



February 26, 2025

Dear Secretary Burgum,

The undersigned organizations write to express concern with the impact that several recently signed Secretarial Orders may have upon the Department of Interior's (DOI) implementation of Section 106 of the National Historic Preservation Act (NHPA).

The SAA is an international organization that, since its founding in 1934, has been dedicated to research about and interpretation and protection of the archaeological heritage of the Americas. With more than 6,000 members, the SAA represents professional and avocational archaeologists, archaeology students in colleges and universities, and archaeologists working at tribal agencies, museums, government agencies, and the private sector. The SAA has members throughout the United States, as well as in many nations around the world.

The American Cultural Resources Association (ACRA) is the trade association for private firms that specialize in cultural resource management (CRM). ACRA-member firms undertake many 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.

Formed in 1967, the Society for Historical Archaeology (SHA) is the largest scholarly group concerned with the archaeology of the modern world (A.D. 1400-present). SHA promotes scholarly research and the dissemination of knowledge concerning historical archaeology. The Society is specifically concerned with the identification, excavation, interpretation, and conservation of sites and materials on land and underwater.

Founded in 1902, the American Anthropological Association is the world's largest scholarly and professional organization of anthropologists. The Association is dedicated to advancing human understanding and applying this understanding to the world's most pressing problems.

Secretarial Orders (SO) 3417 (Addressing the National Energy Emergency) and 3418 (Unleashing American Energy) outline the goals of repealing certain policies of the previous administration and reducing excessive government regulation for the purpose of increasing energy development on federal lands. Both orders contain instructions requiring DOI and agency leadership to review all policies within their jurisdictions and to submit action plans to your office within 15 days of the signing of the orders, detailing how they intend to achieve the described goals. SO 3418, in particular, explicitly instructs department and agency leaders to “review all relevant internal regulations, policies, and guidance to ensure the lawful implementation of Section 106 of the National Historic Preservation Act.”

We understand and appreciate the need to ensure that government actions are carried out as efficiently as possible. Nevertheless, while we are confident that any review of DOI implementation of Section 106 will pass scrutiny, it is important that department officials remember that the NHPA and its regulations set forth a collaborative and nationally demonstrated efficient process between the federal government, states, tribes, local governments, communities and the general public whereby the federal government takes into account historic properties impacted by federal and federally sponsored undertakings. It provides a means of ensuring that *all* stakeholders’ voices are heard, because it is through their involvement that the physical embodiments of American heritage impacted by federal undertakings are identified and considered in federal decision-making. The NHPA is a unique law designed to ensure that decisions on the significance of our nation’s historic places are not left solely to the purview of staff in a federal agency, many of whom have never visited the project area in question.

The process respects the rights of the people to identify places of importance from a state, tribal, and local perspective. Input from the state and the tribes accelerates—not hinders—project delivery and generates small businesses and jobs.

Section 106 of the NHPA also provides maximum flexibility to federal agencies. It is a collaborative, process-driven dynamic that does not prescribe outcomes. Federal officials, in consultation with Section 106 stakeholders, have the ability to negotiate innovative and streamlined solutions to advance their projects while taking into account any adverse effects upon historic properties. It is extremely efficient—the vast majority of Section 106 reviews are approved by state and tribal historic preservation offices within a few days.

We appreciate your long-standing support of American heritage and look forward to seeing the recommendations put forward by DOI and agency leadership in the days ahead. We ask you to take into consideration the enormous benefits that Section 106 reviews generate for the nation and its states, tribes, communities, and economy, and how implementation of Section 106 has been accomplished efficiently and effectively for many decades.

Society for American Archaeology
American Cultural Resources Association

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