

**REPORT TO THE
ADVISORY COUNCIL ON
HISTORIC PRESERVATION AND
THE SECRETARY OF THE INTERIOR**

In Accordance With Section 3 of
EXECUTIVE ORDER 13287 “PRESERVE AMERICA”



SEPTEMBER 2017

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Introduction

The Department of Homeland Security (DHS or Department) is pleased to submit the 2017 update of the Section 3 Report (2017 Update) in accordance with the requirements of Executive Order 13287 (EO 13287), “Preserve America,” specifically Section 3(c) (Section 3). This report updates the Fiscal Year (FY) 2004, 2005, 2008, 2011, and 2014 Section 3 reports to the Advisory Council on Historic Preservation (ACHP) and the Secretary of the Interior.

Section 3 of EO 13287 requires each federal agency with real property management responsibilities to prepare an assessment of the current status of its inventory of historic properties as required by Section 110(a)(2) of the National Historic Preservation Act (NHPA) (16 U.S.C. 470h-2(a)(2)). The assessment includes the general condition and management needs of such properties, and steps underway or planned to meet those management needs.

In June 2017, the ACHP released the *Advisory Guidelines Implementing Executive Order 13287, “Preserve America” Section 3: Reporting Progress on the Identification, Protection, and Use of Federal Historic Properties* (Appendix). This guidance contains questions directed to federal agencies with real property management responsibilities. The ACHP plans to use agency feedback to measure the effectiveness of historic preservation programs across the Federal Government. Questions posed by ACHP cover three broad areas: Identification, Protection, and Use. For clarity and ease of presentation, this report is divided into these three broad categories to mirror the ACHP 2017 Guidelines. This report is being compiled by the Office of the Chief Readiness Support Officer (OCRSO), Sustainability and Environmental Programs (SEP), Environmental Planning and Historic Preservation Program (EHPH).

DHS was created by the Homeland Security Act of 2002 in response to the terrorist attacks of September 11, 2001. DHS, inclusive of its 22 Components, has a centralized function at DHS headquarters (HQ) and Component-centric historic preservation programs where appropriate. The creation of a centralized EPHP program in conjunction with Component programs has resulted in a more consistent approach to historic preservation throughout the Department while still recognizing the individuality of the Components’ missions and the variety of historic properties within their respective real property inventories. DHS has a limited real property portfolio, and the majority of its business is conducted from property leased from or managed by other federal entities. The nature of the DHS mission also directly impacts the manner in which DHS manages its historic properties. Security considerations require that nearly all DHS historic real property be closed to public access, with only a small number allowing public access by special appointment.

DHS’s real property management responsibilities include historic properties utilized by the Federal Emergency Management Agency (FEMA), the Federal Law Enforcement Training Center (FLETC), U.S. Immigration and Customs Enforcement (ICE), U.S. Coast Guard (USCG), U.S. Customs and Border Protection (CBP), and the Science & Technology Directorate (S&T).

I. Identifying Historic Properties

The identification of historic properties and heritage assets does not directly relate to the DHS mission which includes preventing terrorism and enhancing security; managing our borders; administering immigration laws; securing cyberspace; and ensuring disaster resilience. The nature of the DHS mission directly impacts the manner in which the Department identifies, manages, and uses historic properties. Security considerations require that nearly all DHS's real property inventory be closed to public access. Additionally, the majority of DHS operations take place within properties leased from, or managed by, other federal entities, such as the General Services Administration (GSA).

National Environmental Policy Act Policy

DHS complies with the National Environmental Policy Act (NEPA) through DHS Directive 023-01, *Implementation of the National Environmental Policy Act*, and DHS Instruction 023-01-001-01, *Instruction Manual on Implementation of the National Environmental Policy Act*¹. The policies and procedures outlined in the NEPA Directive and the Instruction Manual ensure that decisions are made in accordance with the policies and procedures of NEPA, and relevant environmental and historic preservation laws. DHS integrates the NEPA process with other planning efforts, including Sections 106 (Section 106) and Section 110 (Section 110) of the National Historic Preservation Act (NHPA), at the earliest possible stage so that environmental factors are considered with sufficient time to have a practical influence on the decision-making process before decisions are made. Components are encouraged to create their own Supplemental Procedures in accordance to the DHS NEPA Directive and Instruction, which requires compliance with historic preservation laws. To date, CBP, FLETC, ICE, and FEMA have Supplemental Instructions for NEPA Implementation approved by the SEP Executive Director, and the USCG utilizes Commandant Instruction M16475.1D, *Implementing Procedures and Policy for Environmental Impacts*. DHS encourages the integration of the NHPA with NEPA, as discussed below.

Historic Preservation Policy

Department-wide historic preservation policy is captured in DHS Directive 017-01, *Historic Preservation in Asset Management and Operations* (HP Directive), and DHS Instruction 017-01-001, *Instruction Guide on the Historic Preservation in Asset Management and Operations* (HP Instruction). Signed in 2008, the HP Directive and Instruction establish policy and procedures for the consideration of historic properties and sacred sites in the management and operation of the full accountability of DHS activities. All Components are required to follow the DHS HP Directive and Instruction, but may develop their own guidance or policy consistent with the Directive in order to meet their specific needs and missions. For example:

¹ DHS Directives can be reviewed online at: <https://www.dhs.gov/department-homeland-security-management-directives>.

- FEMA maintains many Section 106 agreement documents for emergency response measures and works closely with facilities management staff to ensure the agency fulfills its statutory Section 106 and Section 110 responsibilities in an efficient manner.
- CBP has instituted a supplemental policy in their Directive 5270-013, *Historic Preservation*, signed in 2015, which makes it the policy of CBP to identify and protect historic properties in a manner consistent with the mission.
- USCG improved Section 106 compliance relating to oil spill response to facilitate the implementation of the 1997 *Programmatic Agreement on Protection of Historic Properties During Emergency Response Under the National Oil and Hazardous Substances Pollution Contingency Plan*. In consultation with the Department of the Interior, this plan includes a Historic Properties Specialist job aid who would be appointed to provide procedural guidance during USCG response activities during oil spill cleanup.

EPHP Metric

Since 2015, DHS Components have been required to complete an EPHP Scorecard to evaluate conformance with various environmental laws and policies. The scorecard, which is for internal use only, informs DHS HQ on ways to improve Component EPHP programs and compliance. The metric captures Components' efforts in the identification and tracking of historic properties for Section 106 and Section 110 compliance. The metric also captures the number of executed Programmatic Agreements and Memorandum of Agreements under Section 106. Scorecard metric are reported annually to the OCRSO, and presented annually to the SEP Executive Director at Program Management Reviews (PMR).

DHS Real Property Inventory

Components utilize trained staff to make appropriate National Register of Historic Places (NRHP) determinations for real property assets and to make concerted efforts to review respective Component real property inventories in accordance with general asset management activities for operational and mission needs, consistent with the following language from DHS Historic Preservation policy:

Components must locate and inventory all assets under DHS management and evaluate them against National Register eligibility criteria for possible nomination to the National Register and periodically reassess this inventory, in accordance with their general asset management activities. For specific asset management activities, Proponents must use and update this inventory.

DHS HQ utilizes a real property database to capture personal property and sustainability data for the Department, including the Federal Real Property Council (FRPC) data element, Historical Status. Real property includes all land, buildings, and structures, as specified by the FRPC provisions under Executive Order (E.O.) 13327, *Federal Real Property Asset Management*, dated February 4, 2004 (currently transitioning to new law under the Federal Property Management Reform Act of 2016, P.L. 114-318), and outlined in the DHS Directive: 119-02, *Real Property Management Program*.

Component data is uploaded quarterly into the HQ system noted above, through Component provided data from their real property asset management systems. Historic property identification methods have improved Department-wide, resulting in a 58% increase in historical property evaluations and determinations since FY2014. This is due to EPHP programs becoming more integrated with other lines of business, such as contracting, facilities, and acquisition offices. In addition, Components have implemented data support systems for historical property evaluations. For example, a group of facilities that may have previously been identified as one, now are counted individually. In another example, CBP has created an intensive Section 110 desktop survey program utilizing an historic property database to provide information and guidelines to accelerate historic property analysis.

Components provide listings and descriptions of DHS Component real property assets, as required, to the OCRSO for submission to the Federal Real Property Profile (FRPP). In addition, other information OMB requests or that GSA may request, is also included in the government-wide listing of real property assets.

Table 1 illustrates the DHS real property assets categorized by the associated historical status code. Real property historical holdings increased 1.2% from FY2014 to current reporting for FY2017. To-date, approximately 10% of all DHS facilities have been evaluated for historical status, a 4% increase from FY14.

<u>Historical Status (Code)</u>	FY14	FY17
Determined Not Eligible for Listing (DNE)	2,283	4,358
Non Contributing Element of NHL/NRL/NRE District (NCE)	189	249
Individual National Historic Landmark (NHLI)	9	81
Individual National Register Eligible (NREI)	139	103
Individual National Register Listed (NRLI)	405	442
Total Evaluated for Historical Status	3,025	5,233
Not Yet Evaluated (NEV)	48,740	48,124
TOTAL	51,765	53,357

DHS Heritage Assets

A heritage asset is any personal property that is retained by DHS because of its historic, cultural, educational, or artistic value as opposed to its current usefulness to carrying out the mission of the Department. The Department's heritage assets are maintained by the USCG, CBP, U.S. Citizenship and Immigration Services (USCIS), Transportation Security Administration (TSA), ICE, FEMA, S&T, U.S. Secret Service (USSS), and the FLETC. These heritage assets primarily consist of documents, historical artifacts, immigration and naturalization files, artwork, buildings, and structures.

² Data from the DHS internal system, the Consolidated Asset Portfolio and Sustainability Information System.

