



ADVISORY COUNCIL ON HISTORIC PRESERVATION SPRING MEETING

MARCH 19, 2025



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MEETING
ADVISORY COUNCIL ON HISTORIC PRESERVATION
March 19, 2025

PROVISIONAL AGENDA

Call to Order 9 a.m. EDT

- I. Executive Director's Welcome and Report
 - A. Transition Update
 - B. Budget, Staffing, and Operations Report
 - C. Supporting Executive Orders

- II. ACHP Strategic Planning

- III. Regulations and Governance
 - A. Compliance with Energy-Related Executive Orders
 - B. Status Report on Implementation of Program Comment on Certain Housing, Building, and Transportation Undertakings
 - C. Establishing Procedures for the Development of ACHP-Led Program Alternatives

- IV. Policy and Legislative Affairs
 - A. ACHP Legislative Priorities for the 119th Congress
 - B. Celebrating America's 250th Birthday

- V. Tribal and Indigenous Peoples
 - A. Updating Tribal Consultation Policy

- VI. New Business

- VII. Adjourn



MEETING
ADVISORY COUNCIL ON HISTORIC PRESERVATION
March 19, 2025
National Building Museum
Washington, D.C.

ANNOTATED AGENDA

Call to Order 9 a.m. EDT

- I. Executive Director's Welcome and Report
 - A. Transition Update. *Executive Director Reid Nelson will welcome members to the informational meeting and provide an update on the transition and changes to membership.*
 - B. Budget, Staffing, and Operations Report. *Mr. Nelson will update the members on current operations, the status of FY 2025 funding and FY 2026 requests, and changes in staffing.*
 - C. Supporting Executive Orders. *Mr. Nelson will summarize the ACHP's efforts to carry out key Executive Orders applicable to the ACHP or historic preservation.*
- II. ACHP Strategic Planning. *Mr. Nelson and Office of Policy and Legislative Affairs Director Dru Null will summarize requirements for the development of a new strategic plan and committee chairmen and members will be asked to provide instruction to staff on further steps to develop the plan.*
- III. Regulations and Governance
 - A. Compliance with Energy-Related Executive Orders. *A Regulations and Governance Committee vice chairman representative from the National Trust for Historic Preservation and Office of Federal Agency Programs Director Jaime Loichinger will summarize the ACHP's efforts to advise stakeholders on the Section 106 implications of recent energy-related Executive Orders.*
 - B. Status Report on Implementation of Program Comment on Certain Housing, Building, and Transportation Undertakings. *Ms. Loichinger will update the members on efforts to implement and develop instruction for the recently adopted program comment.*
 - C. Establishing Procedures for the Development of ACHP-Led Program Alternatives. *A committee vice chairman representative and Ms. Loichinger will summarize the committee's recommendations on the establishment of procedures for developing ACHP-led program alternatives.*

IV. Policy and Legislative Affairs

- A. ACHP Legislative Priorities for the 119th Congress (*action possible*). *Policy and Legislative Affairs Committee Vice Chairman Erik Hein and Ms. Null will summarize the committee's recommendations on the establishment of legislative priorities for the 119th Congress and seek input from the members on its development. Action may be proposed should an ACHP chairman or vice chairman be in place.*
- B. Celebrating America's 250th Birthday. *Ms. Null will summarize an ACHP report recently submitted to the White House Task Force on Celebrating America's 250th Birthday in compliance with the recent Executive Order on America's 250th birthday and seek input from the members on further steps the ACHP can take to highlight the role of historic preservation in this celebration.*

V. Tribal and Indigenous Peoples

- A. Updating Tribal Consultation Policy. *Tribal and Indigenous Peoples Committee Chairman Amelia Marchand and Office of Tribal and Indigenous Peoples Director Ashley Fry will discuss opportunities to update the ACHP's Tribal Consultation Policy and seek input from the members on such updates.*

VI. New Business. *There is no new business at this time.*

VII. Adjourn. *The meeting will adjourn by 11:30 a.m. EDT.*



ACHP STRATEGIC PLANNING Office of Policy and Legislative Affairs

Background. Following each Presidential election, federal agencies are required to update their strategic plans to reflect how they will fulfill their missions in the context of the anticipated priorities of the re-elected or newly elected President. The ACHP's new strategic plan for FY 2026-2030 must be final by February 2026. However, as discussed below, interim required steps set a more escalated schedule for developing the plan.

Components of the Plan. Key required components of an agency strategic plan include a mission statement, strategic goals, and (under each strategic goal) strategic objectives. The [current ACHP strategic plan](#) includes five strategic goals, each with a number of strategic objectives. Optional components of a strategic plan that the ACHP included in its current plan are a vision statement and cross cutting objective.

Planning Schedule. The following timeline for plan development is established in the most recent (July 2024) guidance from the Office of Management and Budget (OMB).

- May 30, 2025: Submit to OMB initial drafts of the mission statement, strategic goals, and areas for categorizing strategic objectives (i.e., mission-focused, cross-cutting, and management-focused).
- September 2025: Concurrent with submitting the agency's FY 2027 Budget Estimate, submit a full draft of the plan to OMB.
- December 19, 2025: Submit the final draft of the plan to OMB.
- February 2026: Publish the final plan.

