

October 24, 2002

Admiral James D. Watkins, USN (Retired), Chairman  
U.S. Commission on Ocean Policy  
1120 20<sup>th</sup> St., NW  
Suite 200 North  
Washington, DC 20036

Dear Chairman Watkins:

I am sending you the enclosed statement on behalf of the Society for Historical Archaeology, the Society for American Archaeology, and the Archaeological Institute of America. Together, we represent nearly 25,000 professional and avocational members living in the United States and in dozens of other nations around the world. We are deeply concerned about the preservation of underwater cultural heritage throughout the world and wish to underscore several points made to you in earlier letters from the Advisory Council on Underwater Archaeology.

Formed in 1967, the Society for Historical Archaeology (SHA) is the largest scholarly group concerned with the archaeology of the modern world (A.D. 1400-present). The main focus of the society is the era since the beginning of European exploration. SHA promotes scholarly research and the dissemination of knowledge concerning historical archaeology. The society is concerned with the identification, excavation, interpretation, and conservation of historic sites and materials on land and underwater.

The mission of the Society for American Archaeology (SAA), founded in 1934, is to expand understanding and appreciation of humanity's past as achieved through systematic investigation of the archaeological record. The society promotes research, stewardship of archaeological resources, public and professional education, and the dissemination of knowledge through engagement with all segments of society, including governments, educators, and indigenous peoples, in advancing knowledge and enhancing awareness of the past.

The Archaeological Institute of America (AIA) is North America's oldest and largest organization devoted to the world of archaeology, founded in 1879 and chartered by the United States Congress in 1906. The AIA promotes archaeological inquiry and public understanding of the material record of the human past worldwide. The Institute is committed to preserving the world's archaeological resources and cultural heritage for the benefit of people in the present and in the future.

We hope that you will give full consideration to the growing threats to our underwater cultural heritage and bear these issues in mind when formulating policy to govern our ocean resources.

Sincerely,

Vergil E. Noble  
President

Enclosure (joint statement)

cc : (with enclosure)

Advisory Council on Underwater Archaeology (Neyland)  
Archaeological Institute of America (Wilkie)  
Society for American Archaeology (Kelly)

*Joint Statement to the U.S. Commission on Ocean Policy*

**The Society for Historical Archaeology  
The Society for American Archaeology  
The Archaeological Institute of America**

Scattered about the floor of our planet's oceans are countless cultural resources, particularly historic shipwrecks, representing the heritage of all nations. Although those resources are beyond number, they are finite, fragile, and non-renewable. Further, they contain invaluable scientific data that have the power to inform scholars and the public about the past and our collective progress toward the present. Accordingly, it is essential that those resources be recognized as significant assets and managed wisely through informed policy.

In recent years, numerous technological advances have greatly facilitated the age-old quest to explore the depths of our oceans. We now have the ability to scan the sea bottom with sonar and remotely operated video equipment, pinpoint locations for future reference with great accuracy through geographical positioning systems, and retrieve items with improved diving gear and robotics. These have led to the discovery of several spectacular shipwrecks—for example, the *Titanic* and the *Bismarck*, which have captured the public's imagination and fueled efforts to locate other legendary ships lost at sea. Some, like the recently recovered Confederate submarine *Hunley*, have been the subject of meticulous scientific study after their discovery, but others lamentably have been stripped of their artifacts in the sole interest of profit and with no respect for their potential archaeological value. If gold is involved, of course, media attention can be particularly intense, reinforcing fanciful images of the search for sunken treasure ignorant of the damage those efforts might cause.

The Abandoned Shipwreck Act of 1987 was an early and important attempt by the U.S. Congress to address these alarming developments within our jurisdiction. More recently formulation of UNESCO's Convention on the Protection of the Underwater Cultural Heritage represents a laudable attempt to establish a world mandate to prohibit commercial exploitation of underwater cultural heritage. That international treaty was passed last year by an overwhelming majority of participating countries, which together seek to improve the effectiveness of efforts to manage and preserve these cultural resources for present and future generations.

We concur with the Advisory Council on Underwater Archaeology (ACUA) in their opinion that many existing laws and conventions, particularly Admiralty Salvage Law and the International Law of Salvage and Finds, are incompatible with the purposes of UNESCO's Convention on the Protection of the Underwater Cultural Heritage. Further, we agree with ACUA's assessment that there is great disparity throughout the United States in how shipwrecks are treated under law. Accordingly, we jointly encourage the adoption of a uniform national policy similar to that proposed by UNESCO for underwater cultural heritage. Only under such guidance can we hope to ensure that submerged archaeological sites are studied by qualified scientists and preserved for the enjoyment of the public in perpetuity. As representatives of the three major archaeological organizations in the United States, we respectfully encourage the Commission to make the protection and wise management of our nation's underwater cultural heritage an important part of its work, and we offer the assistance of our expertise on these issues.

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