



January 26, 2026

Jaime Loichinger
Director, Office of Federal Agency Programs
Advisory Council on Historic Preservation
401 F Street NW, Suite 308
Washington, DC 20001
Via email: program_alternatives@achp.gov

Re: Proposed Program Comment for Army Warfighting Readiness and Associated Infrastructure

Dear Ms. Loichinger:

The American Cultural Resources Association (ACRA), the trade association for firms that specialize in cultural resource management (CRM), appreciates this opportunity to provide comments to the Advisory Council on Historic Preservation (ACHP) about the Department of the Army's *Proposed Program Comment (PPC) for Army Warfighting Readiness and Associated Infrastructure*.

ACRA member firms undertake much of the legally mandated CRM studies and investigations in the United States and employ thousands of CRM professionals, including anthropologists, archaeologists, architectural historians, historians, and an increasingly diverse group of other specialists. To help guide smart, sustainable economic development and safeguard important historic and cultural heritage assets, ACRA members apply specialized research skills within a framework of federal, state, local, and/or Indian Tribal laws and regulations, facilitating an open dialog where every stakeholder has a voice.

Section 106 of the National Historic Preservation Act (NHPA) is the cornerstone federal historic preservation policy that balances the need to build our nation's infrastructure with the need to preserve our past. CRM professionals and their clients respect the NHPA Section 106 process because it provides a clear, consistent roadmap to enable projects to move forward while considering their impacts on the country's remarkable and diverse cultural heritage. Communities value the process because Section 106 gives citizens a voice in preservation.

ACRA noted in its August 24, 2025, comments to the Army regarding its *Program Comment Plan (PCP) for Army Warfighting Readiness and Associated Buildings, Structures, and Landscapes*¹ that we believe program comments are a useful tool to enable federal agencies to consider how groups of similar undertakings may be addressed under Section 106, instead of addressing each undertaking individually. Further, ACRA fully supports and recognizes the Army's indispensable need to modernize and transform its facilities and assets to ensure U.S. military readiness.

ACRA appreciates some of the changes the Army made to its PCP, but we remain concerned that the overly broad scope of this PPC and the short timeframe for stakeholder consideration risk the permanent destruction of irreplaceable historic properties.

Improvements to the PPC

Traditional Knowledge

ACRA is pleased that the PPC has strengthened the language regarding Indigenous Knowledge by requiring Army installations to “seek and incorporate Indigenous Knowledge regarding such historic properties from Federally recognized Tribes and NHOs [Native Hawaiian Organization],” and to “assess how actions under this program comment may affect such properties, considering the cultural values and beliefs associated with those properties.” (Section 6.2.1)

The current version is an improvement from language in the original PCP that made such consultation optional for military installations. The revised language better reflects the federal government's trust responsibility and aligns with ACRA's recommendation that such consultation be mandatory.

Annual Reports and Meetings

ACRA also appreciates the Army's willingness to change the annual report requirement to require Army installations to “identify each undertaking addressed under the program comment and summarize efforts to identify, evaluate, assess effect, and avoid or mitigate adverse effects to historic properties,” as ACRA recommended in its comments on the PCP, instead of a more generalized report.

Similarly, ACRA is pleased that the PPC changes the proposed frequency of annual reports in the original PCP from annually for the first three years and triennially thereafter, to required annual reports every year for the duration of the PPC. More detailed disclosure on

¹ ACRA letter to Office of the Assistant Secretary of the Army for Installations, Energy and Environment, August 24, 2025, <https://acra-crm.org/wp-content/uploads/2025/08/ACRA-Comments.Program-Comment-Plan-Army-Warfighting-and-Readiness.082425.pdf>

a more frequent timeframe enables the public to have better knowledge about undertakings that could adversely affect historic properties of value to them.

Continued Concerns with the PPC

Scope

The PCC would cover an enormous scope of projects across military installations, proposing to cover “warfighting readiness activities and management actions on associated infrastructure.” (4.0) Definitions of these terms suggest that there is virtually no undertaking that would be covered by this PPC.²

As the PPC indicates, this scope includes 122,000 buildings and structures that are subject to Section 106 compliance, including nearly 10,000 pre-1941 buildings and structures. ACRA noted in its earlier comments on the original PCP that this scope goes well beyond previous program comments, and the number of structures covered dwarfs those of other Army program comments.³ Such an expansive program comment demands there be more robust public engagement and study before approval.

² Warfighting readiness activities are defined as “all military training, testing, equipping, and industrial activities and management actions occurring on all infrastructure associated with those activities. This includes all training, testing, equipping, and industrial activities conducted on and off Army installations and facilities, and such activities of other military departments or other federal agencies conducted on Army installations and facilities.”

Associated infrastructure is defined as “the totality of all built infrastructure and natural infrastructure associated with Army warfighting readiness activities.”

Built infrastructure is defined as “all buildings, structures, districts, objects, sites, man-made landscapes and landscape features. The built infrastructure includes the entire overall design and layout of Army installations including but not limited to cantonments, training areas, testing areas, ranges, maneuver areas, all buildings, structures, landscapes, landscape features, sites, districts, objects, facilities, research related properties, industrial and manufacturing areas and properties, warehouses, roadways and circulation patterns and systems, rail lines, bridges, dams, utility systems, mechanical systems, airfields, heliports, energy infrastructure, etc. Includes all manmade landscapes and landscape features including archeological sites.”