Initial Drafting. Based on this schedule, the first step in planning requires revisiting the ACHP mission statement, vision statement, and strategic goals. They are stated in the current plan as follows:

- Mission Statement: The Advisory Council on Historic Preservation promotes the preservation, enhancement, and sustainable use of the nation's diverse historic resources, and advises the President and Congress on national historic preservation policy.
- Vision Statement: A nation in which all Americans understand and appreciate their history, and public policy supports the preservation of historic resources.
- Strategic Goal 1: Foster the identification, evaluation, protection, and enhancement of historic properties through the Section 106 process to advance the purposes of the National Historic Preservation Act.
- Strategic Goal 2: Assist federal agency preservation program initiatives to enhance the identification, preservation, and stewardship of all types of historic properties, and encourage contributions to Tribal, Native Hawaiian, state, local, and private preservation efforts.
- Strategic Goal 3: Foster broader appreciation for and knowledge of historic preservation, history, and the work of the ACHP among diverse audiences, and communicate the value and benefits of preserving historic resources.

- Strategic Goal 4: Formulate and advance effective public policies and programs that support and encourage historic preservation activities carried out by the federal government, Indian Tribes, states, local governments, Native Hawaiian Organizations, and private organizations and individuals.
- Strategic Goal 5: Obtain and effectively manage the ACHP's resources to ensure its mission is accomplished while meeting high standards of service.

At this stage in planning, the ACHP does not need to draft specific objectives under each goal but will need to consider how mission-focused, cross-cutting, and management-focused objectives might support each goal. This highlights the need to revisit the following cross-cutting objective in the current plan.

- Cross-Cutting Objective: While encouraging efficiencies, collaboration, and consultation, strive to ensure that the national historic preservation program reflects the full American story, engages all constituencies and ethnic communities, promotes equity, and benefits the public.

Action Needed. In committee meetings and at the spring meeting, Members should initiate discussion of needed changes to the current mission statement, vision statement, strategic goals, and cross-cutting objective. This will help guide staff in developing proposed revised text which will be shared with the Members for review and comment following the business meeting. If needed, a special meeting of the Members could be called to facilitate further discussion of proposed revisions.

March 6, 2025



COMPLIANCE WITH ENERGY-RELATED EXECUTIVE ORDERS Office of Federal Agency Programs

Background. On January 20, 2025, President Donald Trump signed two Executive Orders (EO) related to energy production in the United States. The first, [Unleashing American Energy](#), directed all federal agencies to review all existing regulations, guidance documents, policies, and any other agency actions (collectively, agency actions) to identify those agency actions that impose an undue burden on the identification, development, or use of domestic energy resources. If agencies determined that they did not have actions that imposed such a burden, a certification was to be submitted to the Office of Management and Budget (OMB). The second EO, [Declaring a National Energy Emergency](#), directed all federal agencies to identify any lawful emergency authorities they may possess to facilitate the identification, leasing, siting, production, transportation, refining, and generation of domestic energy resources, including, but not limited to, on federal lands.

Status. In response to the first EO, staff prepared an analysis of the Section 106 regulations and policies, emphasizing the ACHP's advisory role and the flexibilities within the regulations to meet the nation's energy needs. This analysis was submitted to OMB on February 24, 2025, and is attached to this paper. At the time of meeting book production, the ACHP had not received a determination to the contrary from OMB regarding the analysis.

As a result of the Presidential declaration regarding an energy emergency, staff developed advice to agencies that encouraged the use of existing Section 106 agreement documents, or where none existed, to utilize the expedited review process within 36 CFR Section 800.12(b)(2) for the relevant emergency actions related to the Presidential declaration. In addition, the ACHP extended the applicability of Section 800.12(d) to run concurrent with the Presidential declaration, consistent with the National Emergencies Act. This advice has been posted on [the ACHP's website](#), and is regularly updated with frequently asked questions to assist agencies and consulting parties.

Action Needed. Members are asked to share any feedback regarding the analysis and advice regarding the energy emergency.

Attachment: Executive Order 14154 Review from the Advisory Council on Historic Preservation

March 6, 2025



Executive Order 14154 Review from the Advisory Council on Historic Preservation

On January 20, 2025, President Trump issued [Executive Order \(EO\)14154](#), “Unleashing American Energy.” EO 14154 directed an immediate review of all agency actions to identify those that impose an undue burden on the identification, development, or use of domestic energy resources, or that are inconsistent with the policies set forth in Section 2 of that EO.

The Advisory Council on Historic Preservation (ACHP) has determined that its actions do not impose such undue burdens nor present the mentioned inconsistencies and, as required by the EO, hereby submits to the Director of the Office of Management and Budget the following written statement to that effect.

