into older ones, and the uncovered skeletal remains from the earlier graves were collected

and re-interred, often in a different location. A portion of the original *campo santo* – and probably other, more recent burial areas – were then impacted by subsequent expansion of the church complex, which included construction of the *convento* and the enclosing of its courtyard. As human remains were uncovered during the expansion phases of the new church, they were collected and re-interred, sometimes in densely packed ossuary pits. As an open, unpaved space, the *convento* courtyard became a main receptacle for these re-buried human bones, which probably originate from various localities around the church complex and *campo santo*, and are the remains of deceased from many decades. In addition, previous subsurface excavations for facilities constructed within the courtyard (as evidenced by a buried cement wall and abandoned drainage pipes uncovered in the eastern and central portions of the elevator shaft) apparently further disturbed and re-distributed human remains. The disturbances within the courtyard and beneath the adjacent building were apparently so thorough that the leg elements uncovered in the elevator shaft excavations marked the only remnant of an intact, original grave found during the excavations. The repeated uncovering and re-burial of human remains resulted in the creation of several ossuary pits, with many other elements and fragments (along with debris of metal, glass, ceramics, and other materials) inadvertently scattered and re-buried in the process.

In addition to the human remains, faunal remains and historic artifacts of metal, glass, ceramics, and other materials were also recovered during the screening, and analyzed in the field lab at the church. Dan Wells of SWCA analyzed the historic artifacts, except for the earthenware ceramics, which Mike Marshall of Cibola Research Consultants analyzed. The historic ceramics reflected a wide date range of 1706-1900, and included sherds from pots manufactured at various pueblos in the surrounding area. Glass shards were from objects manufactured in from the late 1800s to early 20<sup>th</sup> century, and a variety metal artifacts and other objects (including a plastic bead) were unearthed during the excavations. Among the more notable of the historic artifacts were two crucifixes, one of metal and other of bone. The animal bones included remains of butchering and food preparation, most or all of which was probably carried out in the church complex. Taken together, the historic artifacts and faunal remains reflect a wide range of domestic and church-related activities and functions, from a period covering more than two centuries.

Archaeological monitoring at San Felipe de Neri provided a rare glimpse of Albuquerque's early residents – aspects of their physical attributes, variations in stature, and daily life as evidenced by the recovered

historic artifacts and physical attributes of the skeletal material. The skillful redesign of the drainage network minimized disturbances to human remains within the courtyard, and the bones and associated materials that were unearthed and analyzed were all re-buried by the Church, following the completion of the construction excavations and archaeological monitoring. Hopefully, these early citizens of Albuquerque are now in their final resting place, safe within the sacred space of the church grounds in the Old Town Plaza, where they once gathered and found a focus for their social, spiritual, and religious life.

#### **Reference Cited:**

Osterholtz, Anna, Jim A. Railey, and Jean Ballagh 2006 *Monitoring and Excavations for a Proposed Remodeling of the Sister Blandina Convento Courtyard, San Felipe de Neri Church (LA 8872), Bernalillo County, New Mexico*. SWCA Cultural Resources Report No. 2005-594 (NMCRIS 96848).

#### **Book Review**

*Ancestral Landscapes of the Pueblo World*, by James E. Snead, 2008. University of Arizona Press, Tucson, [www.uapress.arizona.edu](http://www.uapress.arizona.edu). 256 pages, 4 illustrations, 16 maps, \$45.00 cloth.

*Reviewed by David Phillips, Maxwell Museum of Anthropology, University of New Mexico*

For New Mexico's CRM archaeologists, one immediate and practical concern is invoked by the phrase "historic landscapes." Many of us have watched as federal historic preservation law expanded from protecting the obvious (e.g., Mount Vernon) to protecting even the obscure (e.g., a bar parking lot near Española). The increasing promotion of "historic landscapes" is the final step in this trend: historic preservation now includes everything.

Devotees of the "built environment" may be best positioned to claim this final piece of CRM turf. They have long dealt with exterior space, through specialties such as landscape architecture and urban planning. If archaeologists want a piece of the action, they must be able to assert that that for certain aspects of landscapes, archaeological training is a must.

