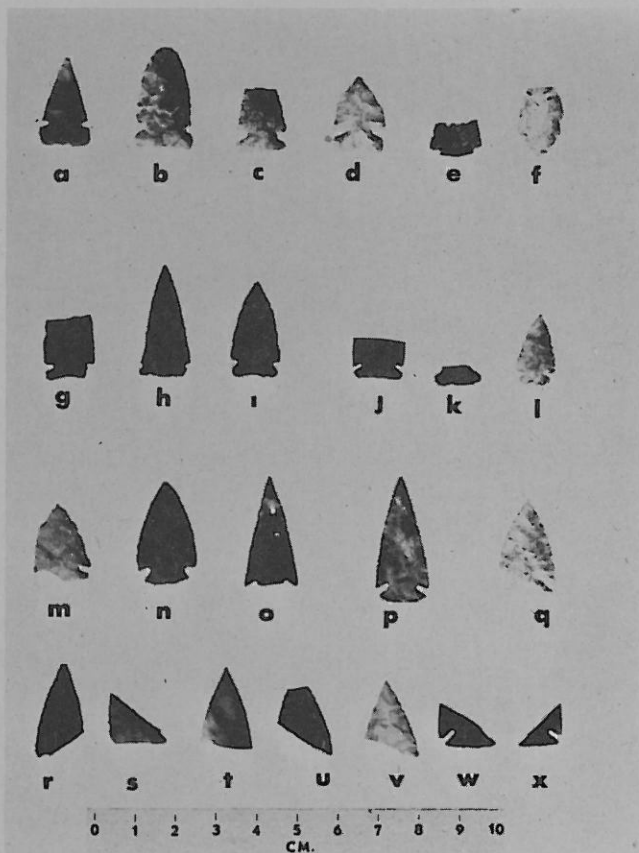


WYOMING  
ARCHAEOLOGICAL  
SOCIETY

# THE WYOMING ARCHAEOLOGIST



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### 1980 MEMBERSHIP NOTICE

#### WYOMING ARCHAEOLOGICAL SOCIETY, INC.

- \_\_\_\_\_ Individual Associate Membership @ \$10.00 per year
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WYOMING  
ARCHAEOLOGICAL SOCIETY, INC.



Fellow Members :

Recently, I received a letter from one of the Chapters. They are considering withdrawing from the State Society and forming their own group; because, "for several years, (they have) been discussing dissatisfaction with the State organization." The next three paragraphs are additional excerpts from their letter :

"This has been due to a general feeling that the local Chapter has very few advantages in continuing membership with the State organization, after considering the lack of direction, support, and communication, or other advantages.

"The Wyoming Societies recent action of doubling the annual dues has brought this to a head. Many members of the local chapter have felt they were not getting sufficient value received from the previous assessment.

"It is the feeling, among what is currently considered to be a strong majority of the membership, that if and when they withdraw from the Wyoming Archaeological Society they will consider reorganizing into a local club to pursue their own interests, beginning in 1980."

Now, since the State Society is nothing more than a group of local Chapters banded together for the promotion, accomplishment, and furtherance of certain principles, I view the loss of one Chapter to be the possible beginning of the end to the entire State Society; and, I have many mixed emotions about the entire situation. It causes me to wonder if my reflections on the matter could be similar to those that Abraham Lincoln had when he received word that some of the states were about to secede from the Union. From an historical viewpoint, we should recognize that there is no strength in division.

However, the fact remains that I do not know what kind of direction, support, communication, or other advantages that each Chapter expects. Therefore, I ask that any Chapter with similar complaints, and particularly any who have suggestions as to how the State Society may rectify such neglect, please bring them to the Spring Meeting. Specifically, present your problems and suggested solutions at the informal Friday night meeting. By doing this we can arrive at something concrete to submit to the formal meeting Saturday morning. Then, we will have something on which your elected delegates can vote. The meeting will be held in Sheridan, Wyoming, beginning



Friday night, April 25, 1980. Details will be mailed to each Chapter at a later date.

Remember, bring yourselves and your thoughts as it is the lack of these that perhaps the State Society is in the shape that some think it is simply because people have not spoken. Therefore, your thoughts, opinions, and constructive suggestions are needed, if the State Society is to survive and grow.

Happy Holidays,

A handwritten signature in cursive script that reads "E. Grover Phelan". The signature is written in dark ink and is positioned below the typed name "Grover Phelan".

Grover Phelan

EDITOR'S NOTE

To ALL Members of the Wyoming Archaeological Society:  
Somewhere within the roster of 200 plus Members of this Society,  
there have to be several individuals who can and will submit in  
writing, some experiences along archaeological lines.

I am grateful to those who have contributed at this point;  
but please don't stop now. This is your magazine about you  
and your society. We need your manuscripts, reports,  
observations. They are all valid and need to be shared  
with others.

THE EDITOR

\* \* \* \* \*

ARCHAEOLOGICAL ANNIE

Lucille Adams, Lander, sent us an article from the October/November issue of  
"MARIAH/OUTSIDE" to share with the Wyoming Archaeological Society. Here are some  
excerpts from Terry Stephen's article about the Archaeological Resources Protection Act  
of 1979 as passed by Congress.

"According to some scientists, 'pot hunters' are systematically destroying the  
country's archaeological heritage. Because there is money to be made in black marketing  
American Indian artifacts, vandals are plundering burial grounds and ruins for all they are  
worth. And they're worth a lot! "

Ancient Indian sites cover the United States, especially the southwest. The  
Arizona Archaeological Society estimates that there may be as many as three million sites  
in their state alone. (These range from an isolated find to a 150 room adobe structure.)  
Archaeologists consider sites invaluable historic and cultural keys to the past, but only  
when the sites are intact.

For more than 70 years, the Forest Service and local law enforcement officials fought vandalism with the virtually powerless Antiquities Act of 1906, which carried a fine of \$500.00 for looting a site on federal land. Because certain artifacts could be sold for as much as \$10,000.00, the Five Hundred Dollar fine was a minor calculated risk.

In 1974 a U. S. Circuit Court of Appeals decision made the already weak law virtually unenforceable in the nine states within that court's jurisdiction. The court ruled that the Act was unconstitutional because it failed to clearly define such terms as ruin and object of antiquity. States such as Arizona, California, Idaho, and Montana - with hundreds of thousands of sites - were left without protection.

The Archaeological Resources Protection Act of 1979, in an effort to deter or halt such vandalism and "pot hunting", has clearly defined what constitutes an archaeological resource. The Act also stipulates a fine of up to \$20,000.00 and two years in prison for removing artifacts from public lands, plus confiscation of any equipment used in the act of removal.

Archaeologists are hopeful this new law will curtail looting, as well as making the public aware of what is actually happening to these non-renewable resources.

A note from Jim Curkendall, who is Secretary/Treasurer of the Casper Chapter:

"Dear Archae Annie -- In response to your question in the September Archaeologist concerning use of coal in pre-historic Wyoming, this may be applicable. On display at the Eveland Village Site portion of Dickson Mounds Complex, located in central Illinois, are two samples of Cannel Coal. Both are moderately polished. One is five by five centimeters, the other seven by ten centimeters, both about one centimeter in thickness. Both have been modified through use, possibly as polishing stones in manufacturing of pottery. Both Eveland Village and the Dickson Mounds Cemetery Sites are from the Middle Mississippi phase of the Cahokia sub-culture, ca. 900 - 1500 A.D. -- Yours truly, Jim Curkendall."

Thanks, Jim, for sharing with your fellow members. Wonder if what you describe could be Jet, a dense variety of lignite? This is a fossil wood, black in color, and which taken a high polish and cuts easily. Since early ancient times, Jet has been used for ornaments in many parts of the world. In paleolithic Europe, Jet appears to have had talismatic value. The Hopi and Navajo still use Jet in jewelry and charms.

Anyone with thoughts, ideas, information, or discussion -- send to ARCHAEE ANNIE, P.O. Box 703, Saratoga, Wyoming, 82331.

\* \* \* \* \*

SURVEY REPORT  
T. 27 N., R. 95 W., SECTION 31  
FREMONT COUNTY ARCHAEOLOGICAL SOCIETY  
James Adams - Irene Morgan

INTRODUCTION

Fremont County Chapter conducted a survey on one section of Federal land in southern Fremont County. The purpose of the survey was to locate, make observations, and record any archaeological findings and make a detailed report for George M. Zeimens, Associate State Archeologist. Following the survey, site numbers were assigned to 12 locations by the State Archeologist. Locations will be referred to by numbers only in the report. Exact locations have been omitted. Photographs were taken of the numerous rock alignments.

