



***Department of Defense Response to
Executive Order 13287, “Preserve America,”
Section 3: Reporting Progress on the
Identification, Protection, and Use of Federal
Historic Properties***

Includes Information on the Departments of the Army, Navy, and Air Force
fiscal years 2014-2016

October 2017

Introduction

This report satisfies the requirements of Section 3(c) of Executive Order (EO) 13287, “Preserve America,”¹ for the Department of Defense (DoD). The Preserve America EO directs each Federal agency with real property management responsibilities to submit reports on its “progress in identifying, protecting, and using historic properties in its ownership.” The Advisory Council on Historic Preservation (ACHP) developed questions to assist Federal agencies in meeting the reporting requirements of the Preserve America EO. DoD’s consolidated answers to those questions posed by the ACHP includes information on the Departments of the Army, Navy, and Air Force for fiscal years (FYs) 2014-2016.² This report references policy and guidance documents from the Office of the Secretary of Defense (OSD) and the Military Departments. These documents provide the framework necessary to balance and integrate proactive management of cultural resources with all aspects of the military mission. This report also provides summary data on the DoD Cultural Resources Program.

The DoD is a large and complex Federal agency with the critical mission to provide the military forces needed to deter war and to protect the security of the United States.³ The DoD’s installations and facilities are critical pieces of this national defense mission. The DoD manages the largest portfolio of real property assets (structures and buildings), which includes historic properties, in the Federal government. In FY 2016, DoD managed 568,383 facilities (buildings, structures, and linear structures), on 4,793 sites, across 27.1 million acres.⁴ This information is also contained in the *Base Structures Report*; the most recent version available is from FY15. In FY15, DoD’s land and property portfolio included approximately 562,000 facilities, located on over 4,800 sites worldwide, covering over 24.9 million acres.⁵

The DoD is proud of its rich history and seeks to act as a productive and responsible steward of the lands and resources it manages. The DoD historic property portfolio includes 70 individual National Historic Landmarks (NHL), 2,555 National Historic Landmark contributing properties, 2,169 individual and contributing historic structures listed in the National Register of Historic Places (NRHP), and more than 47,000 historic properties, including more than 31,000 archaeological sites and 16,000 historic structures that are considered eligible for inclusion in the NRHP.⁶ The DoD works to maintain, promote, and interpret the cultural resources it manages, to support the defense mission through the preservation of the country’s military heritage for future generations. Cultural resources are mission enhancing assets that connect our fighting men and women with their proud history and traditions.

¹ Available at: <http://preserveamerica.gov/EO.html>.

² Included within the Military Departments are their Reserve components. This report also includes property under the direct management of the Secretary of Defense, e.g., the Pentagon Reservation.

³ Mission of the DoD can be found on its homepage: <https://www.defense.gov/>.

⁴ *Department of Defense Real Property Portfolio: 2016 Real Property Data FAST FACTS*. http://www.acq.osd.mil/eie/Downloads/Fast_Facts_2016.pdf.

⁵ Specific information on DoD’s real property inventory is available in the annual *Base Structure Report* (BSR). The most recent BSR available is FY 2015 which is available at: <http://www.acq.osd.mil/eie/Downloads/BSI/Base%20Structure%20Report%20FY15.pdf>. Previous BSRs can be found here: http://www.acq.osd.mil/eie/BSI/BEI_Library.html.

⁶ Data for these historic properties was obtained directly from DoD’s Real Property Assets Database (RPAD) FY 2016 records. The archaeological sites data was obtained from the DoD Agency Financial Report for FY 2016, Section 3, page 97, which is available at: http://comptroller.defense.gov/Portals/45/Documents/afr/fy2016/3-Financial_Section_Final20170511_HH.pdf.

Identification

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.

Subquestion 1.1: 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 years?

The Office of the Assistant Secretary of Defense for Energy, Installations, and Environment (OASD (EI&E)) consolidates all DoD real property assets in its Real Property Assets Database (RPAD) annually. Table 1 shows real property assets reported in RPAD by their historic status code for FYs 2014 - 2016.

Table 1 - FYs 2014 - 2016 - Federal Real Property Profile & Historic Status⁷

Historic Status ⁸	FY14	FY15	FY16
Determined Not Eligible for Listing (DNE)	48,881	49,631	54,746
Individual National Historic Landmark (NHLI)	61	68	70
Contributing Element of a NHL District (NHLC)	1,681	1,660	2,555
Individual National Register Eligible (NREI)	5,349	5,294	4,397
Contributing Element of NRE District (NREC)	11,222	11,692	11,741
Individual National Register Listed (NRLI)	206	198	199
Contributing Element of NRL District (NRLC)	1,968	1,879	1,970
Non-Contributing element of NHL/NRL District (NCE)	2,114	2,206	2,169
Eligible for the purposes of a Program Alternative (ELPA)	43,316	39,995	38,507
Not Evaluated (NEV) ⁹	257,029 ¹⁰	264,189	258,126
Grand Totals (Buildings & Structures in the US & Territories)	371,827	376,812	374,480

⁷ Data for the chart was obtained from DoD’s RPAD records.

⁸ The DoD is currently in the process of updating the names and definitions of the historic status codes in RPAD. The names used throughout this report are those that were used in Real Property Information Model (RPIM) 8.0, which was in use during the time period this report covers. Updates to the historic status codes and definitions were made under RPIM 9.0; additional updates were made in RPIM 10.0 in the fall of 2017.

⁹ NEV numbers represents all facilities (excluding linear structures) not evaluated regardless of the age or type of facility. See Table 3 for breakdown of this number by the age of the assets.

¹⁰ The FY2014 data includes data discrepancies, including 1,858 assets coded NEV but listed with blank facility built dates (FBD), and 193 assets coded NEV with a FBD listed in the future.

The DoD evaluates its real property facilities and land to identify NRHP-eligible historic properties when mission-supporting undertakings require it and through proactive survey and planning efforts. Asset evaluation for historic significance is prioritized by the age of the assets, their proximity to mission activities, and their mission use. Using these prioritization methods and management practices, the DoD continues to evaluate its properties for NRHP eligibility, and thereby improve the accuracy of its real property and heritage asset data collections.

