

July 23, 2026

Dear Members,

The National Alliance of Preservation Commissions (NAPC) appreciates the opportunity to participate as a recognized observer to the Advisory Council on Historic Preservation (ACHP). NAPC is the only nationwide non-profit dedicated to providing education, training, and advocacy for local historic preservation programs. Our participation ensures that the interests of local communities are represented in actions at the federal level, and our mission includes advocacy for policies that strengthen and support local efforts to preserve and protect historic and cultural resources.

The National Historic Preservation Act (NHPA) first and foremost recognizes that historic preservation serves the public interest. This concept is the essential foundation under which preservation policies at all levels of government, including Section 106, have been developed. For decades, local governments, communities, and other stakeholders have supported the Section 106 process by applying local knowledge and data to help identify historic or eligible cultural resources, communicating any additional requirements for the project as a result of local regulations, and participating in the development of mitigation strategies when applicable. This process fosters collaboration among stakeholders, including local preservation program staff, commissions, and advocacy groups, which is of important interest to our organization.

NAPC strongly opposes the draft changes to 36 CFR Part 800. These changes aim to strip local communities of the long-standing right to participate in decisions by the federal government that directly impact their communities. These revisions were drafted without stakeholder and public input and ignore previous feedback from experienced preservation professionals and advocates.

Previous initiatives regarding streamlining and efficiency of Section 106 have always taken a balanced approach that considers the common goal to ensure positive preservation outcomes. The current draft completely disregards the intent and purpose of the NHPA to “do no harm” and grants federal agencies unchecked discretion to ignore their responsibilities to the American People and the requirements set forth and upheld by Congress for the past 60 years. It prioritizes expediency over stewardship, weakens meaningful consultation, and risks ignoring the voices of the communities directly affected by federal actions. The efforts of the ACHP should focus on solutions, not exemptions.

This week, NAPC is hosting its biennial conference, FORUM, which provides opportunities for local government staff, volunteers, and professionals in the field to gather, learn, and share experiences. We have heard overwhelming concern and disappointment from members and partners with the actions proposed by the ACHP. These actions will result in fewer projects reviewed under Section 106, less meaningful consultation, fewer negotiated mitigation

measures, and significantly fewer opportunities for communities to shape decisions affecting the historic and cultural resources where they live.

Of great concern are the broadly worded and self-administered powers and exemptions offered to federal agencies. An agency that wants to avoid Section 106 consultation now has a menu of paths it can apply to its own project with no oversight or concurrence required from an outside party before the project moves forward. Local communities that currently rely on Section 106 review for notice of federal undertakings and the potential destruction of historic and cultural resources would not find out until after the fact. It would be too late to avoid irreversible harm to previously unidentified resources, including sacred sites and even burials. When harm occurs, the agency would not be required to consult with anyone on a resolution. Mitigation requirements have historically been developed through consultation with local stakeholders who care most about the resources and are most impacted by the actions of the federal government.

The narrowing of properties considered for protection and limitation of effects to “material” impacts are also particularly troubling. Traditional cultural properties and sacred sites with deep religious and cultural significance to tribes and indigenous groups are often on unimproved natural landscapes and would be excluded from protection by definition. This exclusion could be catastrophic to the cultural heritage of millions of Americans. There would be no consideration for impacts to views and atmospheric qualities of these important sites.

NAPC supports streamlining and process improvements that maintain and support meaningful collaboration but do not exclude local communities. NAPC would welcome the opportunity to participate in efforts to improve the draft and has previously been invited to serve via committee. We request that this vote be delayed in order to provide critical input and offer specific recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read 'Abigail Christman'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Abigail Christman
Board Chair, National Alliance of Preservation Commissions