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***Program Comment for  
Vietnam War Era Historic Army Housing  
(1963-1975): Introduction, Scope, Purpose  
and Need, Goal and Objective,  
Development Process***

**26 Jan 2022  
Stakeholder Consultation Briefing**



## **PROGRAM COMMENT FOR ARMY VIETNAM WAR ERA HISTORIC HOUSING, ASSOCIATED BUILDINGS AND STRUCTURES, AND LANDSCAPE FEATURES\***

### **BRIEFING AGENDA:**

- **INTRODUCTION:**
  - Events Leading to the Army Decision to Pursue Program Comments
  - Army Program Comment and Program Comment Plan
  - Public Participation and Stakeholder Consultation
  - National Historic Preservation Act and Historic Army Housing
  - Program Comment Precedents for Historic Army Housing
- **SCOPE OF THE VIETNAM WAR ERA HOUSING PROGRAM COMMENT**
- **PURPOSE AND NEED FOR THE PROGRAM COMMENT**
- **GOAL AND OBJECTIVE OF THE PROGRAM COMMENT**
- **DEVELOPMENT PROCESS FOR THE PROGRAM COMMENT**

\* Learn more about Department of the Army Historic Preservation and Cultural Resources by visiting [www.denix.osd.mil/army-cr/home/](http://www.denix.osd.mil/army-cr/home/) and by viewing the Army Cultural Resources Story Map.

\* For additional information on the Program Comment for Vietnam War Era Historic Army Housing, see <https://www.denix.osd.mil/Army-vwehh-pc>.



## **INTRODUCTION: Events Leading to the Army Decision to Pursue Program Comments for Historic Army Housing**

- Reuters Special Report, Aug 16, 2018 “*Children Poisoned by Lead on U.S. Army Bases*”  
Lead-based paint on historic building materials in historic Army housing identified as the source of the lead poisoning.
- “*Army Housing Crisis*” declared by Secretary of the Army, Jan 2019 Significant Army and Defense Senior Leadership and Congressional Member attention, widespread media reports of housing deficiencies, Congressional testimony from military family members indicating significant quality of life, health, and safety issues in historic housing.
- Army Inspector General (IG) Report, Mar 2019: Historic Housing Findings – Historic housing is more costly to operate, maintain, and renovate; requires special historic building materials and craftsmanship; health and safety concerns such as lead paint and asbestos are present; restrictive floorplans; the processes in 36 CFR 800 and the Programmatic Agreements (PAs) for historic housing are highly procedural, time consuming, with variable application of standards and results.  
IG Recommendation: Assess the feasibility of continuing the PAs for historic housing.  
Army Leadership Response: Develop a strategy to improve NHPA compliance for historic housing by implementing Army-wide programmatic solutions.
- *Army Strategic Agenda for National Historic Preservation Act*, Jul 2019 issued by the Assistant Secretary of the Army for Installations, Energy and Environment. Directs the Army Federal Preservation Officer to pursue Program Comments per 36 CFR 800.14(e) in order to address issues with PAs, comply with the NHPA in a more programmatic, Army-wide manner, and improve the quality of life, health and safety of the families living in historic housing.
- *The Program Comment for Vietnam War Era Historic Housing (1963-1975)* continues strategy implementation and builds on the highly successful precedents set by the Program Comment for Capehart Wherry Housing (1949-1963) approved by the ACHP in 2002, and the *Program Comment for Army Inter-War Era Historic Housing (1919-1940)* approved by the ACHP in 2020.



