



August 8, 2018

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Program Management Office  
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CC:

Kirstjen M. Nielsen  
Secretary of Homeland Security  
300 7<sup>th</sup> Street, SW  
Washington, DC 20024

Re: Rio Grande Valley Border Barrier Proposed Construction Comments

Dear Mr. Enriquez

The Coalition for American Heritage (“the Coalition”) strongly disagrees with the CBP’s recent decision to waive crucial preservation and environmental laws to expedite the construction of 33 miles of fencing in the Rio Grande Valley along the U.S. – Mexico border. This decision will endanger irreplaceable cultural heritage resources, including numerous archaeological sites that would otherwise be considered prior to construction.

Under the Archaeological Resources Protection Act, the National Environmental Policy Act and the National Historic Preservation Act (NHPA), the federal government is required to protect archaeological resources in its jurisdiction from destruction, and to ensure that federal agencies take into account the effect their actions may have on these sensitive resources. These laws ensure that the American people have an opportunity to assess the costs and benefits of new development, and to consider alternative approaches if warranted.

Rather than waive applicable federal laws, the CBP should allow for the continued use of existing mechanisms under current law to identify cultural resources before any fencing

construction occurs. To preserve these sensitive resources, it is essential that local communities continue to exercise their rights to express their views on the best way to protect irreplaceable national archaeological treasures.

The lands through which the border between the U.S. and Mexico travels are among the richest in archaeological heritage in North America. Humans have inhabited this region for many thousands of years, long before recorded history. The archaeological record that both ancient and more recent inhabitants left behind—much of it yet to be discovered—is often the only evidence we have of their existence. Once this evidence is damaged or destroyed, the information it contains is lost forever, and our knowledge of the past is irreparably diminished.

This loss is particularly devastating in remote environments where there has been limited extents of previous survey and low levels of archaeological disturbance--characteristics that define large sections of the Rio Grande River Valley. In these areas, construction without environmental review is likely to disturb or destroy sites that the federal government may not be aware of, violating the commitment the federal government has made to consider the impacts of its projects on cultural resources and communities. We believe that the review process under Section 106 of the NHPA has a proven track record of identifying potentially irreparable harm to vital cultural resources in a timely manner that is fair to all stakeholders.

To prevent the permanent loss of sensitive historic and cultural resources, the Coalition therefore urges the CBP to refrain from waiving these vital historic preservation and environmental laws.

Sincerely,

Coalition for American Heritage  
American Anthropological Association  
American Cultural Resources Association  
Society for American Archaeology  
Society for Historical Archaeology

The Coalition is a member-based organization comprised of heritage professionals, scholars, small businesses, non-profits and history-lovers across the country. Our 300,000 members work together to promote our nation's commitment to historic preservation. Coalition members are avid students of the artifacts of earlier peoples, the lives they led, the communities they enriched, and the cultural and historic legacies they left for future generations to enjoy. Our members are driven by the principle that preserving historic resources helps stabilize neighborhoods, attracts private investment to cities and towns, creates jobs, generates tax revenues, supports small businesses, and powers America's heritage tourism industry.