**Cultural Resource Management in the National Park Service**

**Laws, Management Policies and Guidelines**

**Antiquities Act, 1906**

* Establishes fines and imprisonment penalties for “any person who shall appropriate, excavate, injure, or destroy any historic or prehistoric ruin or monument, or any object of antiquity, situated on lands owned or controlled by the Government of the United States without permission…”
* Authorizes the President of the United States to designate national monuments protecting “historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated on lands owned or controlled by the Government of the United States….”
* Requires permits for the “examination of ruins, the excavation of archaeological sites, and the gathering of objects of antiquity upon the lands” under the jurisdiction of the Secretaries of the Interior, Agriculture, and Army.

**National Park Service Organic Act, 1916**

* Establishes the purpose of the National Park Service “to conserve the scenery and the natural and ***historic objects*** and the wildlife within…as will leave them unimpaired for the enjoyment of future generations.

**Executive Order 6166, 1933**

* President Roosevelt transferred 12 natural areas and 57 historic areas, including National Military Parks, National Military Cemeteries, District of Columbia parks, and National Memorials to NPS.

**Historic Sites Act, 1935**

* Establishes that it is national policy “to preserve for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people” and designates the Secretary of the Interior through the National Park Service to carry out the provisions of the Act.

**Wilderness Act, 1964**

* Defines ‘wilderness” as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain.”
* Creates a formal mechanism for designating wilderness, and protects millions of acres of federal land.

**National Historic Preservation Act, 1966, as amended.**

* Establishes a federal/state/tribal/local government partnership to support a national historic preservation program.
* Establishes the **National Register of Historic Places, a list of sites, structures, objects, and historic districts, significant at the local, tribal, state and national levels.**
* **“Section 106”** requires Federal agencies to consult with interested parties on the potential effects of Federal actions on properties eligible for or listed on the National Register.
* **“Section 110”** requires all Federal agencies to create an historic preservation program to identify, evaluate, nominate and protect historic properties under their jurisdiction.
* Both Section 106 and 110 directly guide NPS activities in managing National Park System units.

**National Environmental Policy Act, 1969**

* Encourages harmony between humans and their environment
* Federal agencies shall use an interdisciplinary approach to decision-making
* Section 106 consultation must be completed before NEPA decision-making is concluded

**National Park Service Management Policies, 2008**

* Outlines a management approach that incorporates research, planning and stewardship to ensure cultural resources receive appropriate treatments and are made available for public understanding and enjoyment

**Director’s Order 28 and Cultural Resource Management Guidelines**

* Provides specific guidance for inventory, documentation, nomination of eligible properties to the National Register, and evaluation and implementation of treatment options

**Archeological Resources Protection Act. 1979**

* Provides for criminal and civil penalties against those who excavate, remove, damage, or otherwise alter or deface archaeological resources without a permit.

**Native American Graves Protection and Repatriation Act, 1990**

* Requires Federal Agencies to inventory collections which contain human remains, funerary objects, sacred objects, and objects of cultural patrimony and to consult with

associated Native American groups for the repatriation of these objects.

**American Indian Religious Freedom Act, 1996**

* Requires all governmental agencies to eliminate interference with the free exercise of Native American religions, and to accommodate access to, and use of, Native American religious sites…consistent with an agency’s essential functions.