Table 1 reflects total numbers of DoD real property facilities, including buildings and structures, categorized by the nature of their assigned historic status. It is difficult to precisely report how many historic properties were identified during the reporting period due to expected fluctuations in such a large property portfolio. Results are further limited by the type of data OSD collects. However, it is possible to assess trends in the available data. One way to evaluate DoD historic property data trends that are related to the identification of historic properties is to look at the number of assets coded DNE (Determined Not Eligible for Listing). Between FYs 2014-2016, the number of real property facilities coded DNE increased from 48,881 to 54,746. While this is not directly the identification of historic properties, it does show the NRHP evaluation of older real property that was identified, evaluated, and found not to be eligible for the NRHP—a valuable metric to assess the progress and health of the DoD Cultural Resources Program. The number of contributing resources to NHL districts also increased significantly over the reporting period; this also shows a certain increase in the identification of historic properties. The DoD also inventories and performs basic reviews or physical assessments on all of its real property assets, regardless of historic significance, on a recurring basis every five years; historic properties are similarly inventoried and reviewed every three years.¹¹ Note: this is a routine facility and operations maintenance assessment and is not a NRHP evaluation.

The DoD also annually reports on historic properties not classified as facility-based real property, and therefore not recorded in RPAD. These assets are typically archaeological sites of varying NRHP significance. Table 2 below shows two sets of numbers for archaeological sites on DoD land. The category “Number of archaeological sites identified” reflects all archaeological sites that have been identified, regardless if they have been evaluated for NRHP significance. The category “Archaeological sites identified, evaluated, and determined eligible for or are listed on the NRHP” reflects those sites that have been identified, evaluated, and determined to be eligible for or are listed on the NRHP.

Table 2 – Number of Identified Archaeological Sites on DoD Land

	FY14	FY15	FY16
Number of archaeological sites identified ¹²	125,861	125,123	129,486
Archaeological sites identified, evaluated, and determined to be eligible for or are listed on the NRHP ¹³	30,443	31,144	31,319

¹¹ DoD Instruction 4165.14, “Real Property Inventory (RPI) and Forecasting,” Enclosure 3, January 17, 2014. Available at: <http://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/416514p.pdf>.

¹² From the Knowledge-Based Corporate Reporting System (KBCRS) and Non-Site-Level Information Collection System (NSLICS) databases: <https://kbcrs.denix.osd.mil/main.cfm> (Internal DoD site only).

¹³ Data for this row comes from the Agency Financial Reports, Financial Sections for each FY. The links are: FY14: http://comptroller.defense.gov/Portals/45/Documents/afr/fy2014/3-Financial_Section.pdf, FY15:

Throughout the DoD Components, archaeological sites which have been identified but not yet evaluated are typically managed the same way as those sites determined eligible for listing in the NRHP.

Subquestion 1.2: 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?

As described above, the DoD continues to make progress in better understanding the nature of its real property assets. These assets include NRHP eligible historic properties, as well as properties that have not been evaluated for NRHP eligibility. Table 3 shows details on real property assets that have not been evaluated for NRHP eligibility, differentiating between 'Not Evaluated' (NEV) assets that are 50 years old or older, and those that are less than 50 years old.

Table 3 - DoD Buildings/Structures Not Evaluated for Historic Status, FYs 2014 - 2016¹⁴

Age	FY14	FY15	FY16
NEV Greater than or equal to 50 years old	42,749	43,099	41,492
NEV Less than 50 years old	212,229	219,351	215,681
Total not evaluated for historic status	254,978	264,189	258,126

The number of assets greater than 50 years old not evaluated for NRHP eligibility decreased from FYs 2014 – 2016 overall, but this shows only a small change. It is also important to note that the numbers in Table 3 fluctuate as DoD assets age, are removed from service, and evaluations are completed. Progress trends in evaluating these assets can be difficult to discern by only comparing three years at a time. The 2008 DoD Section 3 Report provided similar data for FYs 2005-2007. The number of real property assets not evaluated for NRHP eligibility greater than or equal to 50 years of age in FY 2005 was 67,381. While this decrease is surely not all because of historic property evaluations, the change from 67,381 in FY 2005 to 41,492 in FY 2016, reflects a large decrease in unevaluated older assets and illustrates the Components' successful efforts to effectively manage historic property through their cultural resources programs.

The DoD also assesses its progress on archaeological site identification and evaluation through analysis of the number of acres surveyed for archaeological sites each year, and the number of acres available for survey. Please note, the difference between the total number of DoD-managed acres and those acres available for survey is the number of acres that cannot be surveyed for archaeological sites, because of safety or other concerns. Table 4 illustrates DoD progress in surveying acreage for archaeological sites, and the number of acres yet to be surveyed.

http://comptroller.defense.gov/Portals/45/Documents/afr/fy2015/3-Financial_Section.pdf, FY16:

http://comptroller.defense.gov/Portals/45/Documents/afr/fy2016/3-Financial_Section_Final20170511_HH.pdf.

¹⁴ Data for the chart was obtained from DoD's RPAD records.

Table 4 - DoD Acres Surveyed for Archaeological Sites FYs 2014 - 2016¹⁵

	Total DoD Military Department managed acres	Acres available for archaeological survey	Acres surveyed for archaeological sites	% Surveyed
FY14	23,518,296	21,179,208	9,398,147	44.4%
FY15	25,837,168	21,408,194	9,403,908	43.9%
FY16	24,907,789	21,194,268	9,582,113	45.2%

The data in Table 4 demonstrates that the percentage of DoD lands surveyed for archaeological sites increased slightly between FY 2014 - 2016. The DoD continues to survey land for the presence of archaeological resources as projects and funding permit. The DoD surveyed 183,966 acres during the FYs 2014 - 2016 reporting period, increasing the percentage of acres surveyed by 0.8%.

Subquestion 1.3: 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?

