



Department of Defense  
Legacy Resource Management Program

National Historic Preservation Act  
Section 110 Surveys Project, 2023-2028  
in cooperation with  
the National Preservation Institute



**NHPA Section 110  
Surveys Project, 2023-2028**

The Department of Defense (DoD) Legacy Resource Management Program will sponsor a series of projects designed to help meet its responsibilities under Section 110 of the National Historic Preservation Act.

**Partnership**

DoD has partnered with the National Preservation Institute (NPI) through a cooperative agreement to work with the cultural resource management leadership in the Military Departments (including their Reserve and National Guard Components) to develop high-priority projects that will identify and evaluate historic properties.

**Opportunities for CRM firms**

NPI is gathering a list of cultural resource management firms interested in participating as contractors in these studies.

Read more at <https://www.npi.org/about-npi#DoD110>

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**Department of Defense  
Cultural Resources Program**

<https://www.denix.osd.mil/cr/>

**Department of Defense  
Legacy Resource  
Management Program**

<https://www.denix.osd.mil/legacy/>

## FACT SHEET

### Standards for Federal Historic Preservation Programs: Section 110 of the National Historic Preservation Act

Every Federal agency is responsible for developing an effective historic preservation program.

### What is Section 110 of the National Historic Preservation Act?

Section 110 requires that each Federal agency establish a historic preservation program for the identification and protection of historic properties. Effective historic preservation programs demonstrate reasonableness and flexibility to ensure full and fair consideration of alternatives for preserving historic properties. Whatever its mission, every agency must have a historic preservation program. Successful agency programs are measured against the seven standards articulated in the Secretary of the Interior’s Standards and Guidelines for Federal Agency Historic Preservation Programs.

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## What is the role of the Federal Preservation Officer?

Section 110 requires that Federal historic preservation programs be coordinated by the agency's Federal Preservation Officer (FPO). While FPOs may have other duties, they should have substantial experience in administering Federal historic preservation activities. To be effective, each FPO must have agency-wide authority and the staff and fiscal resources necessary to design and implement the agency's historic preservation program. About 75 agencies have designated a FPO.

## What are the components of a Federal Historic Preservation Program?

A successful historic preservation program fosters, develops and expands agency-wide policies, procedures, and activities that further the stewardship goals of the National Historic Preservation Act. These programs:



*Fort Glenn, AK. 09.14.2008. Photo by U.S. Army Corps of Engineers, Alaska District. Army engineers remove World War II-era explosives from a National Historic Landmark on remote Umnak Island.*

- Combine historic preservation compliance with other legislative and administrative mandates;
- Identify ways to foster the use of historic properties within agency programs; and,
- Use existing government-wide policies, procedures, approaches, and standards.

## How do Federal Historic Preservation Programs differ?

An agency's mission and its potential to affect historic properties are the primary factors that shape a Section 110 historic preservation program.

- Ownership means stewardship: agencies have the greatest responsibility for the management, maintenance, and the use of historic resources they own. Federal agencies must try to use historic properties to the maximum extent feasible.
- Grants foster preservation: Federal grant programs encourage grantees to retain and make appropriate use of historic properties. In addition, federal agencies should establish grant programs that specifically support the stewardship of historic properties.
- Licenses or permits minimize impacts: agencies that issue licenses or permits to non-federal parties ensure that their procedures favor actions that avoid or minimize adverse effects on historic properties.

## What is the relationship between National Historic Preservation Act Sections 106 and 110?

The comprehensive Federal historic preservation program established in Section 110 provides a solid foundation for an agency's compliance with Section 106 of the National Historic Preservation Act. Section 110 focuses on agency guidelines and policies on the identification, recognition, use and management of historic properties. Section 106 compliance is primarily concerned with individual projects. Land management agencies with a complete inventory of historic properties are in a better position to complete the Section 106 compliance process at the earliest stages of project planning. Licensing, permitting, and funding agencies with clearly established and consistently applied procedures for identifying historic properties are more efficient in complying with Section 106.

