

Introduction

On October 26, 2018, the Advisory Council on Historic Preservation (ACHP) issued a [Program Comment](#) for the U.S. Department of Veterans Affairs (VA). The Program Comment sets forth the way in which VA may comply with Section 106 of the National Historic Preservation Act (NHPA) for its real property actions related to vacant and underutilized buildings and structures.

On an annual basis, the Program Comment requires VA to provide the ACHP with 1) a composite list of properties that could be subject to the Program Comment, and 2) a narrative explaining its conclusion that historic utilitarian properties may be eliminated without endangering the continued National Register of Historic Places (NRHP) eligibility of the historic district in which they are located.

Summary of the Composite List of Properties

VA continues to implement the Program Comment. VA has developed its third composite list, based upon FY20 reporting to the Federal Real Property Profile (FRPP), of 369 buildings that could be subject to the Program Comment, should an applicable undertaking be proposed. There are 22 fewer buildings on this year's list compared to the composite list for FY18, the first year of the Program Comment. Buildings on this list have been reported as vacant or underutilized to the FRPP for 12 months or longer.

Based on past FRPP reporting, for FY20 the Program Comment list will solely consist of buildings, as it did for the previous years. In following years, VA may expand the list to include structures.

The breakdown for the Program Comment list of buildings is as follows:

- About 93% (n=342) of the buildings are property of the Veterans Health Administration (VHA), and about 7% (n=27) are property of the National Cemetery Administration (NCA).
- About 82% (n=304) of the buildings are listed on or eligible for the NRHP. About 18% (n=65) have been evaluated and are not eligible for the NRHP.
- About 68% (n=253) of buildings have been reported vacant or underutilized for 5 years or more; 15% (n=54) for four (4) years; 10% (n=36) for three (3) years; and 7% (n=26) for two (2) years.
- Approximately 27% (n=99) of the buildings are utilitarian; about 73% (n=270) are non-utilitarian.
- There are 87 VA facilities with buildings subject to the Program Comment.
- There are 36 states with buildings subject to the Program Comment.
 - States with over 20 buildings on the list include California (n=42), Indiana (n=33), Pennsylvania (n=33), New York (n=32), and Alabama (n=26).
 - States not represented in the FY20 Program Comment composite list include Alaska, Delaware, Hawaii, Idaho, Missouri, Nevada, New Mexico, North Dakota, Oklahoma, Rhode Island, Tennessee, Utah, Vermont, and West Virginia, along with the District of Columbia and Puerto Rico.
- There is one entire historic district included in the Program Comment data: Pittsburgh, Highland Drive, PA, which has 18 buildings on the composite list. VA reported this property as excess to the General Services Administration (GSA), which executed a programmatic agreement for the disposal of the historic property in February 2021. VA completed disposal in June 2021 and no longer owns this property.

- Thirty-four (34) properties that were on the 2020 Composite List (FY19 data) no longer meet the criteria to be included on the 2021 Composite List (FY20 data) and have been removed. Thirty-two (32) new properties that now meet the criteria have been added to the 2021 Composite List (FY20 data).

Historic Utilitarian Properties Conclusion

The Program Comment defines and distinguishes between utilitarian and non-utilitarian buildings. Many VA facilities are characterized by having multiple utilitarian buildings of little architectural design or uniqueness, that were needed during an earlier era of Veterans health care but have since become obsolete. These buildings are ancillary to the cores of VA historic districts, and often have minor or no historic significance and/or diminished or no integrity. In the past, such historic utilitarian properties have been eliminated with SHPO concurrence, without endangering the continued eligibility of the larger historic district.

In the [FY18](#) and [FY19](#) Program Comment narratives, VA included examples of recent undertakings that included demolition of historic utilitarian properties and were subject to executed memorandum of agreements (MOAs). In these cases the elimination of these historic utilitarian properties did not imperil the NRHP eligibility of these historic districts.

Analysis of Historic Utilitarian Buildings included in the FY20 Program Comment composite list:

- Of the 60 historic utilitarian buildings included in the list, no more than eight are located at a single facility.
- Twenty-seven (27) VA facilities have historic utilitarian buildings on the list.
 - Of this number, 25 facilities have four or fewer vacant or underutilized historic utilitarian buildings.
- The VA facilities with the most historic utilitarian buildings are:
 - NIHCS Marion, IN (n=8) (three of these buildings are subject to an executed MOA)
 - Columbia, SC (n=6) (five of these buildings are subject to an executed MOA)