The DoD reports certain cultural resources assets—both historic facilities and archaeological sites—as Heritage Assets. This is required by DoD Financial Management Regulation (FMR) 7000.14-R.11,¹⁶ and the information is included in the annual *DoD Agency Financial Report (AFR)/DoD Performance and Accountability Report (PAR)*.¹⁷ Table 5 includes reported information for FYs 2014 - 2016. The numbers referenced in Table 5 only include archaeological sites that are listed or eligible for listing in the NRHP (as defined below in question 2.3). The DoD manages a large number of archaeological sites that are potentially NRHP eligible but have not been evaluated for NRHP significance (as noted in Table 2).

Table 5 – DoD Consolidated Heritage Assets, Required Supplementary Information for FYs 2014 - 2016

Categories	FY14 ¹⁸	FY15 ¹⁹	FY16 ²⁰
Buildings and Structures	55,165	57,603	51,777
Archaeological Sites	30,443	31,144	31,319
Museum Collection Items (Objects, not including fine art)	1,242,510	1,248,293	1,247,179
Museum Collection Items (Objects, fine art)	58,954	59,191	96,004

¹⁵ Archaeological survey data was obtained from the Knowledge-Based Corporate Reporting System (KBCRS) and Non-Site-Level Information Collection System (NSLICS) databases: <https://kbcrs.denix.osd.mil/main.cfm> (Internal DoD site only).

¹⁶ The DoD 7000.14-R.10, “Financial Management Regulation,” can be found at http://comptroller.defense.gov/Portals/45/documents/fmr/Combined_Volume1-16.pdf.

¹⁷ More information on the DoD AFR/PAR <http://comptroller.defense.gov/odcfo/af2016.aspx>.

¹⁸ *FY14 Agency Financial Report*, page 76, http://comptroller.defense.gov/Portals/45/Documents/af2014/3-Financial_Section.pdf.

¹⁹ *FY15 Agency Financial Report*, page 75, http://comptroller.defense.gov/Portals/45/Documents/af2015/3-Financial_Section.pdf.

²⁰ *FY16 Agency Financial Report*, page 97, http://comptroller.defense.gov/Portals/45/Documents/af2016/3-Financial_Section_Final20170511_HH.pdf.

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.

Subquestion 2.1: Does the identification of historic properties and heritage assets relate to your agency's mission?

The identification of historic properties does not relate to the DoD's national defense mission, but the DoD is committed to sound and dynamic stewardship of the cultural resources for which it is responsible, as well as compliance with the National Historic Preservation Act (NHPA) and other cultural resources statutes, laws, regulations, and executive orders. The DoD cultural resources management policy, DoD Instruction (DoDI) 4715.16, "Cultural Resources Management,"²¹ provides overarching policy direction and assigns responsibilities to the DoD Components. Additionally, the Military Services issue Service-specific cultural resources management policy and guidance implementing DoDI 4715.16 for their own programs and installations. The DoDI 4715.16 established the integration of cultural resources stewardship and management, with readiness and support of the defense mission around three core principles:

1. "Manage and maintain cultural resources under DoD control in a sustainable manner through a comprehensive program that considers the preservation of historic, archaeological, architectural, and cultural values; is mission supporting; and results in sound and responsible stewardship.
2. "Be an international and national leader in the stewardship of cultural resources by promoting and interpreting the cultural resources it manages to inspire DoD personnel and to encourage and maintain U.S. public support for its military.
3. "Consult in good faith with internal and external stakeholders and promote partnerships to manage and maintain cultural resources by developing and fostering positive partnerships with Federal, tribal, State, and local government agencies; professional and advocacy organizations; and the general public."²²

Subquestion 2.2: 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").

The DoD does not collect this specific data. Section 106 compliance accounts for the majority of the DoD's historic property identification. Historic property identification and evaluation efforts relating to Section 110 are contingent on mission needs, funding, and personnel availability.

Subquestion 2.3: Does your agency have performance measures (such as benchmarks) for measuring progress in the identification of historic properties? If so, are they helpful?

²¹ Available at <http://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/471516p.pdf>.

²² Section 4, DoDI 4715.16.

The DoD uses performance metrics to measure the progress of identification efforts for DoD owned historic properties. DoDI 4715.16 establishes two metrics that address this question directly:

“Goal. All real property inventory records will accurately identify historic properties (real property assets).

Metric: Percent of real property assets with the appropriate Historic Status Data Element Code, compared to “not yet evaluated” (NEV) assets that are greater than or equal to 50 years old.

“Goal. All DoD-managed lands that are available for survey are surveyed for archaeological sites and have the information readily available to support the process directed by [36 CFR 800].

Metric: Percent of DoD-managed lands (available for survey) surveyed for archaeological sites.”²³

The Military Services report on these metrics annually, which serves to measure their progress with respect to the identification of historic properties. The metrics allow the Military Services to highlight their successes in the identification and evaluation of historic properties and archaeological sites each year. Additionally, the Military Services identify areas that require focus and/or additional resources in the following year.

Subquestion 2.4: If your agency has not established benchmarks, how do you measure progress?

While the DoD has established performance measures for determining progress made in the identification of its assets, the DoD has not established formal benchmarks for completing the identification of historic properties. DoD requires the Military Services to report on these performance measures annually to the OASD(EI&E) during the annual Environmental Management Review (EMR). As part of reporting on the metrics listed above, the Military Services provide evaluations of their successes and challenges, and take questions from leadership related to the metric results.

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/mediald/138858/fileName/FY_2016_FRPP_Data_Dictionary_May_16_2016.action).

Subquestion 3.1: What are the major categories your agency uses to classify heritage assets?

Subquestion 3.2: How is this information used by your agency? By whom?

The DoD's heritage assets, as reported in DoD's annual *Agency Financial Report*²⁴, are real and personal property with significance in American history due to their architectural, archaeological, and cultural value. The categories are defined as follows:

²³ DoDI 4715.16, E5 2b(4)(a).

²⁴ FY16 Agency Financial Report, http://comptroller.defense.gov/Portals/45/Documents/afr/fy2016/3-Financial_Section_Final20170511_HH.pdf.

