

February 13, 2018

The Honorable Rob Bishop  
Chairman  
Committee on Natural Resources  
U.S. House of Representatives

The Honorable Raúl Grijalva  
Ranking Member  
Committee on Natural Resources  
U.S. House of Representatives

The Honorable Tom McClintock  
Chairman  
Subcommittee on Federal Lands  
Committee on Natural Resources  
U.S. House of Representatives

The Honorable Colleen Hanabusa  
Ranking Member  
Subcommittee on Federal Lands  
Committee on Natural Resources  
U.S. House of Representatives

Dear Representatives Bishop, Grijalva, McClintock, and Hanabusa:

As organizations and Tribal Nations dedicated to the preservation of cultural, historic, and archaeological resources, we write today regarding the Shash Jáa National Monument and Indian Creek National Monument Act (H.R. 4532). For the reasons outlined below, we urge the Committee not to advance this legislation.

The full Bears Ears National Monument protects an internationally significant cultural landscape that holds evidence of more than 12,000 years of human history. In excess of 100,000 archaeological sites with their associated artifacts lie within the monument's original boundaries, along with natural landscapes of outstanding scenic beauty that have deep cultural significance for Indian tribes with ancestral ties to the region. The monument designation appropriately prioritized protecting the remarkable cultural, historic, and scientific resources found throughout the area, while continuing to allow for traditional and recreational uses of these public lands.

H.R. 4532 would remove more than 1.1 million acres from the Bears Ears National Monument, including some of the most significant and highly visited archaeological areas such as Grand Gulch and most of Cedar Mesa. The vast area that the bill excludes holds more than 70 percent of the original monument's documented archaeological sites, historic and pre-historic structures, cliff dwellings, pictographs, petroglyphs, kivas, ancient roads, historic trails, artifacts, and other archaeological resources. These cultural resources require greater management focus, strategic planning, and visitor education, not less.

For the two new national monuments, the bill establishes a troubling management structure that elevates the role of a small number of local officials above the voices of the five sovereign Tribal Nations represented on the Bears Ears Tribal Commission, as well as the rest of the American people who own these lands. The bill explicitly excludes the Hopi and Zuni tribes, whose ancestors, along with other Pueblo tribes, are responsible for creating the remarkable archaeological record preserved by the monument. We support tribal co-management—including the Hopi Tribe, Navajo Nation, Ute Indian Tribe, Ute Mountain Ute Tribe, and Pueblo of Zuni alongside federal land managers—to ensure tribal values and traditional knowledge are incorporated in management of the area. Effective co-management requires government-to-government collaboration both in design and implementation. This bill provides neither.

We do appreciate the bill's acknowledgement that this culturally sensitive and archaeologically rich landscape is not the appropriate place for new oil and gas development or mining. We also applaud Representative Curtis for seeing the need for more on-the-ground resources, which should go beyond law enforcement to include staff archaeologists, backcountry rangers, and education specialists. However, these positive elements cannot compensate for the removal of protection for key archaeological areas and the flawed management structure that would put these lands at risk.

We urge the Committee not to move forward with this legislation, and, instead, engage in meaningful discussions with Tribal governments, archaeological experts, conservationists and other stakeholders about how to protect the exceptional cultural resources of this area for current and future generations.

Sincerely,

American Anthropological Association  
American Cultural Resources Association  
Archaeology Southwest  
Arizona Heritage Alliance  
Arizona Preservation Foundation  
California Preservation Foundation  
Cienega Watershed Partnership  
Coalition for American Heritage  
Colorado Council of Professional Archaeologists  
Colorado Plateau Archaeological Alliance  
Colorado Preservation, Inc.  
Conservation Lands Foundation  
Crow Canyon Archaeological Center  
Council for Northeast Historical Archaeology  
Friends of Cedar Mesa  
National Association of Tribal Historic Preservation Officers (NATHPO)  
National Trust for Historic Preservation  
Nevada Preservation Foundation  
Pala THPO  
Providence Preservation Society  
Governor Joseph Talachy and the Pueblo of Pojoaque  
THPO, Pueblo of Pojoaque  
Save Our Heritage Organisation (SOHO)  
Site Steward Foundation, Inc.  
Society for American Archaeology  
Society for California Archeology  
Society for Historical Archaeology  
SRI Foundation  
US/ICOMOS (The United States National Committee of the International Council on Monuments and Sites)  
Vail Preservation Society  
Washington Trust for Historic Preservation

Cc: Members of the House Committee on Natural Resources