



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

December 23, 2025

Mr. Reid Nelson
Executive Director
Advisory Council on Historic Preservation
401 F Street NW, Suite 308
Washington, DC 20001

Dear Mr. Nelson,

This letter responds to your correspondence dated November 26, 2025, regarding the Department of the Army's proposed Program Comment for Army Warfighting Readiness and Associated Infrastructure.

Your letter recommended that the Army convert its request from a Program Comment under 36 CFR § 800.14(e) to an Alternate Procedure under 36 CFR § 800.14(a). After careful consideration, the Army respectfully declines this recommendation and maintains that a program comment is the best and most effective regulatory tool for this purpose.

Your previous communications endorsed the program comment approach for Army warfighting readiness. In your letter to the Army dated June 18, 2025, you supported the proposed program comment and even suggested expanding it to a Department of Defense-wide program comment. During our meeting on December 17, 2025, you confirmed that either regulatory path is valid and that the final decision regarding which program alternative to follow is at the Army's discretion.

As the only federal agency with both ACHP-endorsed alternate procedures and five agency-specific program comments, we are positioned to assess their effectiveness. Our extensive experience over the last two decades has made the conclusion clear: program comments are a proven success for the Army, whereas alternate procedures have been largely ineffective. The Army Alternate Procedures (69 FR 20576) approved 21 years ago, have only been implemented at three of our 135 installations. Their complexity has unfortunately led to misinterpretation and resistance from State Historic Preservation Offices. Conversely, our five program comments, all developed since 2002, have been so effective that they are now being used as models by other federal agencies.

We have considered the statement in your November 26th letter that program comments should be limited to a "discrete identified list of specific activities or specific effects to select historic properties." This statement imposes a limiting condition that does not exist in the regulatory text and is not consistent with past ACHP practice. From the Army's perspective, which we believe is consistent with the regulation and past practice, 36 CFR § 800.14(e) allows for program comments on a "category of undertakings," which is precisely what the Army has proposed. Our program comment is designed to address such a category, and the Army would

like to highlight that Appendix A of the proposed program comment provides the very type of detail you described, it contains an extensive listing of the specific types of activities covered.

The ACHP also has previously approved many broad, nationwide program comments for other agencies (see https://www.achp.gov/program_alternatives/program_comments). These examples and the ACHPs own explanation of the intent of program comments support the Army's decision.

The Army's proposed program comment fully complies with the letter and intent of 36 CFR § 800.14(e). It provides the most appropriate and effective tool for balancing our critical national defense activities with our historic preservation responsibilities.

Thank you for your continued support of our Soldiers and their families. Please do not hesitate to contact me should you have any questions.

Sincerely,



David Guldenzopf, Ph.D.
Director for Environmental Compliance
and Mission Readiness
Army Federal Preservation Officer