Executive Order 14154 Review

The ACHP is an independent Federal agency which provides advice to the President and to Congress regarding the preservation, enhancement, and sustainable use of the nation’s historic properties. The ACHP is composed of twenty-four members, 11 of which are appointed by the President. In addition to advising the President and Congress, the ACHP oversees implementation of Section 106 of the [National Historic Preservation Act](#), 54 U.S.C. 306108, which requires agencies to consider the effects of its actions on historic properties. It is important to note that the Section 106 review process does not result in the issuance of permits or authorizations; the ACHP’s role is purely advisory. The ACHP’s authorities do not impose an undue burden on the identification, development, and use of domestic energy resources.

In making this determination, the ACHP reviewed the regulations implementing Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108, at 36 CFR Part 800, as well as approved program alternatives (described further below), which streamline the historic preservation review process, and the agency’s policy statements and guidance (see, e.g., <https://www.achp.gov/preservation-policy>). Examples that illustrate how a national strategy to develop domestic energy resources may benefit from implementing a program alternative is also offered.

Section 106 regulations

The Section 106 process consists of four steps; however, approximately 90% of reviews are completed in steps 2 or 3 in very short timelines. These reviews are carried out by Federal agencies, with the ACHP being available to provide advice or resolve disputes. The four steps are:

1. **Initiate the Section 106 process and determine** whether the project could affect the historic properties. If so, the Federal agency identifies the appropriate consulting parties, including State Historic Preservation Officers (SHPOs), Tribal Historic Preservation Officers (THPOs), and is encouraged to use existing agency procedures for public involvement.
2. **Identify Historic Properties** within the project area that are listed or eligible for listing on the National Register of Historic Places;
3. **Assess the Effects** of the project on identified historic properties. This involves consulting with stakeholders to understand the nature and extent of the effects;
4. **Resolve Adverse Effects:** If adverse effects are identified, the agency explores alternatives to avoid, minimize, or mitigate these effects. This step involves negotiating a Memorandum of Agreement (MOA) or Programmatic Agreement (PA) with consulting parties.

There are exit points at each step whereby an agency may complete the review process depending on the circumstances. Further, in each step, the regulations provide a process for resolving disputes and moving forward to a decision (see, e.g., 36 CFR 800.3(c)(4), 800.4(d)(2), 800.4(d)(1)(ii), 800.5(c)(2)). Approximately 120,000 projects go through the Section 106 process each year, and less than one project per year cannot reach resolution per the steps listed above and comes to conclusion via a termination of consultation (see 36 CFR 800.7).

Program Alternatives

The Section 106 regulations, at 36 CFR 800.14, recognize that Federal agencies may need tailored solutions for their programs to consider their effects on historic properties. The regulations allow for the development of “**Program Alternatives**” which provide an alternative method to comply with Section 106. There are five program alternatives offered in the regulations:

1. **Programmatic Agreement:** Allows federal agencies to govern the implementation of a particular program or resolve adverse effects from complex projects through negotiated agreements. [[Nationwide Programmatic Agreements](#)]
2. **Exempted Categories:** Identifies specific types of undertakings that do not require further Section 106 review. [[Natural Gas Pipeline Exemption](#)]
3. **Standard Treatment:** Establishes standardized treatments for certain types of historic properties or effects, streamlining the review process. [to date, no agencies have utilized this option]
4. **Program Comment:** Provides guidance for a group of undertakings, allowing agencies to follow specific procedures instead of individual reviews. [[Program Comment for Federal Communications Projects](#)]
5. **Alternate Procedure:** Allows federal agencies to develop their own procedures for complying with Section 106, tailored to their specific programs and decision-making processes. [[Army Alternate Procedures](#)]

It is worth noting that the use of program alternatives has resulted in significant cost and time savings for agencies and project proponents. By following a program alternative, agencies can reduce review times to weeks or months. One notable example of a program alternative is the 2024 [Program Comment for Communications Projects on Federal Lands and Property](#). This program alternative was developed to accelerate the review of broadband deployment projects. It provides uniform Section 106 treatment for all broadband projects, thereby expediting the deployment of high-speed internet infrastructure. Another example is the 2024 [Program Comment on Certain Housing, Building, and Transportation Undertakings](#), which accelerates historic preservation review timelines for a large variety of projects.

In addition to the options for program alternatives, the Section 106 regulations also have the flexibility of built-in emergency procedures [see 36 CFR 800.12]. When there is a declared emergency, the Section 106 review may be expedited to a 7-day review period. A recent example of ACHP’s implementation of the emergency regulations is its response to the January 20, 2025, Executive Order Declaring a National Energy Emergency, in which President Trump declared an energy emergency regarding the availability of domestic energy resources and domestic energy production, transportation, refining, and generation. In response to the direction to identify and exercise any lawful emergency authorities available, the ACHP highlighted the process set forth in 36 CFR 800.12 and extended the applicability of the Section 106 emergency provisions to run for the duration of the Presidential declaration.

ACHP Participation in FAST-41

The ACHP actively participates in the FAST-41 program, which aims to improve the coordination and timeliness of federal permitting for large infrastructure projects. FAST-41, established under Title 41 of the Fixing America's Surface Transportation Act, provides a structured framework for federal

authorizations, enhancing transparency, predictability, and oversight. Although the ACHP is not a permitting authority, by participating in the FAST-41 program the ACHP provides expertise in historic preservation to help ensure that the impacts on historic properties are efficiently considered in federal decision-making, benefiting both the preservation community and project proponents.

