

## 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. VA did not provide fiscal year (FY) 2022 data to the ACHP; consequently, VA did not use the Program Comment in 2023. However, in September of 2023, VA completed a report entitled "[A Cultural Geography of the Veterans Affairs Built Environment](#)" to fulfill the Programmatic Mitigation required per Section 6. of the Program Comment.

## Summary of the Composite List of Properties

VA has developed its fifth composite list, based upon FY23 reporting to the Federal Real Property Profile (FRPP), of **329** buildings that could be subject to the Program Comment, should an applicable undertaking be proposed. There are 62 fewer buildings on this year's list compared to the composite list for FY18, the first year of the Program Comment, which listed 391 buildings. 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 FY23 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 2024 Program Comment list of buildings is as follows:

- About 93% (n=306) of the buildings are property of the Veterans Health Administration (VHA), and about 7% (n=23) are property of the National Cemetery Administration (NCA).
- About 81% (n=268) of the buildings are listed on or eligible for the NRHP. About 19% (n=61) are not eligible for the NRHP. No properties on the list are unevaluated.
- About 78% (n=256) of buildings have been reported vacant or underutilized for 5 years or more; 8% (n=27) for four (4) years; 0% (n=0) for three (3) years; and 14% (n=46) for two (2) years.
- Approximately 27% (n=88) of the buildings are utilitarian; about 73% (n=241) are non-utilitarian.
- There are 90 VA facilities/cemeteries with buildings subject to the Program Comment.
- There are 36 states with buildings subject to the Program Comment.
  - States with 20 or more buildings on the list include Alabama (n=28), California (n=33), Illinois (n=20), and New York (n=34).
  - States not represented in Program Comment composite list include Alaska, Delaware, Hawaii, Idaho, Kentucky, Missouri, Nevada, New Mexico, North Dakota, Oklahoma, Rhode Island, Tennessee, Vermont, and West Virginia, along with the District of Columbia and Puerto Rico.

- There is one historic district included in the Program Comment composite list where most of its contributing resources are listed as vacant or underutilized: Tuskegee, AL, which has 23 buildings included. VA is currently pursuing its nomination as a National Historic Landmark.
- Fifty-four (54) properties that were on the 2022 Composite List (FY21 data) no longer meet the criteria to be included on the 2024 Composite List (FY23 data) and have been removed.
- Forty-six (46) new properties that now meet the criteria have been added to the 2024 Composite List (FY23 data). Newly added properties are identified in the 2024 Composite List (FY23 data) as having been vacant and/or underutilized for 2 years.

### **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 State Historic Preservation Officer (SHPO) concurrence, without endangering the continued eligibility of the larger historic district.

In the [FY18](#) and [FY19](#) Program Comment narratives, VA included examples of undertakings that included demolition of historic utilitarian properties and were subject to executed Memoranda 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 2024 Program Comment composite list:

- Of the 88 utilitarian buildings included in the list, 52 are historic.
- Twenty-seven (27) VA facilities/cemeteries have historic utilitarian buildings on the list.
- Northern Indiana Health Care System Marion facility (IN) has the most historic utilitarian buildings (n=5) included on the list. The remainder of the facilities have four (4) or fewer vacant or underutilized historic utilitarian buildings.