Stewardship investments are substantial investments made by the Federal Government for the benefit of the Nation. When incurred, stewardship investments are treated as expenses in calculating net cost, but they are separately reported as Required Supplementary Stewardship Information to highlight the extent of investments that are made for long-term benefits. Included are investments in research and development, human capital, and non-federal physical property. DHS classifies items maintained for exhibition or display as collection-type heritage assets. Components define collection-type assets as either individual items, or an aggregate of items grouped by location or category, depending on mission, types of assets, materiality considerations, and how the Component manages the assets. The Department also maintains non collection-type heritage assets that are unique for historical or natural significance, as well cultural, educational, or artistic importance.

When heritage assets are functioning in operational status, the Department classifies these as multi-use heritage assets in accordance with Federal Accounting Standards Advisory Board Supplemental Federal Financial Accounting Standards (SFFAS) No. 6, *Accounting for Property, Plant and Equipment* and SFFAS No. 29, *Heritage Assets and Stewardship Land*. Compliance with SFFAS No. 6 and 29 are requirements of the DHS HP Instruction.

In FY2016, the USCG has over 100 memorials, recreational areas, and other historical areas designated as multi-use heritage assets. CBP has four historical buildings and structures located in Puerto Rico, and FEMA has one training facility that is used by the Emergency Management Institute and the U.S. Fire Administration's National Fire Academy for training in Emmitsburg, Maryland. Table 2 identifies the Department's Heritage Assets.³

Table 2: DHS Heritage Assets - Stewardship Property, Plant, and Equipment			
Category	FY14	FY15	FY16
Collection-Type Assets	29	30	30
Non Collection-type Assets	80	74	75
Multi-use Heritage Assets	170	122	118
Total	279	226	223

Identification Partnerships

Given DHS's national security mission, the majority of real property is actively used for homeland security purposes. Security concerns continue to be a limiting factor for establishing partnerships to assist and make more efficient the identification and evaluation of historic properties in the Section 106 context. When not legally restricted, the Department will take advantage of partnerships to assist in its historic preservation initiatives.

³ Agency Financial Report, FY2014 -

https://www.dhs.gov/sites/default/files/publications/dhs_agency_financial_report_fy2014-1_0.pdf

Agency Financial Report, FY2015 -

https://www.dhs.gov/sites/default/files/publications/dhs_agency_financial_report_fy2015_vol1.pdf

Agency Financial Report, FY2016 -

https://www.dhs.gov/sites/default/files/publications/dhs_agency_financial_report_fy2016_vol1.pdf

The Unified Federal Review (UFR), established under the Sandy Recovery Improvement Act of 2013, directs the Administration to “establish an expedited and unified interagency review process to ensure compliance with environmental and historic requirements under federal law relating to disaster recovery projects, in order to expedite the recovery process, consistent with applicable law.” The UFR process applies to presidentially declared disasters and supports a coordinated EPHP review for disaster recovery projects resulting in a more efficient process. To establish the UFR Process, an interagency memorandum of understanding, *Memorandum of Understanding (MOU) Establishing the Unified Federal Environmental and Historic Preservation (EHP) Review Process for Disaster Recovery Projects*, was executed by eleven departments and agencies on July 29, 2014, which committed them to providing staff and resources to support the UFR process; distributing and using the Tools and Mechanisms; and providing lessons learned and training to staff. In addition, the MOU established an issue elevation process, to be followed as appropriate, to quickly resolve any issues or disputes that arise during the EHP review of a disaster recovery project. As a signatory to the MOU, the Department, FEMA, ACHP, and Council on Environmental Quality, serve as lead representatives in supporting the application and oversight of the UFR process. FEMA maintains a webpage⁴ with resources available to assist in building relationships with applicants, federal agencies, tribes, and state and local agencies to unify and expedite EHP review of proposed disaster recovery projects.

In May 2017 the ACHP finalized the *Program Comment for Telecommunications Infrastructure on Federal Property*, of which DHS served as the lead federal agency for the development and implementation of the initiative. The Program Comment supports Executive Order 13616, *Accelerating Broadband Infrastructure Deployment*, and Executive Order 13766, *Expediting Environmental Reviews and Approvals for High Priority Infrastructure Projects*, by creating efficiencies for compliance with Section 106 by accelerating reviews of covered project types. In addition to DHS, federal agencies covered by the program comment include: U.S. Department of Agriculture: U.S. Forest Service, Rural Utility Service; Department of the Interior: Bureau of Land Management, Bureau of Indian Affairs, National Park Service, U.S. Fish and Wildlife Service; Department of Commerce, Department of Veteran’s Affairs, General Services Administration, and Federal Communications Commission. The effort was co-lead by National Protection and Programs Directorate’s (NPPD) Office of Emergency Communications which participates in the Broadband Opportunity Council.

Throughout the review cycle, DHS Components have been proactive in developing relationships with State Historic Preservation Offices (SHPO) and Tribal Historic Preservation Offices (THPO) to streamline the evaluation and identification of historic properties. Examples include:

- ICE’s relationship with SHPOs in Hawaii and Puerto Rico regarding owned facilities and proposed projects has been instrumental in providing ICE Office of Asset and Facilities Management with better information on historic properties to aid in decision making for construction, acquisition, and renovation activities.

⁴ <https://www.fema.gov/unified-federal-environmental-and-historic-preservation-review-presidentially-declared-disasters>

- USCG continues to partner with SHPOs, historic societies, and preservation groups for the lease of USCG-owned lighthouses. These groups often provide useful historical information for NRHP eligibility determination and nominations.
- FEMA continues to partner with SHPOs and THPOs during emergency response initiatives. In the 2017 member survey conducted by the National Conference of State Historic Preservation Officers, FEMA was ranked the second highest of federal agency for maintaining good working relationships.
- FLETC participated in successful SHPO coordination for activities at their Glynco (Georgia) and Artesia (New Mexico) campuses.

Identification Major Challenges and Success

Major Department-wide challenges experienced in identifying historic properties over the past three years include:

- Obtaining information from property owning or managing agencies whom have the primary authority for historic preservation compliance. Without adequate and timely information, maintenance obligations, project scoping and schedules, and construction can be negatively impacted, as can inter-agency relationships.
- Ensuring adequate staff resources are available to undertake identification and evaluation, and other Section 106 and Section 110 responsibilities. The majority of historic preservation compliance work within the Department is performed through contract support or on behalf of a project proponent or applicant.
- Continuing budgetary shortfalls that hinder Section 110 activities.



Figure 1.1. Medium Endurance Cutter, USCG *Decisive*.

Department-wide successes have been addressed in the proceeding sections, and include examples of successful inter-agency and public-private relationships, streamlined efficiency processes, and well-written agreement documents. A recent success story from the USCG involves conducting an Historic American Engineering Record (HAER) pursuant to Section 106, for the decommission of Coast Guard vessels. The 14-vessel RELIANCE Class of 210-Foot Medium Endurance Cutters was commissioned in the 1960s, and will be replaced by a newly-designed cutter class. By partnering with the National Park Service, naval engineering drawings, photography, and a narrative history were compiled.

II. Protecting Historic Properties

DHS maintains and protects historic properties through appropriate maintenance and repair activities, pursuant to Section 106. The methods utilized to protect historic properties in the DHS inventory varies based on mission needs. Given the need for secure facilities, fencing and other security measures on the majority of facilities also protects Department historic properties for vandalism and looting.

DHS compliance with Sections 106, 110, and 111 of the NHPA (Section 111) continue to evolve and improve. While not every Component has a designated federal historic preservation officer (FPO) or professional on staff, EPHP programs are required to comply with historic preservation statutory, regulatory, and Department requirements. In general, DHS relies on the law and implementing regulations for Section 106, the HP Directive and Instruction, and the EPHP Scorecard to aid in the identification, use, and protection of historic properties. DHS also utilizes the knowledge of subject matter experts on the EPHP Committee, which is comprised of cultural and natural resource staff from each DHS Component. The EPHP Committee participates in monthly meetings and special working groups, and answers historic preservation program data calls for federal reporting.

The EPHP program of the SEP has provided Section 106 training for Component EPHP Committee members, and regularly encourages participation in relevant training opportunities. The DHS HQ FPO is located within SEP, and provides guidance to Component EPHP staff. The majority of historic preservation compliance activities throughout the Department are performed through contract support, or prepared by the project proponent or applicant.

Section 106

Section 106 requires federal agencies to take into account the effects of their activities on historic properties and provide the ACHP an opportunity to comment. The ACHP's regulations, *Protection of Historic Properties* (36 CFR Part 800), identifies the process federal agencies are required to follow to meet their legal obligations under Section 106.

DHS Components are required to comply with Section 106, and many have instituted or improved training programs for HQ and field staff. DHS HQ SEP also hosted an Environmental Summit in 2016, which included a host of environmental and historic preservation discussions, for Component Environment and Sustainability, Energy, and EPHP teams. Component-specific classroom and online trainings are available to new and seasoned employees at USCG, CBP, and FEMA.

- The USCG has recently instituted a NEPA Warrant Program, which requires all USCG personnel that review NEPA documents to graduate from the program. In order to receive and keep their NEPA warrant, USCG NEPA reviewers must demonstrate sufficient experience in carrying out compliance with historic resource laws and regulations, among other environmental compliance requirements.

- CBP training programs focus on implementation of programs and procedures, applying program comments, and placing historic preservation into context for uniformed personnel going through the Border Patrol Academy.
- FEMA delivers historic preservation compliance training biannually to FEMA NEPA and historic preservation management and staff, as well as facility staff.



Figure 2.1. FEMA historic preservation training.

In addition to training, ICE ensures compliance for antenna collations and lease renewals as part of the Tactical Communications (TACCOM) program by coordinating with the project proponents on a bi-weekly basis.