- **“Buildings and Structures.** Buildings and structures listed, or eligible for listing, on the National Register of Historic Places, including Multi-Use Heritage Assets.
- **“Archeological Sites.** Sites identified, evaluated, and determined to be eligible for or are listed on the National Register of Historic Places in accordance with Section 110 of the National Historic Preservation Act.
- **“Museum Collection Items.** Items unique for one or more of the following reasons: historical or natural significance; cultural, educational, or artistic importance; or significant technical or architectural characteristics.”²⁵

Museum collection items are divided into two subcategories: fine art and objects. Fine art includes paintings, sculptures, and other three-dimensional art. Objects are current use, excess, obsolete, or condemned material; war trophies; personal property such as uniforms, medals, or diaries, and military equipment. The DoD Components report their quantities of each heritage asset category annually in the *Agency Financial Report*. This data provides insight into the success and health of the heritage assets and cultural resources management programs.

Subquestion 3.3: If you use the FRPP to manage information, does its definitions and categories accurately characterize and help with your management of historic properties?

Subquestion 3.4: 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?

While the DoD is required to submit real property data to the FRPP each year, the DoD uses a more granular historic property data standard than the FRPP. In 2005, DoD created a data standard to manage real property asset data, to include historic status, that is used across the enterprise. The DoD standard includes more values to better understand the NRHP eligibility categories for real property assets. Each of the additional DoD historic property data standards maps to one of the core FRPP standards, and DoD submits this information each year. The DoD real property historic facilities data standards are referenced in Table 1.

Subquestion 3.5: 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?

No, the DoD Federal Preservation Officer (FPO) does not review DoD’s FRPP data prior to it being submitted, but the DoD FPO does review and evaluate the DoD Components’ real property and cultural resources data annually during the environmental management review process. Further, the DoD FPO evaluates the performance of the DoD Components’ environmental compliance and management programs, including the Service cultural resources programs.

²⁵ Heritage assets are defined in the Agency Financial Report on page 96:

http://comptroller.defense.gov/Portals/45/Documents/afr/fy2016/3-Financial_Section_Final20170511_HH.pdf.

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.

Subquestion 4.1: 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?

Subquestion 4.2: If not, are there legal or other restrictions that would preclude your agency from exploring partnerships?

Subquestion 4.3: If you use them, how have partnerships benefited your agency?

In DoD, partnerships are not routinely used at the Department level to identify and evaluate historic properties. However, as outlined earlier, one of the core policy statements of DoDI 4715.16 is to:

- “Consult in good faith with internal and external stakeholders and promote partnerships to manage and maintain cultural resources by developing and fostering positive partnerships with Federal, tribal, State, and local government agencies; professional and advocacy organizations; and the general public.”²⁶

At the installation level, the Military Departments can work with partners to improve their cultural resources programs. As stated in DoDI 4715.16, the Departments shall:

- “Establish appropriate partnerships with government, public, and private organizations to promote local economic development and vitality through the use of DoD historic properties in a manner that contributes to the long-term preservation and productive use of those properties.
- “Promote partnerships with communities to increase opportunities for public benefit from, and access to, DoD cultural resources, taking into account mission activities, sustainability, safety and security issues, and fiscal soundness.”²⁷

Where installations manage lands historically or culturally affiliated with American Indian, Alaska Native tribes, or Native Hawaiian organizations (NHOs), the installations frequently partner or consult with those groups to identify and evaluate cultural resources and sacred sites. Guidance for this effort, including when to consult tribes and NHOs, what laws trigger the requirement to consult, who should be involved, how to address culturally sensitive information and tribal protocols, and how to record the results of consultations is addressed in DoDI 4710.02, “DoD Interactions with Federally-Recognized Tribes,” and DoDI 4710.03, “Consultation Policy With Native Hawaiian Organizations.”²⁸ Compliance

²⁶ Section 4, DoDI 4715.16.

²⁷ Enclosure 2, DoDI 4715.16

²⁸ DoDI 4710.02, “DoD Interactions with Federally-Recognized Tribes,” and DoDI 4710.03, “Consultation Policy With Native Hawaiian Organizations,” can be found on the DENIX Native American Affairs Program website: <http://www.denix.osd.mil/na/policy/>.

with the NHPA is emphasized throughout DoDI 4710.02, DoDI 4710.03, and the related Military Service-specific policies on consultation.

The DoD assists uniformed and civilian personnel in expanding their tribal consultation skills, which are necessary to establish and maintain effective working relationships with tribes and NHOs, through the American Indian Cultural Communications and Consultation Course and the Native Hawaiian Cultural Communication and Consultation Course. These trainings are offered annually to installations upon request, and since 2004, over 2,000 personnel have been trained.

The USMC routinely engages State Historic Preservation Officers (SHPOs)/Tribal Historic Preservation Offices (THPOs), Indian tribes, NHOs, and other community groups as part of their Environmental Planning and Conservation programs. A recent example is a coordinated planning effort (NHPA Section 106, National Environmental Policy Act (NEPA), and Master Plan) for Multiple Projects in Support of Marine Barracks Washington, DC (MBW). The MBW Main Post is listed on the NRHP and is designated a NHL. A Community Integrated Master Plan (CIMP) was developed through an open and transparent process including a series of public meetings, interviews, and workshops. The Section 106 and Environmental Impact Statement (EIS) review processes were also integrated.²⁹ The National Park Service (National Capital Region and National Historic Landmarks Program Office), National Capital Planning Commission, D.C. SHPO, the ACHP, Capitol Hill Restoration Society, and Advisory Neighborhood Commissions served as consulting parties throughout the processes.

Additionally, the Military Departments can enter into cooperative agreements, as permitted by 10 U.S.C. 2684, "Cooperative agreements for management of cultural resources," which authorizes "the Secretary of Defense or the Secretary of a military department" to form cooperative agreements with:

"a State or local government or other entity for the preservation, management, maintenance, and improvement of cultural resources located on a site authorized by subsection (b) and for the conduct of research regarding the cultural resources. Activities under the cooperative agreement shall be subject to the availability of funds to carry out the cooperative agreement."³⁰

The authority to enter into a cooperative agreement is, however, restricted to the following circumstances: "cultural resources must be located—

- (1) on a military installation; or
- (2) on a site outside of a military installation, but only if the cooperative agreement will directly relieve or eliminate current or anticipated restrictions that would or might restrict, impede, or otherwise interfere, whether directly or indirectly, with current or anticipated military training, testing, or operations on a military installation."³¹

The DoD Legacy Resource Management Program (Legacy), established in 1990, has facilitated partnerships with both the DoD cultural and natural resources programs. On an annual basis, Legacy provides funds for projects related to the management of cultural and natural resources on military

²⁹ Coordinated integration of the Section 106 and NEPA review processes refers to the integration of those two processes into a combined environmental review process. ACHP guidance on coordinating Section 106 and NEPA is available at: http://www.achp.gov/docs/NEPA_NHPA_Section_106_Handbook_Mar2013.pdf.

