

ADVISORY COUNCIL ON HISTORIC PRESERVATION BUDGET JUSTIFICATION FY 2026

May 2025

An independent federal agency, the ACHP promotes the preservation, enhancement, and sustainable use of our nation's historic resources and advises the President and Congress on national historic preservation policy. It also provides a forum for influencing federal activities, programs, and policies that affect historic properties. The ACHP promotes historic preservation to foster understanding of the nation's heritage and the contribution that historic preservation can make to contemporary communities and their economic and social well-being.

The 24-member council is served by a professional staff with offices in Washington, D.C. For more information about the ACHP, contact:

> Advisory Council on Historic Preservation 401 F Street NW, Suite 308 Washington, D.C. 20001-2637 Phone: 202-517-0200 Website: www.achp.gov

On X (Twitter) and Instagram: @usachp Facebook: ACHP-Advisory Council on Historic Preservation; Preservation-The Next Generation; and Preservation Indigenous-Native Youth YouTube: www.youtube.com/@usachp LinkedIn: www.linkedin.com/company/advisory-council-on-historic-preservation

ADVISORY COUNCIL ON HISTORIC PRESERVATION BUDGET JUSTIFICATION, FY 2026

FY 2026 Request

The Advisory Council on Historic Preservation requests \$5,151,000.

SUMMARY

FY 2026 Summary

The work of the Advisory Council on Historic Preservation (ACHP) in supporting timely and efficient environmental review of federal projects remains critically important, especially in regard to energy and infrastructure development. The ACHP plays a crucial role in that effort through its statutorily mandated oversight of the Section 106 review process. Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. §306108) tasks the ACHP with helping federal agencies take historic resources into account before proceeding with projects they carry out, approve, or fund.

In addition to its role in the Section 106 process, the ACHP also advises on and advances public policies and programs that support and encourage historic preservation activities carried out by the federal government, states, local governments, Indian Tribes, Native Hawaiian Organizations (NHOs), and private organizations and individuals (54 U.S.C. §304102[a][1], [3], [4], and [6]). This responsibility includes advising the President and Congress on matters relating to historic preservation. In addition, the ACHP is tasked with fostering broader appreciation for and knowledge of historic preservation and the work of the ACHP, and communicating the value and benefits of preserving historic properties (54 U.S.C. §304102[a][1], [2], [5] and [7]).

For FY 2026, the ACHP requests \$5,151,000. Activities and achievements at the requested level of funding will include:

- Manage the federal historic preservation review and consultation process under Section 106 of the NHPA in a timely, effective, and efficient manner that fully engages stakeholders and the public to find solutions that accommodate both federal project needs and stewardship of the nation's historic properties, notably regarding infrastructure permitting and energy development;
- Develop Section 106 tools that enable federal agencies to effectively advance historic preservation while also meeting the nation's pressing needs; respond to the growing demand from federal agencies to tailor the Section 106 process to specific agency programs; and implement best practices as defined by the Federal Permitting Improvement Steering Council (Permitting Council);
- Promote the effective involvement of and meaningful consideration of input from Indian Tribes and NHOs in Section 106 reviews, including incorporation of Indigenous Knowledge in project planning in accordance with the ACHP's Policy Statement on Indigenous Knowledge and Historic Preservation, and consideration of the principles of the ACHP's Policy Statement on Burial Sites, Human Remains, and Funerary Objects;

