



NATHPO's March Policy Forum:

Army Warfighting Readiness Program Comment
ACHP Cultural Resource Data Platform

March 5, 2026

Army Warfighting Readiness Program Comment

What a Program Comment is: An ACHP-issued alternative to case-by-case Section 106 reviews for a *category of undertakings*, used in lieu of the standard steps in 36 CFR 800.3 through 800.7.

What the Army is proposing: A Program Comment covering Army warfighting readiness activities and associated infrastructure (buildings, structures, and landscapes), intended to standardize review and support readiness across installations.

Why it matters to Tribes: If adopted, it can reshape how consultation, identification of properties of religious and cultural significance, treatment measures, and dispute pathways function at scale.

Key Dates

May 30, 2025: Army notifies ACHP of intent to seek a PC

July 25: Federal Register notice on the PC Plan

August 25: NATHPO submits comments on the draft PC (5 pages)

December 18: ACHP receives the Army's request and proposed PC

January 9, 2026: ACHP opens "public" review period

January 21 & 23: ACHP hosts nationwide Tribal consultation

January 26: "Public" comment deadline closes

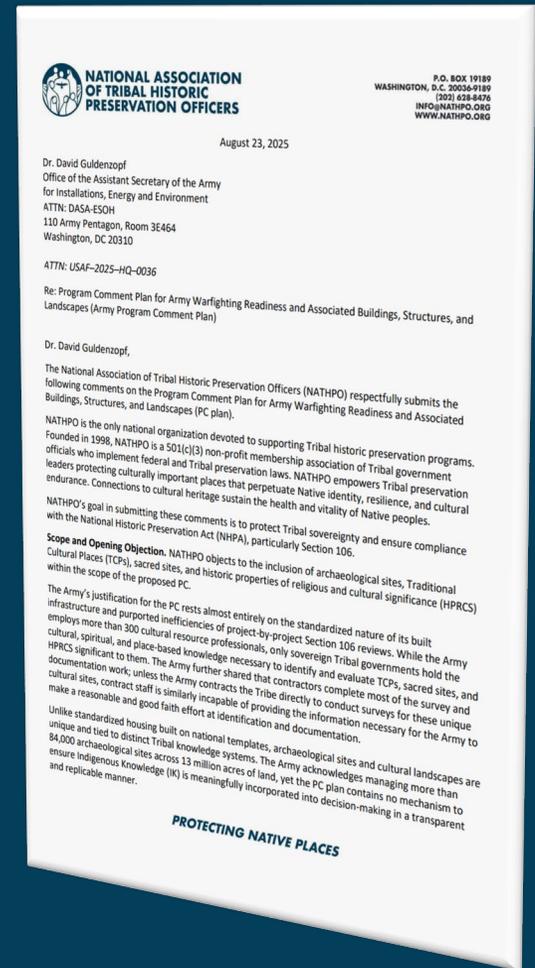
January 29: ACHP member information and comment session

February 6: Army provides updated copy of the PC

February 12: Council members extend review period 45 days

March 12: ACHP member information and comment session

March 29: 45 days after the February 12 Council vote



Army Program Comment Plan:

Summary of highest-impact requested revisions

- Exclude archaeological sites, sacred places, TCPs, and PRCS from the PC scope.
- Integrate ACHP Indigenous Knowledge (IK) Policy throughout, including controls for storage and limited access to sensitive IK; compensate Tribes when agencies request Tribal research/surveys.
- Commit to implementing ACHP Burial Policy and guidance; avoid excavation/data recovery as default mitigation and prioritize preservation in place.
- Require early, direct, and ongoing Tribal consultation under NHPA Section 106 (do not substitute NEPA public comment for government-to-government consultation).
- Remove “acceptable loss” defaults for UXO/contaminated areas; add a Post-Review Discovery process consistent with 36 CFR 800.13.
- Add oversight guardrails: Tribal/NATHPO representation on the Army Historic Properties Review Board; do not supersede existing PAs/MOAs; add time limits and periodic review/reporting to Tribes and NATHPO.