³⁰ 10 U.S.C. § 2684, <http://www.law.cornell.edu/uscode/text/10/2684>.

³¹ 10 U.S.C. § 2684, <http://www.law.cornell.edu/uscode/text/10/2684>

installations.³² This program fosters the development of partnerships, leveraging the knowledge and talents of individuals outside of DoD to contribute toward the improvement of the cultural and natural resources management of military lands. Approximately 600 DoD Legacy Resource Management Program (Legacy) projects, representing over \$85 million dollars of investment, have directly benefited DoD's cultural resources since the program's start in FY 1991.³³ These projects have developed new or leveraged existing partnerships with other Federal agencies, state, tribal, and local governments, in addition to academic and non-profit organizations. The Legacy funding level has remained low in the last several years, decreasing from \$3.4 million in FY14, to \$1.94 million in FY15, fluctuating back to \$2.37 million in FY16. In the last three years, a total of \$2.83 million has been spent on 25 cultural resources and integrated (natural and cultural resource combined) projects.

Legacy establishes Areas of Emphasis (AOE) in their annual request for proposals. Successful project proposals meet DoD's cultural and natural resources management needs. For FY17, the Legacy AOE's were:

- Mission Enhancement and Range Sustainment
- Planning to Address and Adapt to New and Emerging Threats
- Efficiencies in Cultural Resources Management
- Asset Resiliency through Historic Preservation
- Training and Communication³⁴

These AOE's have been revised from previous years to reflect the changing needs of the DoD Component's cultural resources programs. These AOE's assist OSD staff in evaluating proposals that intend to improve the management of cultural resources including identification and evaluation, dynamic stewardship, scholarship to inform and streamline historic property evaluation, and sound efficient use.

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.

The DoD Components continue to work toward more efficient management of their cultural resources. Examples of successes include:

Successes

- After years of consultation, Fort Huachuca executed a Programmatic Agreement (PA) to address the disposition of the Mountain View Officer's Club, an African-American Officers' Club dating to World War II. The installation has granted an extension to the

³² More information on Legacy is available at: <http://www.dodlegacy.org/Legacy/intro/about.aspx>.

³³ These figures differ from previous reporting years because only projects directly related to cultural resources are included in this report. Legacy figures noted in previous years included all types of Legacy projects, natural and cultural. Natural resource projects were not included in the statistics this year.

³⁴ The current RFP is available at: https://www.dodlegacy.org/Legacy/Intro/RFP_Legacy.pdf.

National Trust for Historic Preservation to allow them to refine their proposal to rehabilitate and reuse the property.

- The Army rehabilitated the Fort Leonard Wood African-American Officers Club for reuse as classroom space. The original Works Progress Administration mural, painted by Samuel Countee, was conserved and is temporarily on display in the installation museum until it can be reinstalled in the building. Additionally, the garrison plans to install interpretive panels explaining the significance of the building and the mural.
- The Air Force implemented standardized and electronic Integrated Cultural Resources Management Plan (ICRMP) templates in late 2015 and require all existing and newly developed ICRMPs to utilize the template. It is located on installation and the Air Force Civil Engineer Center (AFCEC) webpages. This standardization of ICRMPs and web centralization allow quick review by base, installation support teams, and AFCEC, which reduces data call time and energy; allows in-house updates; allows intra-Service sharing of lessons learned; and creates a more uniform set of standard operating procedures.
- A revision to Air Force Instruction (AFI) 32-7065, "Cultural Resources Management," was published late in 2014 and updated in September 2016; which includes a requirement for annual in-house updates to every ICRMP. The AFI 32-7065 is supported by web-based documents, including a cultural resources playbook, a draft Air Force Manual, and the Air Force cultural resources webpage and work spaces.
- AFI 90-2002, "Air Force Interactions with Federally-Recognized Tribes," published late in 2014, is currently being updated and revised. This AFI expands on the DoDI 4710.02, in outlining commanders' responsibilities and roles in government-to government consultations between base commanders and tribal leaders and sets up protocols for improving relationships between bases and tribes.
- The Air Force identified installation tribal liaison officers at many US bases with land managing responsibilities; AFCEC provides tribal relations training, assistance, and materials to senior and base leaders.

Challenges

- Army is in consultation with the Hawaii SHPO and the Keeper of the NRHP regarding a disagreement concerning the eligibility of the Pohakuloa Training Area (PTA) cantonment on the island of Hawaii. The PTA cantonment is composed of World War II Quonset Huts that were moved to PTA after World War II from various places around the Pacific and repurposed for administrative and temporary housing during the Cold War to facilitate routine training. The question regarding NRHP eligibility of the Quonset Huts has been elevated to the Keeper of the NRHP. The Army is responding to additional questions from the Keeper regarding information about the number, location, and significance of Quonset Huts in the DoD inventory. Army maintains that there were no significant events or Cold War missions at PTA, no association with prominent persons, nor any data potential to be obtained from these resources and therefore, the Quonset huts are not eligible to be a historic district.
- Army is consulting with the numerous parties including NHOs, HI SHPO, and other consulting partners to develop two 20-year PAs to facilitate routine training events at Army training areas on the islands of Hawaii and Oahu. The PAs address routine military training, among other actions. Challenges remain in addressing the requests for access to Safety Danger Zones, Native Hawaiian management of some resources, and use of paid Native Hawaiian monitors following training actions which could significantly

impede the Army's use of the land and impact the Army's war-fighting readiness mission.

Protection

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.

Subquestion 6.1: Has the manner in which your agency manages compliance with Sections 106, 110, and 111 of NHPA changed over the past three (3) years?

