

**MEMORANDUM OF AGREEMENT
AMONG
THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS,
THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER,
AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING ELECTRONIC HEALTH RECORD MODERNIZATION
INFRASTRUCTURE UPGRADE AND A NEW DATA CENTER AT EDWARD HINES,
JR. VETERANS AFFAIRS HOSPITAL IN HINES, ILLINOIS
(SHPO LOG #019100124)**

WHEREAS, the United States Department of Veterans Affairs (VA), a federal agency, proposes as part of its Electronic Health Record Modernization (EHRM) Infrastructure Upgrade, a New Data Center at VA's Edwards Hines, Jr. Veterans Affairs Hospital (Hines VA Hospital) in the City of Hines, Cook County, Illinois (the "Undertaking"); and

WHEREAS, the VA is required to implement an enterprise-wide electronic health record to standardize care across facilities, strengthen interoperability, improve provider and Veteran experiences, and ensure the continued delivery of high-quality, safe, and efficient health care to the nation's Veterans. To this end, the Hines VA Hospital proposes to undertake an EHRM Infrastructure Upgrade through the construction of a new data center building; and

WHEREAS, the Hines VA Hospital determined that the proposed Undertaking is a federal action that meets the definition of an undertaking, per 36 CFR § 800.16(y), and is the type of activity that has the potential to cause effects on historic properties, and therefore subject to review under Section 106 of the National Historic Preservation Act of 1966, as amended, 54 U.S.C. § 306108, and its implementing regulations (36 CFR Part 800) (Act); and

WHEREAS, VA consulted with the Illinois State Historic Preservation Office (SHPO), a Division of the Illinois Department of Natural Resources (IDNR), pursuant to the Act; and

WHEREAS, the SHPO currently resides within IDNR (Office), and the Director of IDNR is the duly designated State Historic Preservation Officer (Officer); and

WHEREAS, on November 8, 2024, VA proposed the Area of Potential Effects (APE) for the Undertaking as the boundaries of the Edward Hines, Jr., Veterans Affairs Hospital Historic District ("District"); and

WHEREAS, the Undertaking includes plans to construct a new data center building (Building) along the primary east elevation of Building 1; and

WHEREAS, on November 8, 2024, VA has determined that no eligible historic archaeological properties are known to exist within the APE; and

WHEREAS, VA determined on October 9, 2013 that the Main Infirmary Building (Building 1) at the Hines VA Hospital contributes to the District, which was listed on the National Register of Historic Places (NRHP); and

WHEREAS, VA has found that 1) the Undertaking does not meet the Secretary of the Interior's Standards for Rehabilitation, 2) the scale and location of the Building is incompatible with the District, and 3) the Undertaking will have an adverse effect on Building 1 and the District; and

WHEREAS, on January 16, 2025, VA and the SHPO met to discuss avoiding or minimizing the adverse effect to the District. VA was in favor of altering current plans, but the SHPO noted that there is no feasible alteration that would increase compatibility of the new construction; and

WHEREAS, VA invited the following federally-recognized Indian tribes to government-to-government consultation on February 5, 2025: the Citizen Potawatomi Nation, the Forest County Potawatomi Community, the Hannahville Indian Community, the Kickapoo Tribe of Oklahoma, the Little Traverse Bay Bands of Odawa Indians, Michigan, the Menominee Indian Tribe of Wisconsin, the Miami Tribe of Oklahoma, and the Prairie Band Potawatomi Nation and none have chosen to participate in the consultation, and

WHEREAS, VA invited the following entities to consultation on February 5, 2025: Illinois State SHPO, Chicago Historical Society, County of Cook, Illinois State Historical Society, VA Federal Preservation Office, Historical Society of Forest Park, Brookfield Historical Society, Berwyn Historical Society, and Historical Society Oak Brook, and none have chosen to participate in the consultation, and

WHEREAS, in accordance with 36 CFR § 800.6(a)(1), VA notified the Advisory Council on Historic Preservation (ACHP) of the adverse effect finding, and on February 5, 2025 the ACHP chose to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

WHEREAS, VA convened a consultation meeting on May 1, 2025, with the SHPO and ACHP to discuss the adverse effects of the proposed Undertaking on the District and seek input on potential mitigation measures and alternatives to minimize or resolve adverse effects; and

NOW, THEREFORE, VA, the SHPO, and ACHP agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

The Hines VA Hospital shall ensure that the following measures are carried out.