ACHP Policy Statements and Guidance

In addition to the regulations, the ACHP can issue policy statements to address certain topics. For instance, the 2023 [Policy Statement on Burial Sites, Human Remains, and Funerary Objects](#) recommends standards and guidelines for the treatment of burial sites, human remains, and funerary objects, while the 2023 [Policy Statement on Housing and Historic Preservation](#) promotes federal, state, and local action to rehabilitate historic buildings for housing and accelerates permitting and environmental review, including Section 106 review.

The ACHP has also provided guidance and information papers to assist federal agencies and project proponents in more effectively and efficiently working through the historic preservation review process. For example, the 2019 [Early Coordination with Indian Tribes During Pre-Application Processes handbook](#) recognizes that the Section 106 reviews for infrastructure, energy, and other development projects may begin after significant preparations and a great many investments have been made about project location. This handbook recommends ways federal agencies, applicants, and Indian tribes can work together in pre-application information gathering stages to help ensure the review process runs more smoothly. The ACHP also developed a [Section 106 Applicant Toolkit](#), which provides information on the Section 106 process to parties who are the recipients of, or are applying for federal licenses, permits, assistance, or approvals.

Conclusion

The ACHP has considered its agency actions and has determined its authorities do not impose an undue burden on the identification, development, and use of domestic energy resources. Further, if federal agencies determine that a Section 106 program alternative may help streamline its review process for a proposed program or series of projects, the ACHP would assist in developing the appropriate program alternative. With this as a possibility, it would be fair to conclude the ACHP authorities may be utilized to streamline reviews which could lead to faster permitting required under non-ACHP authorities. As such, after a consideration of its authorities, the ACHP has not identified any burdens to the development of domestic energy, to the development of oil, natural gas, coal, hydropower, biofuels, critical mineral, and nuclear energy resources.



**STATUS REPORT ON PROGRAM COMMENT ON CERTAIN HOUSING, BUILDING, AND
TRANSPORTATION UNDERTAKINGS
Office of Federal Agency Programs**

Background. On December 20, 2024, the ACHP issued the *Program Comment on Certain Housing, Building, and Transportation Undertakings* (Program Comment), which provides all federal agencies with an alternate way to comply with Section 106 of the National Historic Preservation Act for the covered activities. The Program Comment addresses undertakings related to three sectors: housing, building rehabilitation, and alternative transportation. The Program Comment was drafted in response to the passage of recent policy statements on housing and climate change, which suggested that Section 106 improvements be sought to aid in addressing housing and energy efficiency needs. As of this writing, no federal agency has yet informed the ACHP that it is using the Program Comment.

On January 31, 2025, then-ACHP Vice Chairman Jordan Tannenbaum convened a special session for members to discuss potential solutions to operational issues for successful implementation of the Program Comment. The session followed member input during the Regulations and Governance Committee meeting on January 21, 2025, on this topic. In the special session, members considered whether implementation should be formally paused for a short period to allow for the development of guidance, recognizing in particular the complexity of Appendix B as a challenge to agency use of the Program Comment and the need for clarifications of administrative requirements like annual reporting.

Members also considered whether the Program Comment should be modified now to incorporate mitigation approaches for covered activities that could result in adverse effects to historic properties or whether such modification should wait until members assess results from an annual reporting cycle (VIII.C.). Finally, members discussed whether formal amendments to resolve these or other concerns are warranted. Following consideration of member input, Vice Chairman Tannenbaum decided the ACHP would not pursue an amendment at this time or at the spring meeting but directed staff to proceed with the development of instruction and training on use of the Program Comment.

Status. Staff has recently updated the ACHP's website with information about the Program Comment and posted a recommended annual reporting template (X.A.4.). While not required for agency use, the template serves as a guide that agencies may use to help ensure required information is included in their annual reports. Staff is working on a short e-learning format introduction to the Program Comment to explain its applicability and general review approaches in accordance with stipulation X.E.2. The e-learning module is expected to launch later this spring. Federal agencies are also encouraged to develop their own tailored guidance on how the Program Comment can be implemented in alignment with their projects and programs. The Office of Federal Agency Programs staff is available to consult with agencies on the development of such guidance at any time.

March 6, 2025



ESTABLISHING PROCEDURES FOR THE DEVELOPMENT OF ACHP-LED PROGRAM ALTERNATIVES Office of Federal Agency Programs

Background. In the course of developing the recent Program Comment on Certain Housing, Building, and Transportation Undertakings, members and key stakeholders provided a variety of comments on the ACHP's decision to propose a program comment on its own initiative, the selection of a program comment as the appropriate compliance path, and the consultation process that the ACHP followed in developing it. While the ACHP has initiated the development of other program alternatives in the past, such as exempted categories, this was the first program comment proposed by the ACHP.