## **INTRODUCTION: Army Program Comment and Program Comment Plan**

- On 8 Oct 2021, the Army Federal Preservation Officer (FPO) officially notified the Executive Director, Advisory Council on Historic Preservation (ACHP) of the Army's intent to seek a *Program Comment for Army Vietnam War Era Historic Housing, Associated Buildings and Structures, and Landscape Features (1963-1975)* (Army Program Comment).
- An *Army Program Comment Plan* was prepared by the Army FPO to address the recommendations of an ACHP Program Comment Panel. The Army Program Comment Plan was subject to several reviews by the ACHP Office of Federal Agency Programs prior to being released for public review and comment.
- The Army initiated public participation in the development of the Program Comment in accordance with 36 CFR 800.14(e)(2), by publication of a Notice of Availability (NOA) in the Federal Register on 15 November 2021. The Federal Register NOA at 86 FR 63003 informed the public of the Army's intent to seek a Program Comment for Vietnam War era housing from the ACHP, and provided the Army Program Comment Plan for a 30-day public review and comment period. The Army FPO also reached out directly via email to over 850 NHPA stakeholders to ensure awareness of the Federal Register NOA and the opportunity to review the Army Program Comment Plan.
- The Program Comment Plan was revised in view of public comments received and the *Final Program Comment Plan for Army Vietnam War Era Historic Housing, Associated Buildings and Structures, and Landscape Features (1963-1975)* (Program Comment Plan) was issued on 28 December 2021 and is posted on <https://www.denix.osd.mil/Army-vwehh-pc>.
- The Program Comment Plan will be used to guide and inform the nation-wide stakeholder consultation conferences on the Program Comment taking place from Jan 2022 - Jun 2022.



## **INTRODUCTION: Public Participation and Stakeholder Consultation**

- 15 Nov 2021 – 15 Dec 2021: Federal Register Notice of Availability (86 FR 63003) for public review and comment on the Army Program Comment Plan for Vietnam War Era Housing.
- Stakeholder Consultation Conferences 26 January 2022 – 29 June 2022.
  - 2022 Consultation Conference Calls will occur from 2:00-3:00 EST on the last Wednesday of each month as follows: Jan 26, Feb 23, Mar 30, Apr 27, May 25, and Jun 29, 2022.
- Conference Call Number: Call-in line (703) 545-5444; Conference Code 5717045703#
- 2022 Consultation Conference Schedule and Briefing Topics :
  - Jan 26: Introduction, Background, Scope, Purpose and Need, Goal and Objective, Development Process
  - Feb 23: Vietnam War Era Army Housing Property Type, Category of Undertaking
  - Mar 30: National Register Significance and Potential Effects
  - Apr 27: Mitigation Measures and Benefits of the Program Comment
  - May 25: Applicability, Implementation, Effect, and Duration
  - Jun 29: Consultation Summary and Conclusion
- Consultation briefings are made available to stakeholders in advance of each scheduled conference call on the Program Comment website: <https://www.denix.osd.mil/Army-vwehh-pc>.
- Written Comments: Written comments regarding the proposed Program Comment are invited at any time during the 26 January 2022 – 29 June 2022 consultation period. Written comments may be submitted to the Army Federal Preservation Officer at [david.b.guldenzopf.civ@army.mil](mailto:david.b.guldenzopf.civ@army.mil).

