[date: must be submitted no later than 11:59pm ET, September 30, 2021]

The Honorable Bryan Newland

Assistant Secretary, Indian Affairs

bryan\_newland@ios.doi.gov

The Honorable Shannon Estenoz

Assistant Secretary for Fish and Wildlife and Parks

shannon\_estenoz@ios.doi.gov

U.S. Department of the Interior

1849 C Street NW

Washington DC 20240

Copy to: nagpra\_info@nps.gov

Dear Assistant Secretary Newland and Assistant Secretary Estenoz,

The [tribe] thanks you for your leadership on behalf of the Department of the Interior to conduct tribal consultation on the draft proposal to revise regulations implementing the Native American Graves Protection and Repatriation Act. We understand that this draft was under development for some time during the previous administration based on a listening session over a decade ago and appreciate your wisdom in engaging in fresh government-to-government consultation with Indian Tribes and Native Hawaiian organizations prior to proceeding to the regular notice and public comment process. We also appreciate the virtual listening sessions that occurred in July and August and the extended comment period on this lengthy and highly technical document.

While we appreciate the [overview of changes](https://www.nps.gov/subjects/nagpra/upload/NAGPRA-Draft-Regulations-Overview-of-Changes.pdf) provided by NPS, the full draft proposal is extensive and significantly restructured from the current regulations. We respectfully request that you provide us with the draft Preamble that accompanies this document and a red line markup of the changes from the current regulations so we can better understand the reason behind some of the proposed changes.

With that in mind, rather than provide our own separate detailed analysis and comments, we hereby refer to the letter submitted by the National Association of Tribal Historic Preservation Officers (NATHPO), enclosed. We concur with NATHPO’s analysis, comments, and positions, and reinforce them here.

Additionally, in your letter July 8, 2021, you requested input on whether the current organizational placement of the NAGPRA program (i.e., within the National Park Service) is working well, or if placement within the Office of the Assistant Secretary - Indian Affairs, or elsewhere, would be preferable. As described in NATHPO’s letter, we support the redelegation of some of the Secretary’s NAGPRA responsibilities to the Office of the Assistant Secretary for Indian Affairs.

The [tribe] appreciates the opportunity to work with the Administration to ensure that Tribal voices are heard and considered in the development of regulations, policies, and actions to support American Indian, Alaska Native, and Native Hawaiian cultures, heritage, and practices, including the basic human right of repatriating Native ancestors, funerary objects, sacred objects, and objects of cultural patrimony.

Sincerely,