CBP has created three supplemental documents to accompany their Directive: *Historic Preservation Handbook*, *Historic Preservation Identification and Evaluation Plan*, and the *Historic Preservation Management and Maintenance Plan*. The *Historic Preservation Handbook* provides detailed guidance on CBP procedures and policies for complying with multiple historic preservation laws including NHPA. The second document is the *Historic Preservation Identification and Evaluation Plan*, issued in April 2013, is CBP's agency-wide plan for complying with Section 110 and establishes the standards, methodologies, and priorities for CBP's efforts to identify and evaluate historic properties. The third document, the *Historic Preservation Management and Maintenance Plan*, is currently being revised based upon pilot studies with an anticipated issue date of December 2017. The *Historic Preservation Management and Maintenance Plan* establishes the standards, methodology, and priorities for CBP's efforts to develop facility-specific plans for all CBP owned properties that are or contain a National Historic Landmark, National Register listed or eligible historic property, or are a noncontributing element of a historic district. CBP has developed a standardized template for the facility-specific plans which is also currently being revised based upon pilot studies conducted at five (5) facilities. The standardized template has an anticipated issue date of December 2017.

Section 110

Section 110 requires that federal agencies to establish a preservation program to identify and protect historic properties under their jurisdiction or control. As mentioned previously, DHS's NEPA and HP Directives and Instructions provide policy and procedures for complying with historic preservation statutory requirements. The HP Instruction states:

All Components with asset management responsibilities must designate a Historic Preservation Contact. Unless otherwise designated, the Component Chief Administrative Officer will be the Historic Preservation Contact. DHS Components with direct historic property management responsibilities must designate a position with appropriate authority as Federal Preservation Officer. The selection of a Historic Preservation contact or Federal

Preservation Officer should be coordinated with the Components' Real Property Management Committee representative, where appropriate.

and

Components with direct responsibility for managing historic property must develop a historic property management plan to document the manner in which historic preservation requirements are considered in asset management decisions.

DHS also promotes and protects its historic properties through the development and use of guidance documents and policies, training of staff and contractors, establishment of component-level preservation programs and offices, NRHP nominations, direct use, and lease agreements.

FEMA's 2013 Programmatic Agreement with the Maryland SHPO and other consulting parties to establish a process for review of undertakings at the historic National Emergency Training Center in Emmitsburg, Maryland, in accordance with Sections 106 and 110, remains relevant for ongoing activities.

The USCG has the largest real property portfolio in DHS. In order to meet their Section 110 requirements, NRHP nominations are prioritized based on the ability of the property to best represent the history and significance of the USCG to the American people, such as vessels and boat houses. Further, the USCG continues to execute its statutory requirements for the NRHP nomination of lighthouse, pursuant to the National Lighthouse Preservation Act. During the current reporting cycle, USCG has nominated lighthouses in Minnesota, Michigan, Wisconsin, Indiana, and Maine; a USCG boat house station in Ohio and the Diamond Shoal Lightship Shipwreck (sunk in 1918) off shore of Cape Hatteras, North Carolina.

Section 111

Section 111 requires that federal agencies establish and implement alternatives for historic properties, including adaptive use and leases that are not needed for current or projected agency purposes.

With the exception of the USCG lighthouse program, security issues and real property authority preclude the use of Section 111 for most DHS Components. ICE, FLETC, CBP, and FEMA continue to adaptively reuse historic properties for operational needs. USCG continues to out-lease historic lighthouse to responsible parties utilizing procedures outlined in a *Programmatic Agreement for Outgranting Historic Lighthouse Properties*. In 2015, the Town of Aquinnah, Massachusetts acquired Gay Head Lighthouse from the USCG. The lighthouse was in need of repair and was dangerously close to an eroding cliff. The town was able to successfully move the lighthouse once acquired, the process being documented in a NOVA documentary on PBS.

Protection Partnerships

Reiterating previous statements, DHS's national security mission can hinder partnerships to protect historic properties. When possible, DHS encourages Components to work with SHPOs, THPOS, certified local governments, and private entities and organizations to protect and manage historic properties.

As previously mentioned, USCG continues to partner with various historic preservation groups, and state and local governments for the leasing and subsequent protection of historic lighthouse.

FEMA continues to co-sponsor the Heritage Emergency National Task Force with the Smithsonian Institution, which is a partnership of 42 national service organizations and federal agencies created to protect cultural heritage from the damaging effects of natural disasters and other emergencies. The work of this task force benefits private individuals and public entities and is especially relevant given the forest fires and multiple hurricane emergency response efforts currently being undertaken.

Program Alternatives and Agreement Documents

DHS highly encourages the development and use of Programmatic Agreements (PAs), MOUs, Program Comments, and other tools to better and more efficiently manage and protect historic properties. DHS does not have a Department-wide agreement document specifically for the protection of historic properties. As stated earlier, DHS lead an interagency effort to create the *Program Comment for Telecommunications Infrastructure on Federal Property*, which is intended to expedite NHPA compliance for the installation of broadband technology on federal lands. It advances the effort of broadband deployment on federal property by addressing regulatory barriers and encouraging investment and training in order to provide access to broadband services for tribal, rural, and underserved communities. All DHS Components may use the approved Program Comment for covered projects.

The primary program alternatives CBP uses are two agency PAs that cover the Southwest Border and the Northern Border of the United States. The Southwest Border PA, which was executed in 2015, applies to the entirety of the states of Arizona, California, New Mexico, and Texas. The Northern Border Programmatic Agreement, which was executed in 2016, applies to the area extending 100 miles from the international border with Canada into the states of Idaho, Michigan, Minnesota, Montana, New Hampshire, New York, North Dakota, Pennsylvania, Wisconsin, Vermont, and Washington. Each agreement includes the appropriate SHPOs, USDA, DOI, GSA, and the ACHP as well as multiple tribal governments. Additionally the Southwest Border PA includes the United States Section of the International Boundary and Water Commission and the New Mexico General Land Office.

The terms of the CBP PAs include processes for more easily obtaining information on historic properties; processes for resolving conflicts and disagreements in a timely manner which allows CBP to move forward with its activities and better meet mission needs; and protocols for conducting emergency reviews. The majority of the negotiations were focused on a list of CBP activities exempted from further review. The items on this list cover a wide range of undertaking

from the use of various types of aerial surveillance to the maintenance and repair of facilities to upgrading existing fencing to current standards to improvements to electronic surveillance and communication equipment. The PAs also allows for after the fact consultation on items requiring immediate action by CBP including a wide range of activities that may be taken in response to credible threats and the closure of cross border tunnels on the Southwest border.

DHS recommends the consideration of additional Program Comments for:

- the routine maintenance and repair of properties that have been determined not eligible for the NRHP; and
- the decommission and disposal of USCG vessels.

Protection Challenges and Successes

The Office of Acquisition (OA) and Border Patrol and Air Marine Program Management Office (BPAM PMO) have spent the last several years working on the Tohono O’odham Nation Integrated Fixed Towers (IFT) Project in Arizona. This project has required extensive coordination and cooperation with both the Tohono O’odham Nation and Bureau of Indian Affairs to avoid adverse effects to the Tohono O’odham Cultural Landscape and archeological resources.

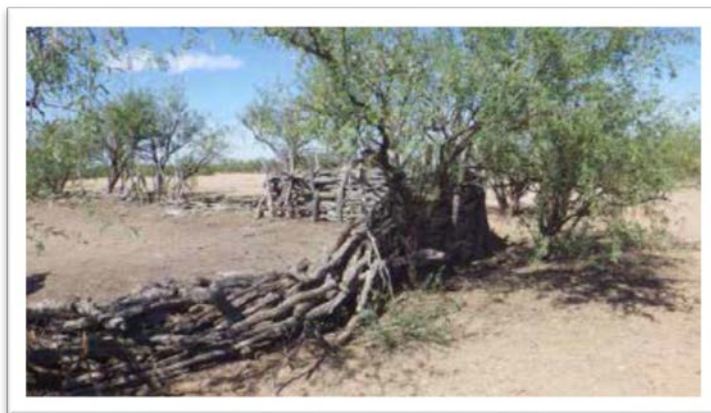


Figure 2.2: View of the Tohono O’odham Cultural Landscape

CBP has met with the Tohono O’odham Nation THPO, legislative council, and community leaders multiple times throughout the project’s history to obtain their input on the project. CBP determined early on in its project development process that the project would not be implemented without the consent of the Tohono O’odham Nation. CBP invited the Tohono O’odham Nation Gu-Vo and Chukut Kuk Districts to visit the proposed IFT sites within those Districts and to solicit feedback on the proposed locations. OA and BPAM PMO personnel also conducted site visits with representatives from the Tohono O’odham Nation’s THPO’s office and Department of Natural Resources.

Resources to evaluate each of the proposed IFT locations based on accessibility, constructability, operability, and environmental considerations. As a result of these discussions, one proposed IFT site was relocated by CBP at the request of the Tohono O’odham Nation as council members felt the site was too close to a culturally sensitive area. The council members participated in the selection of an alternate site in the vicinity that would still meet CBP’s operational needs. Access routes to two other IFT sites were modified to avoid sensitive areas. CBP also had to address archeological sites. Previous investigations had identified 83 archaeological sites within 1 mile of IFT sites or along access roads. Pedestrian survey conducted in conjunction with the THPO’s office resulted in the identification of 15 new archaeological sites, the verification or update of information at 30 previously recorded sites, and the identification of 146 isolated occurrences of

cultural material located within or adjacent to the current project area. Of these sites, CBP determined and the THPO concurred that 26 are eligible for the National Register. Surface evidence alone was insufficient to accurately assess the eligibility of 19 sites, but it was jointly determined by CBP and the THPO that further investigation is unnecessary at this time. This was because OA and BPAM PMO revised their construction plans to avoid all eligible or undetermined sites.

