



## Keeping People from Running off with Property since 1979

### Archeological Resource Protection Act

An important piece of archeological legislation, the Archaeological Resources Protection Act (ARPA), was enacted in 1979.

ARPA strengthened the permitting procedures required for conducting archeological fieldwork on federal lands, originally mandated by the Antiquities Act. It also establishes more rigorous fines and penalties for unauthorized excavation on federal land.

Image from Indiana Jones and the Raiders of the Lost Ark;  
IndianaJones.com



### The Law

This statute (16 U.S.C. 470aa-470mm; Public Law 96-95 and amendments to it) was enacted “to secure, for the present and future benefit of the American people, the protection of archaeological resources and sites which are on public lands and Indian lands, and to foster increased cooperation and exchange of information between governmental authorities, the professional archaeological community, and private individuals” (Sec. 2(4)(b)).

ARPA is important from the standpoint of managing archeological collections because it acknowledges federal ownership of objects excavated from federal lands; calls for the preservation of objects and associated records in a "suitable" institution; and, prohibits public disclosure of information concerning the nature and location of archeological resources that require a permit or other permission under ARPA for their excavation or removal.

### Legitimate Use

The main focus of ARPA is on regulation of legitimate archeological investigation on public lands and the enforcement of penalties against those who loot or vandalize archeological resources. However, both the original statute and, especially, the amendments provided authority to Federal officials to better manage archeological sites on public land. It requires that managers responsible for the protection of archeological resources hold information about the locations and nature of these resources confidential unless providing the information would further the purpose of the statute and not create a risk of harm for the resources. The statute also authorizes the Secretary of the Interior to cooperate with avocational and professional archeologists and organizations in exchanging information about archeological resources and improving the knowledge about the United States' archeological record.

### Implications

Breaking the Archeological Resource Protection Act has severe implications. Not only does the searching for and taking of artifacts destroy archeological and social context, offenders will also discover hefty fines and potentially serve jail time. In accordance with Archeological Resource Protection Act of 1979 it is strictly prohibited to possess or use a metal detector, dig, or take artifacts from federal lands. Think twice before giving into the temptation of taking home a great souvenir. Remember this as you visit national parks across the nation, “Take only memories - leave only footprints.”



In the image to the left, you see National Park Service archeologists from the Southeast Archeological Center (Tallahassee, Florida) conducting an investigation to see if any archeological resources would be damaged by the construction of a bus/RV turn-around.