



**DEPARTMENT OF THE ARMY**  
**OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY**  
**INSTALLATIONS, ENERGY AND ENVIRONMENT**  
**110 ARMY PENTAGON**  
**WASHINGTON DC 20310-0110**

25 March 2022

**CLEARED**  
**For Open Publication**

**Mar 31, 2022**

Department of Defense  
OFFICE OF PREPUBLICATION AND SECURITY REVIEW

SAIE-ESO (AR 200-1)

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Coordination of National Historic Preservation Act Compliance Agreements

1. References:

- a. National Historic Preservation Act (NHPA); Title 54, U.S. Code, section 300101 et seq.
- b. Army Regulation (AR) 200-1 Environmental Protection and Enhancement, dated 13 December 2007.
- c. Memorandum, SAIE-ESO, 9 February 2022, subject: Designation of the Army Deputy Federal Preservation Officer.

2. NHPA compliance agreements have significant policy, program, and funding implications for the Army. Army policy in AR 200-1 requires coordination of all NHPA compliance agreements with Headquarters Department of the Army (HQDA) for technical and legal review (AR 200-1, 6-4. b. (4)). This memorandum provides specific policy and procedures to meet the AR 200-1 directed coordination of all NHPA compliance agreements.

3. The following policy and procedures apply to all NHPA compliance agreements:

- a. The term *NHPA compliance agreement* means all NHPA Memoranda of Agreement (MOAs), Programmatic Agreements (PAs), and Historic Property Component Plans (HPCs), and all amendments and revisions to such agreements and plans. NHPA compliance agreements are developed in accordance with the procedures in 36 CFR 800 or the Army Alternate Procedures (69 FR 20576).

- b. Installation and garrison commanders (as defined in AR 200-1, 1-24) or their designee shall coordinate all proposed NHPA compliance agreements through their chain of command by means of a memorandum signed at the O6/GS 15 level requesting review in accordance with AR 200-1.

- c. Commands shall review all proposed installation NHPA compliance agreements and request the Army Deputy Federal Preservation Officer (DFPO), Office of the Deputy Chief of Staff G-9, coordinate HQDA review of all such agreements in accordance with AR 200-1.

- d. The DFPO shall review all proposed installation NHPA compliance agreements in coordination with the Army Federal Preservation Officer (FPO), the Office of the Army General

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Counsel, and the Office of the Judge Advocate General. The DFPO will develop consolidated HQDA review comments and transmit those comments to Commands and installations.

e. Installations shall incorporate all HQDA comments into NHPA compliance agreements and prepare final NHPA compliance agreements in coordination with their Command and NHPA stakeholders.

f. Prior to signature by the installation or garrison commander or other authorized signing official, Commands shall coordinate all final NHPA compliance agreements with the DFPO to obtain final HQDA endorsement. HQDA endorsement of all final NHPA compliance agreements is provided by memorandum signed by the FPO. NHPA compliance agreements that have not obtained final endorsement from HQDA are not authorized for signature.

g. Commands will provide a copy of all executed NHPA compliance agreements to the DFPO once they have been signed by all signatories.

h. The DFPO is authorized to defer HQDA technical and legal review of NHPA compliance agreement amendments that are limited to a time extension only. No changes to any other part of the NHPA compliance agreement may occur with such a deferral. Commands may request the DFPO provide a deferral by means of a memorandum signed at the O6/GS 15 level to the DFPO. If a deferral is provided by the DFPO, a copy of the final NHPA compliance agreement time extension amendment shall be provided to the DFPO once signed by all signatories.

i. Installations and Commands will advise relevant State Historic Preservation Offices, Tribal Historic Preservation Offices, and NHPA stakeholders of the policy and procedural requirements of this memorandum. The FPO will so advise the Advisory Council on Historic Preservation.

4. The procedures in this memorandum are effective immediately. The point of contact for this action is Ms. Mary Schmidt, Army DFPO, at [mary.e.schmidt37.civ@army.mil](mailto:mary.e.schmidt37.civ@army.mil).

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Department of the Army Federal Preservation Officer

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