The avoidance measures developed by OA and BPAM PMO with the THPO include no ground disturbance in areas with cultural materials and the use of stakes and flagging to keep equipment and vehicles within the existing road footprint in known sites. CBP archeological monitors and Tohono O'odham tribal representatives will be present during construction activities to ensure that no adverse effects result from the Proposed Undertaking. In addition, CBP contractors will conduct ground penetrating radar studies to accurately assess the nature and significance of a feature prior to IFT tower construction in the vicinity. CBP has developed Standard Operating Procedures (SOPs) for this Undertaking, which includes a Plan for Treatment of Unanticipated Discovery that the THPO has reviewed and approved as part of their concurrence with CBP's No Adverse Effect determination with conditions in February 2017.

This project, though complex and time consuming, demonstrates that CBP can protect historic properties while still expanding the technologies it needs to support its mission. Agencies are encouraged to identify any challenges or impediments they have encountered in their efforts to protect historic properties. Case studies that highlight, exemplify, or demonstrate challenges, successes, and/or opportunities your agency has experienced should include images if available.

III. Using Historic Properties

DHS Use of Historic Properties

DHS continues to face challenges in its use of historic properties. Department real property is located throughout the U.S. and U.S. territories, in urban and rural areas, in predominately older buildings, stations, campuses, or ports of entry. While DHS has made measurable strides in its management of historic properties, challenges still remain for a variety of reasons. Physical and operational security requirements impact the management of all DHS owned historic properties. In all cases, these considerations limit the opportunities for DHS to provide public access to its facilities, as previously stated. Security considerations also generally limit the opportunities for DHS owned historic properties to contribute to community economic development; although certain lighthouse properties do provide such contributions. However, DHS is continually working to integrate security and funding issues into historic property management. The preservation ethic at DHS has produced historic property management programs that combine historic property stewardship with mission needs.

Asset planning is based on Component and operational needs. Local economic development is not a primary factor in the planning process, though it is a consideration under NEPA scoping, and in order to enable legitimate trade and travel across borders.

Considerations of EO 13006, *Locating Federal Facilities on Historic Properties in Our Nation's Central Cities*, is made, however, reuse of historic properties also remains challenging for DHS. Many DHS Components lease space within historic buildings, both federal and commercial, in city centers from GSA.

For CBP, the majority of the agency's historic properties were specifically built for the agency prior to 1960. These older properties are substantially smaller in size and provide less space for expansion than newer facilities. As the agency mission, law enforcement standards, and methodologies have changed over time, so have space requirements and preferred facility layout. CBP's facilities have also become surrounded by urban development over time, further hampering CBP's ability to expand some properties.

Because a portion of CBP's assets are located at points of entry to the country, there is limited ability to reuse some historic properties. Relocating some facilities would require the construction of new highways and bridges as well as coordination with the governments of Canada or Mexico. In these cases replacement of a historic facility is CBP's only feasible option.

Heritage Tourism

Heritage tourism is not consistent with the DHS mission or the use of facilities as administrative or law enforcement space. DHS heritage tourism related business is limited due to security concerns; images and information that enters the public domain without vetting could pose a risk. These restrictions are permanent and the Department does not anticipate changing them.

When possible, DHS does foster heritage tourism programs with state, tribal, and local tourism programs. For example:

- S&T partners with lighthouse and military history enthusiasts to allow access to the NRHP listed Plum Island Lighthouse and NRHP eligible Fort Terry structures for exterior tours only. Also, the Fourth Order Fresnel lens from the Plum Island Lighthouse is currently on loan to the East End Seaport Maritime Museum, in Greenport, NY.
- The USCG is an active partner with the General Services Administration (GSA) and the National Park Service (NPS) for ensuring the success of the National Historic Lighthouse Preservation Act (NHLPA). The NHLPA program enables local communities to promote heritage tourism by transferring the ownership of historic lighthouses to new owners who rehabilitate and restore them as properties available for public visitation. Substantial numbers of the public appreciate the connection between lighthouses and America's historic heritage. Many lighthouses transferred under NHLPA to historical organizations, local governments, and state agencies have become heritage tourism destinations. The NHLPA program includes achieving inclusion in the NRHP for lighthouse properties, preparing lighthouses for divestiture by accomplishing environmental cleanup when needed, preparing Report of Excess (ROE) documentation, and submitting candidate lighthouses for the joint GSA-NPS-USCG NHLPA process. The USCG entered 10 historic lighthouses into the NHLPA process during the past three years.
- The current USCG Museum is located on the historic USCG Academy campus in New London, Connecticut. It contributes to heritage tourism in the vicinity, as does the historic Cutter *EAGLE*, the Academy's training ship. Both the academy's Museum and the *EAGLE* provide for free scheduled public visitation. The museum is located in the Academy's library building and provides the public with exhibits on the service's history and accomplishments over time. The *EAGLE* is an historic sailing ship and participates in Tall Ship maritime heritage events. The *EAGLE* has a Facebook page that publishes dates and locations each year for when it is available for public visitation.

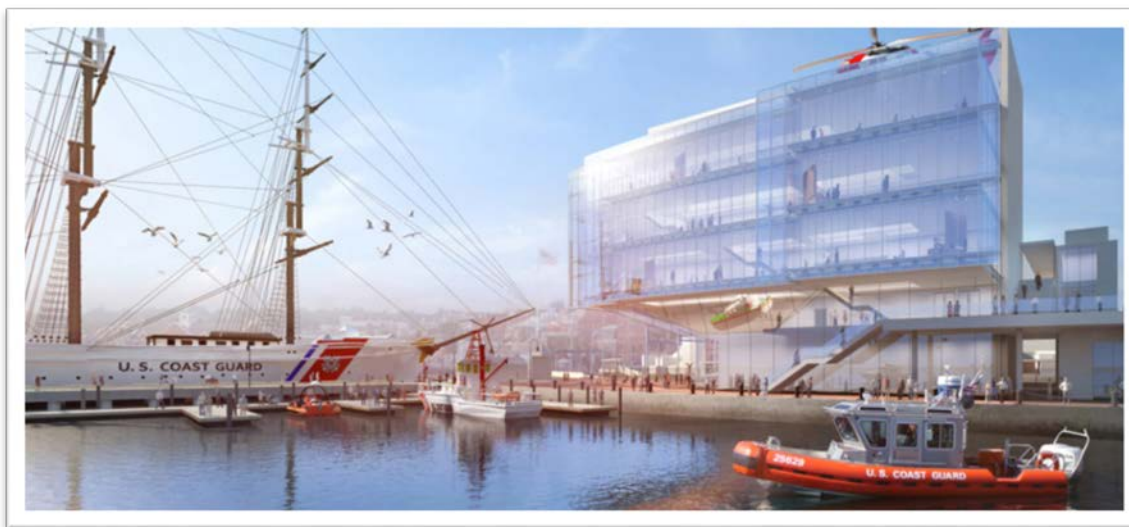


Figure 3.1. Conceptual drawing of the proposed new USCG Museum in New London, CT.

- Another USCG initiative that relates to heritage tourism is the proposed new National Coast Guard Museum on the waterfront in downtown New London, Connecticut. Progress over the past three years includes obtaining the land parcel where the museum will be constructed, architectural planning, museum exhibit design, and evaluating the potential docking of the USCG Cutter *EAGLE* at the museum location for public



Figure 3.2. Port side view of the USCG Cutter *EAGLE*.

- visitation. The National Coast Guard Museum Association will fund the museum's construction and turn it over to the USCG for operation upon completion. The National Coast Guard Museum is anticipated to foster heritage tourism in downtown New London where it will be located.
- FLETC has partnered with the Glynn County, Georgia Historic Preservation Society and has provided various exhibits that are displayed in local historic properties. FLETC also relocated a historic display from its FLETC-Glynco Building 1 Visitor's Center to its Multi-Purpose Conference Center, Building 912. The display was greatly improved and added to a series of displays now located in Building 912. In addition, several other monuments/displays were added to Building 912 (one monument includes a portion of an I-Beam from the Twin Towers in New York City). While the latter is not accessible to the public due to the sensitive training that takes place on campus, thousands of law enforcement trainees (inside and outside of the Department) view the exhibits annually.
- CBP does facilitate access to its properties for SHPOs, THPOs, tribes, and other federal agencies with interests in historic properties on or adjacent to CBP properties. CBP works with these parties and may provide escorts due to security concerns. The agency does not create undue obstacles to the inclusion of its historic properties in state, tribal, and local tourism programs, such as walking tours and thematic studies, though it rarely funds in those programs.

DHS does not track heritage tourism or educational program visitation on a regular basis, and has not used technologies and/or social media in any significant way to promote heritage tourism as a use of historic properties.

Federal Assets Sale and Transfer Act (Property) and the Federal Property Management Reform Act Requirements

DHS uses, and will continue to use, historic properties based on mission needs. While subject to the Federal Assets Sale and Transfer (FAST) Act of 2016 (P.L. 114-287) and the Federal

Property Management Reform Act of 2016 (P.L. 114-318), these new regulations do not impact DHS decision making for the use or re-use considerations of historic properties. Several Components utilize historic properties, either owned or leased, for operational needs. For example: FLETC currently utilizes several properties that were originally part of the 1942 Glynco Naval Air Station; FEMA's NETC is located in a former girls school constructed in the 1800s; and both ICE and CBP have mission and operational activities in historic properties.

In addition, the *Reduce the Federal Footprint* (OMB Memorandum No. 2015-01, March 25, 2015) policy does not impact the Department's decision making in regards to use or reuse of historic properties. This includes, for example, the DHS HQs in National Capital Region, where the historic St Elizabeths campus is being redeveloped, under historic guidelines, for reuse as a consolidated headquarter campus.