The DoD has not changed its process for complying with Section 106, 110, and 111 in the past three years. The DoD follows the guidelines established in DoDI 4715.16, "Cultural Resource Management," for complying with NHPA and all other cultural resource statutes, laws, regulations, and executive orders.

Subquestion 6.2: 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?

The DoD does not collect this type of information. Most installations have a government civilian employee designated as the CRM, and many installations retain multiple government or contract employees as cultural resources subject matter experts. Such staffing levels can be found similarly replicated in other DoD Component regions, commands, and headquarters.

Subquestion 6.3: 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?

As a land managing agency, DoD employees and ultimately installation Commanders are responsible for compliance with Sections 106, 110, and 111 of NHPA. As necessary and when appropriate, DoD will engage and oversee contractors performing work pursuant to Sections 106, 110, and 111 of the NHPA, such as archaeological and historic properties surveys.

Subquestion 6.4: Are there federal laws or regulations that limit your agency's ability to carry out its NHPA obligations?

None aside from those imposed by the Budget Control Act.

Subquestion 6.5: 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?

DoD staff has access to procedures and compliance training pursuant to Sections 106, 110, and 111 of the NHPA; however, given recent travel restrictions and limited travel funds, access to off-site training on Section 106, 110, and 111, such as the ACHP's 106 Essentials or advanced courses, has been limited. To accommodate for the restrictions in travel and limited funds for training, Section 106 training course templates have recently been developed for both the CRM professional and non-CRM staff. These templates can be used at the installation level to provide localized training to staff.³⁵ In addition, DoD's environmental website, the Defense Environmental Information Exchange (DENIX), contains many educational materials, historic contexts, and training documents.

The Military Departments offer in-person courses to provide training on CRM and the NHPA. The DoN offers Civil Engineer Corps Officers School (CECOS) courses. The mission of CECOS is to provide Seabees, Civil Engineer Corps Officers, Facility Engineers and Environmental Professionals with the necessary skills, knowledge and education to enhance lifelong learning and to provide quality support to DoD.³⁶ Cultural resources courses available include Advanced Historic Preservation Law and Section 106 Compliance, Introduction to Cultural Resources Management Laws and Regulations, and Native American Traditions and Cultures: Implementing DoD Native American Policy. These courses are free to all DoD personnel.

Additionally, the DoD-sponsored American Indian and Native Hawaiian Cultural Communication and Consultation Course is offered to at least two installations annually upon request. The free, three-day course includes a half-day segment on federal laws (e.g., Section 106) that impact DoD relationships with tribes and DoD's expectations regarding how Military Departments will fulfill their obligations under those laws.³⁷ Participants in past training courses include CRMs and training range managers, public works staff, public affairs officers, and command staff.

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.

Subquestion 7.1: Are there any legal restrictions that would preclude your agency from exploring partnerships for local economic development for the protection of historic properties?

³⁵ This effort includes Legacy project 12-504, Development of Cultural Resources Training for the Non-CR Professional. Information regarding this project can be found at: <http://www.denix.osd.mil/cr/lrmp/factsheets/fact-sheets/training-the-cultural-resource-manager-fact-sheet-legacy-12-504/>.

³⁶ CECOS information and courses: <http://www.netc.navy.mil/centers/csfe/cecos/Courses.htm#tab1>.

³⁷ More information on the DoD-sponsored American Indian and Native Hawaiian Cultural Communication and Consultation Course can be found on the Native American Affairs Program website at: <http://www.denix.osd.mil/na/training/>.

Subquestion 7.2: With whom has your agency partnered? What were the resources protected?

Subquestion 7.3: How have partnerships benefited your agency?

Subquestion 7.4 How successful has your agency been in developing partnership agreements (e.g. cooperative, cost-share, interagency, research) for the protection of historic properties?

Information on DoD's policies concerning partnerships can be found in the response to Question 4, above.

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?

Subquestion 8.1: 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?

DoD has several nationwide Program Comments including programs for Capehart-Wherry Housing, Ammunition Storage Facilities, and Unaccompanied Personnel Housing, as well as a nationwide Programmatic Memorandum of Agreement (PMOA) for World War II Temporary Buildings. These program alternatives have been effective tools to manage large numbers of like resources. Additionally, many installations have PAs with SHPOs for routine maintenance and other common activities. These program alternatives have been effective in helping DoD manage its resources and more effectively communicate with stakeholders. DoD is developing plans to ascertain management solutions for Cold War facilities and activities associated with maintaining and managing those assets.

Subquestion 8.2: Do you quantify their positive effect in protecting historic properties? If so, how?

The DoD does not quantify the positive effects of its program alternatives. The DoD does, however, track the number of assets which are included in a Program Comment through the use of the historic status code "Eligible for the purposes of a Program Comment (ELPA)" in RPAD (see ELPA figures in Table 1).

Subquestion 8.3: If not, are there specific activities or programs that you believe would benefit from a program alternative to tailor the Section 106 review process?

The DoD is developing plans to ascertain management solutions for Cold War facilities and activities associated with maintaining and managing those assets. The DoD is also evaluating the potential efficiencies found in the development of a nationwide program alternative for routine operation and maintenance activities.

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

Information on DoD's cultural resources program successes and opportunities can be found in the response to Question 5, above.

Use

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."

Subquestion 10.1: 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?

Most of the DoD's historic properties are located on military installations which are not typically located in towns or city centers. Some installations and sites such as the Navy Yard in Washington, DC, are, however, located in urban areas. The number of historic properties located in towns or city centers is not data that DoD collects.

Subquestion 10.2: During asset planning, does your agency consider local economic development?

Subquestion 10.3: Does your agency involve stakeholders in resource management and planning efforts to identify opportunities for the use of assets in economic development?

Subquestion 10.4: If there are no legal restrictions, how has your agency developed or improved procedures for supporting local economic development?

The Military Departments maintain legal jurisdiction of their property for the U.S. Government and derivative decisions are made at that level. All of DoD's project planning or infrastructure development decisions are made according to the defense mission, not local economic development considerations.