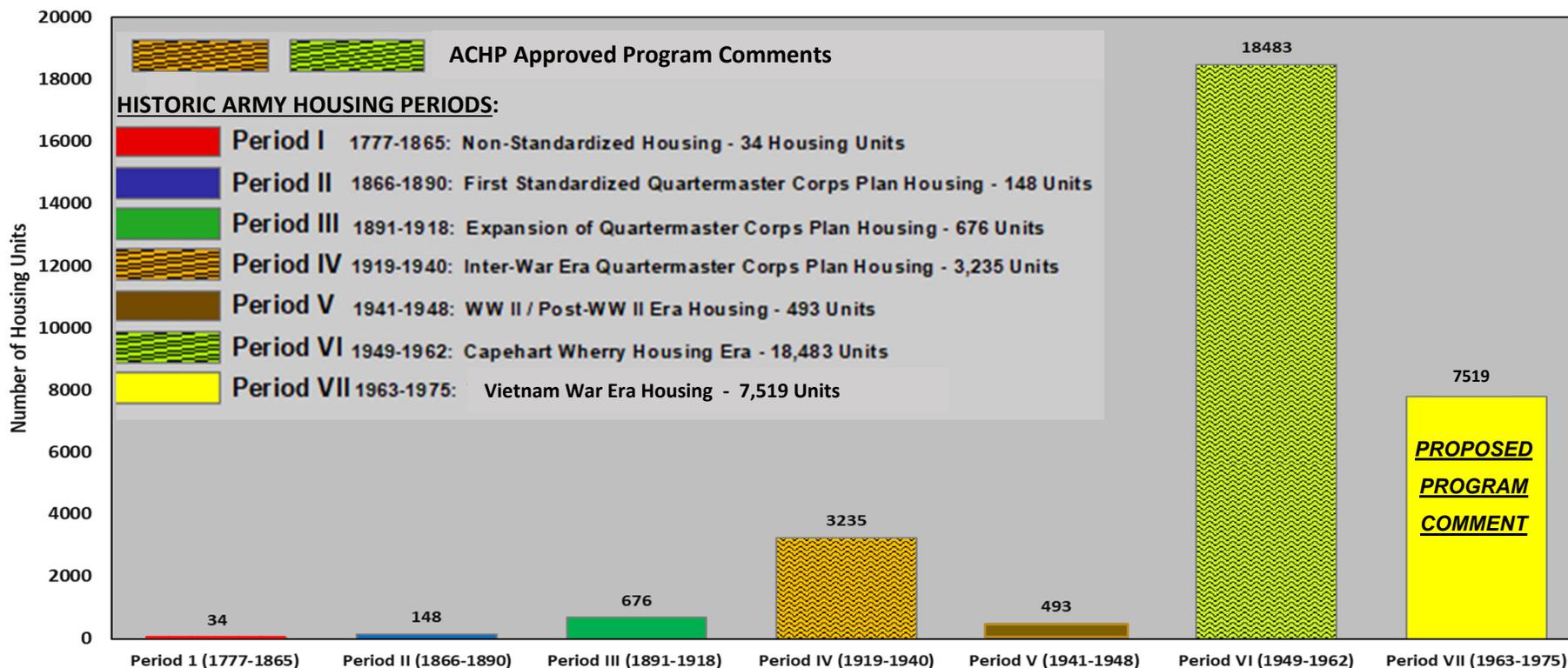


## INTRODUCTION: NHPA and Historic Army Housing

- Historic Army housing (generally housing 50 years old and older) is subject to the requirements of the *National Historic Preservation Act* (NHPA) 54 USC 306108 and its implementing regulation 36 CFR 800 *Protection of Historic Properties*.
- With a total of over 30,000 historic housing units, the Army has more historic housing than any other Federal agency. The majority of Army housing has been privatized under the Army's Residential Communities Initiative (RCI). The privatization agreements maintain an Army nexus with the housing and compliance with the NHPA remains a requirement for privatized housing.
- 36 CFR 800 requires Army installations to consult on a project-by-project basis for proposed undertakings such as maintenance, repair, renovation, and demolition of historic housing with the State Historic Preservation Office (SHPO) and other stakeholders and provide the ACHP an opportunity to comment on the undertaking. The regulatory process in 36 CFR 800.3 - 800.7 usually results in a project-specific NHPA compliance agreement between the Army, SHPO, and ACHP if participating.
- *Program Comments* are a Program Alternative authorized under 36 CFR 800.14(e). Federal agencies may request the ACHP to issue a Program Comment on a category of undertakings in lieu of conducting individual reviews under 36 CFR 800.3 - 800.7. Program Comments are developed by Federal agencies and submitted to the ACHP in accordance with the procedures at 36 CFR 800.14(e). Program Comments are approved by a majority vote of the ACHP membership and issued by the ACHP.
- Army currently has two ACHP approved Program Comments for historic Army housing, and is seeking this third Program Comment for Vietnam War era housing (1963-1975).



## INTRODUCTION: NHPA and Historic Army Housing (cont.)



- Army has 30,588 total historic housing units.
- ACHP approved Program Comments are in effect for Period IV Inter-War Era Housing (1919-1940), and for Period VI Capehart-Wherry Era Housing (1919-1940).
- A Program Comment is proposed for Period VII Vietnam War Era housing (1963-1975).