EO 13693, Planning for Federal Sustainability in the Next Decade

Federal sustainable building requirements, as stated in EO 13693, *Planning for Federal Sustainability in the Next Decade*, requires agencies to ensure that rehabilitation of federally-owned historic buildings utilizes best practices and technologies in retrofitting to promote long-term viability of the buildings. EO 13693 also requires that agencies identify at least 15 percent of their existing buildings over 5,000 gross square feet to comply with the *Guiding Principles for Federal Leadership in High Performance and Sustainable Buildings (Guiding Principles)* established by the Council on Environmental Quality by fiscal year 2025. Once an agency achieves 15 percent compliance, it should set annual targets and continue to strive to apply the *Guiding Principles* to 100 percent of its building inventory.

In the OCRSO, SEP consists of three programs: EPHP, Energy, and Environmental and Sustainability. Each section leads working groups and committees comprised of subject matter experts, with some cross-over occurring. Information is continually shared during monthly committee meetings and during annual reporting periods and program management reviews (PMRs) in order to integrate the three programs. PMRs are used to provide an understanding of each Component's sustainability performance, challenges and successes. Conducted annually with each Component program information is provided from the Environmental and Sustainability, Energy, and EPHP Committees. The process includes review and approval by senior level management.

Sustainability success means incorporating best practices into every aspect of DHS operations. DHS has developed two Directives to address climate resiliency and sustainable practices: DHS Directive 023-03: *Climate Resilience*, and DHS Directive #025-01, *Sustainable Practices*. DHS has also developed a Strategic Sustainability Performance Plan⁵:

The Department of Homeland Security is committed to becoming a leader in sustainability. DHS continues to ensure that its operations and actions are carried out in an environmentally, economically, and fiscally sound manner. Incorporating sustainable practices into the DHS mission conserves energy and natural resources, reduces pollution and contamination releases, enhances the workplace through less

⁵ <https://www.dhs.gov/publication/sustainability-performance-plan>

exposure to hazardous materials and chemicals, and strengthens national security by encouraging energy independence.

Each year, the DHS OCRSO recognizes Department employees for outstanding achievement toward the federal sustainability goals contained in Executive Order 13693, *Planning for Federal Sustainability in the Next Decade*, through the Sustainable Practices Awards. In 2017, CBP was awarded a joint award in the categories of Resilience Role Model and Historic Preservation for the successful modernization of programs and policies to anticipate, prepare for, and adapt to climate change impacts on operations and agency missions and outstanding achievement to further the goals of the NHPA. The project exemplified the successful collaboration between multiple offices and the Puerto Rico SHPO. The team worked to maintain the historical significance of the NRHP-listed Customs House, while meeting resiliency goals of protecting the building from rising waters, high winds, and other climate threats present in hurricane and flood zones, in addition to reducing energy consumption.

Through the administration of existing FEMA Directive 108-03, *Sustainable Practices and Environmental Management*, FEMA is committed to ensuring that all facility and construction projects requiring historical preservation considerations comply with applicable requirements. Another 2017 DHS OCRSO Sustainable Practices Award winner in the category of Sustainability Hero, worked at the 107 acre National Emergency Training Center (NETC), A NRHP-listed historic district which provides fire and emergency management training to both the public and private sector. The NETC campus is composed of over 20 older buildings, some built as early as 1839. The aging infrastructures result in a very inefficient and difficult system of buildings to manage. Additionally, the age of the buildings make implementing energy efficiencies and other sustainable building upgrades a challenge. The campus' NRHP designation requires the consideration of additional restrictions when implementing any improvements to the infrastructures. Despite these challenges, NETC has implemented an array of energy and water conservation improvements. These projects came about to reduce the costs of operating and repairing the systems in these older buildings, many of which have exceeded their useful life expectancy and are past due for replacement. The NETC took advantage of the opportunity to replace the old systems and materials with advanced technologies to increase energy efficiency, thereby realizing a cost savings as well as reduced environmental impacts, including greenhouse gas emissions. The technologies put in place include an innovative geothermal heating, ventilation, air conditioning system which uses geothermal closed loop wells and Variable Refrigerant Flow (VRF) heat pumps in four buildings. This technology uses the Daikin VRV III Water Cooled system, designed to replace traditional equipment with geothermal energy to satisfy building heating and cooling demands and domestic hot water use. The campus also installed eleven Mitsubishi, air to air, VRF systems which further reduced electrical consumption. FEMA has, and will continue to, consult with the SHPO to ensure that potential effects to historic properties are adequately considered, and whenever feasible, adverse effects avoided.

Use Section 111

DHS does not issue policy or guidance to preclude the use of Section 111, however, as stated previously, DHS does not regularly use Section 111 as not all Components own facilities or have

the legal authority to lease excess properties to other parties. When properties are no longer needed, disposal is dependent on property ownership. If the property is leased, DHS terminates the lease and returns the property to its owner in accordance with the terms of the lease agreement. If DHS owns the property, then the property is typically transferred to GSA for reuse by another federal agency or disposal by GSA.

The USCG has used Section 111 to out-grant historic properties, as discussed above. Protocols for out-granting are contained in the Coast Guard *Real Property Management Manual*, Commandant Instruction M11011.11. The criteria considered include whether the out-grant will promote the local economy and serve the public interest, if the out-grant is for the purpose of caring for and protecting Coast Guard real property when the property must be retained for a purpose, and for the purpose of saving on the costs of operating and maintaining the property.

Use Partnerships

When occupying leased space that is owned or managed by another federal agency, the DHS HP Directive requires that the:

...historic preservation requirements of other Federal property managers where a Component occupies a historic property managed or controlled by another Federal agency.

DHS does not typically develop partnerships to assist in the use of historic properties due to security restrictions. However, as previously discussed, USCG partners with a number of state and local entities and private organizations for the evaluation and preservation of historic lighthouses.

Use Challenges and Successes

DHS HQ continues to partner with GSA and other consulting parties on the St. Elizabeths National Capital Region consolidation project, which was reported in 2014. To date, funding shortfalls, deteriorating historic structures, and complicated Section 106 issues have extended the consultation process and project schedule.

ICE experienced maintenance and water intrusion issues because of aging conditions, resulting in health and safety issues associated with mold growth in the Honolulu Facility. In addition, ICE experienced some security issues due to the lack of a perimeter fence. Copper downspouts have been removed/stolen, and landscaping has been defaced. On one occasion, a member of the public trespassed on the grounds and threatened an ICE employee.

In 2016, FEMA OEHP and NETC collaborated to develop an appearance plan for the historic campus as stipulated in the executed PA, mentioned earlier. This plan provides architecture and landscape architecture guidance to NETC facilities management in planning projects that may impact the appearance of NETC and ensure that the historic character and integrity of the campus is protected while allowing for future growth and development.

CBP's U.S. Customs House is located adjacent to the waterfront in Ponce, Puerto Rico⁶. This NRHP historic property is the oldest of the historic U.S. Customs Houses in Puerto Rico, and is both architecturally and historically significant.

The Spanish government constructed the building in 1841-42 to serve as a customs house. Although it has been renovated several times over the years, the building retains its distinctive colonial architecture. The building was an important

governmental building during the

Spanish colonial period, played a role in the

Spanish-American War in 1898, and has remained in continuous use as a customs house by the U.S. government since 1898. The two-story stuccoed adobe and brick building occupies an entire city block and has two large arched entrances that lead into a central courtyard.



Figure 3.3. Ponce Customs House, Facing East.

Although the coastal location, open courtyard, and large windows allow for air movement, these features proved challenging in terms of building preservation, climate control, storm water management, and protection from threats such as hurricanes, flooding, and terrorism. Beginning in 2010, CBP's Office of Field Operations (OFO) and the Field Office Facilities Program Management Office (FOF PMO) recognized the need to make repairs and improvements to the U.S. Customs House in Ponce, to provide both a resilient structure that could serve the mission efforts for additional decades while preserving a significant historic property. A project was proposed that would repair and mitigate deficiencies that compromised conditions at the facility hindering the CBP mission. CBP, in consultation with the SHPO, sought to develop and install systems that would protect the building from rising water, high winds, and other climate threats; reduce energy consumption; and conserve historic features.

The Ponce Customs House repair and renovation project, completed in late 2016, demonstrates successful integration of resilience, sustainability, and historic preservation, while maintaining a facility that meets the agency's mission requirements. The FOF PMO worked closely with the SHPO to preserve and refurbish original features, such as the historic windows, to *SOI Standards for the Treatment of Historic Properties* while adding bullet resistant glass and new hurricane shutters. Historic light fixtures were either refurbished or replaced so that energy-saving LED bulbs could be used. In addition, all appliances and a new heating and air conditions system were installed to reduce the building's energy consumption. The challenge of preserving historic features while updating and protecting the structure led to a decision to highlight a portion of the building's early past by displaying a segment of the interior wall construction and timbers that were burned in an 1845 fire.

⁶ The Ponce Customs House was impacted in September 2017, by Hurricane Maria. As of the date of this report, the damage to the facility has not been assessed.

Repetitive flooding on the first floor has been a primary issue at the Ponce Customs House. Interior flooding has occurred from rain events overwhelming the city’s drainage system as well as coastal flooding and hurricanes. In order to reduce the amount of damage, flood barriers have been installed on the first floor. When a flood event is anticipated, panels are inserted into the channels installed on either side of the interior door openings. Water can enter into the courtyard area, but cannot go any further. This has allowed CBP to reoccupy the first floor of the building and has allowed the historic property to better withstand the potential negative consequences of being located in a flood prone coastal area.



Figure 3.4. Interior courtyard during 2012 flooding.



Figure 3.5. Interior courtyard after 2016 renovation.



Figure 3.6. Door with Weir System to Mitigate Flooding and Window Hurricane Shutter.

Conclusion

DHS continues to evaluate the efficiency and strength of its historic preservation program, and the methods used to identify, protect, and use historic properties. Created from 22 federal agencies in 2002, DHS Component historic programs are at varying levels of maturity. Current initiatives to be reported in FY2020, include additional OCRSO Scorecard metric, a revised HP Directive and Instruction, and Handbooks to create a more consistent approach to historic preservation planning and compliance throughout the Department while still recognizing Component missions, needs, and abilities.