Literature and references on geology and earlier geologic investigations carried out in this area were very graciously furnished by the Lander office of the Bureau of Land Management.

Rock Hounds, amateur archaeologists, and collectors have traveled across this area and hunted it for years.

ACKNOWLEDGMENTS

In the selection of just which section to survey, credit goes to the following people for their helpful acts in making the decision. To Verda Mann for taking some friends (Gene and Lorene Iverson, Irene Morgan) to this area; to Jim Adams, who said "Oh, if you are going there, stop and look at the unusual rock alignments."; to Dyllis Gose, an associate member who volunteered information about a beautiful four bevel knife she found there and knew of more stone circles; to Joe Pinner who took pictures of the most unusual rock alignments.

Last, but not least, credit goes to the 26 members who walked and recorded each find, and to Lucille, Jim's wife, who spent many hours assisting Jim on the report.

SITE # 48FR265

This site is located 0.1 mile east of the west boundary and 0.1 mile north of the south boundary of the above quarter section. The site is on a hillside sloping to the southeast and the soil is sandy. Four groups of small stones were observed and appeared to have been fire hearths. No. 1 consists of 25 stones scattered over an area of eight feet. No. 2 is a circle of three feet. No. 3 has 44 stones scattered over 18 feet. No. 4 have 38 stones covering an area of 4' x 10'. This scattering was

probably due to the wind blowing the sand away from the stones and letting them gradually down the slope of the hill and by sheep grazing in the area. Nine large, tan quartzite flakes were found in the area. Everything there appears to be on the surface.

#### SITE # 48FR266

This site is located on a small sandy flat 100' x 200' sloping to the south. It is 0.1 mile east of the west boundary and 0.25 mile north of the south boundary of the above quarter section. The area seems to have been used as a short period camp site. One fire hearth consists of seven flat stones and several more scattered groups of stones cover the area. Several broken tools and points were found. Many flakes are in the area (see A-1). All material appears to be on the surface.

#### SITE # 48FR267

This site consists of three stone circles just south of the east-west road. Two of the circles are parallel to the road. The circle to the west is 14' 6" in diameter and is six feet from the circle to the east which is 15 feet in diameter. The north side of the circle contains a gap. Across the road and a little to the west are three more circles. The circle nearest to the road is 15' 6" in diameter and has been damaged by uranium drilling crews driving trucks over it. The next circle is 27 feet to the north and is 16 feet in diameter. It has also been damaged badly by uranium activities. The third circle is 48 feet to the north and is 14 feet in diameter. It has also been damaged by drilling. It would be good if this site could be preserved, but this is doubtful as it is right in a hot spot for uranium development. No lithic material was found on this site.

#### SITE # 48FR268

This site follows along the east side of a draw which has a small amount of water from a spring. The spring is intermittent. The site consists of seven stone cairns and a tipi ring. These cairns seem to have been built on existing piles of stone along the rim of the draw. The southernmost cairn is seven feet in diameter and contains about 43 rocks. The second cairn (to the north) is five feet in diameter and has 39 stones. The third cairn has 16 stones and is five feet in diameter. The fourth cairn is four feet in diameter and has 39 stones. The fifth cairn is five feet in diameter and has 28 stones. It is of one rock height. Number six cairn has 29 rocks. Cairn number seven has 34 stones. These cairns are close together. A tipi ring is located to the east of the cairn. This is a double ring: the outer ring is 21 feet in diameter and has 34 stones; the inner ring is 16 feet in diameter. In the center of the rings is a rectangle composed of four stones. It is 3' 10" by 4' 6". In the center of the rectangle is a triangle of three stones. It measures 2' by 2' 10". Lithic material found at this site consists of one large scraper made of oolite (tan) material, and one jasper quarry blank (see plate 2 B-C). This site may have been used as a ceremonial or recreational area for the campsite (48FR266) which lies a short distance to the west.

SITE # 48FR269

This site consists of one stone circle of nine stones and is three feet in diameter. This is probably a fire hearth. It is located along a small draw and in quite a lot of brush. No charcoal is in evidence and no lithic materials were found. (See Panel No. 8.)

SITE # 48FR270

This site surrounds a spring and covers an area of at least 0.2 mile in diameter with the spring in the center. The main access road to the area crosses the site to the east of the spring. The section boundary is about 0.1 mile south of the spring. Another road is located just west of the spring and another road crosses just north of the spring. The area west of the spring is covered with flakes and cores. South of the spring is a sandy slope with many flakes. On the top of the hill to the east of the spring is an old camping area. Many flakes are in evidence. As the hill slopes into a draw to the east, there are some fire hearths. Some charcoal is visible in one of these hearths. The charcoal might be recent, as the area is still being used for camping. The road crosses this area and has destroyed about half of it. The slope to the north of the spring contains many flakes. Projectile points were found here and to the west.

SITE # 48FR271

This site is located in the NW 1/4 of the section. It is on a small flat on the east side of a draw and consists of one stone circle 15 feet in diameter. It is made of quite large stones. The east side of the circle contains an opening three feet wide. No artifacts were found at this site.

SITE # 48FR272

This site is in the NW 1/4 and very near the north border of the section. Elevation is about 7,200 feet and is very near the top of a hill. It consists of a stone figure which looks like a petroglyph. A stone circle and a cairn are also present. The figure has a stone circle seven feet in diameter made of 25 rocks for a head. It has a neck four feet long, made up of four rocks. The right arm joins the bottom of the neck and curves upward toward the head. It is nine feet long and has seven stones in it. The left arm joins the neck at a right angle. It is seven feet long and consists of seven stones also. To the northwest is a stone circle 15 feet in diameter and a small cairn, which is four feet in diameter. This cairn looks to be more recent than the other figures. There is some flake material in the area.

SITE # 48FR273

This site is located at an elevation of 7,300 feet which is the highest point in the section. It is on the top of the hill which slopes to the south. The main access road to the area runs along the east side of the site, about 200 feet away. The site consists of six stone cairns; one of the cairns is about the size and shape of a grave. One other

cairn is large enough to be seen from the road. 11 stone circles are also present. These circles vary in size from 15 to 20 feet in diameter and are spaced from touching to 200 feet apart. They cover an area running north to south 500 feet long and 100 feet wide. The southernmost figure consists of a stone half-circle 18 feet in diameter which encloses a stone cairn about six feet in diameter. The west half of the circle is open. The site starts at the north boundary of the section and extends southward. The northernmost figure is an oval shaped stone cairn nine feet by five feet. This figure is joined on the south side by a stone circle which is six feet eight inches in diameter and by a curved stone line 18 feet long. Thirty-six feet south of these figures is a stone cairn which is seven feet long and three feet wide. It appears to contain 29 stones and resembles a grave. At the west corner of the cairn is a flat stone standing on edge. This stone has been flaked around the edges. Eighty-four feet south of this cairn is a stone circle 16 feet in diameter which is joined to a kite shaped figure that is four feet seven inches in diameter with a neck extending to the east for a distance of 14 feet 3 inches. Eighteen feet south of the figures is a large stone cairn 11 feet in diameter. It is composed of a circle of large stones which have been piled up in the center. The pile appears to have been high in the middle and then caved in as if it had been hollow or had covered something.

About 54 feet east of the cairn is a circle 19 feet in diameter. About 25 feet south is another stone circle which is 19 feet in diameter. Farther south about 15 feet is another circle 19 feet in diameter. Then 21 feet south of this circle is another circle 20 feet in diameter. About 12 feet further south is a 19-foot circle. Another rock figure joins this one on the south; it is 12 feet wide by 15 feet long. The west end is a straight line running north and south. The sides curve inward to the east end which is open. The next figure is 100 feet south of the previous figures and consists of a stone circle about 18 feet in diameter which has four semi-circles on the inside. These semi-circles are joined to the outer circle and are located on the east, south, west, and north sides of the main circle. They vary in size from two feet to five feet. Forty feet further south and about 16 feet west is another circle which is 16 feet in diameter. A tan quartzite tool was found here (see Plate 5-C). To the southwest of this figure is a stone cairn which is about nine feet in diameter. This figure is one rock high as present. Two hundred sixteen feet further south is the final figure of the group. It consists of a half circle 18 feet in diameter. The open side faces to the west. Inside the half circle is a rock cairn six feet in diameter and has about 25 stones in it.

#### SITE # 48FR427

This area is just west of a deep draw and on a rocky hillside. A small intermittent spring starts in the draw at this point. Several point fragments and a stone tool were found here. One of the fragments is of lanceolate shape and could be Paleo-Indian.

#### SITE # 48FR428

This site is on a small hill and joins Site # 48FR270 on the southwest side. Several fragments of projectile points and tool were found here.