## **INTRODUCTION: Program Comment Precedents for Historic Army Housing**

- Program Comment for Capehart-Wherry Era Army Housing, Associated Buildings and Structures, and Landscape Features (1949-1962):
  - Issued by ACHP in May 2002, the Program Comment addresses NHPA compliance for the Army's inventory of over 18,000 family housing units, associated buildings and structures, and landscape features from 1949-1962.
  - This Program Comment provides Army-wide NHPA compliance for *management actions* defined as: maintenance, repair, rehabilitation, renovation, layaway, mothballing, demolition, demolition and replacement, transfer, sale, and lease out of Federal government control.
  - Implementation of this Program Comment is ongoing until the Army determines it is no longer needed.
- Program Comment for Inter War Era Historic Army Housing, Associated Buildings and Structures, and Landscape Features (1919-1940):
  - Issued by the ACHP on 4 Sep 2020, the Program Comment addresses NHPA compliance for the Army's inventory of over 3,200 housing units, and associated buildings and structures, and landscape features from 1919-1940.
  - This Program Comment provides Army-wide NHPA compliance for *management actions* defined as: maintenance, repair, rehabilitation, renovation, abatement, mothballing, demolition, replacement construction, new construction, lease and conveyance.
  - Implementation of this Program Comment is ongoing through 2055. See the website <https://www.denix.osd.mil/armypchh/home/> for additional information.



## SCOPE OF THE VIETNAM WAR ERA HOUSING PROGRAM COMMENT

- The Army is seeking a Program Comment in accordance with 36 CFR 800.14(e) to address its inventory of Vietnam War era housing, associated buildings and structures, and landscape features constructed between 1963-1975.
- There are currently 7,519 housing units from the Vietnam War Era (1963-1975) located on 22 Army installations in 16 states, according to the best available inventory information.
- Army Vietnam War era housing is Modern Housing and appears as Ranch, Split-Level, and Contemporary styles. The Army emphasized construction of Townhouses during the Vietnam War era; apartment buildings were also constructed.
- The number of housing units per installation ranges from over 1,800 on Fort Hood TX, to 4 housing units on Aberdeen Proving Ground MD.
- Examples of Army Vietnam War era housing:



Fort Benning, GA – Constructed 1969



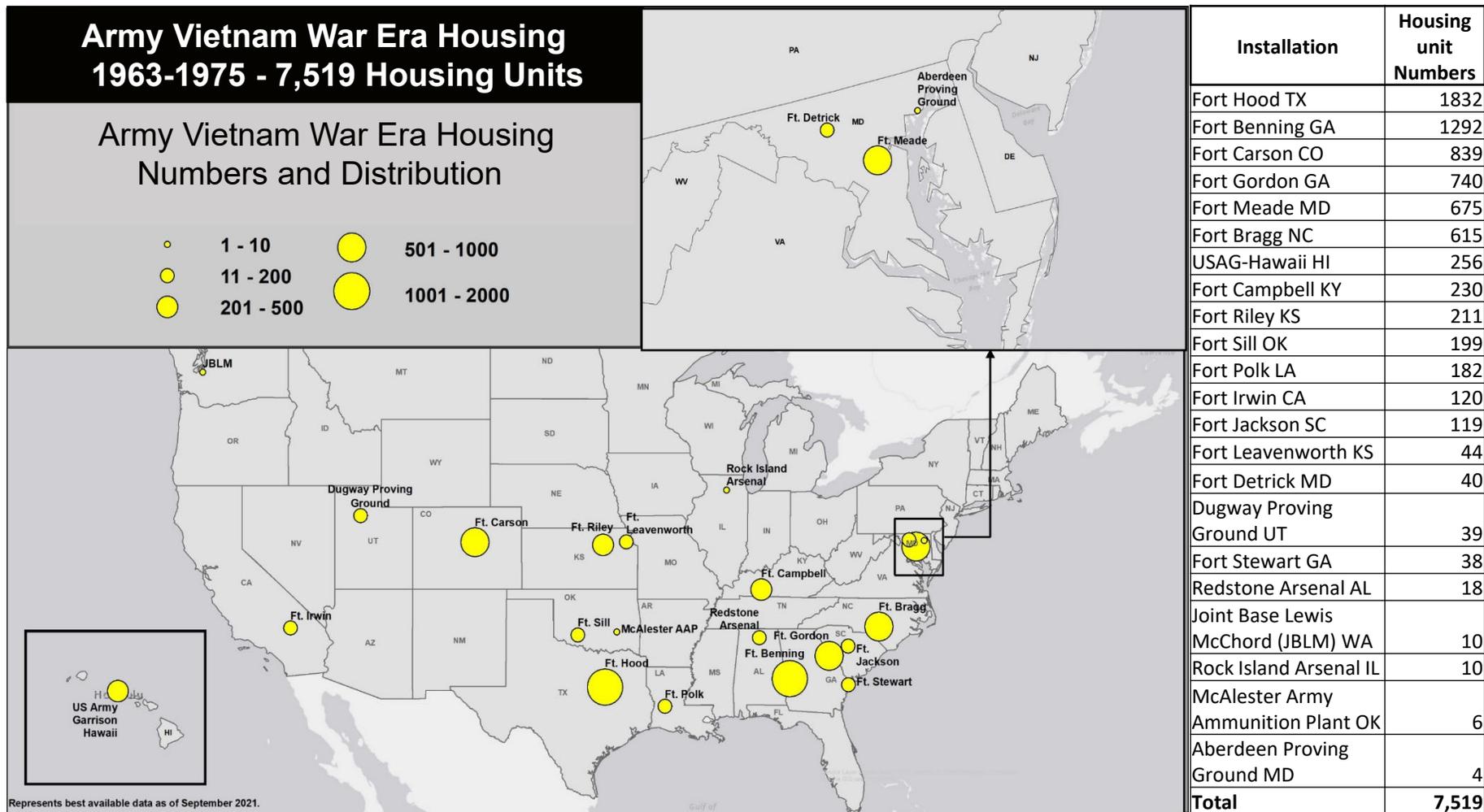
Fort Carson, CO – Constructed 1970



Fort Jackson, SC – Constructed 1972



## SCOPE OF THE VIETNAM WAR ERA HOUSING PROGRAM COMMENT (cont.)





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## Program Comment for Vietnam War Era Historic Army Housing



### **PURPOSE AND NEED FOR THE PROGRAM COMMENT**

- The Army is a large, complex Federal agency with a national defense mission to provide combat-ready military forces needed to deter war and protect the security of the United States
- The Army's real property is a critical component of our national defense mission
- As the largest military service in the Department of Defense (DoD), the Army manages the largest portfolio of real property, including historic real property, in the DoD and among all Federal agencies
- The Army was established in 1775, and is one of America's oldest Federal institutions and many of the buildings constructed by the Army during its 247-year history are now historic properties
- Historic buildings function as viable Army real property assets when they are managed in an efficient, consistent, and cost-effective manner
- Among our historic real property assets, historic housing is a significant concern; it is one-third of the Army's total housing inventory in the US, and housing is critical to the overall well-being of thousands of Soldiers and their families
- The Army is faced with the unique and extraordinary challenge of managing the largest inventory of historic housing in the Federal government and so requires innovative NHPA compliance solutions



## **PURPOSE AND NEED FOR THE PROGRAM COMMENT (cont.)**

- Of its over 30,000 historic housing units, the Army has over 7,500 housing units constructed during the 13-year Vietnam War era from 1963-1975. The Army's 7,500 units of Vietnam War era housing are a property type subject to repetitive management actions to maintain, manage, and improve the housing for military families.
- Addressing NHPA Section 106 compliance requirements for the repetitive management actions occurring on this large inventory of modern housing from the Vietnam War era presents unique and significant challenges for the Army.
- According to the *ACHP Program Comment Questions and Answers*, Program Comments as provided for in 36 CFR 800.14(e) were established to specifically address situations such as this, where a Federal agency has repetitive management actions occurring within a large inventory of similar historic property types.
- A Program Comment is the best NHPA compliance solution for the Army's inventory of Vietnam War Era housing. If a Program Comment is not in effect the Army is, as stated in the Inspector General's report, faced with high costs and lengthy process time to comply with Section 106 of the NHPA for each management action occurring on each Vietnam War era housing unit, and the lack of consistency across the inventory in terms of treatment and preservation outcomes.



