July 8, 2011

Senator John F. Kerry  
218 Russell Senate Office Building  
Washington, D.C. 20510

RE: Seeking legislation to amend the 1986 R.M.S. Titanic Maritime Memorial Act in order to implement an International Agreement signed by the United States in 2004.

Dear Senator Kerry,

The Society for Historical Archaeology (SHA) commends Congress for enacting the 1986 R.M.S. Titanic Maritime Memorial Act for the preservation of the Titanic. As we approach the 100th Anniversary of its loss on 14-15 April 1912, we ask the Senate Foreign Relations Committee to take the lead in amending the 1986 Act in order to implement the International Agreement signed by the U.S. in 2004.

Titanic is perhaps the most famous historic shipwreck in the world and the preservation of this iconic and catastrophic wreck site is important to the SHA, the United States, the United Kingdom, Canada, and the world. The SHA urges you to enact legislation that would preserve Titanic by providing an appropriate federal agency the appropriate authority to require the application of the scientific standards and principles of historic preservation for any activities directed at Titanic consistent with the Rules of the Annex to the 2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage and consistent with the closely formulated Rules attached to the International Agreement on Titanic.

Earlier this month we met with the staff of the Senate Committee on Foreign Relations, and follow-up with this information:

- R.M.S. Titanic sank on April 15, 1912.
- In 1985 a U.S. (Bob Ballard) - French expedition discovered R.M.S. Titanic.
- In 1986 the U.S. Congress acted to protect Titanic with passage of the Titanic Maritime Memorial Act which declares that Titanic should be a Maritime Memorial to those who perished and directed DOS and NOAA to develop an international agreement and guidelines for the protection of Titanic.
- The U.K. signed the international agreement in 2003 using existing legislation for implementation. The U.S. signed the agreement in 2004 but needs to enact domestic legislation in order to implement the provisions of this agreement.
- Consistent with the directions from Congress in the 1986 Act, the U.S. Department of State has forwarded to the Senate and House proposed legislation that would implement the international agreement and enable its entry into force.
- The SHA supports continued U.S. leadership in the preservation of the Underwater Cultural Heritage through passage of this important legislation. We further support legislation to protect other historic shipwrecks that have been
underwater for 100 years and like Titanic should be preserved as underwater museums and only permitted to be disturbed or recovered through a permit system that ensures the research and recovery will be consistent with the scientific rules adopted in the Annex of the 2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage by the U.S.

- The Annex for this Convention has already achieved unanimous acceptance among countries of the world and is fast becoming the international standard for the protection of the world’s fragile, finite, and irreplaceable underwater cultural heritage. In the U.K. it has been officially adopted, and all licenses issued by English Heritage and the devolved administrations of Scotland, Wales, and Northern Ireland in relation to the Protection of Wrecks Act 1973 specifically state that the Rules of the Annex must be followed in any work carried out. In the U.S. it has also already been endorsed by all of the relevant federal agencies including the Advisory Council on Historic Preservation (ACHP), the National Park Service (NPS), the National Oceanographic and Atmospheric Administration (NOAA), the Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE, formerly Minerals Management Service), the Naval History and Heritage Command (NHHC), the Coast Guard (USCG), and the Department of Agriculture (USDA). Federal Agency letters on the subject are available online at http://www.sha.org/underwater/default.cfm.

The SHA is an international organization, the largest scholarly group concerned with the archaeology of the modern world, with a membership of over 2,500 people and institutions from all 50 states and several nations around the world. The Society advocates for a global perspective in the study and protection of historical and underwater cultural resources by educating the public and policy makers and providing a valued resource for knowledge exchange, professional development, and the maintenance of high ethical standards. The SHA represents historical archaeologists in academia, museums, government agencies, and the private sector.

Maritime heritage has been a primary concern of SHA. We have a subcommittee that promotes the 2001 UNESCO Convention, which entered into force in January 2009. The Convention provides a framework and represents an international standard on the treatment of underwater cultural heritage. SHA has also supported international and U.S. efforts to protect the Titanic through an international agreement, guidelines, and proposed legislation.

Thank you for your consideration. Please contact me if you or your staff have any questions or would like additional information about the SHA or its interests in the wreck of the Titanic and the need to preserve it.

Sincerely,

[Signature]

President
Society for Historical Archaeology