



March 8, 2024

The Honorable Sara Bronin  
Chair  
Advisory Council on Historic Preservation  
401 F Street NW, Suite 308  
Washington, DC 20001

**Re: Draft ACHP Policy Statement on Indigenous Knowledge and Historic Preservation**

Dear Chair Bronin:

The American Cultural Resources Association (ACRA), the trade association for private firms that specialize in cultural resource management (CRM), appreciates this opportunity to comment on the Advisory Council on Historic Preservation's (Council) Draft Policy Statement on Indigenous Knowledge and Historic Preservation.

ACRA-member firms undertake much of the legally mandated CRM studies and investigations in the United States and employ thousands of CRM professionals, including archaeologists, architectural historians, ethnographers, historians, and an increasingly diverse group of other specialists. To help guide smart, sustainable economic development and safeguard important historic and cultural heritage assets, ACRA members apply specialized research skills within a framework of federal, state, local, and/or Tribal law and facilitate an open dialog where every stakeholder has a voice.

CRM firms recognize that Indigenous Peoples possess unique and irreplaceable knowledge about the places they and their ancestors have inhabited and stewarded for millennia. The professions that comprise the cultural resources sector also acknowledge that for, too long, many government and private sector actors have neither understood the importance of Indigenous Knowledge nor made efforts to engage with the Tribes and Peoples who know the land and its history the best. This has often resulted in decisions and narratives that limited the integration of Indigenous Knowledge and did not adequately take into account local knowledge about the significance of their natural and cultural environment.

ACRA and its members are committed to genuine and holistic engagement with Indigenous Peoples that values not only the Indigenous Knowledge they possess but demonstrates proper respect for how that Knowledge is obtained, shared and disseminated.

To that end, ACRA notes that the Council must place a priority on considering the viewpoints and perspectives of Indigenous Peoples in the development of this Policy Statement. With that in mind, ACRA respectfully offers the following observations:

**Definition of “Indian Tribes, Native Hawaiians, and other Indigenous Peoples.”** The Draft Policy Statement refers throughout to “Indian Tribes, Native Hawaiians and other Indigenous Peoples,” further defining “Indian Tribe” as “An Indian Tribe, Band, Nation, or other organized group or community, including a Native Village, Regional Corporation or Village Corporation, as those terms are defined in Section 3 of the Alaska Native Claims Settlement Act, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.”

ACRA notes that many experts in Indigenous Knowledge include Tribal groups that remain unrecognized by the federal government. Such groups often have a great deal to share about plant gathering, animal harvesting, landscapes, and sacred areas, yet are too often left out of the conversation because they are not federally recognized. Although the definition in the Draft Statement does not exclude such voices – and are implied by the addition of “other Indigenous Peoples” - ACRA suggests that the Council consider making more explicit that such unrecognized groups are a valuable source of Indigenous Knowledge.

**Consultation Timelines (Principle 7).** Some sacred places can only be discussed at one specific time, perhaps only once a year. CRM professionals will at times engage with Tribes only to learn that the Tribe had put the stories about the place to sleep, not awakening them for perhaps months at a time. ACRA recommends that the Council point out that consultation timelines must respect and account for such situations.

**Protocols and Processes (Principle 8).** ACRA recommends that the Council add National Environmental Policy Act (NEPA) processes and timelines to the list of laws and regulations in which Indigenous Knowledge should be incorporated.

**Professional Qualifications (Principle 9).** ACRA agrees with the Council that the Secretary of Interior’s Professional Qualification Standards should be updated to “identify the designated representatives of Indian Tribes and NHOs as subject matter experts who meet the professional standards needed to inform findings and determinations relevant to properties that may be of religious and cultural importance to them.”

This recommendation aligns with ACRA’s Principles for Updates to the Secretary of the Interior Professional Qualifications Standards,<sup>1</sup> which state that “The Standards, to the greatest extent possible, need to ensure that practitioners understand and are sensitive to contemporary concepts of heritage, including those of cultures whose values may be different from their own, and for whom heritage may be described in more than physical terms.”

**Implementation of the Policy.** ACRA believes that, to the maximum extent practicable, the Council should take as assertive a role as possible in ensuring that Indigenous Knowledge is considered in all Section 106 proceedings and that it work proactively to “[a]dvise federal agencies, state and local governments, Indian Tribes, Tribal and State Historic Preservation Officers, and NHOs in their development of historic preservation protocols.”

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<sup>1</sup> ACRA Principles on SOI Professional Qualification Standards, American Cultural Resources Association, Dec. 14, 2023, <https://acra-crm.org/acra-principles-on-soi-professional-qualification-standards/>.

Although this may be beyond the scope of the Policy Statement, any discussion of Indigenous Knowledge and federal historic preservation activities would be incomplete without noting that federal financial support for Tribal Historic Preservation Officers (THPOs) has not kept up with either the increase in the number of THPOs or the increased demands placed on them. This is particularly the case at a time when the federal government is investing record amounts in infrastructure projects. ACRA believes that the Council and the entire historic preservation community must continue to advocate to Congress that funding for THPOs be increased.

ACRA appreciates this opportunity to comment on the Draft Policy Statement.

Sincerely,

A handwritten signature in black ink, appearing to read "Amanda Stratton". The signature is fluid and cursive, with the first name being more prominent.

Amanda Stratton  
Executive Director