



**CONFEDERATED TRIBES OF
COOS, LOWER UMPQUA AND SIUSLAW INDIANS
TRIBAL GOVERNMENT**

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July 24, 2026

Senator Ron Wyden
221 Dirksen Senate Office Bldg.
Washington, D.C., 20510

Senator Jeff Merkley
531 Hart Senate Office Building
Washington, D.C. 20510

RE Changes to the National Historic Preservation Act Section 106

Dear Senators:

This letter is submitted on behalf of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians (the “Tribe” or “CTCLUSI”) urging you to oppose any efforts to weaken, narrow, waive, or otherwise undermine Section 106 of the National Historic Preservation Act (“NHPA”). Section 106 is one of the only statutory mechanisms that requires federal agencies to engage in government-to-government consultation with Tribes before taking actions that could impact places important to Tribal lifeways, cultural practices, and sacred places, and to consider alternatives that would avoid or mitigate adverse impacts on those resources. As Congress continues to debate permitting reform proposals, CTCLUSI asks that you reject any proposals that would undermine this crucial legal framework.

Under Section 106, federal agencies must consider impacts on historic properties before funding or permitting a project. This includes impacts to properties that are of “traditional religious and cultural importance” to a Tribe, such as a sacred site. Section 106 was a critical element in stopping the development of the Jordan Cove Energy depot and pipeline because of the failure of Jordan Cove to recognize and mitigate significant impacts to cultural and archaeological resources.

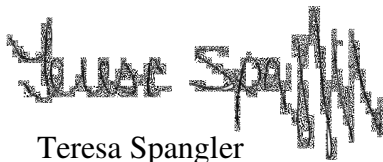
When done correctly, government-to-government consultation under Section 106 ensures that projects either avoid adverse impacts to cultural properties entirely or mitigate those impacts to the extent possible. Early and meaningful engagement also reduces risk, cost, and unnecessary delays to projects. Section 106 does not mandate any preordained outcome or give Tribes veto authority over projects. But it does require the federal government to make informed decisions that honor its unique responsibilities to Tribes.

CTCLUSI is alarmed by recent news reports that some members of Congress are proposing significant changes to Section 106 as part of a broader permitting reform package.¹ No information has been provided to CTCLUSI about the scope, intent, or potential impacts of these potential changes.

Congress can and should improve implementation of Section 106 by requiring earlier and more robust tribal consultation, increasing appropriations for Tribal Historic Preservation Officers, and increasing agency capacity and authority for conducting outreach to Tribes. But any efforts to exempt certain projects from Section 106 entirely, limit agency accountability by restricting litigation when agencies fail to comply with the law, or otherwise undermine the National Historic Preservation Act, must be rejected.

I urge you to oppose any efforts to weaken Section 106, including through a permitting reform package. Congress should reaffirm and strengthen the implementation of Section 106, not gut this critical framework for meeting the federal government's treaty and trust obligations to Tribes.

Sincerely,

A handwritten signature in black ink, appearing to read "Teresa Spangler". The signature is stylized and somewhat cursive, with the first name "Teresa" and last name "Spangler" clearly distinguishable.

Teresa Spangler
Tribal Council Chair

cc: Senator Martin Heinrich

¹ See e.g. <https://subscriber.politicopro.com/article/eenews/2026/07/13/where-permitting-talks-stand-ee-00993596> and <https://subscriber.politicopro.com/article/eenews/2026/06/09/debate-over-preservation-law-tripping-up-permitting-talks-00953268>.