



**NATIONAL ASSOCIATION
OF TRIBAL HISTORIC
PRESERVATION OFFICERS**

P.O. BOX 19189
WASHINGTON, D.C. 20036-9189
(202) 628-8476
INFO@NATHPO.ORG
WWW.NATHPO.ORG

July 7, 2025

Secretary Douglas A. Collins
U.S. Department of Veterans Affairs
810 Vermont Ave
Washington, DC 20420

Dear Secretary Collins,

The National Association of Tribal Historic Preservation Officers (NATHPO) has the following comments regarding the U.S. Department of Veterans Affairs' (VA) Nationwide Programmatic Agreement (NPA) for its Leasing Program. NATHPO is the only national organization devoted to supporting Tribal historic preservation programs. Founded in 1998, NATHPO is a 501(c)(3) non profit membership association of Tribal government officials who implement federal and Tribal preservation laws. NATHPO empowers Tribal preservation leaders protecting culturally important places that perpetuate Native identity, resilience, and cultural endurance. Connections to cultural heritage sustain the health and vitality of Native peoples

Our organization strongly supports the VA's mission of providing medical care to our nation's veterans. As you know well, members of Tribal Nations join the military in numbers that are much larger than the proportion that they make up of our country's population and therefore are overrepresented in the number of U.S. veterans.

During the June 17th listing session with Tribal Nations, VA Historic Preservation Specialist Sophia Latz noted, "The mission of the VA to provide medical care takes priority." While NATHPO respects and supports that prioritization, we strongly believe that our country can both provide veterans with quality medical care and make sure that Tribal Nations' cultural resources and sacred places are protected.

The June 17th listening session was referred to as a "Consultation Meeting to Discuss Nationwide Programmatic Agreement for Veterans Affairs Leasing Programs." NATHPO would appreciate it if the VA would not refer to listening sessions open to all Tribal Nations as "consultation." The term "Tribal consultation" has a specific legal definition under Executive Order 13175, the National Historic Preservation Act and the Section 106 process. We implore VA historic preservation staff not to casually use the term "Tribal consultation."

NATHPO greatly appreciates the stipulation that the NPA will adhere to the 2024 ACHP Policy Statement on Indigenous Knowledge and Historic Preservation. With that language, the VA makes clear that it recognizes that Indigenous Knowledge is a valid and self-supporting means for evaluating the impact that its projects have on Tribal Nations' cultural resources and sacred places.

During the listening session, Burgundy Fletcher, the Tribal Historic Preservation Officer for the Peoria Tribe of Indians of Oklahoma raised concerns about the inadvertent discovery provisions

PROTECTING NATIVE PLACES

included in the NPA. We strongly urge that language be added to the NPA to clarify that the Native American Graves Protection and Repatriation Act (NAGPRA) applies to inadvertent discoveries, and compensation for work performed by Tribal Nations. Specifically, NATHPO recommends that this language be added to the NPA: *"The recipient shall be responsible for compliance with the requirements of NAGPRA (25 U.S.C. §§ 3001-3013) and its implementing regulations (43 CFR Part 10) for all Native American human remains or cultural items in its possession or control."* This needs to be explicitly stated because receipt of Federal funds triggers NAGPRA's repatriation requirements for all Native American human remains and cultural items in the possession or control of the receiving institution, not just ones identified by the funded project.

We also urge that language be added to the NPA clearly stating that when the VA, or recipients of VA funds, requests that Tribal Nations engage in work related to determining potential effects on Tribal Nations' cultural resources and sacred places they be compensated for this work. Financial support for Tribal Nations' work is particularly important because it is both time-consuming and emotionally difficult work.

While NATHPO appreciates the work that has gone into the NPA, we would be remiss if we did not note that the fundamental consultation problem when it comes to Tribal Nations is a lack of adequate funding. We believe the best way to address a consultation process that at times is inefficient and fails to provide for adequate protection of Tribal Nations' cultural resources and sacred places, would be to increase federal support for THPOs. In Fiscal Year 2025, THPOs are receiving on average \$100,900 from the Historic Preservation Fund (HPF). NATHPO strongly supports a reauthorization of the HPF that would require that:

- THPOs receive a minimum of 20 percent of the HPF each year, and;
- direct the National Park Service to review if THPO funding is keeping pace and adjust the funding to reflect the annual increase in the number of THPOs.

We also urge the Administration to propose budgets and Congress to pass appropriations bills that reflect the important role THPOs play in protecting the places important to Tribal Nations. Consistency and certainty are important for both THPOs and the VA, whose projects are essential for all Americans, including members of Tribal Nations. We are confident that with thoughtful changes and proper funding for THPOs, the project permitting process can be efficient, while at the same time guaranteeing that Tribal Nations' cultural resources are protected.

Thank you for considering our comments. Please do not hesitate to contact me if you would like to discuss this matter or if I can be helpful in any other way.

Sincerely,



Valerie J. Grussing, PhD
Executive Director