I. MITIGATION (HPP)

- A. The Hines VA Hospital shall create a public-facing webpage depicting the history of the Hines VA.
 - 1. Webpage shall be easily discoverable from the VA Hines campus home page.
 - a. Direct link: <https://www.va.gov/hines-health-care/about-us/history/>
 - 2. Webpage shall include historic photos and relevant photo descriptions of

the campus and historic activities.

3. Webpage shall include key milestones in the history of the campus, including prior uses, ownership transfer, campus expansion activities, key figures and personnel, and relationship with surrounding community.

II. DURATION

This MOA shall be effective until such time as all of its terms are satisfied, or it is amended or terminated and replaced. Prior to such time, the Hines VA Hospital may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation VI AMENDMENTS below. The Hines VA Hospital shall notify the signatories as to the course of action it will pursue.

III. POST-REVIEW DISCOVERIES

If potential historic properties are encountered or unanticipated effects on historic properties are found during implementation of the undertaking, the Hines VA Hospital shall immediately consult with the signatories and make reasonable efforts to avoid, minimize, or mitigate adverse effects to such properties. In the event of an unanticipated encounter of human remains or burials, the Hines VA Hospital will immediately stop work within 100 feet of the area, notify the Coroner, Officer, and Tribes, and comply with the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA).

IV. DISPUTE RESOLUTION

Should any signatory to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, the Hines VA Hospital shall consult with the signatories to resolve the objection. If the signatories cannot agree regarding a dispute, the signatories shall:

- A. Forward all documentation relevant to the dispute, including any timely advice or comments regarding the dispute from the signatories and the Hines VA Hospital's proposed resolution, to the ACHP. The ACHP shall provide the Hines VA Hospital with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the Hines VA Hospital shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories, and provide them with a copy of this written response. The Hines VA Hospital will then proceed according to its final decision.

- B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, the Hines VA Hospital may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the Hines VA Hospital shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories to the MOA and provide them and the ACHP with a copy of such written response.
- C. The Hines VA Hospital's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

V. AMENDMENTS

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy is signed by all of the signatories.

VI. TERMINATION

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other signatories to attempt to develop an amendment per Stipulation VI above. If within thirty (30) days an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

Once this MOA is terminated, and prior to work continuing on the Undertaking, the Agency must either (a) execute a Memorandum of Agreement pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. The Agency shall notify the signatories as to the course of action it will pursue.

VII. COUNTERPARTS; FACSIMILE OR .PDF SIGNATURES

This MOA may be executed in counterparts, each of which shall be considered an original and together shall be one and the same MOA. A facsimile or .pdf copy of this MOA and any signatures thereon will be considered for all purposes as an original.

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AT EDWARD HINES, JR. VETERANS AFFAIRS HOSPITAL IN HINES, ILLINOIS
(SHPO LOG #019100124)**

SIGNATORY

THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS

Signature: **MICHAEL RICHARDSON**  Digitally signed by MICHAEL RICHARDSON
Date: 2026.07.10 12:43:01 -05'00' Date: _____

Name: Michael Richardson, MD, FACP

Title: Acting Executive Director

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SIGNATORY

ILLINOIS DEPUTY STATE HISTORIC PRESERVATION OFFICER (OFFICER)

By: Carey L. Mayer Date: 7/21/2026
Carey L. Mayer, AIA
Deputy State Historic Preservation Officer
Illinois Department of Natural Resources

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SIGNATORY

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Signature:  Date: August 3, 2026

Name: Reid J. Nelson _____

Title: Executive Director _____