- Expedite and improve planning for federal projects by promoting development of digital tools and facilitating electronic Section 106 processing and recordkeeping;
- Address interest from federal agencies and stakeholders in training on Section 106;
- Raise awareness about the value and relevance of history and the benefits of historic preservation in contemporary society; celebrate America's 250th birthday and the contributions of historically significant Americans to the nation's history; and educate and engage the public, including the next generation of preservationists;
- Provide timely expert advice to the President, the Congress, and the executive branch on national economic, energy, community development, and resource management policies in relation to preservation of historic properties;
- Participate in the White House Initiative on Historically Black Colleges and Universities (HBCUs) to build awareness of opportunities for student careers in historic preservation and support preservation of historically significant buildings at HBCUs.
- Develop the ACHP's FY 2027 triennial report to the President on federal stewardship of historic properties, as required by Executive Order (EO) 13287, "Preserve America;"
- Advise the Congress on proposed legislation relating to historic properties;
- Participate in the White House Council on Native American Affairs and other interagency working groups to effectuate consideration for and protection of Tribal historic properties and sacred sites in federal decision-making; and
- Implement information technology modernization and cybersecurity initiatives.

FY 2026 Direction and Request

Efficient Section 106 Review

Strengthening and accelerating environmental reviews of infrastructure and energy projects

The ACHP is uniquely positioned to advance the Administration's energy and infrastructure initiatives. The agency can build additional efficiencies in the <u>Section 106 review of federal and federally assisted</u> <u>infrastructure projects</u> and work to improve environmental reviews for infrastructure projects through better <u>coordination between the Section 106 process and the National Environmental Policy Act (NEPA) reviews</u>, as well as other environmental statutes.

Since 2012, the ACHP has played an important role in federal efforts to improve the delivery of infrastructure projects, providing policy recommendations and guidance as a member of the steering committee implementing the requirements of EO 13604, "Improving Performance of Federal Permitting and Review of Infrastructure Projects," and as a member of the Permitting Council that was established in 2015. In 2024, the Permitting Council agreed to provide funds to the ACHP to support technological updates that improve timeliness in environmental reviews, as well as five staff positions to enhance ACHP efforts to advance projects utilizing the FAST-41 interagency review coordination process and to support longer-term permitting review efficiency improvements. These positions will be in place during a portion of FY 2026 pending expiration of their terms. The Permitting Council has also provided funding to the ACHP to develop a centralized geolocation database of U.S. historic properties to assist federal agencies and project sponsors to accurately and efficiently identify and avoid impacts on historic properties. This initiative is discussed in further detail later in this document.

The ACHP will continue to advance Permitting Council goals by developing Section 106 program efficiencies; promoting the early and meaningful engagement of key stakeholders, including Indian Tribes; and advancing the use of digital tools and data to better inform Section 106 reviews and project planning. The ACHP also will assist federal agencies in effectively coordinating Section 106 reviews for infrastructure

and energy projects prioritized by the Permitting Council and promote NEPA-Section 106 integration strategies.

Tailoring the Section 106 process to agency needs

Federal agencies sometimes need more flexibility in meeting the requirements of the Section 106 review process as they work to balance historic preservation goals with advancing mission requirements. The Section 106 regulations "Protection of Historic Properties" (36 C.F.R. Part 800), are flexible and offer options—known as "program alternatives"—through which agencies can tailor the Section 106 review process for a group of undertakings or an entire program that may affect historic properties. These alternatives are established in collaboration with federal agencies and include the engagement of key stakeholders and the public. Over the years, these tools have provided tailored approaches that either eliminate or expedite Section 106 review of routine projects while enhancing focus on more impactful projects.

In October 2024, the ACHP adopted an <u>Exemption for Indigenous Knowledge-Informed Activities by Native</u> <u>Hawaiian Organizations</u>. It exempts from Section 106 review certain restoration, rehabilitation, preservation, and reconstruction activities proposed, directed, authorized, or supported by NHOs. While helping to expedite Section 106 reviews, the exemption is also in keeping with the ACHP <u>Policy Statement on</u> <u>Indigenous Knowledge and Historic Preservation</u>. Indigenous Knowledge is a body of observations, oral and written knowledge, innovations, practices, and beliefs developed by Indian Tribes and Indigenous Peoples through interaction and experience with the environment. Implementation of the exemption will continue in FY 2026.

