



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
WASHINGTON, D.C. 20555-0001

October 31, 2016

Mr. Reid Nelson, Director
Office of Federal Agency Programs
Advisory Council on Historic Preservation
401 F Street NW
Suite 308
Washington, DC 20001-2637

Dear Mr. Nelson,

Thank you for your September 23, 2016, letter advocating U.S. Nuclear Regulatory Commission (NRC) acknowledgement of the special status that Native Hawaiian organizations (NHO) are provided by the National Historic Preservation Act (NHPA) and specifically within the NHPA Section 106 regulations. In addition, the letter stated that the Advisory Council of Historic Preservation urge NRC to consider developing a policy statement or guidance that acknowledges this role and the importance of strengthening your consultative relationship with NHOs.

The NRC Tribal Policy Statement and Tribal Protocol Manual pertain to consultation with Tribal governments recognized by the Federally Recognized Indian Tribe List Act of 1994, 25 U.S.C. 479a. The United States has recognized and implemented a special political and trust relationship with the Native Hawaiian community through programs and services that are, in many respects, analogous to, but separate from the programs and services enacted for Federally recognized Indian Tribes. However, Native Hawaiian Organizations are not governmental entities. As a result, Native Hawaiian Organizations are not covered by the NRC Tribal Policy Statement. The NRC does comply with statutory obligations to consult with Native Hawaiian Organizations. For example, the NRC consults with Native Hawaiian Organizations, as appropriate, under Section 106 of the NHPA.

Please note that the final NRC Tribal Policy Statement is currently with the Commission for their vote. If you have any questions, please do not hesitate to call me at NRC Headquarters at (301) 415-3340, concerning any questions you may have.

Sincerely,

/RA/

PHenderson for DCopllins

Daniel S. Collins, Director
Division of Material Safety, State, Tribal
and Rulemaking Programs
Office of Nuclear Material Safety
and Safeguards

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Office of Nuclear Material Safety
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