During the Regulations and Governance Committee meeting on January 21, 2025, and the members special session of January 31, 2025, members discussed this circumstance and how process clarification might assist any similar future proposals. Former Vice Chairman Jordan Tannenbaum, in his follow-up message, noted that member input, "demonstrated the need for the ACHP to consider developing procedures on how it will go about developing its own program alternatives in the future" consistent with the advice the ACHP routinely gives to federal agencies considering the proposal of nationwide program alternatives. Some members also questioned whether the decision to pursue a program comment should have been subject to a vote, where members would have had the opportunity to opine as to whether a program comment was consistent with the ACHP's policies.

Discussion. While many federal agencies have established their own procedures for developing program comments and other nationwide program alternatives, the ACHP itself has never done so. Given the potential for the ACHP to develop others in the future, it may be beneficial to establish such procedures to guide these actions. Accordingly, members are asked to consider whether specific procedures are needed when the ACHP proposes to develop a program alternative on its own accord, and if so, how such procedures should be established and adopted. For instance, procedures could specify what level of staff analysis is provided to members to support consideration of a program alternative proposal or whether formal action by members, such as a vote during a business meeting, special session, or an unassembled meeting would be required to initiate development of, or formalize a request for, a program alternative. Such procedures could also address member preferences for communication with staff at key consultation points and within the drafting process, including whether an alternative is ready for the membership's approval.

Questions for the members to consider include the following:

- What points of process do members wish to be clarified in formal procedures for the ACHP to initiate a nationwide program alternative?
- Do members think these procedures would warrant amendments to the Operating Procedures, or would a Chairman's Memo be sufficient for documenting the process?
- What role should staff play in developing the content of a program alternative, coordinating consultation, and in communicating analysis and advice to the membership?
- Should a panel of members be established to guide staff in developing such procedures and make recommendations to the broader membership?
- Do members feel a vote is warranted at any point in addition to the final vote to approve a program alternative requiring one (alternate procedure, exemption, or program comment)?

Action Needed. The members will be asked to share feedback on the above questions during the spring meeting to determine next steps.

March 6, 2025



ACHP LEGISLATIVE PRIORITIES
119th CONGRESS
Office of Policy and Legislative Affairs

Background. One of the ACHP's primary statutory responsibilities is to advise Congress on historic preservation matters, and a key way of fulfilling this mandate is to comment on pending legislation. ACHP staff monitors and tracks the development of bills where there may be implications for historic preservation and advises ACHP leadership and the members on such intersections. In its history of doing so, the ACHP generally has avoided addressing legislation that pertains to a specific historic site.

[Guidance](#) adopted by the ACHP in 2018 sets forth criteria for when it is appropriate to comment otherwise. For bills that are not site-specific, the ACHP previously has approved key issue areas to focus on, establishing a framework for member action on individual bills. With the recent launch of the 119th Congress, it is timely to consider and potentially revise the ACHP's previous legislative priorities.

Prior Focus Areas. Legislative priorities for the previous Congress, adopted by the ACHP in March 2023, included the following:

- Supporting preservation-friendly programs and funding
- Reauthorizing and making permanent the Historic Preservation Fund
- Promoting consideration of historic properties in the federal response to climate change, as discussed in the ACHP's [draft] Climate Change and Historic Preservation Policy Statement
- Supporting designation or protection of historic properties that reflect the full American story and discouraging proposals that would destroy or diminish diverse histories
- Supporting preservation of historic properties in community development, including in creation of affordable housing
- Maintaining and enhancing tax incentives for historic preservation
- Balancing regulatory/permitting reform and streamlining with protection of historic properties
- Digitizing and mapping known resources subject to Section 106 processes, and expanding survey work of unknown/undocumented resources
- Addressing the impacts of accelerated infrastructure development on historic properties
- Fostering stewardship of historic properties on federal lands or under federal management.

Proposed Revisions. While most prior issues of concern for the ACHP remain the same, priorities of the new Administration and Congress suggest the need to refine the ACHP's areas of focus. Staff recommends and provides for member discussion the following revised priorities for the 119th Congress. They are reordered, two have been combined with others, and the language has been tweaked as discussed further below. A track changed document, highlighting all wording changes, is provided as an attachment.

- Supporting preservation-friendly programs and funding, including as part of the semiquincentennial celebration
- Balancing regulatory/permitting reform with protection of historic properties, particularly in facilitating energy and other infrastructure projects
- Reauthorizing and making permanent the Historic Preservation Fund
- Maintaining and enhancing tax incentives for historic preservation

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 • www.achp.gov

- Supporting continued identification, designation, and protection of historic properties and equal opportunity to preserve and enhance them
- Supporting preservation and reuse of historic properties in community development, including for the creation of housing and jobs
- Promoting consideration of historic properties in federal resilience planning related to flooding, wildfires, extreme weather events, and other disasters
- Fostering stewardship of historic properties on federal lands or under federal management.

The level of detail in the previous mapping and digitization priority is somewhat inconsistent with the broader scope of the others, so it has been deleted and replaced by adding a reference to the more all-encompassing topic of “identification” at another point in the list. The two previously separate priorities about regulatory/permitting reform and accelerated infrastructure development have now been combined. It also appears appropriate to move the regulatory and permitting reform priority up in the list in light of the level of interest in the topic by the Congress and Administration. Previous references to the “full American story” and “diverse histories” have been replaced by a reference to the concept of equal opportunity. This would better align with Executive Order 14151, *Ending Radical and Wasteful Government DEI Programs and Preferencing*, which states as policy that the federal government should serve every person “with equal dignity and respect . . .”