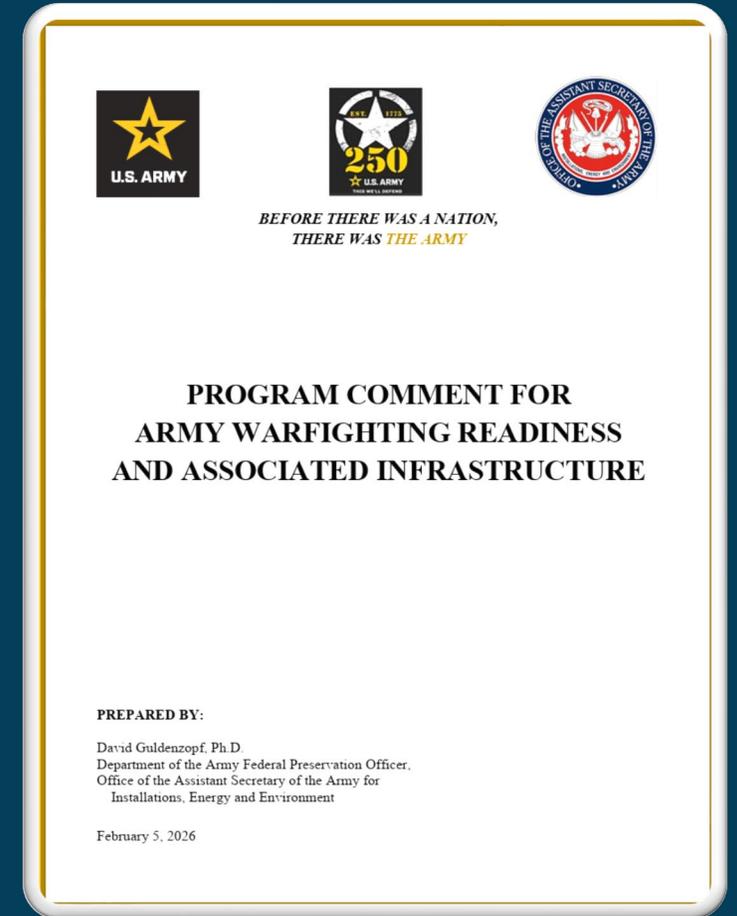
Army Program Comment

NATHPO concerns

- What is actually covered?
- Extra exemptions
- Identification and evaluation
- Amendments, extension, and duration
- Property of traditional religious and cultural importance
- Mitigation and treatment
- Indigenous Knowledge and compensation
- Tribal roles & Tribal lands
- Installation-level protocols

Next Steps

- NATHPO Policy Forum discussion March 5
- ACHP Member session on March 12
- Updated comments



1.0. Introduction

To implement this program comment, the Army may terminate its existing installation-level Section 106 compliance agreements.

No mention of “Tribal Lands” - Section 5 and the Definition for “Installation” both note that This program comment applies to and shall be implemented by the Active Army, Army Reserves, and the Army National Guard (for federal activities), at all installations, facilities, and locations where Section 106 is applicable.

4.0. Program Comment Goal, Category of Undertakings, and Effect

The category of undertakings addressed by this program comment is Army warfighting readiness activities and management actions on associated infrastructure.

Discrete subsets of warfighting readiness activities are detailed in Appendix A, and associated built infrastructure is detailed in Appendix B. ~~All Army associated infrastructure is covered by this program comment, whether or not they are specifically described in Appendix B.~~

5.0. Operating Principles Governing Implementation of the Program Comment

This program comment applies to and shall be implemented by the Active Army, Army Reserves, and the Army National Guard (for federal activities), at all installations, facilities, and location.

While the Army possesses equivalent expertise, knowledge, and access to information regarding historic properties as SHPOs, NPS, and ACHP, it does not possess Traditional Knowledge regarding Federally recognized Tribes and NHOs PTRCI. This program comment ensures that Army installations, through consultation with Federally recognized Tribes and NHOs, consider Indigenous Knowledge and take into consideration the significance that Federally recognized Tribes and NHOs ascribe to PTRCI.

6.1. The Military Landscape and Associated Infrastructure

- This program comment implements the concept of the *military landscape* as the nationwide strategic framework and analytical perspective for warfighting readiness activities.
- The military landscape context recognizes that each Army installation is a continuously evolving historic military landscape. Army military landscapes are defined by ongoing infrastructure change and modification in response to the changing demands of the Army's warfighting readiness activities.
- For Army military landscapes, the critical balance lies in acknowledging that warfighting readiness activities are not external to their history but the very engine driving their historical significance. The military landscape perspective clarifies that streamlining and accelerating execution of the warfighting readiness activities in fact supports the preservation of these historic landscapes.

6.2.1 General Management Procedures

Installations may prepare lists of routine undertakings with known effects that are not adverse, and such routine undertakings will not be subject to further review under this program comment. Lists of routine undertakings not subject to further review will be maintained by the installation CRM.

The passage of time, changing perceptions of significance, or incomplete prior evaluations may require installations to reevaluate properties within the area of potential effects of undertakings that were previously determined eligible or ineligible for inclusion in the National Register of Historic Places.