SITE # 48FR429

This site is located in the southeast corner of the section. A road borders the north side. It consists of a sandy slope facing south. The remains of several fire hearths are scattered on the slope. Many flakes are visible on the surface.

SUMMARY OF AN ARCHAEOLOGICAL SURVEY  
CONDUCTED BY  
FREMONT COUNTY CHAPTER OF THE  
WYOMING ARCHAEOLOGICAL SOCIETY

The area surveyed consisted of one section and lies on a south sloping hill. Elevation of the area varies from 7,300 feet on the north to 7,056 feet at the southwest corner. Most of the northern half of the section is covered with alluvial rocks. The south side is mostly sandy with small rock-covered hills. In between is some clay type soils. Sagebrush covers most of the area. On the higher hills to the north, the sagebrush is quite small and scattered while in the lower flats and valleys to the south where there is soil, it becomes larger and more plentiful. Near the southeast corner of the section is a large spring. Two small reservoirs have been constructed here. With the exception of two small water seeps in the draw to the west, this spring is the only source of water on the section.

While the survey area shows some evidence of prehistoric occupation over most of it, twelve sites were found which may be of significance. Site 48FR265 consists of several fire hearths; several large tan quartzite flakes were found there. Site 48FR266 was probably a campsite; several fire hearths are visible and many flakes are in evidence. Two manos, one core, two projectile points, and one blank were found. (See Plate I a, b, c, d, e, f.)

Site 48FR267 consists of six stone circles. Three of them have been damaged by uranium drilling crews. One quartzite core was found. Probably nothing can be done to save these rings.

Site 48FR268 consists of several stone cairns and a double stone ring. One quartzite core, one biface knife of brown jasper and a tan oolite scraper were found at this site. (See Plate II a, b, c.)

Site 48FR269 is a small stone circle consisting of nine stones. It was probably a fire hearth as it is some distance from any other site. (See Plate VIII.)

Site 48FR270 is one of the largest sites in the area. It is located around the large spring in the southeast corner of the section. It consists of many camp sites. Chipping areas and fire hearths are in abundance. Parts of the site have been destroyed by road building, reservoirs, erosion, concentration of livestock around the spring area, and campers. Most of the artifact materials have been removed by surface hunters. Several artifacts were found on the site. These are as follows: two scrapers (Plate III, a, d),

five projectile points (Plate III b,c,e,g,i), one blank (Plate III, f), one knife (Plate III, h), three manos (Plate IV a,b,c), three metates (Plate IV c,d), (Plate VII a). There is some indications north of the spring in shallow washes, of materials below ground level. We recommend that some test work be done here.

Site 48FR271 consists of a stone circle in the northwest corner of the section. Two artifacts were found. A Midsection of a Lanceolate point of brown jasper (See Plate VI d), and one retouched flake tool (See Plate VI e).

Site 48FR272 consists of a stone anthropomorphic figure, a stone circle and a small cairn. Some flake material is in the area. This is a possible camp site. This area is covered with alluvial rocks which makes it hard to tell much about it. The area will probably be destroyed by mining.

Site 48FR273 is located in the northeast corner of the section on the highest point. It consists of stone cairns and stone rings. The area is very rocky. It is also farthest from water. Three tools and two projectile points were found (See Plate V a,b,c,d,e). This site has not been damaged at this time and should somehow be protected as it is a very nice group of rock alignments.

Site 48FR427 is located high on a rocky hillside near the north side of the section. One tool and three partial points were found here including the mid-section of a lanceolate point and the distal end of a projectile point (See Plate VI a and b).

Site 48FR428 is a small site just west of 48FR270. Several artifact fragments were found here. It could be a part of 48FR270. Most of the material has been removed by surface hunters.

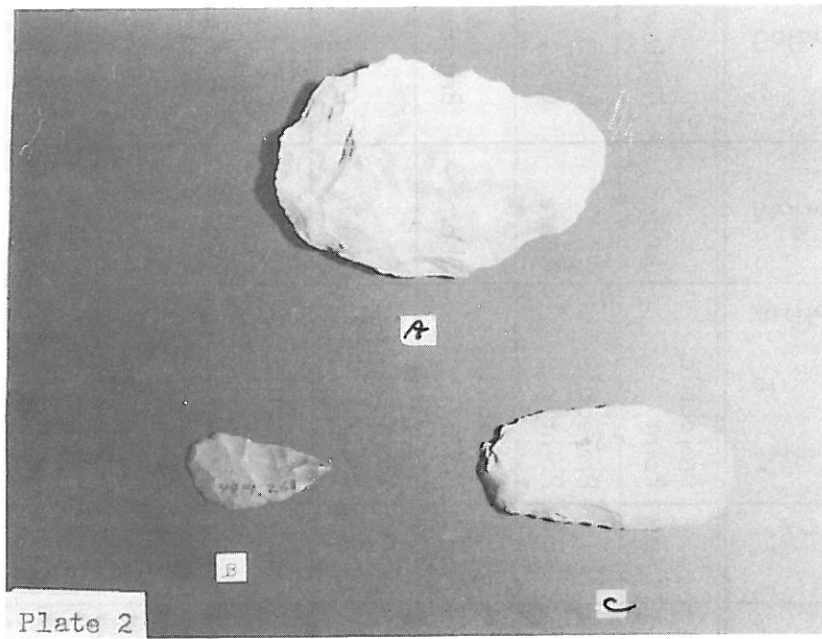
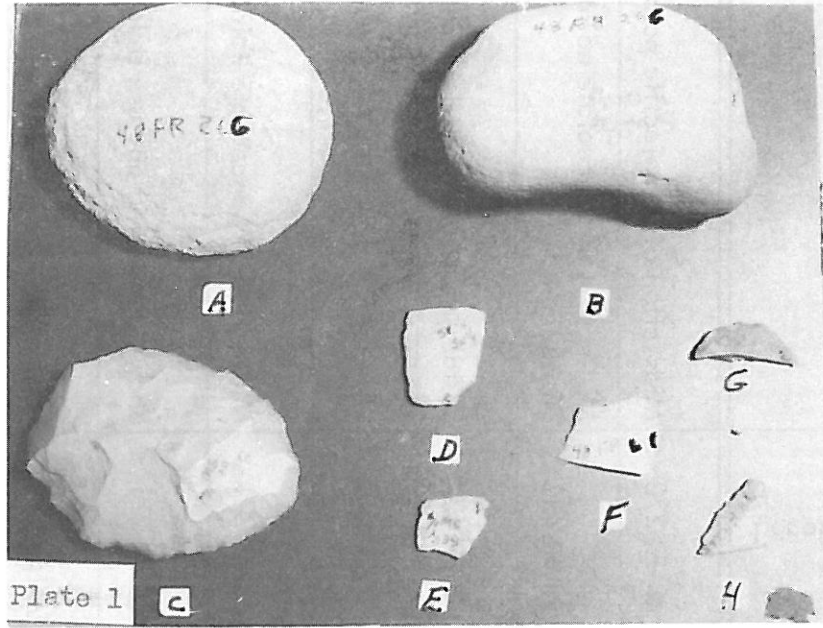
Site 48FR429 is a small site in the southeast corner of the section. It consists of several scattered fire hearths and many flakes. No artifacts were found here. The archaeological sites of this section are being destroyed by land use. Four roads cross the section. The main access road to the whole area crosses the east side of the section. Uranium crews and seismograph crews have roads along the south, west, and north section lines. All of the section corners seem to be used as reference points for surveying. The spring with its water supply is used by both cattle and sheep. This is causing the area around the spring to erode. The western half of the section probably has commercial quantities of uranium ore so it is being destroyed by core drilling and testing. We would like to see the rock alignments at Site 48FR273 preserved and some testing work done at Site 48FR270 around the spring.

Plate	Figure	Type of Artifact	Material	Color	Condition	Location	Notes
1	a	Mano	Sandstone	Tan	Complete	48 FR 266	Used on both sides to grind with; used as hammerstone.
1	b	Mano	Sandstone	Tan	Complete	48 FR 266	Only one side has been used.
1	c	Core	Chert	Grey	Complete	48 FR 266	May have been used as chopper.
1	d	Projectile Point	Quartzite	Grey	Broken	48 FR 266	Small notch broken out of base; Basal thinning; Lanceolate point.
1	e	Projectile Point	Quartzite	Tan	Broken	48 FR 266	Base broken off; point broken off.
1	f	Blank	Chert	Tan	Broken	48 FR 266	Unfinished.
2	a	Core	Quartzite	Light Grey	Complete	48 FR 268	From rock alignment.
2	b	Knife	Jasper	Brown	Complete	48 FR 268	Biface
2	c	Scraper	Oolite	Tan	Complete	48 FR 268	Sharpened, for use all the way around.
3	a	Scraper	Flint	Tan	Complete	48 FR 270	Flake which has one edge that is worked into a scraper.