Action Needed. The Policy and Legislative Affairs Committee should discuss the proposed legislative priorities for the 119th Congress. Staff suggests that the committee consider recommending the adoption of the motion below. Note that the motion does not commit the ACHP, nor any of its members, to a detailed position on any specific bill pending in the Congress.

Moved that:

Whereas, the National Historic Preservation Act requires the ACHP to advise the President and Congress on matters relating to historic preservation,

Therefore, the ACHP will offer advice to the 119th Congress on actions affecting the nation’s historic properties, focusing on, but not limited to, the following priority issue areas:

- Supporting preservation-friendly programs and funding, including as part of the semiquincentennial celebration
- Balancing regulatory/permitting reform with protection of historic properties, particularly in facilitating energy and other infrastructure projects
- Reauthorizing and making permanent the Historic Preservation Fund
- Maintaining and enhancing tax incentives for historic preservation
- Supporting continued identification, designation, and protection of historic properties and equal opportunity to preserve and enhance them
- Supporting preservation and reuse of historic properties in community development, including for the creation of housing and jobs
- Promoting consideration of historic properties in federal resilience planning related to flooding, wildfires, extreme weather events, and other disasters
- Fostering stewardship of historic properties on federal lands or under federal management.

Attachment: ACHP Legislative Priorities (track changed document)

March 6, 2025

**ACHP LEGISLATIVE PRIORITIES
119th CONGRESS**

Attachment

The following track changed text shows all proposed wording changes to the ACHP legislative priorities for the prior Congress. The priorities are shown as they were previously presented prior to their proposed reordering.

- Supporting preservation-friendly programs and funding, including as part of the semiquincentennial celebration
- Reauthorizing and making permanent the Historic Preservation Fund
- Promoting consideration of historic properties in federal resilience planning related to flooding, wildfires, extreme weather events, and other disasters
- Supporting continued identification, designation, and protection of historic properties, and equal opportunity to preserve and enhance them
- Supporting preservation and reuse of historic properties in community development, including for the creation of housing and jobs
- Maintaining and enhancing tax incentives for historic preservation
- Balancing regulatory/permitting reform with protection of historic properties, particularly in facilitating energy and other infrastructure projects
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Addressing the impacts of accelerated infrastructure development on historic properties¶



**SEMIQUINCENTENNIAL CELEBRATION AND
TASK FORCE FOR BUILDING AND REBUILDING MONUMENTS TO AMERICAN HEROES
Office of Policy and Legislative Affairs**

Recently issued [Executive Order \(EO\) 14189](#), *Celebrating America's 250th Birthday*, addresses the approaching semiquincentennial of the founding of the United States, as well as the creation and protection of public monuments. Both topics require actions by the ACHP.

Task Force 250. The new EO establishes the **White House Task Force on Celebrating America's 250th Birthday (Task Force 250)**. The task force is directed to coordinate with executive branch agencies on accomplishing “an extraordinary celebration” of the semiquincentennial. With the President and the Vice President serving as chairman and vice chairman, Task Force 250 includes various cabinet secretaries and White House officials,¹ as well as the National Endowment for the Humanities (NEH), National Endowment for the Arts (NEA), and the Institute of Museum and Library Services (IMLS).

It should be noted that Task Force 250's work is separate from the congressionally appointed United States Semiquincentennial Commission (Commission), which was created in 2016. However, the EO authorizes inviting the Commission to provide the task force with recommendations and advice. The ACHP has interacted with the Commission in the past, although with less frequency in recent years. In 2021, the ACHP was one of 20 federal agencies that signed an agreement with the Commission to cooperate in the commemoration of the anniversary. The ACHP also participated in a preservation-related Commission working group prior to its disbandment.

ACHP Report to Task Force 250. The EO requires each federal agency to provide a report to Task Force 250 regarding its planning and activities with respect to the semiquincentennial celebration. Since the deadline for submittal was March 1, 2025, thus predating the ACHP spring meeting, staff developed and submitted a relatively general report (see attached) with input from then-Vice Chairman Jordan Tannenbaum in his role as acting chairman. The report focuses on how historic properties are tangible representations of the past 250 years of American history and the central role they can play in the celebration.

The report explains that the ACHP plans to establish an advisory committee of interested ACHP members plus expert outside advisors to assist staff in exploring development of semiquincentennial activities in two focus areas: 1) citizen outreach initiatives to celebrate the anniversary, and 2) policy recommendations for enhancing the national historic preservation program. Possible outreach efforts noted in the report include a photography contest, social media campaign, and youth involvement activities, all focused on the importance of preserving historic places that document themes and people important to the history of the past 250 years. This type of public engagement is in keeping with the task force's focus on the celebratory aspects of the semiquincentennial. Going further to also develop preservation policy recommendations would be timely given that 2026 also marks the 60th anniversary of the National Historic Preservation Act and the 50th anniversary of the Historic Preservation Fund.