Preserving America's Heritage

Advisory Guidelines Implementing Executive Order 13287, “Preserve America”

Section 3: Reporting Progress on the Identification, Protection, and Use of Federal Historic Properties

June 2017

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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These updated Advisory Guidelines are based on the 2007 Advisory Guidelines that were developed with support of the Section 3 Advisory Guidelines Working Group comprised of the Departments of Defense, Health and Human Services, and Veterans Affairs; Bureau of Land Management; Forest Service; General Services Administration; National Aeronautics and Space Administration; National Park Service; and United States Postal Service.

INTRODUCTION

The Advisory Council on Historic Preservation (ACHP) is issuing updated advisory guidelines intended to assist federal agencies with real property management responsibilities in preparing the progress report outlined in Section 3 of Executive Order 13287, "Preserve America." Federal agencies are encouraged to consider these advisory guidelines when preparing Section 3 reports to ensure adequate, complete, and useful information is submitted to the ACHP. The use of these guidelines is not mandatory, and a federal agency can determine how it will report on the progress of its efforts to identify, protect, and use its historic properties. The ACHP will use this information to prepare its report to the President on the state of the federal government's historic properties, and their contribution to local economic development, as required by EO 13287, Section 3. This information will also allow the ACHP to continue its dialogue with federal agencies on how it can better assist them in meeting stewardship responsibilities for historic properties while maintaining agency missions.

Background

On March 3, 2003, President George W. Bush signed EO 13287 to reaffirm the Administration's commitment to the federal stewardship of historic properties, and to promote intergovernmental cooperation and partnerships for the preservation and use of historic properties. EO 13287 formalized Preserve America to support the efforts of local communities to preserve and maintain our nation's cultural and natural heritage.

The EO includes a number of actions that are intended to encourage better accountability for the use of federally owned historic properties. Section 3, *Improving Federal Agency Planning and Accountability*, states "accurate information on the state of federally owned historic properties is essential to achieving the goals of this order and to promoting community economic development through local partnerships" (Section 3(a)). Under Section 3(c), each federal agency with real property management responsibilities is required to submit reports on its "progress in identifying, protecting, and using historic properties in its ownership" on September 30, 2005, and every third year thereafter. Section 3(c) further requires that the ACHP "incorporate this data into a report on the state of the federal government's historic properties and their contribution to local economic development and submit this report to the President by February 15, 2006, and every third year thereafter."

Since the passage of the National Historic Preservation Act of 1966 (NHPA), agencies have been required to develop historic preservation programs and policies to ensure sound management and protection of historic properties under federal ownership and control. Not only did the NHPA require federal agencies to establish a leadership role in historic preservation, it also promoted the sound stewardship of federally owned and controlled historic properties so they would become a part of the community, based on cultural, educational, aesthetic, inspirational, economic, and energy value. Further, the NHPA encouraged public and private partnerships to foster broad-based support for the reuse and preservation of historic properties, whether federally or privately owned.

EO 13287 supports this national policy by encouraging the efficient management and continued viable use of historic properties, many of which remain vacant, underused, functionally obsolete, and occasionally incompatible with agencies' changing missions in the 21st century. The development of Section 3 progress reports provides agencies the opportunity to review their historic preservation programs mandated by Section 110(a) of the NHPA, and report on their progress to the ACHP. The information collected from these reports will assist the ACHP in its strategic goal to "assess and report on the effectiveness of the federal preservation program" (ACHP Strategic Plan, January 2011).

Who Must Report

All federal agencies with real property management responsibilities are required to submit Section 3 reports on progress in the identification, protection, and use of historic properties in federal ownership. Agencies are not required to report on properties (1) acquired as result of foreclosure or similar action and that are held for a period of less than five (5) years; (2) that they lease but do not own or manage; or (3) located outside of the United States. We also realize that not all of the questions are applicable to all federal agencies; for example, TVA, the USPS, and most military installations are exempt from the provisions of the Federal Assets Sale and Transfer Act (Property) and the Federal Property Management Reform Act (the subject of question 12).

Structure and Submittal Guidelines

This 2017 edition of the guidelines differs from previous ones. There are fewer questions, and there is a stronger focus on how federal agencies manage and account for their historic properties and meet various requirements to “reduce the footprint.”

Federal agencies are not required to structure their Section 3 progress report in response to these questions. These advisory guidelines are for a federal agency’s consideration only and allow agencies to use them in conjunction with established agency reporting formats. Should an agency choose to format their report in response to these questions, that agency may choose to answer questions singularly or through a combined response to multiple questions as they see fit.

Section 3 reports should be submitted by an agency’s Senior Policy Official to the Executive Director of the ACHP and the Secretary of the Interior. Please submit the report to the ACHP electronically as a PDF file or a Microsoft Word document with graphics meeting a 500 DPI minimum, no later than September 30, 2017 to: Section3@achp.gov.

The ACHP will make Section 3 reports available on its website. Departments and agencies with security concerns may submit an executive summary to post on the ACHP website in lieu of the entire progress report. In this situation a full report must still be submitted to the ACHP, separately, for review.

Agencies are encouraged to include with their report data, case studies, best practices, and websites that explain their responses. When submitting these examples please clarify the role of state and local governments, tribes, civic or community organizations, and the private sector as appropriate. If various funding sources were used to establish a partnership, agencies are encouraged to identify the sources of public and private funding.

Additional Information Contact

This guidance is intended to provide the framework for future Section 3 reports, until and unless the ACHP determines it should be updated. For more information about this guidance, or about Section 3 of EO 13287, please address your inquiries to:

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ACHP GOALS OF SECTION 3 REPORTING/GUIDANCE

Section 3(c) of EO 13287 requires the ACHP to prepare a report to the President by February 2006, and every third year thereafter, on the state of the federal government's historic properties and their contribution to local economic development. As such, the ACHP has developed several goals for the content of its report to the President. Through their submission of Section 3 progress reports, federal agencies can play a key role in assisting the ACHP in fulfilling these goals.

- Federal agencies can use Section 3 progress reports to assess the effectiveness of and improve their preservation programs in conjunction with existing reporting requirements, both internally and externally.
- The process of gathering information, analyzing data, and developing the Section 3 progress reports can assist the ACHP and federal agencies in evaluating agency efforts to incorporate the identification, protection, and use of historic properties into overall agency strategic planning and asset management.

Consistent Section 3 progress reporting by federal agencies will allow the ACHP to analyze and report the status of federal preservation programs to the president.

EXECUTIVE ORDERS, RECENT LEGISLATION, AND OMB GUIDANCE AFFECTING FEDERAL AGENCY MANAGEMENT OF HISTORIC PROPERTIES

EO 13287 is not the only federal requirement for agencies to report on the status of their historic preservation programs. It is, however, one of the only federal reporting requirements that requires an agency to assess historic properties as a whole and not simply by individual property type. Other related executive orders include the following:

- **Executive Order 13327, Federal Real Property Asset Management**

Data and information provided by federal agencies under EO 13327 (as amended by Executive Order 13423, "Strengthen Federal Environmental, Energy, and Transportation Management" is useful in demonstrating an agency's progress in identifying historic properties (specifically buildings and structures) within its ownership (Federal Real Property Profile, FRPP) and in meeting its Section 110 responsibilities under NHPA, as well as how historic properties are incorporated into the agency's asset management plan submitted to the Office of Management and Budget (EO 13327, Section 3(b)).

- **Executive Order 13693, Planning for Federal Sustainability in the Next Decade**

The goal of EO 13693 is to maintain federal leadership in sustainability and greenhouse gas emission reductions. Federal agencies shall, where life-cycle cost-effective, beginning in fiscal year 2016, promote building energy conservation, efficiency, and management by reducing agency building energy intensity through the end of fiscal year 2025, federal agencies shall, where life-cycle cost-effective, improve data center energy efficiency, transition to clean/renewable/alternative electric and thermal energy, improve water usage efficiency, and improve fleet and vehicle efficiency to reduce greenhouse gas emissions.

- **Report to Congress on the Federal Archeology Program**

The data submitted to the Department of the Interior, National Park Service, Departmental Consulting Archeologist for the Report to Congress on the Federal Archeology Program focuses on archaeological sites including, but not limited to, the number of archaeological sites an agency has identified and evaluated for the National Register of Historic Places, the partnerships an agency has utilized, and the number of archaeological sites that have been protected. This is the only federal reporting requirement instructing agencies to evaluate the inventory of archaeological sites on their federally controlled lands.

- **Statement of Federal Financial Accounting Standards 29: Heritage Assets and Stewardship Lands**

The data submitted to the Office of Management and Budget (OMB) for SFFAS 29 specifically identifies how heritage assets relate to agency missions when reporting basic information of heritage assets. Though historic properties are not always identified as heritage assets, the information developed by an agency could offer insight into its historic preservation program as a whole.

- **50th Anniversary of the National Historic Preservation Act**

In 2016, the NHPA turned 50. Section 1 of EO 13287 reaffirms the major principals of the NHPA policy by recognizing that federal agencies should manage federal historic properties in a manner that supports “the department and agency missions while contributing to the vitality of the economic wellbeing of the nation’s communities and fostering broader appreciation for the development of the United States and its underlying values.” This anniversary provided an opportunity for agencies to specifically showcase examples of not only recent but longer-term program progress and stewardship achievement in the identification, protection, and use of historic properties, improvements to federal planning, and awareness of the benefits of historic preservation.

In December 2016, Congress passed the Federal Assets Sale and Transfer Act and the Federal Property Management Reform Act. Each law has its own implications for the management of federally owned historic properties, and will present challenges and opportunities in advising the Administration and Congress on appropriate steps for considering historic preservation values as they are implemented.

