

Proposed Revisions to Section 106 Threaten Local Voices

Section 106 of the National Historic Preservation Act of 1966 (NHPA) requires federal agencies to consider the effects on historic properties of projects they carry out, assist, fund, permit, license, or approve throughout the country. If a federal or federally-assisted project has the potential to affect historic properties, a Section 106 review will take place.

Section 106 gives the Advisory Council on Historic Preservation (ACHP), interested parties, and the public the chance to weigh in on these matters before a final decision is made. **This process is an important tool for citizens to lend their voice in protecting and maintaining historic properties in their communities.**

What is Happening?

On July 24, ACHP voted to move forward with a Notice of Proposed Rulemaking (NPRM) to revise the regulations implementing Section 106. The draft NPRM has now been sent to the Office of Information and Regulatory Affairs for interagency review.

The proposed revisions are not yet final; the NPRM must be reviewed and published in the Federal Register before the formal public rulemaking process begins.



Why This Matters to Local Commissions?

Section 106 recognizes that historic resources are often best understood by the people who live, work, and interact with them every day. That is why the process provides opportunities for the public and other interested parties to participate before a final decision is made.

Certified Local Governments (CLGs) have a formal legal right to participate as consulting parties in federal undertakings that may affect historic properties within their jurisdictions. This role gives local communities an opportunity to share their knowledge, identify concerns, and help shape decisions about historic resources that matter to them.

The proposed revisions to Section 106 would make consultation with the public, CLGs, Tribes, State Historic Preservation Offices, and other interested parties optional for the federal agency conducting the undertaking or issuing the permit. **If adopted, these changes could significantly reduce opportunities for local commissions and communities to participate in decisions affecting the historic places they know and care about.** The people with the greatest knowledge of a community's historic resources could be excluded from the conversation.

NAPC's Response

NAPC continues to keep its members and broader audience informed about developments related to the proposed changes to Section 106, provide guidance and resources, and gather feedback through its Advisory Group, which met in person at FORUM 2026 in Minneapolis.

NAPC also regularly works with national preservation partners to monitor developments, coordinate advocacy efforts, and develop strategies to protect meaningful local participation in the Section 106 process.



Letter to ACHP

On July 23rd, NAPC submitted a letter to the ACHP strongly opposing the changes to Section 106. NAPC stressed that the changes aimed to strip local communities of the long-standing right to participate in decisions by the federal government that directly impact the places they care about.

[Read the Letter](#)



Call for Comment Response

On August 3rd, NAPC responded to the ACHP's call for comments on changes to Section 106 despite the process being upended by the vote on July 24th before the comment period ended. In this letter, NAPC provided a response to these questions informed by feedback from members and the NAPC Advisory Group.

[Read the Letter](#)



Section 106 Success Story Collection

NAPC is collecting Section 106 success stories to share with elected officials, community leaders, and the general public. If you have one to share, please complete this form.

[Submit a Section 106 Story](#)

Additional Resources

National Trust for Historic Preservation

Section 106 Under Threat

<https://savingplaces.org/section106>

Cultural Heritage Partners

War Room: Fight Back

<https://culturalheritagepartners.com/war-room-for-threats-to-section-106/>

The National Council of State Historic Preservation Officers

Section 106 AT RISK!

<https://ncshpo.org/news/>