6.2.3 Tier 2 – Properties of Traditional Religious and Cultural Importance

The relationship between the Army and Federally recognized Tribes is a government-to-government relationship founded on the principle of tribal sovereignty. This unique relationship extends beyond the requirements of the NHPA. The Army is committed to maintaining its ongoing government-to-government relationships with Federally recognized Tribes, and to continuing respectful, consultative relationships with NHOs. Through these relationships, the Army will address the significance

Incorporating Indigenous Knowledge - The Army acknowledges that Indigenous Knowledge is a unique and valuable form of expertise that is not held by the Army, the ACHP, the NPS or by SHPOs. Recognizing the importance of this knowledge, the Army will actively seek and incorporate Indigenous Knowledge from Federally recognized Tribes and NHOs when considering the effects of its actions on PTRCI. Installations will assess how actions under this program comment may affect such properties, considering the cultural values and beliefs associated with those properties. Installations may, subject to the availability of funds, reimburse travel expenses for tribal members and NHO members when consulting and seeking Indigenous Knowledge.

Management Procedure for Properties of Traditional Religious And Cultural Importance – see PC

6.2.6 Mitigation Measure for Adversely Affected Historic Properties

Mitigation measures for properties of traditional religious and cultural importance.

The Army recognizes that standard mitigation measures may not always be applicable to PTRCI to Federally recognized Tribes and NHOs. To ensure Indigenous Knowledge-informed treatment occurs, installations will inform treatment plans through government-to-government consultation with the Federally recognized Tribe(s) ascribing significance to the property.

For defined landscape areas that are considered PTRCI, the Army may, as a mitigation measure, prepare ethnographic studies in coordination with Federally recognized Tribes or NHOs. These actions will be conducted following this program comment's Management Procedure for PTRCI. For situations involving the inadvertent discovery of PTRCI during implementation of an undertaking, the Procedure for Discovery of PTRCI in this program comment will be followed.

Alternative mitigation measures. The Army may implement alternative mitigation measures in lieu of the standard mitigation measures...on installations, Army owned and leased property, federal lands withdrawn for Army military purposes, state lands used for federal activities, and on properties with conservation easements established under the Army REPI program...shall not occur when standard mitigation measures are applicable

Avoidance of duplication of effort for pre-1941 built infrastructure.

6.2.9 Procedure for Discovery of a PTRCI

At the soonest possible time following the discovery of a previously unknown historic property, the installation will notify any Federally recognized Tribe or NHO that may attach religious and cultural significance to the affected historic property to determine its status as a PTRCI.

The notification will describe the Army's assessment of National Register eligibility of the property and propose a technically and financially feasible mitigation measure to address the adverse effect. The Federally recognized Tribe or NHO shall respond within five (5) calendar days of the Army's notification with their views on PTRCI status and the proposed mitigation measure.

If the property is confirmed by the Federally recognized Tribe or NHO to be a PTRCI...

8.0 Applicability

This program comment shall be implemented by the Active Army, Army Reserves, and federally supported warfighting readiness activities of the Army National Guard including their federally supported activities on state properties. This program comment shall be applied to Army warfighting readiness activities and emergency operations that may occur on or off of Army installations and facilities.

9.0. Duration

This program comment will remain in effect until such time as the Army FPO determines that this program comment is no longer needed and notifies the ACHP Executive Director in writing, or the ACHP withdraws the program comment in accordance with 36 CFR § 800.14(e)(6) and the withdrawal procedures of this program comment.

10.1. Amendment

Amendment by Chairman, ACHP. The Chairman of the ACHP, or Vice-Chairman (when the Chairman position is vacant), may amend this program comment to extend its applicability to the other military departments of the Department of Defense. The ACHP will notify the military departments of such amendment and will publish notice in the Federal Register regarding such amendment within 30 days after the Chairman/Vice Chairman's issuance of the amendment.

11.0. Definitions - Property of Traditional Religious and Cultural Importance

Property of traditional religious and cultural importance means any specific, discrete, narrowly delineated geographic location that is identified by an Indian tribe or NHO as important by virtue of its established religious or cultural importance to a tribe or NHO; provided that the tribe or NHO has informed the Army of the existence of and the specific geographical location of such a property.

§ 302706. Eligibility for inclusion on National Register

(a) IN GENERAL.—Property of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization may be determined to be eligible for inclusion on the National Register.

(b) CONSULTATION.—In carrying out its responsibilities under section 306108 of this title, a Federal agency shall consult with any Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to property described in subsection (a).