- **Federal Assets Sale and Transfer Act** (FAST Act –Property, Public Law 114-287)

(Not to be confused with FAST Act surface transportation legislation that shares the same acronym.) Termed the “Civilian BRAC,” this law focuses principally on establishing a system for expediting the sale of excess or surplus federal properties. Under the law, by mid-April 2017 and in subsequent years, federal agencies were required to submit to OMB and the General Services Administration (GSA) information on “civilian real properties” they own and recommendations for sale, transfer, consolidation, and other operational efficiencies. “Civilian real property” as defined in the law is somewhat limited in scope, as many agencies are excluded from its terms.

The law also requires GSA to publish a database of all federal real property within one year. Staff at the Federal Real Property Council (FRPC) has indicated that the existing Federal Real Property Profile (FRPP) will be enhanced to serve this purpose, as it currently accounts only for some federal real property (Please see below.).

By mid-June 2017, OMB, in consultation with GSA, is required to develop standards and criteria for reviewing agency recommendations of property that could be sold or transferred, review agency recommendations, and then jointly submit recommendations to a to-be-created Public Buildings Reform Board for consideration. Upon submission of the Board’s recommendations to

OMB and Congress, agencies must commence preparations to carry out those recommendations, and all actions must be completed within six (6) years unless there are extenuating circumstances.

- **The Federal Property Management Reform Act** (FPMR Act, Public Law 114-318)

This act codifies the existing FRPC and tasks it with establishing a real property management template of measures, standards, milestones, etc. to reduce surplus federal property and achieve better utilization of underutilized property. For five (5) years, the FRPC is to submit a report to OMB that includes a list of excess and surplus properties, information on the progress of agencies and the FRPC toward disposing of excess property, and a list of recommendations for legislation and statutory reforms to speed up the process.

As with the FAST Act (Property), there are limits on the universe of properties subject to consideration by the Council. Agencies excluded from its terms include most of those specified in the FAST Act (Property).

The FRPC is to provide guidance to federal agencies on inventorying their properties to develop the data needed for the GSA database required under the FAST Act (Property). Specific requirements for agencies to follow in inventorying their properties are included in the law.

As with the FAST Act (Property), public benefit aspects of the properties are not included in the list of criteria to be addressed; however, in carrying out its duties, the FRPC must consult with state, local, and tribal authorities, as well as private sector and non-governmental entities that have expertise in a variety of fields, including historic preservation.

RECOMMENDED QUESTIONS TO ANSWER IN SECTION 3 PROGRESS REPORTS

IDENTIFYING HISTORIC PROPERTIES

“Each Federal agency shall establish (unless exempted pursuant to Section 214 of this Act), in consultation with the Secretary, a preservation program for the identification, evaluation, and nomination to the National Register of Historic Places, and protection of historic properties. Such program shall ensure...that historic properties under the jurisdiction or control of the agency, are identified, evaluated, and nominated to the National Register.”

—NHPA, Section 110 (54 U.S.C. § 306102)

1. Building upon previous Section 3 reports, how many historic properties have been identified by your agency in the past three (3) years? Have your identification methods improved? Approximately what percentage or portion of inventory has been surveyed and evaluated for the National Register?

In answering this question, agencies are encouraged to evaluate their progress in identifying and evaluating historic properties. If your agency does not report under the requirements referenced in the sub-questions, but wishes to provide similar information, please explain how the information reported was gathered and validated by your agency.

In preparing your response, consider the following:

- What is the total number of historic properties within your inventory? What is the total number of those historic properties that have been identified or evaluated as a “National Historic Landmark,” “National Register Listed,” or “National Register Eligible” for each of the past three (3) years?
- Within your inventory, what is the approximate number of cultural resources that have not been evaluated for eligibility to the National Register of Historic Places? Have these numbers changed in the past three (3) years?
- What is the total number of your agency’s property, plant, and equipment that have been identified as heritage assets over the past three years? How have these numbers changed in the last three (3) years?

2. Does your agency have policies that promote awareness and identification of historic properties?

Agencies have a variety of policies to identify and evaluate historic properties and make parties interested in historic preservation aware of them. In answering this question, federal agencies are encouraged to evaluate the effectiveness of current agency policies, procedures, and guidelines that promote historic properties.

In preparing your response, consider the following:

- Does the identification of historic properties and heritage assets relate to your agency’s mission?

- For the last three (3) years, estimate the portion (percentage) of historic property identification completed in the context of Section 106 for specific undertakings and programs, versus that completed for unspecified planning needs (“Section 110 surveys”).
- Does your agency have performance measures (such as benchmarks) for measuring progress in the identification of historic properties? If so, are they helpful?
- If your agency has not established benchmarks, how do you measure progress?

3. Describe reporting mechanisms or programs your agency uses to manage information about historic properties. What information do they contain about your historic properties?

Many federal agencies use the FRPP definitions to classify their heritage assets, while others have developed their own reporting practices to manage information on historic properties.

(Link to the Federal Real Property Council’s Guide for Real Property Inventory:

https://www.gsa.gov/portal/mediaId/138858/fileName/FY_2016_FRPP_Data_Dictionary_May_16_2016.action)

In preparing your response, consider the following:

- What are the major categories your agency uses to classify heritage assets?
- How is this information used by your agency? By whom?
- If you use the FRPP to manage information, does its definitions and categories accurately characterize and help with your management of historic properties?
- If you do not use the FRPP, does your agency plan to transition to it due to new reporting requirements associated with the Federal Property Management Reform Act (see above), or for other reasons?
- If you work with the FRPP, is your federal agency’s Federal Preservation Officer provided with FRPP data before it is finalized and submitted to the FRPC?

4. Has your agency employed partnerships to assist in the identification and evaluation of historic properties?

Agencies frequently work together in the identification and evaluation of historic properties in the Section 106 context. Agencies may also turn to State Historic Preservation Offices (SHPOs), Indian tribes, local governments, and private organizations to assist in identifying, evaluating, and managing information about historic properties. Agencies are encouraged to examine their policies, procedures, and capabilities to increase opportunities for public-private (*not* fed-to-fed) initiatives and investment and report on their progress.

In preparing your response, consider the following:

- Does your agency partner with SHPOs, Indian tribes, Native Hawaiian organizations (NHOs), professional societies, or other groups to assist you in identifying and evaluating historic properties? In compliance with the requirements of Section 106 or Section 110?
- If not, are there legal or other restrictions that would preclude your agency from exploring partnerships?

- If you use them, how have partnerships benefited your agency?

5. Provide specific examples of major challenges, successes, and/or opportunities your agency has experienced in identifying historic properties over the past three years.

Agencies are encouraged to identify challenges or impediments they have encountered in their efforts to improve inventory of historic properties. Case studies that highlight, exemplify, or demonstrate challenges, successes, and/or opportunities your agency has experienced should include images if available.

PROTECTING HISTORIC PROPERTIES

“Each Federal agency shall establish (unless exempted pursuant to Section 214 of this Act), in consultation with the Secretary, a preservation program for the identification, evaluation, and nomination to the National Register of Historic Places, and protection of historic properties. Such program shall ensure ... historic property under the jurisdiction or control of the agency is identified, evaluated, and nominated to the National Register....”

—NHPA, Section 110 (54 U.S.C. § 306102)

6. Have your agency’s programs and procedures to protect historic properties, including compliance with Sections 106, 110, and 111 of NHPA, changed over the past three years in ways that benefit historic properties?

Section 106 of the NHPA requires federal agencies to take into account the effects of their activities on historic properties and provide the ACHP an opportunity to comment. The ACHP’s regulations, “Protection of Historic Properties” (36 CFR Part 800), lays out the process agencies are required to follow to meet their legal obligations under Section 106. Section 110 of NHPA requires that federal agencies establish a preservation program to identify and protect historic properties under their jurisdiction or control. Section 111 requires that federal agencies establish and implement alternatives for historic properties, including adaptive use and leases that are not needed for current or projected agency purposes.

In preparing your response, consider the following:

- Has the manner in which your agency manages compliance with Sections 106, 110, and 111 of NHPA changed over the past three (3) years?
- What is the approximate number of full time “cultural resource” employees in your agency who help to comply with Sections 106, 110, and 111 of NHPA?
- Is your agency’s compliance with Sections 106, 110, and 111 of NHPA accomplished mostly by federal employees, contractors, or applicants for permits, licenses, grants, or other approvals?
- Are there federal laws or regulations that limit your agency’s ability to carry out its NHPA obligations?
- Does staff in your agency have access to training on Section 106, 110, and 111? If not, what are the impediments to accessing or participating in training?

7. Has your agency employed partnerships to assist in the protection of historic properties?

Agencies frequently work with SHPOs, Indian tribes, NHOs, certified local governments, and private entities and organizations to protect and manage historic properties. Agencies are encouraged to examine their policies, procedures, and capabilities for public-private initiatives and investment and report on their progress.

In preparing your response, consider the following:

- Are there any legal or other restrictions that would preclude your agency from exploring partnerships to protect historic properties?
- With whom has your agency partnered? What were the resources protected?
- Have such partnerships benefited your agency?
- How successful has your agency been in developing partnership agreements (e.g. cooperative, cost-share, interagency, research) to protect historic properties?

8. Does your agency use program alternatives such as Programmatic Agreements, Program Comments, and other tools to better manage and protect your agency's historic properties?

In preparing your response, consider the following:

- If so, what projects or programs do you use them for? Are they national, regional, or facility-specific alternatives? How effective are these alternatives in meeting their intended goals?
- Do you quantify their positive effect in protecting historic properties? If so, how?
- If not, are there specific activities or programs that you believe would benefit from a program alternative to tailor the Section 106 review process?

9. Provide specific examples of major challenges, successes, and/or opportunities your agency has encountered in protecting historic properties over the past three (3) years.