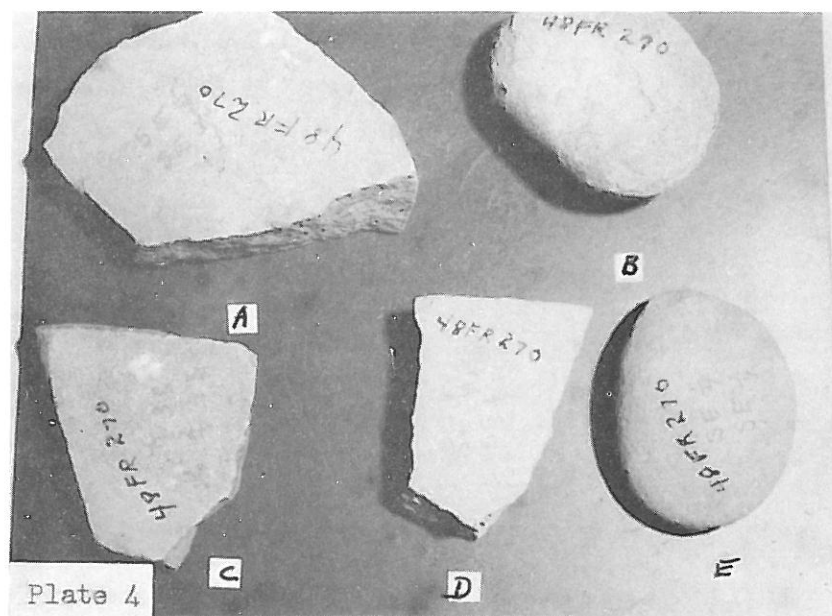
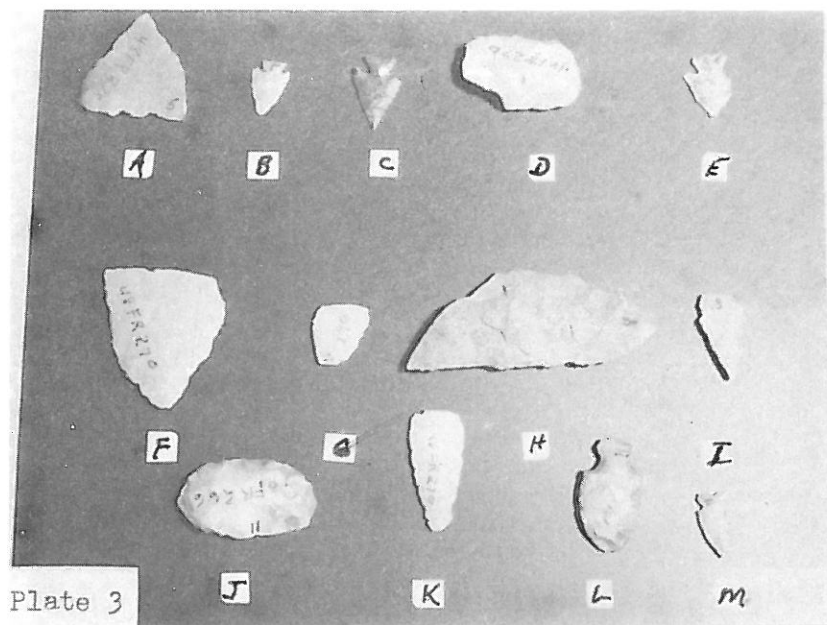
Plate	Figure	Type of Artifact	Material	Color	Condition	Location	Notes
3	b	Projectile Point	Chert	Light Grey	Complete	48 FR 270	Tip of one ear broken
3	c	Projectile Point	Jasper	Dark Red	Broken	48 FR 270	Small corner notched. Basal thinning. One ear broken.
3	d	Scraper	Oolite	Tan	Complete	48 FR 270	End worn smooth.
3	e	Projectile Point	Moss Agate		Broken	48 FR 270	One ear broken, Tip reworked. Corner notched.
3	f	Blank	Quartzite	Grey	Broken	48 FR 270	Distal end.
3	g	Projectile Point	Quartzite	Grey	Broken	48 FR 270	Distal end. Tip broken off.
3	h	Knife	Quartzite	Grey	Broken	48 FR 270	Biface.
3	i	Projectile Point	Chert	Light Grey	Broken	48 FR 270	One ear broken off. Bibeveled.
3	i	Knife	Chert	Tan	Complete	48 FR 266	Biface.
3	l	Projectile Point	Jasper	Yellow	Complete	48 FR 266	Possibly reworked from a Lanceolate point.

Plate	Figure	Type of Artifact	Material	Color	Condition	Location	Notes
3	m	Projectile Point	Chert	Light Gray	Complete	48 FR 266	Corner notch. Notched base. Late Shoshone.
4	a	Mano	Sandstone	Reddish	Broken	48 FR 270	Used on both sides. Tapered toward edge.
4	b	Mano	Sandstone	Tan	Complete	48 FR 270	Ground on one side, rough on the other side.
4	c	Metate	Sandstone	Brown	Broken	48 FR 270	Small fragment; ground on one side.
4	d	Metate	Fine sandstone	Tan	Broken	48 FR 270	Shows wear pattern on both sides; resharpening peck marks.
4	e	Mano	Fine sandstone	Tan	Complete	48 FR 270	Ground on both sides; one end chipped. Probably used as hammer.
5	a	Knife	Quartzite	Grey	Complete	48 FR 273	Retouched; natural flake.
5	b	Scraper	Quartzite	Brown	Complete	48 FR 273	Large end scraper.
5	c	Tool	Quartzite	Brown	Complete	48 FR 273	Large flake used as a chopping tool. Shows use flakes.
5	d	Projectile Point	Chert	Tan	Broken	48 FR 273	Midsection of a paleo point.

Plate	Figure	Type of Artifact	Material	Color	Condition	Location	Notes
5	e	Projectile Point	Jasper	Yellow	Broken	48 FR 273	Midsection of a projectile point.
6	a	Projectile Point	Agate	Light Grey	Broken	48 FR 427	Midsection of Lanceolate point. Translucent.
6	b	Projectile Point	Chert	Brown	Broken	48 FR 427	Distal end of a projectile point.
6	c	Projectile Point	Chert	Grey	Broken	48 FR 271	Basal end.
6	d	Projectile Point	Chert	Brown	Broken	48 FR 271	Midsection of Lanceolate Point.
6	e	Flake	Flint	Black	Complete	48 FR 271	Shows retouching and use flaking.
7	a	Metate	Sandstone	White	Broken	48 FR 270	Shows diagonal wear pattern







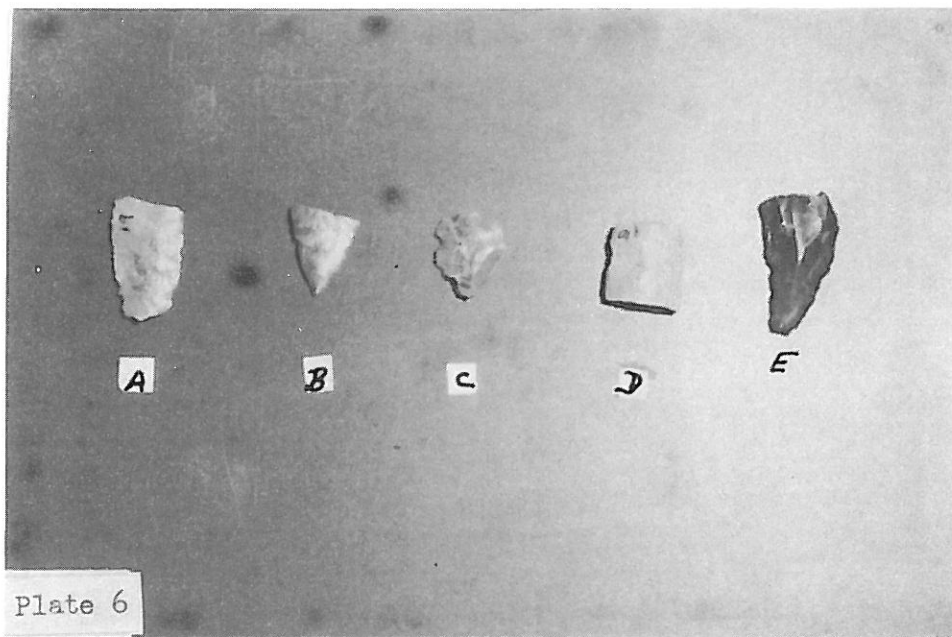
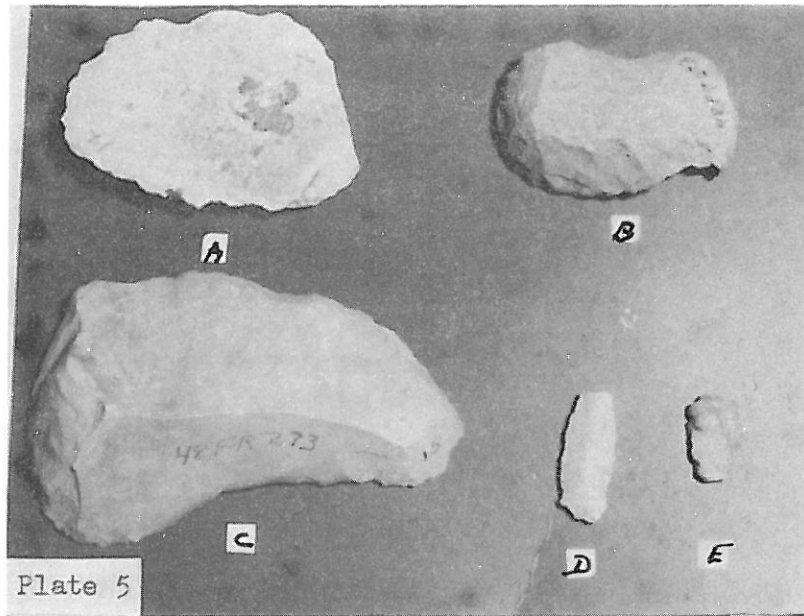