Requests for program alternatives from federal agencies have increased dramatically since FY 2022 and are expected to continue at this increased pace in the coming years. In supporting the Permitting Council's best practices, the ACHP is actively advancing use of program alternatives to increase the efficiency and effectiveness of historic preservation reviews for a wide range of federal programs. They are particularly important tools for ensuring review of energy and infrastructure projects can proceed expeditiously while still addressing stakeholder concerns about impacts to historic properties. Examples of recent program alternatives address <u>management of pre-1919 Department of the Army historic housing; federal communications projects; and management of Department of Homeland Security facilities</u>.

The ACHP is working with several federal agencies toward finalizing new program alternatives. Project types to be addressed include operations and maintenance activities associated with transmission lines; leasing of federal facilities; management of highly technical and scientific facilities; and funding for state projects.

Indian Tribe and Native Hawaiian Organization engagement

The ACHP has the important statutory responsibility to ensure that Indian Tribes and NHOs are afforded the opportunity to be meaningfully consulted and actively involved throughout the Section 106 process, as federal or federally funded or permitted projects have the potential to affect historic properties of religious and cultural significance to them (54 U.S.C. §302706[b]). As a federal agency, the ACHP has a trust responsibility to Indian Tribes and must consult with them on a government-to-government basis on matters that have implications for Tribes, which is addressed in the ACHP's <u>Policy Statement Regarding the</u> <u>Council's Relationships with Indian Tribes</u>. In FY 2026, the ACHP will continue to meet these legal responsibilities through training, technical assistance, and outreach regarding the rights and roles that Tribes and NHOs are afforded by the NHPA and the Section 106 review process, as well as other related historic preservation initiatives and programs. These efforts will seek to ensure that consultation on projects and

programs leads to better preservation outcomes while ensuring expeditious and predictable Section 106 reviews.

Indian Tribes and NHOs have long identified the need to integrate and fully consider Indigenous Knowledge in consultation during the Section 106 process, and the need to appropriately treat human remains, burial sites, and funerary objects affected by federal projects. As previously noted, the ACHP has adopted a policy statement on effectively incorporating Indigenous Knowledge into Section 106 consultations. The ACHP's <u>Policy Statement on Burial Sites, Human Remains, and Funerary Objects</u> addresses how these should receive appropriate consideration in federal decision making. The ACHP will continue to implement both policies in FY 2026.

Electronic Section 106 processing and other digital tools

More uniformly available digital tools, including GIS, addressing the location of historic properties would contribute significantly to current government-wide efforts to improve the efficiency of environmental reviews, including Section 106 reviews, for infrastructure and energy projects. Such information plays a vital role in assisting with the development of project plans that avoid adverse effects to known historic properties at the design stage.

In FY 2024, the ACHP received funding from the Environmental Review Improvement Fund overseen by the Permitting Council to develop a nationwide map of identified, non-sensitive historic properties compiled from data contributed by federal agencies. The project would aid federal agencies in collecting information needed to support their Section 106 review decisions by focusing on data not otherwise accessible on other nation-wide maps of historic properties. The ACHP has completed planning and scoping work and is in discussions with the Permitting Council to explore whether changes to the project could further align it with the Administration's priorities regarding use of technology to improve and expedite permitting.

In FY 2026, the ACHP will continue to work with federal, state, Tribal, and local governments, and private sector stakeholders to identify other effective strategies for making historic property geospatial information appropriately available to the planning process and for the utilization of electronic Section 106 systems to facilitate workflows and information exchange. The ACHP also will continue its work as a member of the Permitting Council to explore the potential for providing additional support and resources to State Historic Preservation Officers (SHPOs) and Tribal Historic Preservation Officers (THPOs) to improve the availability of and access to geospatial information necessary to inform Section 106 reviews for infrastructure projects, consistent with appropriate confidentiality standards.

The ACHP also has worked aggressively to digitize the Section 106 review process and establish tools and procedures for federal agencies to use in interacting with the ACHP on Section 106 reviews. Virtually all submissions to the ACHP are now received electronically through the agency's Electronic Section 106 Documentation Submittal System (e106).