The preceding diatribe forms the basis for my claim that New Mexico's CRM archaeologists need to be familiar with Jim Snead's new book. Moreover, the profession needs to develop a literature of like-minded books and essays. The foundation has existed for a while (see, for example, Anschuetz et al. 2001) but without continued efforts, the profession may find itself left out as the new

emphasis on “historic landscapes” translates into funding for CRM.

*Ancestral Landscapes* is not a CRM-based essay, however, nor an attempt to define a new preservation methodology. Instead it’s “pure science” out of an academic program, based on five study areas in the northern Rio Grande region. Snead begins by tracing out the origins of landscape archaeology. He argues (p. 5) that “By the 1980s, practitioners of settlement pattern archaeology found themselves under increasing strain,” and that there was more to their site patterns “than was explained by economy and the environment.”

For Snead, a full explanation of those patterns depends, in part, on adopting the proper scale: “In failing to come to grips with the archaeological record *at the local level, in all its detail*, we have not fully established the foundations from which the broader questions can be addressed” (p. 6; emphasis added). Snead further argues for the use of Native American cultures as a source of understanding for archaeological landscapes. As he admits, that is easier to do in the northern Rio Grande region than in many other areas.

Snead’s five study areas each focuses on one or more large Pueblo IV sites, viewed as the cores of a local community: Burnt Corn (Galisteo Basin), Tsikwaiye and Los Aguajes (west of Santa Fe), T’obimpaenge (north of Nambé Pueblo), and Tsankawi (Bandelier National Monument). At each location, Snead examines not just the sites but the space around them. He carefully considers the agricultural basis of each community, including its field houses and agricultural features. As may surprise no one, there was no “one size fits all” approach to farming, even within the region that encompasses his study areas. Snead interprets the fine-grained differences in terms of variables such as crowding and land rights.

Having looked at the landscapes in terms of agriculture, Snead repeats the exercise looking through other lenses: community identity, the movement of people, and inter-community competition. He examines, for example, how features such as shrines and petroglyphs sent social messages. Examining trails, he argues that they were not simply transportation but served other, social ends.

In reading a book I often ask myself, “How does this make me a better archaeologist?” Snead’s book is part of an emerging literature that points to more thorough and thoughtful understanding of prehistory. At the same time, I was struck by the number of sentences that began with statements such as “I am persuaded that” (p. 136), “I am particularly struck by” (p. 138), and “I believe” (p.

140). These are honest warnings: as Snead interprets his field data, he is repeatedly forced to invoke common sense as tempered by a knowledge of historic Pueblo behavior. Is this not, however, the same interpretive method used by (for example) Florence Hawley Ellis? At the present stage of the game, however, it is probably unfair to ask for more. Increasing scientific rigor should be evident as landscape archaeology matures.

Two other aspects of the book struck me. Snead repeatedly emphasizes the importance of historical Pueblo experience to understanding his landscapes, yet he taps that experience from the literature, not from the Pueblos themselves. This is unsurprising in a project that started a decade and a half ago, but I can’t imagine the same project starting today without a built-in tribal interpretive component. Also, even though Snead mentions GIS, his landscape studies are reminiscent of the pre-GIS world. Given his many years of fieldwork and follow up, the amounts of data presented in the book are modest, and he includes no data from the spaces between his study areas. Indeed, at the scale at which Snead works, landscapes are coterminous with individual communities.

Landscape studies at a multi-community scale are theoretically possible, and would undoubtedly teach us things that single communities don’t, but studies that expansive probably require GIS as an organizing tool and prior studies as the major source of information. GIS may also provide an answer to my earlier comment about reliance on common sense interpretations, offering as it does a way to test multiple ideas about the use of space.

In the end, *Ancestral Landscapes* is both a thoughtful study of five places within the northern Rio Grande region, and a personal plea by Jim Snead to his fellow archaeologists. At the start of this essay I argued that as a matter of preservation politics, New Mexico’s CRM archaeologists can’t afford to ignore the developing field of landscape archaeology. More generally, Snead’s book shows how looking at the land differently can enrich our understanding of prehistoric people. The good news is that the tools used in landscape archaeology will be familiar to archaeologists. The trick will be to use them somewhat differently, and perhaps a bit more carefully, than many of us have in the past.

#### Reference Cited:

Anschuetz, Kurt F., R. H. Wilshusen, and C. L. Scheick 2001 An Archaeology of Landscapes: Perspectives and Directions. *Journal of Anthropological Research* 9:157–211.