Plate 7



Plate 8

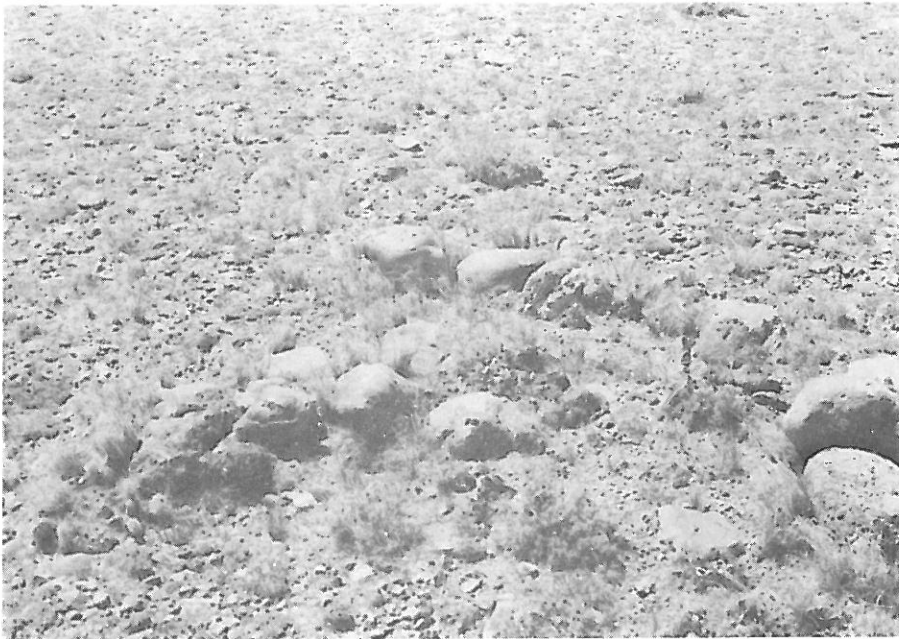


VIEW OF THE AREA LOOKING WEST



VIEW OF THE SPRING AT SITE 48FR 270

ROCK ALIGNMENTS  
AT SITE 48FR 273



ROCK CAIRNS AT SITE 48FR 273







ROCK CAIRN AT SITE 48FR 273



STONE RING AT SITE 48FR 271



## THE HELEN LOOKINGBILL SITE: 48FR308

### ABSTRACT

The Helen Lookingbill site is located in the Southern Absaroka Mountains of Northwest Wyoming. The site contains several known components. The oldest is late Paleo-Indian. The most extensive and documented dates to the Early Plains Archaic at around 7100 years B.P. Other components are not well documented and typologically date to the later Plains Archaic and Late Prehistoric periods.

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Site 48FR308 was first discovered in the late 1960's by Art and Helen Lookingbill of Riverton, Wyoming. Brief tests of the site were made in 1972 by the University of Wyoming. These revealed that the site contained numerous materials of the poorly known Early Plains Archaic or Altithermal Period, as well as Late Paleo-Indian and more recent Archaic materials. Subsequent small-scale excavations have produced both more cultural materials and more problems.

The Lookingbill site is located on the Wind River Basin side of the Absarokas in western Wyoming. The divide of this mountain range defines the boundary between the Big Horn and Wind River Basins. Site elevation is 8400 feet. The site is situated on the edges of a spring, the only good water source in the immediate vicinity. The Wiggins Fork River is about 1-1/2 km. to the west while Bear Creek is about the same distance to the east. There are relatively large annual fluctuations in the amount of water, but it appears that the spring has existed for several thousand years. The site area is snow-covered for a large share of the year; however, during the summer it is an extremely pleasant spot with warm days and cool crisp nights, lush grasses and abundant water.

While no full-scale excavations have been conducted, it has become apparent that the Lookingbill site contains several components. The top few centimeters, level 1, consist of a dark humic soil that is badly mixed. This appears to be due to several factors, mostly the results of domestic cattle who come to the area for water. This traffic churns the soil, particularly during the spring when the area is wet and boggy, and thoroughly mixes surface materials. Another factor believed to have affected this site is frost heaving. Under certain conditions constant thawing and melting seems to cause solid materials to lift upwards, even to the point of moving large boulders to the surface. These factors, along with intense rodent activity, have resulted in some mixing of cultural components, particularly in the later Archaic and Late Prehistoric periods.

Identifiable faunal remains from level 1 include deer, elk, mountain sheep, and bison.

Level 2, also a dark humic soil, appears to be separated from 1 by a thin, sterile layer

of clay. Again, there is some mixing of materials; however, the Late Paleo-Indian and Early Plains Archaic materials demonstrate reasonably good stratigraphic context and definite cultural levels are present. A  $C^{14}$  date (RL-554) of  $7140 \pm 160$  BP was obtained from charcoal within cultural level 2. The sample was not from an identifiable context but from loose charcoal in the stratum.

The large majority of projectile points in level 2 are of the Early Plains Archaic type. There is quite a bit of variation in the size of these points, but overall uniformity of style is easily recognizable. Reworked points are evident. Sometimes the secondary use was not as another point - among several drills found in level 2, one appears to be made from a former projectile point. Other tools in level 2 include end scrapers of various sizes and a few side scrapers. Many flakes have either been intentionally modified or merely utilized as is. Also, one piece of antler has been deliberately modified and may be a tool.

Sites that have produced similar cultural materials include Mummy Cave, Laddie Creek, Paint Rock V, Rice Cave, Carter Cave, all in the Big Horn Basin, Hawken in the Wyoming Black Hills, and many others. In these sites, between about 7600 and 4500 BP, the large side-notched points of the EPA are dominant, but small numbers of other types are also present. A Late Paleo-Indian type named Lovell Constricted by Husted (1969) has been found in good stratigraphic context at the Lookingbill site just below the EPA level. A small number of large corner-notched points, some having a base notch and some lacking it, have been found at Lookingbill. Both Mummy Cave and Laddie Creek EPA levels contain a few of these points. In the late EPA period, these same two sites yielded a large variety of points, some of which are small corner-notched points largely indistinguishable, except by context, from the Late Prehistoric period points. These have also been found in Lookingbill level 2. Since the entire range of variation of EPA projectile points is not yet fully recognized, caution must rule in sites where the context is not explicit.

Identifiable faunal remains from level 2 consist of disarticulated deer, mountain sheep and bison bones.

Level 3 is easily differentiated from 2 by the soil. Instead of a dark rich soil, we find a bright orange clay with small gravels intermixed. To date, only a small sample has been obtained from this level. Diagnostic artifacts are lacking, but some obvious differences can be seen. In level 3 bifaces and tools are very large, and few utilized flakes have been found. Most of the debitage consists of very large flakes. The flakes are extremely sharp, suggesting that they have not been disturbed since original deposition. No charcoal has been obtained nor has sufficient bone been collected for radio-carbon dating. One test did yield a broken projectile point and a preform of a second late Plano type below the EPA level, but nothing further could be determine.