¹ Includes the Secretaries of State, Treasury, Defense, Interior, Agriculture, Housing and Urban Development, Education; Assistant to the President for Domestic Policy; White House Deputy Chief of Staff for Legislative Affairs; White House Cabinet Secretary and Deputy Chief of Staff; and White House Director of Speechwriting.

The report notes that the ACHP will explore the option of seeking designation to Task Force 250, since the EO authorizes adding agency members. Naming the ACHP to the task force to lend its expertise regarding historic properties would be in line with the current inclusion of the culture-oriented agencies NEA, NEH, and IMLS.

Building, Rebuilding, and Protecting Historically Significant Public Monuments. In addition to creating Task Force 250, the EO also reinstates three EOs concerning creation and protection of public monuments that were rescinded during the previous Administration.

- [EO 13934](#), *Building and Rebuilding Monuments to American Heroes*, was issued in July 2020 and amended by [EO 13978](#), *Building the National Garden of American Heroes*, in January 2021. (A copy of EO 13934 showing all consolidated amendments [is available](#).) These orders came in response to the destruction, vandalism, and removal of various public monuments as a result of nationwide social justice protests against racism. EO 13934 established a new task force—the **Interagency Task Force for Building and Rebuilding Monuments to American Heroes** (Monuments Task Force)—and the **National Garden of American Heroes**, a statutory garden to commemorate 250 historically significant Americans.

The ACHP is a member of the Monuments Task Force, which is chaired by the Department of the Interior (DOI) and also includes the General Services Administration (GSA), NEA, and NEH. DOI is to consult with the task force in selecting a site for the National Garden of American Heroes. GSA is instructed to do the same in revising its Art in Architecture Program to prioritize commissioning of art portraying historically significant Americans, events of historical significance, and America’s founding ideals. The Monuments Task Force is directed to make recommendations to its members regarding the commissioning of new statues throughout the country, with priority given to placing them in communities where monuments were previously removed or destroyed. The ACHP, NEA, and NEH are directed to establish initiatives to advance the EO and interagency collaboration.

- [EO 13933](#), *Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Violence*, states as policy that the federal government shall prosecute legal cases to the fullest extent of the law that involve destruction, damage, or vandalizing of public monuments, government property, and religious property. Federal agencies are directed to withhold federal support related to public spaces in communities that have not protected public monuments, memorials, and statues from destruction. Likewise, federal support is to be withheld from state and local law enforcement agencies that do not protect such resources.

Action Needed. ACHP Members should discuss next steps toward implementing ACHP engagement with the semiquincentennial celebration. Advice regarding the composition of the proposed advisory committee—particularly regarding possible expert outside advisors—would be welcome to help speed standing up the committee. Discussion of areas of engagement as a member of the Monuments Task Force is less time-sensitive pending that body being reconvened.

Attachment: Report on Semiquincentennial Planning and Celebratory Activities of the Advisory Council on Historic Preservation

March 6, 2025



Report on Semiquincentennial Planning and Celebratory Activities of the Advisory Council on Historic Preservation

This report is submitted by the Advisory Council on Historic Preservation (ACHP) to the White House Task Force on Celebrating America's 250th Birthday (Task Force 250) in accordance with Section 2(g) of Executive Order 14189, *Celebrating America's 250th Birthday*. The ACHP is the only federal agency with the sole mission of advancing the preservation of America's historic properties, which are tangible representations of the nation's history in communities across the country. This report reflects the central role historic properties should play in celebrating the semiquincentennial and the importance of promoting their continued preservation.

The ACHP is the independent federal agency established by Title II of the National Historic Preservation Act (54 U.S.C. §300101 et seq.) to advise the President and Congress on historic preservation matters. The ACHP also is charged with overseeing review of federal actions affecting historic properties to ensure those effects are taken into account, as required by Section 106 of the National Historic Preservation Act.

Planning Initiatives

- **Seek designation to Task Force 250.** The ACHP will explore the option of seeking designation to Task Force 250, since adding agency members is authorized by Executive Order 14189. Naming the ACHP to the task force would provide a direct opportunity to lend the task force the agency's expertise regarding historic properties. ACHP participation would be in line with the current inclusion of three other culture-oriented agencies, the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute for Museum and Library Services.
- **Establish an advisory committee.** A committee comprised of selected members of the ACHP¹ plus expert outside advisors will be convened to provide targeted guidance to staff in the development and implementation of the proposed activities discussed below.

Proposed Activities

- **Develop a citizen outreach program.** The ACHP will explore creation of citizen outreach initiatives that leverage the importance of historic properties in helping Americans connect with, appreciate, and celebrate the past 250 years of America's history. Projects under consideration include the following:
 - **Social media campaign:** A semiquincentennial social media campaign could focus on raising awareness of historic places associated with selected individuals from the 250 historically significant Americans to be commemorated in the National Garden of American Heroes. This would be in keeping with the ACHP's role under Executive

¹ The ACHP is comprised of 24 members statutorily designated in the National Historic Preservation Act. These include the following: Presidentially appointed members of the general public, historic preservation experts, a mayor, a governor, and a member of an Indian Tribe or Native Hawaiian Organization; specified federal agencies; and ex-officio representatives of several national historic preservation organizations.

