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Contact: Matt Spangler  
(202) 517-1481  
mspangler@achp.gov

*Preserving America's Heritage*

## **ACHP RELEASES REPORT ON TRIBAL CONSULTATION**

WASHINGTON, D.C.— The Advisory Council on Historic Preservation (ACHP) today issued a report designed to promote more effective consultation with Indian tribes on decisions by federal agencies on infrastructure projects. The report can be viewed at <http://www.achp.gov/docs/achp-infrastructure-report.pdf>.

It is a companion to a separate report issued in January by the Departments of the Interior and Justice and the Army Corps of Engineers regarding tribal input in infrastructure decisions. That report was prepared in response to a series of consultations held on the issue last fall. Many participants in those sessions—as well as those submitting written comments to the agencies – raised concerns about how Section 106 of the National Historic Preservation Act has been used in recent years to govern consideration of tribal input.

Section 106 requires all federal agencies to consider the effects of projects they carry out, approve or fund on historic properties, including those of significance to Indian tribes. As the federal agency charged with overseeing Section 106, the ACHP determined a separate report on the process should be issued. The report emphasizes improved consultation as a path to greater efficiencies in review processes while respecting tribal sovereignty and federal trust responsibilities.

“I believe that federal projects, in particular infrastructure development, and the preservation of our cultural resources are not mutually exclusive,” said ACHP Chairman Milford Wayne Donaldson, FAIA. “Accordingly, the ACHP offers this report to encourage federal agencies to make significant improvements in their consultation with tribes affected by these infrastructure projects.”

Among its recommendations are that federal agencies:

- have tribal liaisons in positions at headquarters and in regional offices to advise leadership;
- establish internal protocols that require decision makers, rather than non-decision making staff, to consult with Indian tribes;
- seek opportunities, and encourage applicants, to employ tribal expertise in environmental and cultural resource processes;
- and, work with Indian tribes to meet on a regular basis outside of project consultations.

The ACHP will also develop training for federal agencies to help them understand and carry out more effective tribal consultation in the Section 106 process.

Extensive guidance on consultation for federal agencies, Indian tribes, and Native Hawaiian organizations can be found on the ACHP’s website at <http://www.achp.gov/nap.html>, and general Section 106 guidance is at <http://www.achp.gov/work106.html>.

*About the ACHP: An independent federal agency, the ACHP promotes the economic, educational, environmental, sustainability, and cultural values of historic preservation and advises the President and Congress on national historic preservation policy. It also influences federal activities, programs, and policies that affect historic and cultural properties. See [www.achp.gov](http://www.achp.gov) for more information.*

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ADVISORY COUNCIL ON HISTORIC PRESERVATION

401 F Street NW, Suite 308 • Washington, DC 20001-2637  
Phone: 202-517-0200 • Fax: 202-517-6381 • [achp@achp.gov](mailto:achp@achp.gov) • [www.achp.gov](http://www.achp.gov)