Cultural Resources Data Platform

Introduction for ACHP members



February 12, 2026

ACHP Business Meeting

Project Goals

- Use AI-driven tools to make access to information about where historic properties have been identified easier and more available in early project planning
- Leverage data to help project planners avoid conflicts with historic properties
- Time savings and cost efficiencies
- Improvement to the overall permitting process



Planned Capabilities

- AI agents retrieve relevant geographical and cultural resources data remotely from disparate systems
- Generate a project research report to inform early project planning
- Offer visual simulation tools to help predict potential resource impacts based on geography
- Optimize location or route planning

Benefits

Federal agencies/Applicants:

- Process efficiencies where avoidance strategies are identified
- “Eyes wide open” to plan for consultation, identification
- Time and cost savings in data gathering

States, Tribes, other preservation stakeholders:

- Connect agencies and applicants to the most relevant data sources
- Flag areas earlier where historic property conflicts could arise



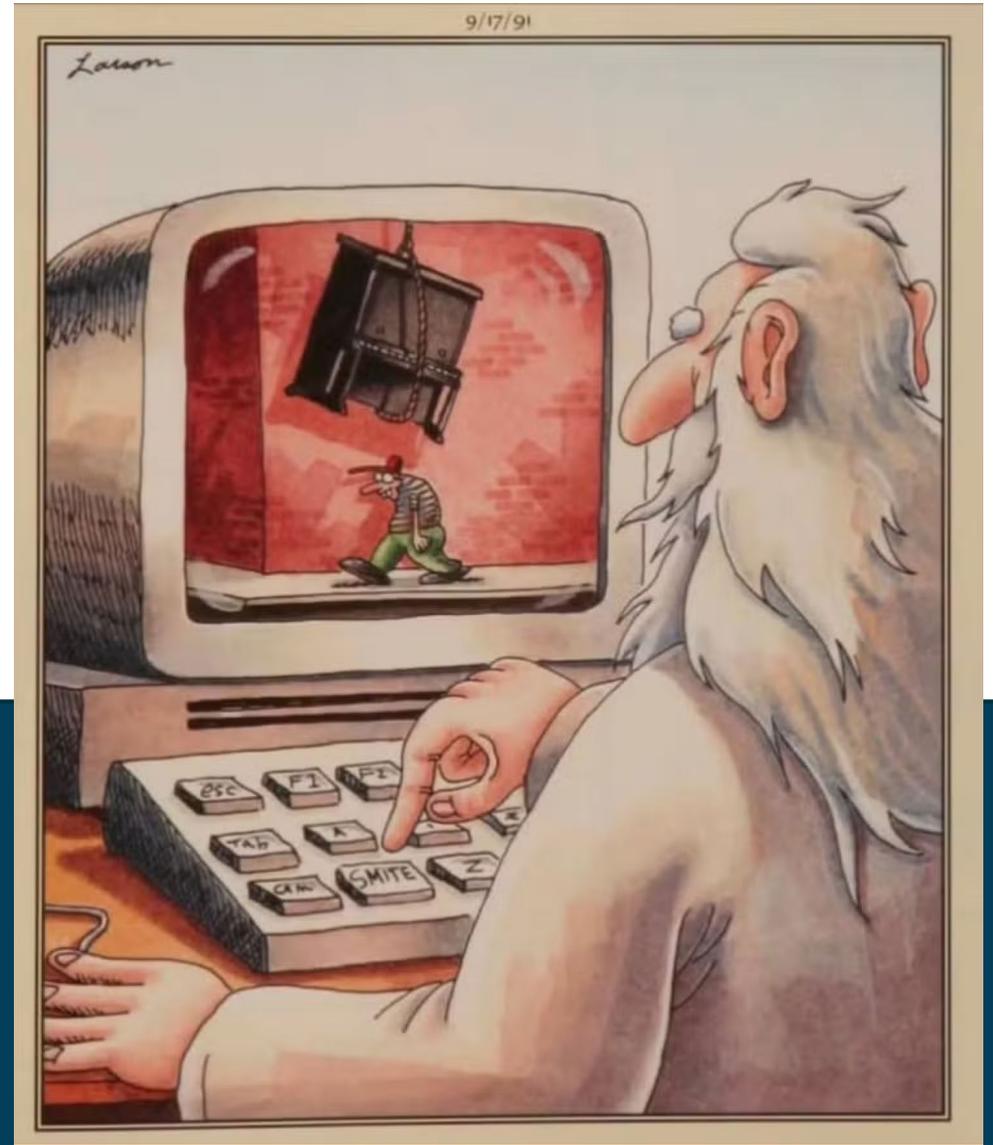
Next Steps

- Data landscape survey
- Proof of concept within six months
- Identify partner agencies for pilot
- Pilot system testing and refinement
- Soft launch approximately 15 months
- Public availability in approximately 18 months



1. ACHP requested a meeting with NATHPO – date is TBD
2. Request made to ACHP to “collaborate” with NATHPO’s LAND project
3. Adopt a statement/motion/resolution on the use of AI and Tribal Cultural Knowledge?

Conflict – Concern - Action





**NATIONAL ASSOCIATION
OF TRIBAL HISTORIC
PRESERVATION OFFICERS**

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