An effective Section 110 program reduces the cost of Section 106 compliance. Coupling historic preservation goals with other legal requirements should be a priority for Federal preservation programs.



## Full and fair consideration of historic properties

Federal historic preservation programs must integrate full and fair consideration of historic properties in agency planning and management decisions. Effective programs mandate the systematic consideration of historic properties as part of day-to-day operations as well as strategic and long-range planning. Consideration of historic properties requires the assessment of a range of preservation alternatives at an early stage of program development. It also means consideration of all kinds of effects (whether physical, visual, audible, atmospheric, direct, indirect, secondary, or cumulative) on those properties.

Agencies can use the Secretary of the Interior's Standards for the Treatment of Historic Properties (36 CFR Part 68) to guide their maintenance programs and rehabilitation projects to ensure retention of the integrity for historic properties. The decision to preserve and maintain historic properties must be explicitly stated, fairly considered, and adequately developed in relation to other management needs.

Agencies must balance the purpose and need for a particular program, the general and specific public interest in the protection of historic properties, the costs of preservation, and other relevant public



*Walter Reed Army Medical Center Historic District, Washington, DC, 05.21.2013. Photo of the Provost Marshal Office by Joseph Murphey, a historical architect at the Regional Planning and Environmental Center, U.S. Army Corps of Engineers, Fort Worth District. A photo inventory documenting the Walter Reed Army Medical Center campus complex, which closed in 2011, was part of Base Realignment and Closure Commission compliance with cultural resources requirements under the National Environmental Policy Act. The district is on the National Register of Historic Places.*

interest factors. In addition, agencies must plan for the use of non-federal historic properties in addressing their needs—through leases, exchanges, and partnerships—to encourage the preservation of historic properties.

## Funding for preservation activities

The FPOs must ensure that their agency budget offices have information sufficient to prioritize and support the agency's compliance with the National Historic Preservation Act and

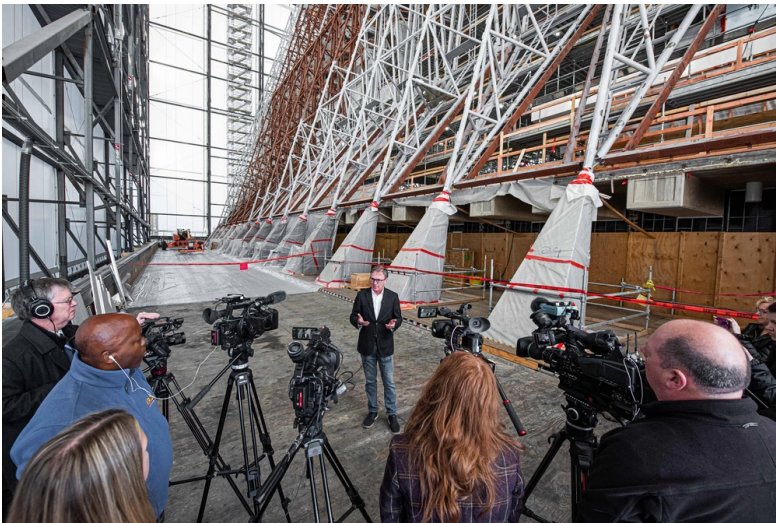
related laws. Working with the agency's local and/or regional offices, the FPO identifies ways to reduce both short- and long-term costs through regular maintenance, combining inventory activities, and using emerging technologies and techniques. Agencies should look for opportunities to reduce costs by:

- Adaptively reusing buildings;
- Protecting archaeological sites in situ; and
- Entering into partnerships for curation of historic and archaeological materials

Agencies should recognize that the reuse of historic properties avoids demolition and land-fill costs and supports federal energy and environmental conservation goals.