## PURPOSE AND NEED FOR THE PROGRAM COMMENT (cont.)

- Without a Program Comment, significant NHPA compliance costs and process times are required to comply with the NHPA Section 106 / 36 CFR 800.3 - 800.7 compliance process for Vietnam War Era housing. For each proposed action, the Army must:
  - Initiate the compliance process and identify the undertaking, consulting parties, and start consultation
  - Inventory and identify each housing
  - Evaluate National Register of Historic Places (NRHP) eligibility of each unit
  - Assess effects and identify adverse effects of each proposed action
  - Resolve any adverse effects through develop of Memoranda of Agreement (MOA)
  - Implement any MOA required mitigations, OR
  - If an MOA cannot be reached, terminate consultation and elevate the individual action to the Secretary of the Army for a final decision, considering ACHP comments
  - Each step in the project-by-project compliance process must occur in consultation with the ACHP, individual State Historic Preservation Offices (SHPO), Tribal Historic Preservation Officers (THPOs), Federally-recognized Indian tribes, Native Hawaiian Organizations, and other stakeholders, and requires a significant expenditure of financial and human resources
- Local Army installation-level project-by-project compliance has resulted in inconsistent treatment and preservation outcomes for the Army's Vietnam War era housing property type.
- The Army requires a more efficient, consistent, and cost-effective means to manage the repetitive management actions occurring on this inventory of over 7,500 Vietnam War era housing units.



## PURPOSE AND NEED FOR THE PROGRAM COMMENT (cont.)

- As stated in the **ACHP Section 106 Success Story: Capehart Wherry Housing Challenge Spurred Innovative Solution**, when the ACHP issued Program Comments for the Capehart and Wherry military family housing (1949-1962) in 2002, DoD officials indicated that the Program Comment would save \$80 million to \$90 million in NHPA compliance costs by not having to address each of those housing units on an individual case-by-case basis. When the ACHP issued the Program Comment for Army Inter-War era historic military family housing (1919-1940) in 2020, the Army estimated that it would save \$450 million in NHPA compliance related costs over its 35-year duration. An estimated \$225 million NHPA compliance cost savings will result from the Program Comment for Vietnam War Era housing by not having to address those 7,500 housing units on an individual case-by-case basis under 36 CFR 800.3 - 800.7.
- The Program Comment process permits the Army to place individual installation-level resources into a departmental-wide national context and achieve a broader nation-wide perspective on the property type and its significance than local installations possess and account for in their project specific compliance actions.
- The Program Comment provides the Army the ability to implement management actions in a more efficient, consistent, and cost-effective manner. These actions in turn improve the quality of life, health, and safety of the Army families living in Vietnam War era housing and help ensure that the inventory of Vietnam War era historic housing will continue to function as a viable and sustainable real property asset.
- Efficient, consistent, and cost-effective management provided by the Program Comment helps to improve the quality of life, health, and safety for military families, creates a more sustainable mission-supporting real property asset, and thereby helps ensure preservation of the resource through its continued historic use as housing.



## GOAL AND OBJECTIVE OF THE PROGRAM COMMENT

- GOAL:

The Army's goal for the Program Comment is to obtain programmatic compliance with NHPA 54 USC 306108 (Section 106) for the repetitive management actions occurring on this large inventory of similar property types by means of the program alternative procedure under 36 CFR 800.14(e), in lieu of conducting individual project reviews under 36 CFR 800.4 through 800.7.

- OBJECTIVE:

The objective of the Program Comment is to achieve the goal in a manner that provides the appropriate balance between historic preservation of the housing and the efficient, consistent and cost effective management of the housing in order to improve of the quality of life, health, and safety of the Army families living in Vietnam War era housing.

- The goal and objective will be met by the ACHP's adoption of the Program Comment, and the Army's implementation of the Program Comment mitigation measures and management actions.



**PROGRAM COMMENT DEVELOPMENT PROCESS**

