



SHA Government Affairs Newsletter – December 2022

## **Celebrating a Big Victory! Omnibus Bill Includes Key Society for Historical Archaeology Priority**

The Society for Historical Archaeology (SHA) thanks the bipartisan group of Congressional lawmakers who secured inclusion of the [African American Burial Grounds Preservation Act](#) in the omnibus appropriations bill. President Biden will sign the bill into law this week. Five years in the making, the effort in Congress was led by Sen. Sherrod Brown (D-OH), Sen. Mitt Romney (R-UT), Rep. Alma Adams (D-NC), Rep. Brian Fitzpatrick (R-PA), and the late Rep. Donald McEachin (D-VA).

The African American Burial Grounds Preservation Program will assist descendants and communities in honoring and remembering their shared past by providing grant monies to identify, interpret, and preserve these historic cemeteries. The Program will also help identify burial grounds ahead of infrastructure projects and commercial development, thereby minimizing construction delays and avoiding unnecessary community heartache. Preserving and protecting these sacred sites and the stories they tell are an integral part of our American heritage.

Julie Schablitsky, president of SHA said, “Society for Historical Archaeology members have advocated for federal leadership to protect and preserve these sacred places. The African American Burial Grounds Preservation Program will support descendant communities and their allies in saving our history, while simultaneously informing development decisions and community planning.”

For five years, members of SHA have lobbied Congress to pass legislation that would protect and preserve historic Black cemeteries. As professional archaeologists and advocates for the legislation, SHA members shared stories of the burial grounds they helped to locate. They spoke about the frustration of being called in to identify burial plots that had already been disturbed by development, and they discussed the need to pro-actively identify these sacred spaces.

SHA members highlighted ways for Congress to help communities identify and preserve these important historic and cultural landmarks. Several years ago, SHA members visited Rep. Alma Adams and the late Rep. Donald McEachin on Capitol Hill. Both Members of Congress were already familiar with groups in their communities who were preserving historic Black cemeteries. We offered our assistance to develop legislation, and we are deeply grateful for their leadership.

“We are so grateful to the more than 150 organizations who joined with SHA, the American Anthropological Association (AAA), and the Coalition for American Heritage to advocate for making preservation of historic African American cemeteries a federal priority,” said Kelly Lizarraga, Advocacy Director at Cultural Heritage Partners, which provided SHA government affairs support to the effort.

These cemeteries are sacred places, but their existence often goes unrecognized. Indeed, these historic cemeteries are emblematic of the unequal treatment Blacks endured in life and in death. Many Black burial grounds suffered from decades of official neglect and government policies that ignored and devalued their very existence. Families of the deceased were often unable to maintain the gravesites because they were enslaved, lacked ownership of the land, or had no record of where their ancestors were buried. Pre-emancipation genealogical and burial records are especially difficult for Black families to obtain. Burial grounds were frequently segregated by race and unmarked. In many states, local governments have funded the maintenance of Confederate cemeteries but not Black burial grounds.

Stakeholder organizations across America joined with SHA, AAA, and the Coalition for American Heritage to support the advancement of the African American Burial Grounds Preservation Act. We have been joined in our advocacy efforts by the National Parks Conservation Association and the National Trust for Historic Preservation African American Cultural Heritage Action Fund. Together with more than [150 groups](#) across the country, we supported this important legislation and advocated for its passage.

Details of the legislation begin on page 2,954 of the fiscal year [2023 omnibus appropriations bill](#).

### **Increasing Funding for America's Historic Preservation Programs**

The fiscal year 2023 omnibus appropriations bill also includes a record level of funding for the Historic Preservation Fund (HPF).

Funding for the HPF will increase to **\$204.5 million total**, an increase of \$32 million over the fiscal year 2022 enacted level. That includes increases of \$4.4 million for State Historic Preservation Offices and \$7 million for Tribal Historic Preservation Offices.

The omnibus appropriations bill also provides:

- \$29 million to preserve sites and stories associated with the Civil Rights Movement;
- \$11 million for Historically Black Colleges and Universities;
- \$10 million for competitive grants honoring America's 250<sup>th</sup> anniversary;
- \$29.2 million for National Heritage Areas; and
- \$26.5 million for Save America's Treasures grants.

In addition, the National Endowment for the Humanities and the National Endowment for the Arts will both receive \$207 million, an increase of \$27 million each.

### **Rescinding Appendix C**

The United States Army Corps of Engineers (USACE) has stated its intention to rescind Appendix C of the agency's environmental and historic preservation regulations ([FACT SHEET: Biden-Harris Administration Announces New Actions to Support Indian Country and Native Communities Ahead of the Administration's Second Tribal Nations Summit | The White House](#)). The USACE would instead rely on the Advisory Council on Historic Preservation's (ACHP) regulations and joint USACE/ACHP guidance for compliance with Section 106 of the National Historic Preservation Act. The USACE intends to coordinate closely with Tribal Nations and the ACHP throughout this rulemaking effort.

SHA has urged USACE to rescind Appendix C, and when the rulemaking is published, we'll provide details on how you can share your expertise with the federal government in support of this change.

## **Instituting New, Uniform Standards for Tribal Consultation**

At the White House Tribal Nations Summit, President Biden announced a new memorandum ([Memorandum on Uniform Standards for Tribal Consultation | The White House](#)) establishing uniform standards across all federal agencies on how tribal consultations are conducted.

**Establishing clear, consistent tribal consultation policies** across the federal government will honor the role of tribal governments, reduce conflict and improve federal project permitting decisions.

The President's memorandum is an excellent step toward achieving these goals. For additional details on the President's announcements at the White House Tribal Nations Summit, click [here](#) ([FACT SHEET: Biden-Harris Administration Announces New Actions to Support Indian Country and Native Communities Ahead of the Administration's Second Tribal Nations Summit | The White House](#)).

## **How You Can Get Involved**

For additional information on SHA's advocacy efforts, please sign up for email alerts from the Coalition for American Heritage at <https://heritagecoalition.org/for-individuals/> and follow the Coalition on Facebook at @heritagecoalition and on LinkedIn at <https://www.linkedin.com/company/coalition-for-american-heritage/>. You'll get Calls to Action with sample scripts for emailing/calling your Member of Congress. You will also receive information on how to send a comment letter to federal agencies and examples of what you may choose to say.

Also, please consider joining SHA's Government Affairs Committee! Given increasing threats (to both terrestrial and underwater sites) from the current Administration, your involvement is critical. If interested, please contact Terry Klein at [tklein@srifoundation.org](mailto:tklein@srifoundation.org) or Marion Werkheiser ([marion@culturalheritagepartners.com](mailto:marion@culturalheritagepartners.com)). We look forward to working alongside you to advance the protection of our historical archaeological heritage!