Agencies are encouraged to identify any challenges or impediments they have encountered in their efforts to protect historic properties. Case studies that highlight, exemplify, or demonstrate challenges, successes, and/or opportunities your agency has experienced should include images if available.

USING HISTORIC PROPERTIES

“The head of each Federal agency shall assume responsibility for the preservation of historic property that is owned or controlled by the agency Prior to acquiring, constructing, or leasing a building for purposes of carrying out agency responsibilities, a Federal agency shall use, to the maximum extent feasible, historic property available to the agency, in accordance with Executive Order No. 13006 (40 U.S.C. 3306 note).”

—NHPA Section 110 (54 U.S.C. § 306101)

Section 4(a) of EO 13287 states federal agencies will ensure the long-term preservation and use of federal historic properties as assets and, if possible, to contribute to local economies and communities through proper management.

10. Do your agency's historic federal properties contribute to local communities and their economies? Is the use of historic properties encouraged and promoted within your agency?

Section 4(a) of EO 13287 states that “Each agency shall ensure that the management of historic properties in its ownership is conducted in a manner that promotes the long-term preservation and use of those properties as Federal assets and, where consistent with agency missions, governing law, and the nature of the properties, contributes to the local community and its economy. Further, EO 13006 (*Locating Federal Facilities on Historic Properties in Our Nation's Central Cities*), says that the federal government “hereby reaffirms the commitment set forth in Executive Order No. 12072 [*Federal Space Management*] to strengthen our Nation's cities by encouraging the location of Federal facilities in our central cities.”

In preparing your response, consider the following:

- How many of your agency's historic properties are located in town or city centers? Is being located in towns or city centers important for your agency's mission?
- During asset planning, does your agency consider local economic development?
- Does your agency involve stakeholders in resource management and planning efforts to identify opportunities for the use of assets in economic development?
- If there are no legal restrictions, how has your agency used historic properties to support local economic development?
- How many visitors (i.e., non-tenants) visit historic properties under your agency's management each year, on average? Do you have methods for measuring such visitation?
- Does your agency consider such visitation when reporting on space utilization in the FRPP, if your agency submits such reports?

11. Explain how your agency uses historic properties to foster heritage tourism, when consistent with agency missions.

Section 5(a) of EO 13287 states that federal agencies will ensure the long-term preservation and use of federal historic properties as assets and, when consistent with agency missions, federal agencies are to use historic properties to foster heritage tourism partnerships with state, tribal, and local tourism programs.

In preparing your response, consider the following:

- Has your agency used technologies and/or social media to promote heritage tourism as a use of historic properties?
- What policies does your agency have to involve stakeholders in its resource management and planning efforts to identify opportunities for the use of its assets in heritage tourism?

- How many of your historic buildings offer educational tours or host recreational visitors on a regular basis? About how many people attend those tours or make those visits on average, per year? How do you measure visitation?
- Does your agency limit public access to historic properties? If so, what considerations affect decisions to limit access? Are these temporary or permanent?
- How many of your historic properties operate as museums or have visitor centers?
- Does your agency consider such visitation when reporting on space utilization in the FRPP, if your agency submits such reports?

12. If your agency is subject to the requirements of the Federal Assets Sale and Transfer Act (Property) and the Federal Property Management Reform Act (described above) how will their requirements affect your agency's ability to protect and use its historic properties?

The interest here are those federal property management laws and policies that have most affected your agency's decision making about the continued use or retention of historic properties. This legislation is not applicable to all federal agencies.

In preparing your response, consider the following:

- How has the emphasis on excess and surplus properties made by the FAST Act (Property) influenced your agency's decision making on the continued use or reuse of historic properties?
- What does your agency see as the impact over time of this legislation on the preservation and use of historic properties?
- Explain how your agency has considered the continued use or re-use of historic properties in its plans to meet the "Reduce the Footprint" policy (OMB Memorandum No. 2015-01, March 25, 2015).
- Are there other federal property management policies that have impacted your agency's decision-making process regarding the continued use or re-use of historic properties? Name any such policies and explain how they have contributed or been an obstacle to your agency's stewardship of historic properties.

13. How is your agency meeting the requirements of EO 13693, Planning for Federal Sustainability in the Next Decade?

In preparing your response, consider the following:

- Has your agency rehabilitated or adaptively reused historic properties to achieve sustainability and resiliency goals?
- How does your agency coordinate historic preservation and sustainability/resiliency goals in project planning?
- Has your agency faced resistance to reuse of historic properties due to the perceived incompatibility of preservation with sustainability and resiliency goals?

14. Does your agency use, or has it considered using, Section 111 (now 54 U.S.C. § 306121) of NHPA to lease or exchange historic properties?

As stated in the NHPA, Section 111 (54 U.S.C. 306121) authorities can be used in one of three ways: lease or exchange federal historic properties when the assets are not needed for current or future agency purposes; use the proceeds from any lease of historic properties to be used in the operations and maintenance of other agency historic properties; or contract the management of agency historic properties to an outside entity. The purpose of all three authorities is to ensure long-term protection of federal historic properties.

In preparing your response, consider the following:

- Does your agency have protocols to identify historic properties that are available for transfer, lease, or sale? What criteria are considered when recommending such actions?
- Does your agency utilize Section 111 authorities in the management of historic properties, including portions thereof (e.g. antennae on rooftops, leases to commercial tenants, etc.)? If yes, provide examples how your agency has used this authorization.
- Does your agency see impediments to using Section 111 leasing authorities? If so, are there legislative or regulatory changes that would make leasing a more attractive alternative?
- When negotiating leases, how does your agency budget for the use of lease proceeds in the rehabilitation and maintenance of historic properties?
- Have proceeds from Section 111 leases increased in the past three (3) years?

15. Explain how your agency has employed the use of partnerships to assist in the use of historic properties.

Federal agencies often work together to use historic properties. Agencies may also turn to SHPOs, Indian tribes, Certified Local Governments, and private entities and organizations for the use and management of historic properties. Agencies are encouraged to examine their policies, procedures, and capabilities to public-private initiatives and investment and report on their progress.

In preparing your response, consider the following:

- Are there any legal or other restrictions that would preclude your agency from exploring partnerships for local economic development for the use of historic properties?
- If your agency uses partnerships, please describe the nature of these partnerships.
- How have partnerships benefited your agency?
- Does your agency have any volunteer programs? If so, how are volunteers used in the management or interpretation of historic properties?

16. Provide specific examples of major challenges, successes, and/or opportunities your agency has encountered in using historic properties over the past three (3) years.

Agencies are encouraged to identify any challenges or impediments they have encountered in their efforts to use historic properties. Case studies that highlight, exemplify, or demonstrate challenges, successes, and/or opportunities your agency has experienced should include images if available. Agencies should feel free to include any examples in recognition of the 50th anniversary of the NHPA.

DEFINITIONS

Agency means each authority of the Government of the United States, whether or not it is within or subject to review by another agency, but does not include –

- (A) the Congress;
- (B) the courts of the United States;
- (C) the governments of the territories or possessions of the United States;
- (D) the government of the District of Columbia;

or except as to the requirements of 5 U.S.C. § 552–

- (E) agencies composed of representatives of the parties or of representatives of organizations of the parties to the disputes determined by them;
- (F) courts martial and military commissions;
- (G) military authority exercised in the field in time of war or in occupied territory; or
- (H) functions conferred by sections 1738, 1739, 1743, and 1744 of title 12; chapter 2 of title 41; subchapter II of chapter 471 of title 49; or sections 1884, 1891-1894, 1895-1902, and former section 1641(b)(2), of title 50, appendix. (NHPA and 5 U.S.C. § 551)

Cultural resources are generally defined by federal agencies to mean the same thing as historic properties, although there is no consistent legal definition, and individual agencies and organizations use different emphases. Under 10 U.S.C. § 2684, which deals with Department of Defense’s responsibilities to manage “cultural resources,” such resources are defined to include properties included in or eligible for inclusion in the National Register of Historic Places, cultural items defined by the Native American Graves Protection and Repatriation Act, archaeological resources as defined by the Archeological Resources Protection Act, and archaeological artifact collections and associated records. The National Park Service lists archaeological resources, cultural landscapes, structures, museum objects, and ethnographic resources in its management guidance and definition of “cultural resources.” Use of the term “cultural resources” by other agencies may be confusing because arts agencies and cultural endowments may use it to refer to art, performance, music, and other forms of cultural expression. (*Caring for the Past, Managing for the Future*, 2001, ACHP)

Federal real property is any real property owned, leased, or otherwise managed by the federal government, both within and outside the United States, and improvements on federal lands. (EO 13327)

Federally owned, and **in federal ownership**, do not include properties acquired by agencies as a result of foreclosure or similar actions and that are held for a period of less than five years. (EO 13287)

Heritage asset are a federal agency’s property, plant, and equipment that are unique for one or more of the following reasons:

- (1) historical or natural significance;
- (2) cultural, educational, or artistic (e.g., aesthetic) importance; or
- (3) significant architectural characteristics.

Heritage assets consist of:

- (1) collection type heritage assets, such as objects gathered and maintained for exhibition, for example museum collections, art collections, and library collections; and
- (2) non-collection-type heritage assets, such as parks, memorials, monuments, and buildings. (SFFAS 29)

Heritage tourism is the business and practice of attracting and accommodating visitors to a place or area based especially on the unique or special aspects of that locale's history, landscape (including trail systems), and culture. (EO 13287)

Historic property means any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion on the National Register, including artifacts, records, and material remains related to such a property or resource. (NHPA)

State means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and upon termination of the Trusteeship Agreement for the Trust Territory of the Pacific Islands, the Republic of Palau. (NHPA)

Preservation or ***historic preservation*** includes identification, evaluation, recordation, documentation, curation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance, research, interpretation, conservation, and education and training regarding the foregoing activities, or any combination of the foregoing activities. (NHPA)