Faunal remains from level 3 include deer, mountain sheep, bison and a few rodent bones which are probably intrusive.

To date only limited work has been done at the Lookingbill site, particularly in level 3. Weather in the mountains restricts access to the site. The water table has also caused problems. In August of 1977, the last time work was done, level 3 was already boggy. Below this, a level (#4) of green clay with a high gravel content was encountered. Being below the water table, this test quickly filled. In the very small area opened, nothing cultural was found in this level.

The geology of the site appears quite complicated and to date it has not been fully studied. Thus, other than two projectile points of a late Plano type found below the EPA level, any conclusions about these deeper levels, other than the obvious one that level 3 is older than level 2, are nearly impossible.

Some general comments must be made concerning the site. Levels 1 and 2 contain a large quantity of debitage and the analysis is incomplete. Gross analysis indicates that the majority of lithics present are locally obtained cherts and quartzites. Small amounts of obsidian and ignimbrite from the Yellowstone Park and Jackson Hole areas are present. The site debitage contains large numbers of reduction flakes, indicating use as a manufacturing area. This is supported by the finding of projectile points in all stages of manufacture, from cores to large flakes to preforms to finished points. A few grinding stones, both manos and metates, have been found in levels 1 and 2.

The upper two levels contain evidence of fire, in the form of burned bone and fire cracked, spalled or color altered lithics. It presently has not been determined whether this is cultural or merely accidental, i.e., forest fire. Again, due to the small sample, it is hard to generalize about level 3, but the same heat alterations do not appear to be present as in the upper levels.

In conclusion, the Lookingbill site presents a good example of a high altitude camp site used from late Plano to the Late Prehistoric periods. Level 3 may produce meaningful information on the Late Paleo-Indian period of the High Plains, but more data are needed. It is hoped this can be accomplished fairly soon, since both the weather and the water table restrict the working time and the productive areas of the site are being continuously lost through erosion. Extensive geological and soils studies are needed to clarify many presently fuzzy areas such as the mixing of stratigraphic levels.

The site's greatest importance lies mainly in the strong evidence for a relatively intense occupation of higher altitudes during the Altithermal Period, instead of there having been a cultural hiatus for several thousand years as formerly suggested. The Lookingbill Site was probably used seasonally as part of a scheduled move in response to economic resources. Relationship between this site and sites in other ecological situations are as yet conjectural. As more sites of the EPA are excavated and analyzed, the cultural systematics are expected to emerge.

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PETROGLYPHS - -  
POSSIBLE RELIGIOUS SIGNIFICANCE OF SOME

By Beverley Badhorse  
Spring 1979

Certain deeply incised petroglyphs, depicting enigmatic figures and symbols, are to be found duplicated in widely scattered locations throughout the northwestern plains. This may be significant. In light of the known history of one group, I tend to believe these are religious in nature, of Cheyenne and Sioux origin, and over 100 years old but carved since the time these two tribes were pushed westward into Crow territory.

Specifically, I would point to five figures: the so-called "man" drawing with v-neck, the lizard, the turtle, the circle with dot in middle, and the bisected circle with a line extending outside the length of the radius.

While Dr. Renaud (1936) speculates on the meaning of some of these, I was impressed to read that Mulloy (1958) felt they were "capable of decipherment only by the original artist and his community". It is by this reasoning that I propose the religious theory -- Northern Cheyennes still worship at the huge medicine rock on the edge of their reservation 50 miles north of the Wyoming border. Sioux still consider the rock sacred. They say it was the site of Sioux and Cheyenne sundances in pre-reservation days, and that the last sundance before the Custer Battle was held there; it was then, they say, that the chiefs envisioned many soldiers lying dead -- foretelling an Indian victory in battle. Colonel George A. Custer, not many days later, made his last full camp a quarter of a mile east of the rock across Rosebud creek; four of his troopers names are carved on the rock. Cheyennes today say that one who carves indiscriminately on this rock will die within the year; besides Custer's men's names, a few contemporaries have inprudently done so with similar end results.

The human-type figure, which Renaud refers to as having pointed shoulders and which Frison (1978) called V-necked, is the sundance symbol -- according to Cheyennes. As such, it is extremely sacred and was probably carved as part of the ceremony. The V-necked figure is noted by Frison at the Kobold buffalo jump site, again at an unexplored jump on the Northern Cheyenne reservation, at the Rosebud medicine rock, again in central Wyoming (Castle Gardens District south of Moneta), etc.

Since the Sundance is a ceremony of either supplication or thanksgiving, and sometimes both, it is reasonable to assume it was conducted in connection with vital hunting procedures -- either before or after. Thus, it would link reasonably with buffalo jumps.

Renaud (1956), I think, presumptuously identified the turtle carving as "a large water-turtle" of a type which frequents Mississippi and Missouri rivers and expresses surprise at finding it in "this dry desert-like region" (central Wyoming). First of all, when you're carving in sandstone, you cannot be physiologically precise, and I doubt that the early carvers made that attempt. There were dry-land turtles around, anyway.

The turtle is, to this day, the symbol used for one of the Northern Cheyenne societies and has special religious significance. It also figures in sundance liturgy, as does the circle-dot. The circle/interior-line, or bisected-circle/line, have been explained by one Cheyenne historian as a directional indicator, but I don't think that is right. It is found in conjunction with the sundance "man" figure at all sites mentioned.

In addition to the V-necked figure, the most important evidence that these incised petroglyphs are of religious origin is the lizard. The lizard, or horned toad, is considered the most powerful religious symbol the Cheyennes know. The lizard, some say, does its own sundance, and one man claims to have seen it described it for me: The little lizard stood on its hind legs facing the sun as it rose, and continued standing thus, turning all day with the sun until it set in the evening. The lizard body-painting is common among modern sundancers.

Interestingly enough, one of Custer's men carved his name and "76" over the more deeply incised petroglyph of a lizard at the medicine rock on Rosebud Creek. As it turned out, this was either an extremely rash act or a very prophetic one. But it also means the lizard was carved prior to June 14, 1876.

The petroglyphs to which I refer as being religious in nature are all of the incised type. Pecked and painted pictographs and petroglyphs at other sites may also be religious in nature, possibly different tribes with different symbols and in other eras.

I find the geographic spread of these figures (as related by Renaud, 1936, Mulloy, 1954 and 1958, and Frison 1978) fascinating, and it does correlate with the Sioux and Cheyenne tribal movements from the early 1800s until reservation times. The time period also fits Frison's theory that the sandstone drawings may not go back more than a few hundred years (1978).

Though some are in an excellent state of preservation, others are not and it is dangerous to attempt to complete drawings or photographs of those which have partially sluffed off. The soft quality of sandstone, plus its tendency to exfoliate and flake off, means that many partial figures are to be found. Many different ages obviously are represented, as carvings have been placed on top of earlier carvings. The Rosebud Medicine Rock sits apart from the rimrocks behind it, by perhaps 400 yards, so that it is at all times exposed to wind and weather. Despite this, the petroglyphs there are in surprisingly good condition; only on the northwest face has there been some sluffing. This is, of course, one more reason for supposing them to be less than 200 years old.

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Public Law 96-95  
96th Congress

An Act

To protect archaeological resources on public lands and Indian lands, and for other purposes.

Oct. 31, 1979  
[H.R. 1825]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Archaeological  
Resources  
Protection Act of  
1979.

SHORT TITLE

SECTION 1. This Act may be cited as the "Archaeological Resources Protection Act of 1979".

16 USC 470aa  
note.

FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds that—

16 USC 470aa.

- (1) archaeological resources on public lands and Indian lands are an accessible and irreplaceable part of the Nation's heritage;
- (2) these resources are increasingly endangered because of their commercial attractiveness;

(3) existing Federal laws do not provide adequate protection to prevent the loss and destruction of these archaeological resources and sites resulting from uncontrolled excavations and pillage; and

(4) there is a wealth of archaeological information which has been legally obtained by private individuals for noncommercial purposes and which could voluntarily be made available to professional archaeologists and institutions.

(b) The purpose of this Act is 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 having collections of archaeological resources and data which were obtained before the date of the enactment of this Act.

DEFINITIONS

SEC. 3. As used in this Act—

16 USC 470bb.

(1) The term "archaeological resource" means any material remains of past human life or activities which are of archaeological interest, as determined under uniform regulations promulgated pursuant to this Act. Such regulations containing such determination shall include, but not be limited to: pottery, basketry, bottles, weapons, weapon projectiles, tools, structures or portions of structures, pit houses, rock paintings, rock carvings, intaglios, graves, human skeletal materials, or any portion or piece of any of the foregoing items. Nonfossilized and fossilized paleontological specimens, or any portion or piece thereof, shall not be considered archaeological resources, under the regulations under this paragraph, unless found in an archaeological



context. No item shall be treated as an archaeological resource under regulations under this paragraph unless such item is at least 100 years of age.