Training

Training for federal agency staff, SHPO and THPO staff, contractors, and consulting parties is a critical component of improving the effectiveness and timeliness of the Section 106 process. The ACHP currently offers training in the Section 106 process through on-site classroom and digital classroom courses, live instructor-led webinars, and on-demand e-learning courses. The ACHP's training program reached 894 students in classroom and webinar settings in 25 training events in FY 2024. Digital classroom courses demonstrate the ACHP's commitment to distance learning, recognizing that budget and travel restrictions in other agencies limit participation in on-site training opportunities. Distance learning is lower in overall cost to both the ACHP and participants, although it does require up-front development costs.

Citizen Engagement and Fostering Appreciation of Historic Preservation

The NHPA tasks the ACHP with fostering broader appreciation for and knowledge of historic preservation and communicating the value and benefits of preserving historic properties (54 U.S.C. §304102[a][1], [2], [5] and [7]). In FY 2026, the ACHP will participate in initiatives associated with the 250th anniversary of the creation of the United States and the commemoration of historically significant Americans, and will continue its general public outreach activities.

Celebrating America's 250th Birthday

The year 2026 marks America's 250th birthday - the semiquincentennial. In accordance with President Trump's EO 14189, "Celebrating America's 250th Birthday," all federal agencies, including the ACHP, will be coordinating to plan a celebration of this milestone anniversary. Historic properties embody the nation's history in communities across the country and can play a central role in the commemoration. The ACHP will develop 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.

National Garden of American Heroes

EO 14189 also reinstates previously rescinded EO 13934 that created the National Garden of American Heroes. This statuary park will include statues to 250 historically significant Americans who made substantive contributions to America's public life or otherwise had a substantive effect on America's history. In accordance with EO 13934, the ACHP is a member of the Interagency Task Force for Building and Rebuilding Monuments to American Heroes that will be advising the Department of the Interior, which is responsible for constructing the garden. The task force also has been directed to explore opportunities to assist communities in erecting monuments celebrating historically significant Americans, events of historical significance, or the ideals upon which our Nation was founded. In FY 2026, the ACHP will actively participate as a task force member and will seek opportunities to advance initiatives that further both the creation of the National Garden of American Heroes and the semiquincentennial celebration.

Policy and Legislative Advice

Advising on legislation and programs

Consistent with its statutory responsibility under the NHPA, the ACHP advises the President and the Congress on legislative, regulatory, and administrative policies that affect or enhance historic preservation interests (54 U.S.C. §304102[a][1]). Likewise, the agency provides evaluations and recommendations on how federal programs can make better use of historic preservation tools and techniques as federal agencies carry out their missions (54 U.S.C. §304102[a][6]). These efforts focus on strategies to effectively combine the stewardship of the nation's heritage with other national goals and cooperation in the joint development and implementation of such initiatives.

In accordance with a mandate in the NHPA, the ACHP also advises on state and local legislation affecting historic properties (54 U.S.C. §304102[a][4]). In FY 2023, the ACHP adopted internal guidance to ensure such advice is offered only upon request and in situations where there would be substantial or precedent-setting impacts to historic properties or issues of concern related to federal preservation law and policy, including where proposed actions at the state level may conflict with federal goals or requirements. In FY 2026, the ACHP will respond to such requests as resources permit.

Advising on management of historic federal properties

EO 13287, "Preserve America," encourages federal agencies to manage federally owned historic properties as valuable assets that can support agency missions and also stimulate local economic development. Agencies have approached their oversight and management of historic properties differently based upon budgetary, program, and management considerations. Many agencies have made the preservation and protection of historic properties a priority.

Section 3 of EO 13287 encourages agencies to be proud and effective stewards of the historic properties under their ownership or control. Every three years, agencies report to the ACHP and the Department of the Interior on their progress in identifying, protecting, and using historic properties in their ownership. The ACHP incorporates this data into a report on the state of the federal government's historic properties and their contribution to local economic development that is submitted to the President. The next report will be developed in FY 2026 for submittal to the President in February 2027.