*Twentynine Palms, CA, 09.25.2015. Photo by Lance Cpl. Levi Schultz, Marine Corps Air Ground Combat Center. Conservation Law Enforcement Officers protect natural and cultural resources at Surprise Springs archaeological site through law enforcement.*



*U.S. Air Force Academy, CO, 03.30.2023. Photo by Trevor Cokley, U.S. Air Force. Duane Boyle, U.S. Air Force Academy architect, explains the history and purpose of the Cadet Chapel during a press conference. Contractors abated more than 5,880 cubic yards of asbestos material and are working to restore the National Historic Landmark.*

Federal historic preservation programs recognize the benefits that preservation activities can have on local economic vitality by increasing jobs, income, and property values. Federal expenditures on historic properties and federal assistance as an economic catalyst to communities. Following Executive Order 13006, federal agencies consider locating activities in historic downtowns. Agencies with historic properties not currently needed for their missions may lease such properties.

Federal agency historic preservation programs also recognize the many intangible values of historic properties by taking into account their role in providing a “sense of orientation” to the American people. Through an agency’s programs for education, recreation, conservation, assistance, and service, the inspirational and instructive values of historic properties can be recognized and enjoyed by more people.

## **A higher standard of care for National Historic Landmarks**

Designated by the Secretary of the Interior, National Historic Landmarks are exceptionally valuable in commemorating or illustrating the history of the United States. Federal agencies, to the maximum extent possible, plan to minimize harm at these nationally important places. Federal historic preservation programs demonstrate a higher standard of care for their agency’s National Historic Landmarks by:

- Ensuring that historic documentation and condition assessments are up-to-date;
- Developing preservation procedures for facility use and maintenance;
- Integrating special consideration for these properties in agency planning and budgeting; and,
- Establishing education and interpretive programs that illustrate the property’s national significance.

FPOs ensure that all prudent and feasible alternatives are weighted fairly in agency decisions regarding impacts on National Historic Landmarks. An agency’s higher standard of care for National Historic Landmarks is an easily measurable outcome of an effective historic preservation program.

## **Consultation**

Consultation is the process of seeking, discussing, and considering the views of others, and, where feasible, seeking agreement with them on how historic properties should be recognized and managed. Federal historic preservation programs include procedures to ensure that appropriate interested parties at the local, state, tribal, and national levels are involved in agency decision making that may impact historic properties. Effective consultation is built upon the exchange of ideas, not simply providing information, and is appropriately scaled to the potential for program impacts on historic properties.

Section 110 consultation includes broad efforts to maintain frequent interaction and ongoing communication with all public and private entities interested in an agency’s historic preservation activities. Agencies should develop consultation procedures for their overall historic preservation programs as well as for individual projects. The inclusion of Indian tribes and Native Hawaiian organizations as part of a government-to-government consultation process is an imperative.



## Historic property inventory

The identification, evaluation, and nomination of historic properties is the first priority of every Federal agency preservation program. In addition to Section 110 requirements, two Executive Orders reinforce the need for complete inventories of historic properties under agency ownership. The Preserve America (E.O. 13287) and Federal Real Property Asset Management (E.O. 13327) initiatives make the connection between comprehensive and accurate information about historic resources and efficient and effective management of federal property.

## National Register of Historic Places

As the nation's official list of places worthy of preservation, the National Register of Historic Places helps decision makers and the public to be fully informed about the characteristics that make an individual property or a group of historic places important in American history. When federal agencies determine that a property meets the criteria for registration without subsequently nominating the resource, the purpose of a comprehensive inventory of America's historic resources is defeated. Listing federal historic properties on the National Register is one product of a successful Section 110 program.

National Register nominations document a historic resource's significance and condition at the time of listing. FPOs develop systems to monitor physical changes to properties in their historic inventories and incorporate new scholarship into the evaluation and interpretation of historic properties.

Many agencies prioritize National Register evaluations based on program needs.

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*Fort McCoy, WI, 07.06.2017. Photo by Scott Sturkol, Fort McCoy Public Affairs Office, U.S. Army. A member of the archaeology team with Colorado State University's Center for Environmental Management of Military Lands under contract with Fort McCoy works at an active phase III archaeological dig. Team members found many types of artifacts, such as pottery, dating back thousands of years.*