(2) The term "Federal land manager" means, with respect to any public lands, the Secretary of the department, or the head of any other agency or instrumentality of the United States, having primary management authority over such lands. In the case of any public lands or Indian lands with respect to which no department, agency, or instrumentality has primary management authority, such term means the Secretary of the Interior. If the Secretary of the Interior consents, the responsibilities (in whole or in part) under this Act of the Secretary of any department (other than the Department of the Interior) or the head of any other agency or instrumentality may be delegated to the Secretary of the Interior with respect to any land managed by such other Secretary or agency head, and in any such case, the term "Federal land manager" means the Secretary of the Interior.

(3) The term "public lands" means—

(A) lands which are owned and administered by the United States as part of—

- (i) the national park system,
- (ii) the national wildlife refuge system, or
- (iii) the national forest system; and

(B) all other lands the fee title to which is held by the United States, other than lands on the Outer Continental Shelf and lands which are under the jurisdiction of the Smithsonian Institution;

(4) The term "Indian lands" means lands of Indian tribes, or Indian individuals, which are either held in trust by the United States or subject to a restriction against alienation imposed by the United States, except for any subsurface interests in lands not owned or controlled by an Indian tribe or an Indian individual.

(5) The term "Indian tribe" means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in, or established pursuant to, the Alaska Native Claims Settlement Act (85 Stat. 688).

(6) The term "person" means an individual, corporation, partnership, trust, institution, association, or any other private entity or any officer, employee, agent, department, or instrumentality of the United States, of any Indian tribe, or of any State or political subdivision thereof.

(7) The term "State" means any of the fifty States, the District of Columbia, Puerto Rico, Guam, and the Virgin Islands.

43 USC 1601  
note.

#### EXCAVATION AND REMOVAL

Permit  
application.  
16 USC 470cc.

SEC. 4. (a) Any person may apply to the Federal land manager for a permit to excavate or remove any archaeological resource located on public lands or Indian lands and to carry out activities associated with such excavation or removal. The application shall be required, under uniform regulations under this Act, to contain such information as the Federal land manager deems necessary, including information concerning the time, scope, and location and specific purpose of the proposed work.

(b) A permit may be issued pursuant to an application under subsection (a) if the Federal land manager determines, pursuant to uniform regulations under this Act, that—

(1) the applicant is qualified, to carry out the permitted activity,

(2) the activity is undertaken for the purpose of furthering archaeological knowledge in the public interest,

(3) the archaeological resources which are excavated or removed from public lands will remain the property of the United States, and such resources and copies of associated archaeological records and data will be preserved by a suitable university, museum, or other scientific or educational institution, and

(4) the activity pursuant to such permit is not inconsistent with any management plan applicable to the public lands concerned.

(c) If a permit issued under this section may result in harm to, or destruction of, any religious or cultural site, as determined by the Federal land manager, before issuing such permit, the Federal land manager shall notify any Indian tribe which may consider the site as having religious or cultural importance. Such notice shall not be deemed a disclosure to the public for purposes of section 9.

(d) Any permit under this section shall contain such terms and conditions, pursuant to uniform regulations promulgated under this Act, as the Federal land manager concerned deems necessary to carry out the purposes of this Act.

(e) Each permit under this section shall identify the individual who shall be responsible for carrying out the terms and conditions of the permit and for otherwise complying with this Act and other law applicable to the permitted activity.

(f) Any permit issued under this section may be suspended by the Federal land manager upon his determination that the permittee has violated any provision of subsection (a), (b), or (c) of section 6. Any such permit may be revoked by such Federal land manager upon assessment of a civil penalty under section 7 against the permittee or upon the permittee's conviction under section 6.

(g)(1) No permit shall be required under this section or under the Act of June 8, 1906 (16 U.S.C. 431), for the excavation or removal by any Indian tribe or member thereof of any archaeological resource located on Indian lands of such Indian tribe, except that in the absence of tribal law regulating the excavation or removal of archaeological resources on Indian lands, an individual tribal member shall be required to obtain a permit under this section.

(2) In the case of any permits for the excavation or removal of any archaeological resource located on Indian lands, the permit may be granted only after obtaining the consent of the Indian or Indian tribe owning or having jurisdiction over such lands. The permit shall include such terms and conditions as may be requested by such Indian or Indian tribe.

(h)(1) No permit or other permission shall be required under the Act of June 8, 1906 (16 U.S.C. 431-433), for any activity for which a permit is issued under this section.

(2) Any permit issued under the Act of June 8, 1906, shall remain in effect according to its terms and conditions following the enactment of this Act. No permit under this Act shall be required to carry out any activity under a permit issued under the Act of June 8, 1906, before the date of the enactment of this Act which remains in effect as provided in this paragraph, and nothing in this Act shall modify or affect any such permit.

(i) Issuance of a permit in accordance with this section and applicable regulations shall not require compliance with section 106 of the Act of October 15, 1966 (80 Stat. 917, 16 U.S.C. 470f).

(j) Upon the written request of the Governor of any State, the Federal land manager shall issue a permit, subject to the provisions of subsections (b)(3), (b)(4), (c), (e), (f), (g), (h), and (i) of this section for the purpose of conducting archaeological research, excavation, removal, and curation, on behalf of the State or its educational institutions, to such Governor or to such designee as the Governor deems qualified to carry out the intent of this Act.

#### CUSTODY OF RESOURCES

Regulations.  
16 USC 470dd.

SEC. 5. The Secretary of the Interior may promulgate regulations providing for—

(1) the exchange, where appropriate, between suitable universities, museums, or other scientific or educational institutions, of archaeological resources removed from public lands and Indian lands pursuant to this Act, and

(2) the ultimate disposition of such resources and other resources removed pursuant to the Act of June 27, 1960 (16 U.S.C. 469-469c) or the Act of June 8, 1906 (16 U.S.C. 431-433).

Any exchange or ultimate disposition under such regulation of archaeological resources excavated or removed from Indian lands shall be subject to the consent of the Indian or Indian tribe which owns or has jurisdiction over such lands. Following promulgation of regulations under this section, notwithstanding any other provision of law, such regulations shall govern the disposition of archaeological resources removed from public lands and Indian lands pursuant to this Act.

#### PROHIBITED ACTS AND CRIMINAL PENALTIES

16 USC 470ee.

SEC. 6. (a) No person may excavate, remove, damage, or otherwise alter or deface any archaeological resource located on public lands or Indian lands unless such activity is pursuant to a permit issued under section 4, a permit referred to in section 4(h)(2), or the exemption contained in section 4(g)(1).

(b) No person may sell, purchase, exchange, transport, receive, or offer to sell, purchase, or exchange any archaeological resource if such resource was excavated or removed from public lands or Indian lands in violation of—

(1) the prohibition contained in subsection (a), or

(2) any provision, rule, regulation, ordinance, or permit in effect under any other provision of Federal law.

(c) No person may sell, purchase, exchange, transport, receive, or offer to sell, purchase, or exchange, in interstate or foreign commerce, any archaeological resource excavated, removed, sold, purchased, exchanged, transported, or received in violation of any provision, rule, regulation, ordinance, or permit in effect under State or local law.

(d) Any person who knowingly violates, or counsels, procures, solicits, or employs any other person to violate, any prohibition contained in subsection (a), (b), or (c) of this section shall, upon conviction, be fined not more than \$10,000 or imprisoned not more than one year, or both: *Provided, however,* That if the commercial or archaeological value of the archaeological resources involved and the cost of restoration and repair of such resources exceeds the sum of \$5,000, such person shall be fined not more than \$20,000 or impris-

oned not more than two years, or both. In the case of a second or subsequent such violation upon conviction such person shall be fined not more than \$100,000, or imprisoned not more than five years, or both.

(e) The prohibitions contained in this section shall take effect on the date of the enactment of this Act.

(f) Nothing in subsection (b)(1) of this section shall be deemed applicable to any person with respect to an archaeological resource which was in the lawful possession of such person prior to the date of the enactment of this Act.

(g) Nothing in subsection (d) of this section shall be deemed applicable to any person with respect to the removal of arrowheads located on the surface of the ground.