Nonetheless, local economies are enhanced and supported by installations' environmental and cultural resources staff on a somewhat permanent and recurring level, while contractors working on cultural resources survey or other discrete management projects on installation and training lands can add to the local economy on temporary basis. While these varied economic impacts are not calculated by DoD, project contract support often stay in local hotels, eat at local restaurants, and use other local facilities sometimes for several weeks or months at a time, depending on the program support needs.

Subquestion 10.5: 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?

The DoD does not collect this type of data. Although a few historic installations such as the Pentagon do keep track of the number of visitors (visitors to the Pentagon and the Pentagon 9/11 Memorial are commonly known to be over 100,000 per year), the number of installations or facilities that do collect this data is not numerous enough to be relevant or provide accurate information for DoD as a whole.

Subquestion 10.6: Does your agency consider such visitation when reporting on space utilization in the FRPP, if your agency submits such reports?

The DoD does not consider visitation when reporting on space utilization.

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.

Subquestion 11.1: Has your agency used technologies and/or social media to promote heritage tourism as a use of historic properties?

While the DoD does not use its website to promote heritage tourism of historic resources, the DoD does have information regarding heritage assets and museums available online. The Military Service Museums have information regarding their collections available online.³⁸ Additionally, information regarding tours of the Pentagon is available online.³⁹ DoD continually improves the Cultural Resources Program's website information and content. Making cultural resources information available to stakeholders, consulting parties, and members of the general public helps to raise awareness of DoD's numerous and rich cultural resources.

In the U.S. Air Force, individual Air Force museums have undertaken efforts to promote heritage tourism, including on-site efforts (where appropriate and authorized), and online communication and outreach through the availability of information about Air Force museums and museum collection items.⁴⁰

Subquestion 11.2: 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 and heritage tourism?

The DoD does not have a policy to involve stakeholders in heritage tourism, resource management, or military mission planning. The DoD considers its historic properties to be assets that support the military mission, and does not use them for economic development or heritage tourism purposes.

³⁸ Information regarding the Military Service museums can be found on their Service and command websites. The national Service museum websites are: <https://history.army.mil/>, <http://www.usmcmuseum.com/>, <https://www.history.navy.mil/content/history/museums/nmusn.html>, and <http://www.nationalmuseum.af.mil/>.

³⁹ Information regarding tours at the Pentagon can be found at: <https://pentagontours.osd.mil/Tours/>.

⁴⁰ Information about Air Force museums and museum collections can be found at: <http://www.nationalmuseum.af.mil/>.

Subquestion 11.3: 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?

The DoD does not collect data related to educational tours and recreational visitation in historic properties. However, there is limited information from the Military Services related to answering this question. The Army does not collect data to allow a complete response to this question, but 19 Army installations report that they regularly conduct tours of their historic properties. Despite controlled access to their installations, there are five Navy museums located in historic buildings that are open to the public.⁴¹ Most Navy installations also carry out regular public outreach programs that highlight cultural resources and enhance local communities' understanding of common heritage. Given the Air Force's military mission, there are limited opportunities for local community, non-military or non-civilian workforce citizens to interact first hand with base historic properties. Occasional open houses and tours are conducted at Air Force installations with exceptional or remarkable historic properties, historic districts, or NHLs. There are 13 Air Force museums that offer educational tours and/or host recreational visitors on a regular basis.

Subquestion 11.4: Does your agency limit public access to historic properties? If so, what considerations affect decisions to limit access? Are these temporary or permanent?

The DoD limits most access to installations based on security concerns. However, there are procedures in place to allow access to historic properties and cultural sites if requested and in keeping with the threat level assessment. For example, the Santa-Elena NHL, at Marine Corps Recruiting Depot Parris Island, SC, may be accessed by coordinating with installation cultural resources staff.

Subquestion 11.5: How many of your historic properties operate as museums or have visitor centers?

The DoD does not routinely collect this data, but some examples are evident. The Navy manages five museums that are located in six historic buildings. The Air Force maintains four museums in historic buildings.⁴²

Subquestion 11.6: Does your agency consider such visitation when reporting on space utilization in the FRPP, if your agency submits such reports?

The DoD does report on space utilization in the FRPP, but visitation by non-building occupants is not included in the space computation data.

⁴¹ The five Navy museums that are open to the public are: the National Museum of U.S. Navy, Puget Sound Naval Museum, National Museum of the American Sailor, Naval War College Museum, and the Naval Academy Museum.

⁴² The four Air Force museums in historic buildings are: Edwards Air Force Base (AFB), CA, Eglin AFB, FL, F.E. Warren AFB, WY, and Gila Bend Aux AF, AZ

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.

Subquestion 12.1: 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?

Subquestion 12.2: What does your agency see as the impact over time of this legislation on the preservation and use of historic properties?

The DoD is exempt from providing a list of properties under the FAST Act.

Subquestion 12.3: 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).

The DoD RTF plan does not specifically address historic properties, but DoD continues to comply with Section 106 of the NHPA for all historic property alterations and disposals. The RTF focuses on offices and warehouses and DoD has less than ten percent of its inventory in those two classes of facilities (offices and warehouses). Therefore, the DoD's available pool of potential RTF assets is small and grows significantly smaller each year.

Guidance for the RTF effort stresses an optimization of existing facilities and a reduction of the real property portfolio to match the mission requirements. The DoD is consolidating facility occupancy to the minimum space needed to accomplish missions while reducing leases and disposing of failing excess facilities. This strategy allows DoD to support the changing force structure and reduce sustainment and energy costs. As RTF plans are implemented, Section 106 is initiated to consult on the proposed demolition of all historic properties being considered within the plan and to analyze the effects of plan implementation on the installation.

Subquestion 12.4: 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.

Information regarding Federal policies that affect decision making process in the re-use of historic properties can be found in response to Question 13, below.

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

The DoD continues to meet its administrative sustainability responsibilities and anticipates further guidance concerning sustainability planning.

Subquestion 13.1: Has your agency rehabilitated or adaptively reused historic properties to achieve sustainability and resiliency goals?

Subquestion 13.2: How does your agency coordinate historic preservation and sustainability/resiliency goals in project planning?