## Salmon Ruins Museum Presents New Exhibits

*Nancy Espinosa, Salmon Ruins Museum*

From *Thinking Salmon: Code Talkers*

Originally printed in the OUTIER, Newsletter of the San Juan County Museum Association (Salmon Ruins Museum). March 2008

During WWI and II, soldiers from American Indian groups used their native languages for coded communications that were never broken by the enemy. These soldiers, known as Code Talkers, provided communications in two forms: Type 1 code talkers (Choctaw, Hopi, and Navajo soldiers) created a specific code that was first enciphered, then translated and transmitted in the native language, then deciphered; and Type 2 code talkers (the remaining groups), who primarily spoke in plain talk using their native languages. Seventeen groups are recognized as participants in code talker units, but it is likely that many others were intermittently used, but not documented.

The first of these groups consisted of 14 men from the Choctaw Nation, who served our nation during WWI at a time when American Indians were not recognized as US citizens. The effectiveness of the Choctaw Code Talkers is clearly demonstrated in the closing days of the war, when, near St. Etienne-a-Arnse, France, the Germans prepared for their greatest assault of WWI. The Code Talkers were able to transmit details of the German assault, including the planned time of assault, to American and Allied Forces. Due to this communication, the German assault was preempted and 500 prisoners were taken within the 30 minutes before sunrise. Within 24 hours, German advances were stopped; within 72 hours the Germans were in full retreat and the Allies were in full advance; and within one month the Armistice was signed, ending the war.

The success of the Choctaw in WWI was followed by the service of 11 Hopi, 17 Comanche, an estimated 420 Navajo, and numerous other code talkers during WWII. The size of the groups varied, due primarily to the size of the area of operation in which they were assigned. Now recognized as US Citizens, most American Indian soldiers were in volunteer service, not drafted. The soldiers often suffered the indignity of individual and institutionalized prejudice, both in private and in print, yet continued to grow in numbers. The service and effect of the Code Talkers was not acknowledged until 1968, after the codes and program were declassified. Until recent years, little official recognition was given

these heroes. Some were given a medal from their home nations; all received a Certificate of Recognition from President Reagan in 1982 while naming August 14 as *National Code Talkers Day*; and a Congressional Gold Medal was awarded to the original 29 Navajo Code Talkers in 2001.

Salmon is pleased to bring an exhibit focusing on the Code Talkers to the Four Corners area. *Native Words, Native Warriors*, presented by the Smithsonian's National Museum of the American Indian and the Smithsonian Institution Traveling Exhibition Service, will be available for viewing July 26- October 5, along with *Tribute to Troops: Memorabilia from Modern Wars*, presented by Salmon Ruins Museum. Activities planned in conjunction with this very special exhibit and first time collaboration include the Opening Reception (July 25, 1pm); *Veterans Tribute Motorcycle Run Benefitting Operation Wounded Warrior* (August 23, 10am); and finally, a presentation is planned for the *Salmon Ruins Occasional Lecture Series*, featuring Zonnie Gorman, daughter of Code Talker Carl Gorman (October 5, 7pm). Please join us for these events as we celebrate our first exhibit loan from the Smithsonian!

## NMAC 2007 Research Grant Awards

*Chris. Turnbow, University of New Mexico, Office of Contract Archaeology*

In 2007, the nine research grant proposals submitted to NMAC were among the best ever. The Grants Committee had a difficult time selecting the recipients. In the end, four grants were awarded based on need. Two went to graduate students and the other two to long-term research projects.

Melissa Elkins, graduate student at Washington State University, requested funds as part of her technology and distribution of White Mountain red and brown smudged ware bowls during the Pueblo II period. Specifically, the grant was awarded for protein residue analysis in order to determine bowl function.

Hayward Franklin, Research Associate for the Maxwell Museum of Anthropology, received a grant for an additional AMS chronometric date on a corncob from Pottery Mound (LA 416) excavated earlier by Hibben. Alexander Kurota has volunteered to produce the final excavation report of the Chamisal site, a Classic period pueblo originally excavated by the late Kathryn Sargeant. The grant funds will be used to undertake zooarchaeological analysis of the faunal remains.