#### CIVIL PENALTIES

SEC. 7. (a)(1) Any person who violates any prohibition contained in an applicable regulation or permit issued under this Act may be assessed a civil penalty by the Federal land manager concerned. No penalty may be assessed under this subsection unless such person is given notice and opportunity for a hearing with respect to such violation. Each violation shall be a separate offense. Any such civil penalty may be remitted or mitigated by the Federal land manager concerned. 16 USC 470ff.

(2) The amount of such penalty shall be determined under regulations promulgated pursuant to this Act, taking into account, in addition to other factors—

(A) the archaeological or commercial value of the archaeological resource involved, and

(B) the cost of restoration and repair of the resource and the archaeological site involved.

Such regulations shall provide that, in the case of a second or subsequent violation by any person, the amount of such civil penalty may be double the amount which would have been assessed if such violation were the first violation by such person. The amount of any penalty assessed under this subsection for any violation shall not exceed an amount equal to double the cost of restoration and repair of resources and archaeological sites damaged and double the fair market value of resources destroyed or not recovered.

(3) No penalty shall be assessed under this section for the removal of arrowheads located on the surface of the ground.

(b)(1) Any person aggrieved by an order assessing a civil penalty under subsection (a) may file a petition for judicial review of such order with the United States District Court for the District of Columbia or for any other district in which such a person resides or transacts business. Such a petition may only be filed within the 30-day period beginning on the date the order making such assessment was issued. The court shall hear such action on the record made before the Federal land manager and shall sustain his action if it is supported by substantial evidence on the record considered as a whole.

(2) If any person fails to pay an assessment of a civil penalty—

(A) after the order making the assessment has become a final order and such person has not filed a petition for judicial review of the order in accordance with paragraph (1), or

(B) after a court in an action brought under paragraph (1) has entered a final judgment upholding the assessment of a civil penalty,

the Federal land managers may request the Attorney General to institute a civil action in a district court of the United States for any district in which such person is found, resides, or transacts business to collect the penalty and such court shall have jurisdiction to hear and decide any such action. In such action, the validity and amount of such penalty shall not be subject to review.

(c) Hearings held during proceedings for the assessment of civil penalties authorized by subsection (a) shall be conducted in accordance with section 554 of title 5 of the United States Code. The Federal land manager may issue subpoenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents, and administer oaths. Witnesses summoned shall be paid the same fees and mileage that are paid to witnesses in the courts of the United States. In case of contumacy or refusal to obey a subpoena served upon any person pursuant to this paragraph, the district court of the United States for any district in which such person is found or resides or transacts business, upon application by the United States and after notice to such person, shall have jurisdiction to issue an order requiring such person to appear and give testimony before the Federal land manager or to appear and produce documents before the Federal land manager, or both, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

Subpenas

Witness fees.

#### REWARDS; FORFEITURE

16 USC 470gg.

SEC. 8. (a) Upon the certification of the Federal land manager concerned, the Secretary of the Treasury is directed to pay from penalties and fines collected under sections 6 and 7 an amount equal to one-half of such penalty or fine, but not to exceed \$500, to any person who furnishes information which leads to the finding of a civil violation, or the conviction of criminal violation, with respect to which such penalty or fine was paid. If several persons provided such information, such amount shall be divided among such persons. No officer or employee of the United States or of any State or local government who furnishes information or renders service in the performance of his official duties shall be eligible for payment under this subsection.

(b) All archaeological resources with respect to which a violation of subsection (a), (b), or (c) of section 6 occurred and which are in the possession of any person, and all vehicles and equipment of any person which were used in connection with such violation, may be (in the discretion of the court or administrative law judge, as the case may be) subject to forfeiture to the United States upon—

- (1) such person's conviction of such violation under section 6,
- (2) assessment of a civil penalty against such person under section 7 with respect to such violation, or
- (3) a determination by any court that such archaeological resources, vehicles, or equipment were involved in such violation.

(c) In cases in which a violation of the prohibition contained in subsection (a), (b), or (c) of section 6 involve archaeological resources excavated or removed from Indian lands, the Federal land manager or the court, as the case may be, shall provide for the payment to the Indian or Indian tribe involved of all penalties collected pursuant to section 7 and for the transfer to such Indian or Indian tribe of all items forfeited under this section.



## CONFIDENTIALITY

SEC. 9. (a) Information concerning the nature and location of any archaeological resource for which the excavation or removal requires a permit or other permission under this Act or under any other provision of Federal law may not be made available to the public under subchapter II of chapter 5 of title 5 of the United States Code or under any other provision of law unless the Federal land manager concerned determines that such disclosure would—

16 USC 470hh.

5 USC 551.

(1) further the purposes of this Act or the Act of June 27, 1960 (16 U.S.C. 469-469c), and

(2) not create a risk of harm to such resources or to the site at which such resources are located.

(b) Notwithstanding the provisions of subsection (a), upon the written request of the Governor of any State, which request shall state—

(1) the specific site or area for which information is sought,

(2) the purpose for which such information is sought,

(3) a commitment by the Governor to adequately protect the confidentiality of such information to protect the resource from commercial exploitation,

the Federal land manager concerned shall provide to the Governor information concerning the nature and location of archaeological resources within the State of the requesting Governor.

## REGULATIONS; INTERGOVERNMENTAL COORDINATION

SEC. 10. (a) The Secretaries of the Interior, Agriculture and Defense and the Chairman of the Board of the Tennessee Valley Authority, after consultation with other Federal land managers, Indian tribes, representatives of concerned State agencies, and after public notice and hearing, shall promulgate such uniform rules and regulations as may be appropriate to carry out the purposes of this Act. Such rules and regulations may be promulgated only after consideration of the provisions of the American Indian Religious Freedom Act (92 Stat. 469; 42 U.S.C. 1996). Each uniform rule or regulation promulgated under this Act shall be submitted on the same calendar day to the Committee on Energy and Natural Resources of the United States Senate and to the Committee on Interior and Insular Affairs of the United States House of Representatives, and no such uniform rule or regulation may take effect before the expiration of a period of ninety calendar days following the date of its submission to such Committees.

Rules and regulations.  
16 USC 470ii.

Submission to congressional committees.

(b) Each Federal land manager shall promulgate such rules and regulations, consistent with the uniform rules and regulations under subsection (a), as may be appropriate for the carrying out of his functions and authorities under this Act.

Rules and regulations.

## COOPERATION WITH PRIVATE INDIVIDUALS

SEC. 11. The Secretary of the Interior shall take such action as may be necessary, consistent with the purposes of this Act, to foster and improve the communication, cooperation, and exchange of information between—

16 USC 470ij.

(1) private individuals having collections of archaeological resources and data which were obtained before the date of the enactment of this Act, and

(2) Federal authorities responsible for the protection of archaeological resources on the public lands and Indian lands and

professional archaeologists and associations of professional archaeologists.

In carrying out this section, the Secretary shall, to the extent practicable and consistent with the provisions of this Act, make efforts to expand the archaeological data base for the archaeological resources of the United States through increased cooperation between private individuals referred to in paragraph (1) and professional archaeologists and archaeological organizations.

#### SAVINGS PROVISIONS

16 USC 470kk.

SEC. 12. (a) Nothing in this Act shall be construed to repeal, modify, or impose additional restrictions on the activities permitted under existing laws and authorities relating to mining, mineral leasing, reclamation, and other multiple uses of the public lands.

(b) Nothing in this Act applies to, or requires a permit for, the collection for private purposes of any rock, coin, bullet, or mineral which is not an archaeological resource, as determined under uniform regulations promulgated under section 3(1).

(c) Nothing in this Act shall be construed to affect any land other than public land or Indian land or to affect the lawful recovery, collection, or sale of archaeological resources from land other than public land or Indian land.

#### REPORT

16 USC 470ll.

SEC. 13. As part of the annual report required to be submitted to the specified committees of the Congress pursuant to section 5(c) of the Act of June 27, 1960 (74 Stat. 220; 16 U.S.C. 469-469a), the Secretary of the Interior shall comprehensively report as a separate component on the activities carried out under the provisions of this Act, and he shall make such recommendations as he deems appropriate as to changes or improvements needed in the provisions of this Act. Such report shall include a brief summary of the actions undertaken by the Secretary under section 11 of this Act, relating to cooperation with private individuals.

Approved October 31, 1979.

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#### LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-311 (Comm. on Interior and Insular Affairs).  
 SENATE REPORT No. 96-179 accompanying S. 490 (Comm. on Energy and Natural Resources).  
 CONGRESSIONAL RECORD, Vol. 125 (1979):  
 July 9, considered and passed House.  
 July 30, considered and passed Senate, amended, in lieu of S. 490.  
 Oct. 12, House agreed to Senate amendments with an amendment.  
 Oct. 17, Senate concurred in House amendment.

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