White House Council on Native American Affairs

The ACHP is a member of the White House Council on Native American Affairs and will continue to actively participate in and carry out necessary actions to support that council's work. In previous years, the ACHP was a member of several committees and subcommittees to advance work on a variety of issues, including treaty rights, protection of sacred sites and burial sites, and Indigenous Knowledge. ACHP participation in discussion of such issues at the White House Council on Native American Affairs promotes their consideration in federal policy development, assists in creation of guidance and resources to assist federal agencies in their decision making, and increases capacity of Indian Tribes and NHOs in representing their interests through consultation.

White House Initiative on Historically Black Colleges and Universities

In accordance with EO 14283, the ACHP will participate in the new White House Initiative on Historically Black Colleges and Universities. Building upon its participation in HBCU initiatives of prior Administrations, the agency will promote awareness of opportunities for student careers in historic preservation and support preservation of historically significant buildings at HBCUs.

Management and Performance Enhancements

Prioritizing information technology modernization and cybersecurity

Information technology has assumed an increasingly prominent role in the ACHP's work and ACHP will continue to meet modernization and cybersecurity challenges while providing the necessary tools to carry out program activities and serve the ACHP's constituency securely and efficiently. This effort requires utilizing cutting-edge technologies and replacing legacy infrastructure using modern cloud-based solutions where possible to enhance information technology service effectiveness and reduce cybersecurity risks. In FY 2026, the agency will work to maintain the multi-year progress discussed below and build upon it within available resource levels.

FY 2025 funds are being allocated to meet existing requirements of the National Institute of Standards and Technology Cybersecurity Framework areas, EOs, and Office of Management and Budget policies. Due to the investments made in cybersecurity improvements, ongoing improvements in the ACHP's Cybersecurity Risk Management have been made possible by prioritizing reduction of cybersecurity capability gaps.

FY 2026 Budget Request

For FY 2026, the ACHP requests \$5,151,000. This funding level reflects an Administration priority to move the Nation towards fiscal responsibility. The requested level of funding will permit the agency to cover operational costs, meet principal cybersecurity and information technology needs, and meet projected demands from federal agencies for Section 106 program alternatives.

Figure 1. Budgetary History, FY 2023-2026 (in thousands of dollars)

| | FY 2023 | FY 2024 | FY 2025 CR | FY 2026 |
|--------------------|---------|---------|---------------|---------|
| President's Budget | 8,585 | 9,494 | 9,544 | 5,151 |

Figure 2. Appropriation and Authorization Language

Appropriation Language

ADVISORY COUNCIL ON HISTORIC PRESERVATION SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89-665), [\$8,585,000*] \$5,151,000

* Full-Year Continuing Appropriations and Extensions Act, 2025 [Public Law 119-4]

Authorization Language

There are authorized to be such amounts as may be necessary to carry out this title.

National Historic Preservation Act Amendments Act of 2006 [Public Law 109-453]

Mission and Authorities

The ACHP was established by Title II of the NHPA (54 U.S.C. §300101 et seq.). The NHPA charges the ACHP with advising the President and the Congress on historic preservation matters and entrusts the ACHP with the unique mission of advancing historic preservation within the federal government and being a leader in the national historic preservation program. The ACHP is guided by the following mission statement:

The Advisory Council on Historic Preservation promotes the preservation, enhancement, and sustainable use of our nation's historic resources, and advises the President and the Congress on national historic preservation policy.

The ACHP's authority and responsibilities are principally derived from the NHPA. Under Section 106 of the NHPA, the ACHP reviews federal actions affecting historic properties to ensure historic preservation needs are balanced with federal project requirements. The ACHP achieves this balance through the Section 106 review process, which applies whenever a federal action has the potential to impact historic properties. Section 213 of the NHPA (54 U.S.C. §304110) authorizes the ACHP to issue government-wide regulations to implement Section 106. The regulations are found at 36 C.F.R. Part 800.

