Preserving America's Heritage

THE ADVISORY COUNCIL ON HISTORIC PRESERVATION'S STATEMENT ON ITS TRUST RESPONSIBILITY

July 21, 2004

Section 106 of the National Historic Preservation Act requires Federal agencies to consider the effects of their actions on historic properties and to seek comments from the Advisory Council on Historic Preservation (ACHP). The purpose of Section 106 is to avoid unnecessary harm to historic properties from Federal actions. The procedure for meeting Section 106 requirements is defined in ACHP's regulations, 36 CFR Part 800. The regulations include both general direction regarding consultation and specific requirements at each stage of the review process.

The ACHP's trust responsibility is to ensure that its regulations implement the requirements of Section 106 of the National Historic Preservation Act and that such regulations incorporate the procedural requirement that Federal agencies consult with Indian tribes that attach religious and cultural significance to historic properties that may be affected by their undertakings. The ACHP has met, and continues to meet, that responsibility through its present Section 106 regulations, which require Federal agencies to consult with such Indian tribes at every significant step of the process.

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