Natural infrastructure is defined as “all naturally occurring resources, ecosystems, landscapes and viewsheds, natural features, and any and all other natural resources. The term includes but is not limited to forests, wetlands, rivers, streams, lakes, riparian areas, deserts, grasslands, prairies, all habitats, vegetation, soils, mineral resources, and geological features.” (9.0)

³ For example, the Program Comment for the Preservation of Pre-1919 Historic Army Housing, Associated Buildings and Structures, and Landscape Features covers 867 structures, and the Program Comment for Department of the Army Vietnam War Era Historic Housing, Associated Buildings and Structures, and Landscape Features [1963-1975] covers 7,843 structures.

Adverse Effect Actions

The PPC proposes including management actions on “any and all activities undertaken with respect to all built and natural infrastructure associated with warfighting readiness including but not limited to maintenance, repair, rehabilitation, renovation, additions, new construction, abatement and remediation of health and safety hazards such as lead based paint and asbestos, mothballing, cessation of maintenance, and demolition.” (9.0)

ACRA was encouraged that the Army’s 2023 *APCP for Preservation of Pre-1919 Historic Army Housing, Associated Buildings and Structures, and Landscape Features*, in a departure from other Army program comments, excluded adverse effect actions such as demolition, cessation of maintenance and new construction, instead requiring such actions be addressed through the process in 36 CFR 800.4 - 800.7 and 36 CFR 800.10 for National Historic Landmarks (NHLs). We are disappointed that this PPC includes these actions as covered management actions. This is especially concerning due to reports about neglect of historic housing properties on Army installations and accompanying concerns that management companies have opted to demolish historic structures instead of maintaining them.⁴

ACRA continues to urge the Army and ACHP to exclude adverse effect actions like demolition, cessation of maintenance, and new construction from the PPC, particularly for NHLs, and instead use the Secretary of the Interior’s Standards for the Treatment of Historic Properties .

Staff Capacity and the Role of SHPOs

The proposed PPC cites, as part of its rationale, the fact that the original ACHP 800 regulations “assigned SHPOs [state historic preservation officers] a central role in Section 106 project review because at that time federal agencies lacked historic preservation programs and professional staff expertise.” It further notes that, since 1979, the Army has developed “a sophisticated program with qualified historic preservation professionals at all levels within the department,” thus reducing the need for individualized Section 106 consultative processes.

ACRA agrees that the Army has cultivated much better staff capacity to administer cultural resources management programs and Section 106 consultations. That said, the role of SHPOs cannot be easily dismissed. SHPOs possess local expertise and knowledge about context, customs and other factors that influence the effect of undertakings on historic properties. They often are better positioned to engage with local stakeholders, including Tribes that do not have Tribal historic preservation officers (THPOs). The best

⁴ See, for example, *Historic Fort Leavenworth homes recommended for demolition soar to 185*, Kansas City Star, March 21, 2024, <https://www.kansascity.com/news/local/article286094221.html>.

Section 106 processes are those where there is genuine consultation among various parties.

The central role that SHPOs play in the Section 106 review process derives from the NHPA itself, which requires federal agencies to ensure their procedures for compliance with Section 106 “provide a process for the identification and evaluation of historic property for listing on the National Register and the development and implementation of agreements, in consultation with” SHPOs, among others.

Furthermore, ACRA is deeply concerned that recent and planned reductions-in-force across all federal agencies – including in the Department of Defense – risk leaving the Army without adequate personnel sufficiently trained in and experienced with legal cultural resource management requirements. By relying on a reduced staff capacity, this Program Comment could result in uninformed decision making that adversely affects historic properties.

For these reasons, ACRA urges the ACHP and Army to work to ensure that this PPC does not remove SHPOs from the process in which they are statutorily obligated to engage.

Amendments

ACRA remains opposed to the provision that would allow the Chairman of the ACHP to “amend this program comment to extend its applicability to the other military departments of the Department of Defense.” (11.1) This vests in the Chair of the ACHP (or the Vice Chair, when the Chairman position is vacant, as is currently the case) the sole authority to decide whether this extremely broad program comment is extended Defense-wide without any opportunity for public consultation or a vote of the Council.

ACRA also remains concerned about provisions that give the Army veto power over amendments to the Program Comment (11.1), although the PPC does make a modest improvement by clarifying that the decision to approve or reject amendments lies specifically with the federal preservation officer (FPO). Nonetheless, ACRA believes that the ACHP members should retain the right to amend the Program Comment if needed, as long as there is adequate consultation with the Army and stakeholders.

Sunset

ACRA continues to believe that the PPC should have a sunset date, at which point the Army may request an extension from the ACHP, approval of which would be subject to a public consultation process and a vote of the ACHP Council. This will ensure that stakeholders and the public will have the ability to weigh in on whether the PPC should continue in its current form, be amended, or be allowed to expire.

Conclusion

As America prepares to honor the 250th anniversary of its founding, ACRA urges the Army and the ACHP to work collaboratively with all stakeholders to produce a program comment that truly lives up to the intent of the NHPA.

ACRA welcomes the opportunity to work with you in crafting program comments that empower the Army to maintain its high level of combat-readiness while complying with the NHPA and ensuring that we continue to preserve our Nation's history.

Sincerely,

A handwritten signature in black ink, appearing to read "Amanda Stratton". The signature is fluid and cursive, with the first name "Amanda" written in a larger, more prominent script than the last name "Stratton".

Amanda Stratton
Executive Director