Cheryl Fogle, graduate student at the University of New Mexico, sought funds to examine 22 projectile points recovered from Blackwater Draw Station E and curated at the Texas Archaeological Laboratory (TARL), in Austin, Texas. The study is part of her Ph.D. dissertation research on the late Paleoindian Cody Complex. Cheryl has submitted her project summary. The membership looks forward to hearing about the results from the other recipients.

### ***Call for Proposals for the 2008 NMAC Grants***

NMAC's Executive Committee is pleased to announce another year of the grant program for out-of-pocket research, preservation, travel, or publication expenses directly related to the mission and purposes of the Council.

The NMAC Grant Committee will review all applications received on or before October 17, 2008, and notify winners by November 22, 2008. All NMAC members are eligible to apply for these grants. Up to \$2000 will be available for distribution this year. Individual grants may be made for all or a portion of the total amount available. Applications will be considered and amounts will be awarded at the sole discretion of the NMAC Grants Committee.

Application letters should be by email; student applications should be endorsed by a faculty member. Send requests and supporting documents (brief vita, authorization of landowner/ interested parties, etc.) to the Grants Committee Chair **via email**.

Conditions of the awards include (1) acknowledgment of NMAC in any paper, publication, or presentation resulting from the project for which funds were awarded and (2) preparation of a brief project summary for publication in NewsMAC upon project completion. Conditions for disbursement of the funds will be determined at the time of the award. For information contact:

Chris Turnbow  
NMAC Grants Committee Chair  
505.277.5853  
cturnbow@unm.edu

### **President's Message**

*Tim Maxwell, NMAC President*

Since I took office as NMAC president in January, the issue that has received the greatest attention from

members is that of Native American concerns over the handling and disposition of archaeological information. A request from the Pueblo of Tesuque for the reburial of materials from an excavated pit structure in Santa Fe triggered considerable discussion among NMAC members and others who monitor our list server. No consensus emerged from the dialogue—NMAC member opinions are widely divergent on the ethical and moral implications of Tesuque's request and the Museum of New Mexico's decision to comply. There are fervent supporters at each end of the spectrum. Existing state regulations and the authority for implementing decisions are also sometimes vague, so those regulations and policies provided no clear-cut solution. In this case, the request was not for repatriation as defined in museum policies since Tesuque Pueblo's request was not for "the return of culturally sensitive objects to concerned parties;" its request was for reburial of an assemblage near its place of origin. Further complicating the situation were independent decisions by the Cultural Properties Review Committee and the Museum of New Mexico, leading to questions about the explicit and implicit authority of each to do so. Though NMAC considered legal action, as many members were against it as were supportive, it was decided to request that the state improve the existing regulations and the evaluative process for similar requests.

At the urging of NMAC, the Museum of New Mexico, Board of Regents, directed the state's Department of Cultural Affairs, which administers the Museum of New Mexico, to establish a task force to examine the current regulations and policies and make recommendations on improving them. Given our membership's lack of consensus on the ethical and moral principals involved, NMAC has asked the task force, at a minimum, to consider the legal processes involved in the return of objects, remove any ambiguity, clearly establish authority, and make sure that the regulations and policies are applied consistently. In addition, NMAC asked that a protocol be established for including a wider community in deliberations over requests for the return of objects.

Several NMAC members sit on the task force, but are not representing NMAC. NMAC was not explicitly asked to provide a representative. Though I was invited to join the task force, I decided not to in order to give NMAC a flexible position should our organization disagree with task force proposals. I have total confidence that the task force will develop recommendations that will improve or replace current regulations. NMAC's next task may be to make sure that they are implemented.



**NMAC** is a nonprofit organization whose purpose is to maintain and promote the goals of professional archaeology in New Mexico. NMAC's goals are to:

- promote archaeological research within New Mexico and disseminate knowledge arising from that research
- promote awareness of New Mexico's cultural resources among public agencies, corporations, and members of the public
- encourage the legal protection of cultural resources, and encourage high standards for professional archaeology

## 2008 NMAC Contacts

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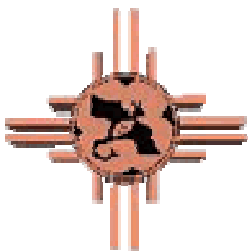
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## NewsMAC

Newsletter of the New Mexico Archeological Council  
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*Your 2008 membership needs renewing!*

*Current member for 2008*