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## TRIBAL AND INDIGENOUS PEOPLES

The Advisory Council on Historic Preservation (ACHP) recognizes that Indian Tribes, Native Hawaiian Organizations (NHOs), and Indigenous Peoples play a vital role in the protection of historic properties across the nation and works to ensure their full and effective engagement in the historic preservation program. The ACHP pursues this goal through the development of policy and program improvements, the provision of technical support in Section 106 of the National Historic Preservation Act reviews, and training and guidance for all practitioners regarding the participation of these key partners in federal decision making about historic properties.

The Office of Tribal and Indigenous Peoples (OTIP) oversees the agency's Tribal and Indigenous Peoples initiatives and works closely with the ACHP members to address critical issues relating to Indian Tribes, NHOs, and intertribal organizations. OTIP supports these broad goals through the following actions:

- Advising the ACHP chairman, members, executive director, and staff on policy matters and historic preservation issues affecting Indian Tribes and NHOs;
- Ensuring the ACHP meets its government-to-government consultation and trust responsibilities to Indian Tribes;
- Providing technical assistance and outreach regarding Tribal and NHO consultation in the Section 106 review process; and,
- Participating in interagency initiatives focused on Native American issues.

**MISSION STATEMENT:** The Advisory Council on Historic Preservation, an independent federal agency, promotes the preservation, enhancement, and sustainable use of the nation's diverse historic resources and advises the President and the Congress on national historic preservation policy.

### MAJOR INITIATIVES

#### Policy Adoption

The ACHP achieves many of its objectives through the development and issuance of policy statements that establish ACHP policy on issues pertaining to the role of Indian Tribes, NHOs, and others in federal decision making. The ACHP also advises federal agencies and other stakeholders on steps they can take to support and implement these policies. Major policy statements include the Policy Statement Regarding the ACHP's Relationships with Indian Tribes; Policy Statement Regarding the ACHP's Interaction with Native Hawaiian Organizations; Policy Statement on Indigenous Knowledge and Historic Preservation; and Policy Statement on Burial Sites, Human Remains, and Funerary Objects. This last policy statement was adopted with a unanimous vote in March 2023 and establishes a set of standards and guidelines that federal and state agencies, contractors, and other relevant entities should seek to implement in order to provide burial sites, human remains, and funerary objects the consideration and protection they deserve. More information is available here: <https://www.achp.gov/treatment-burial-sites>.

#### Indigenous Knowledge

The ACHP has provided government-wide leadership on recognizing the importance of Indigenous Knowledge (IK) in the Section 106 review process and the long-term protection of historic properties of religious and cultural significance to those who hold such knowledge. The ACHP is also committed

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ACHP STAFF MEMBERS TEACH A SECTION 106 COURSE TO TRIBAL REPRESENTATIVES.

to working with Indian Tribes, *kanaka maoli* (Indigenous people of the Hawaiian Islands), and NHOs to develop appropriate means to explain the importance and role of IK in all four steps of the Section 106 process. More information is available here: <https://www.achp.gov/indian-tribes-and-native-hawaiians/traditional-knowledge>.

### Protection of Indian Sacred Sites

In December 2021, the Departments of the Interior, Agriculture, and Energy and the ACHP (signatories), among others, entered into a Memorandum of Understanding regarding interagency coordination and collaboration for the protection of Indian sacred sites. The signatories have adopted a policy on the confidentiality of sensitive information, published a general information paper on Indian sacred sites, developed an online course on the federal government and sacred sites, and conducted an extensive study on the federal legal protections for Indian sacred sites.

### Plan to Support the United Nations Declaration on the Rights of Indigenous Peoples (UN DRIP)

In 2013, the ACHP adopted a plan to support the UN DRIP and issued two guidance documents on the intersection of the UN DRIP and the Section 106 process. OTIP staff also assists the State Department in its interactions with United Nations bodies regarding Indigenous issues.

### Training and Guidance

OTIP develops and delivers in-person training and webinars on Section 106 for Indian Tribes, NHOs, federal agencies, and other stakeholders. OTIP has also begun offering online/on-demand training including courses on Early Coordination with Indian Tribes for Infrastructure Projects, Native Hawaiian Organizations in the Section 106 Process, and Section 106 Training for Indian Tribes.

OTIP has developed an extensive body of guidance on a wide range of topics including handbooks on both Tribal and NHO consultation, addressing traditional cultural landscapes in the Section 106 process, recommendations for improving Tribal-federal consultations, and the role of the Tribal Historic Preservation Officer in the Section 106 process.

There are also several information papers that introduce Section 106 participants to topics such as the challenges facing Indian Tribes that were removed from their ancestral homelands, identifying and considering the role of Indigenous places and landscapes, and Tribal treaty rights in the Section 106 process.

For more information on training, please see <https://www.achp.gov/indian-tribes-and-native-hawaiians/training-guidance>.

For more information and additional guidance, please visit:  
[www.achp.gov/indian-tribes-and-native-hawaiians](https://www.achp.gov/indian-tribes-and-native-hawaiians)



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