The DoD does not collect data related to this question, but does have guidance on appropriate rehabilitation practices for historic buildings to assist DoD in meeting its energy efficiency goals.⁴³ DoD supports the mission by incorporating sustainable practices with historic properties where and when it is appropriate. For example, photovoltaic panels have been installed at the Home of the Commandants, a National Historic Landmark at the Marine Corps Barracks, Washington, DC.

Through successful development and implementation of DoD's Legacy Resource Management Program project deliverables, DoD Components are provided with improved information and tools to protect and enhance natural and cultural resources while enabling military readiness. The Legacy program has funded several projects that address both historic preservation and sustainability/resiliency.⁴⁴

The DoD incorporates sustainable practices with historic properties where and when it supports the defense mission. Defense policy requires new construction and major renovation efforts adhere to the Unified Facilities Criteria (UFC) 1-200-02, "High Performance and Sustainable Building Requirements." This UFC provides minimum requirements and guidance to achieve high performance and sustainable facilities that comply with the Energy Policy Act of 2005, the Energy Independence and Security Act of 2007, EO 13693, and the implementation requirements found in the "Guiding Principles for Sustainable Federal Buildings and Associated Instructions." Appendix D of UFC 1-200-02, addresses projects impacting a historic building or district, including new construction and renovation projects, repair and maintenance projects, and leased historic buildings. These policies improve the resiliency of our installations, and further embed sustainability considerations into the conduct of DoD business.

Subquestion 13.3: Has your agency faced resistance to reuse of historic properties due to the perceived incompatibility of preservation with sustainability and resiliency goals?

Opposition to the reuse of historic buildings in DoD is generally based upon the unsuitability of the existing (historic) structure for the proposed new use. For example, when combining office space from multiples buildings into one, a historic building may be too small to meet the needs of the consolidation.

⁴³ Design guidelines include *Design Guidelines for Implementing Energy Efficiency Strategies in Historic Properties*, Legacy project 11-382. The report can be found at: <http://www.denix.osd.mil/cr/lrmp/factsheets/reports-and-other-products/design-guidelines-for-implementing-energy-efficiency-strategies-in-historic-properties-legacy-11-382/>.

⁴⁴ Projects include 11-382, *Design Guidelines for Implementing Energy Efficiency Strategies in Historic Properties*; Legacy 13-703, *Energy Efficiency Alternatives for Historic Buildings in Extreme Cold Weather Climates*; and Legacy 15-777, *Quantifying the Life-Cycle Cost Benefits of Energy Efficiency Retrofits of Historical Buildings*.

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.

Subquestion 14.1: 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?

DoD Directive (DoDD) 4165.06, “Real Property,” and DoDI 4165.72, “Real Property Disposal,” are the Department-wide policies for disposal of all DoD real property, including historic assets.⁴⁵ The DoDI 4165.72 directs the DoD Components to “establish programs and procedures to dispose of real property that conform to applicable law and the policies, guidance, and procedures provided by and pursuant to [DoDD 4165.06] and [DoDI 4165.72].”⁴⁶ The DoD Components have policies with more detailed requirements on the disposal process relevant to their business practices.

The criteria for disposal actions are applicable to all types of real property. DoDI 4165.72 directs the following procedure to dispose of real property:

“The programs of the Military Departments shall ensure that... real property for which there is no foreseeable military requirement, either in peacetime or for mobilization, and for which the Department of Defense does not have disposal authority, is promptly reported for disposal to [GSA]... in accordance with applicable regulations of those agencies.”⁴⁷

The disposal procedures include several factors to consider in addition to the obvious legal requirements. DoDI 4165.72 reinforces the uniqueness of disposing of historic properties:

“Disposal of real property may include disposing of associated interests in real property such as authorized by section 2668a of title 10, U.S.C. [Easements: granting restrictive easements in connection with land conveyances], including those needed to comply with the requirements of the National Historic Preservation Act.”⁴⁸

Subquestion 14.2: Does your agency utilize Section 111 (16 U.S.C. § 470h-3) authorities in the management of historic properties? If yes, provide examples how your agency has used this authorization.

Subquestion 14.3: 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?

Subquestion 14.4: When negotiating leases, how does your agency budget for the use of lease proceeds in the rehabilitation and maintenance of historic properties?

⁴⁵ DoDD 4165.06 available from <http://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodd/416506p.pdf>; DoDI 4165.72 available from <http://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/416572p.pdf>.

⁴⁶ Section 4.3.1., DoDI 4165.72.

⁴⁷ Section 5.1., DoDI 4165.72.

⁴⁸ Section 5.1.6., DoDI 4165.72.

DoD does not issue policy or guidance to preclude the use of Section 111 of the NHPA by the Military Departments. However, the Military Departments have not made extensive use of that authority, preferring instead to use “Enhanced Use Leasing” under 10 USC §2667. This codified allowance is a special statutory authority specific to DoD, and while DoD uses it extensively, it is not often utilized for historic property leasing. As noted in DoD’s 2003 Section 3 Report, the Military Departments have found that Enhanced Use Leasing has the potential for more flexible use.

Subquestion 14.5: Have proceeds from Section 111 leases increased in the past three (3) years?

The DoD does not collect this data.

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

Agencies frequently work with State Historic Preservation Offices, Tribal Historic Preservation Offices, certified local governments, and private entities and organizations, for the use and management of information about historic properties. Agencies are encouraged to examine their policies, procedures, and capabilities to public-private initiatives and investment and report on their progress.

Subquestion 16.1: Are there any legal restrictions that would preclude your agency from exploring partnerships for local economic development for the use of historic properties?

Subquestion 16.2: If your agency uses partnerships, please describe the nature of these partnerships.

Subquestion 16.3: How have partnerships benefited your agency?

Subquestion 16.4: Does your agency have any volunteer programs? If so, how are volunteers used in the management or interpretation of historic properties?

Information on the DoD’s policies concerning partnerships can be found in the response to Question 4, above.

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

Information on DoD’s cultural resources program successes and opportunities can be found in the response to Question 5, above.



2017 Department of Defense Response to:
Executive Order 13287, "Preserve America,"
Section 3: Reporting Progress on the
Identification, Protection, and Use of
Federal Historic Properties

Office of the Under Secretary of Defense
For Acquisition, Technology, and Logistics