Other duties of the ACHP are detailed in Section 202 (54 U.S.C. §304102) and include the following:

- Advising the President and the Congress on matters relating to historic preservation;
- Encouraging public interest and participation in historic preservation;
- Recommending policy and tax studies as they affect historic preservation;
- Advising state and local governments on historic preservation legislation;
- Encouraging training and education in historic preservation;
- Reviewing federal policies and programs and recommending improvements; and
- Informing and educating others about the ACHP's activities.

The ACHP also derives authorities from other statutes and EOs. For example, Title 41 of the FAST Act named the ACHP a statutory member of the Permitting Council charged with improving the federal permitting process for infrastructure projects. Section 7302 of the Omnibus Public Land Management Act of 2009 charged the ACHP with carrying out the Preserve America program. EO 13287 directs the ACHP to assess the state of federal stewardship of historic properties and report to the President on a triennial basis. EO 13934 named the ACHP as a member of the Interagency Task Force for Building and Rebuilding Monuments to American Heroes.

ACHP Membership

The ACHP has 24 statutorily designated members, including the chair who is a full-time Presidential appointee confirmed by the Senate. The ACHP also currently includes five observer organizations/agencies that the chair has designated to participate in the work of the ACHP. (See Figure 5.)

Under the chair's leadership and with the Executive Director and staff's support, the ACHP members address policy issues, direct program initiatives, and make recommendations regarding historic preservation to the President, Congress, and heads of other federal agencies. Members pursue ACHP activities both collectively and individually. The membership is organized into three program committees: Regulations and Governance; Tribal and Indigenous Peoples; and Policy and Legislative Affairs. Member task forces and work groups may also be formed to pursue specific issues.

Figure 5. Members, Advisory Council on Historic Preservation (May 2025)

Chair [vacant]

Vice Chairman Travis Voyles (Virginia)

Expert Members Charles "Sonny" L. Ward III (California) [2 vacancies]

General Public Members Jane D. Woodfin (Virginia) [2 vacancies]

Indian Tribe/Native Hawaiian Organization Member Amelia Marchand (Confederated Tribes of the Colville Reservation, Hawaii)

Governor Hon. John C. Carney (Delaware)

Mayor [vacant]

Architect of the Capitol Thomas E. Austin

Secretary of Agriculture Hon. Brooke Rollins

Secretary of Defense Hon. Pete Hegseth

Secretary of Homeland Security Hon. Kristi Noem

Secretary of Housing and Urban Development Hon. Eric Scott Turner

Secretary of the Interior Hon. Doug Burgum

Secretary of Transportation Hon. Sean Duffy

Secretary of Veterans Affairs Hon. Doug Collins **Chair, Council on Environmental Quality** [vacant]

Administrator, General Service Administration Stephen Ehikian (Acting)

Chair, National Trust for Historic Preservation Phoebe Tudor (Texas)

President, National Conference of State Historic Preservation Officers Anne B. Raines (Maryland)

Board Chair, National Association of Tribal Historic Preservation Officers Lakota Hobia (Gun Lake Tribe [Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians])

Observers:

(Michigan)

Chair, National Alliance of Preservation Commissions Abigail Christman (Colorado)

Preserve America Youth Summit Director Ann Walker (Colorado)

Chair, ACHP Foundation John M. Fowler (District of Columbia)

Executive Director, Permitting Council Manisha Patel (Acting) (Missouri)

President, RePurpose Capital Patrice Frey (Washington)



ADVISORY COUNCIL ON HISTORIC PRESERVATION 401 F Street NW. Suite 308 • Washington, DC 20001-2637

401 F Street NW, Suite 308 • Washington, DC 20001-2637 Phone: 202-517-0200 • Fax: 202-517-6381 • achp@achp.gov • www.achp.gov