Order 13934 as a member of the Interagency Task Force for Building and Rebuilding Monuments to American Heroes.

- Photography contest: Citizens could be encouraged to submit images of historic places from throughout the country that they believe embody themes central to the history of the United States.
- Youth outreach: A student essay contest could engage students entering historic preservation and related college programs in consideration of the importance of historic properties in celebrating American history. For children, a coloring book could be developed depicting historic places and messaging the importance of preserving historic places.
- **Foster future preservation of historic places.** The year 2026 also marks the 60th anniversary of the National Historic Preservation Act, which created the national historic preservation program, and the 50th anniversary of the Historic Preservation Fund, which provides federal historic preservation funding support to states, Indian Tribes, and local communities. The ACHP will explore how to effectively integrate commemoration of these anniversaries with the semiquincentennial, including through:
 - Preservation policy recommendations: The ACHP could develop formal recommendations for enhancing the national historic preservation program as has been done on the occasion of previous major anniversaries of the National Historic Preservation Act. Input would be sought from federal agencies, states, Indian Tribes, Native Hawaiian Organizations, local communities, and the public. The resulting policy advice would be shared with the President, Congress, the preservation community, and the public.

Through educational, celebratory, and policy-related activities like those discussed above, the ACHP will commemorate this milestone anniversary in America's history and help lay a solid foundation for the preservation of the historic properties that embody that history for another 250 years.

February 24, 2025



UPDATING TRIBAL CONSULTATION POLICY FOR ACHP STAFF Office of Tribal and Indigenous Peoples

Background. The National Historic Preservation Act requires ACHP staff to conduct consultations with Indian Tribes on certain actions in the Section 106 process. The ACHP has produced several policy documents on the ACHP's relationship to Indian Tribes and how government-to-government consultation should be conducted, including the [Procedures for Government-to-Government Consultation between the ACHP and Indian Tribes](#) memo from 2009 and the [Consultation Procedures Pursuant to E.O. 13175: Consultation and Coordination with Indian Tribal Governments](#) from 2021.

Scope of the Guidance. Currently, the procedures only apply to the ACHP's work on promulgation of regulations, adoption of policy statements, substitution agreements, legislative proposals, and comments on bills introduced in Congress. ACHP staff carry out day-to-day engagement with Indian Tribes on a variety of topics including consultation and technical assistance for specific Section 106 projects and the development of program alternatives and have asked the Office of Tribal and Indigenous Peoples for guidance tailored to these actions. This guidance would make it easier for ACHP staff to involve Tribes more effectively and efficiently, provide actionable advice, and help ensure a consistent staff approach to engagement with Indian Tribes. With the recognition that each of the 574 federally recognized Indian Tribes may have differing protocols and requirements for engagement with federal agencies, periodically updating the ACHP's Tribal consultation procedures gives the ACHP an opportunity to incorporate lessons learned and new best practices to help staff best carry out the ACHP's trust responsibilities.

Discussion. Members will be asked to address the following questions in both the committee and business meetings:

1. Do you think the ACHP should update and improve its current Tribal consultation policies?
2. If so, what suggestions do you have, especially to make the consultation policies more effective?
3. Should the procedures include guidance to ACHP staff on Tribal engagement in Section 106 case review activities and the development of program alternatives?

Action Needed. The members should provide feedback to staff on the issues raised above.

March 6, 2025



MAJOR ACTIVITIES REPORT

Office of Communications, Education, and Outreach

ACHP Awards Program

The submission period closed for the National Trust/ACHP Award for Federal Partnerships in Historic Preservation. There are five nominations undergoing internal review by National Trust and ACHP staff. The ACHP is preparing for the award jury, which will meet in April.

Internships

The Office of Communications, Education, and Outreach (OCEO) is fortunate to have a spring intern who is working on an education project. Jasmine Dunbar, a graduate student from Old Dominion University, is researching best practices for K-12 instruction on historic preservation topics. She is now working on deliverables including projects for elementary students to introduce them to ideas of history and preservation, and then projects for older students, focused on potential careers. Vocabulary in historic preservation is also a focus. Her work will be available on the ACHP website in a toolkit for educators and students.

This summer, OCEO plans to have another intern who will conduct communications work. OCEO is happy to have intern support and offer networking opportunities.

America's 250th Birthday

OCEO is working with the Office of Policy and Legislative Affairs on the planning for the nation's semiquincentennial in 2026. OCEO Acting Director Lynne Richmond worked with the OPLA Director Dru Null to produce a report to comply with the Celebrating America's 250th Birthday Executive Order. The report proposes how the ACHP will begin planning for the 250th celebration as well as the 60th anniversary of the National Historic Preservation Act. Ms. Richmond will attend the Policy and Legislative Affairs Committee meeting to join in the discussion about activities the ACHP can undertake in 2026.

March 6, 2025