

Focused Issues on Dignified Burials: A National Cemetery Update

Oct 30, 2013

STATEMENT OF

RAYMOND C. KELLEY, DIRECTOR
NATIONAL LEGISLATIVE SERVICE
VETERANS OF FOREIGN WARS OF THE UNITED STATES

BEFORE THE

VETERANS' AFFAIRS SUBCOMMITTEE
ON DISABILITY ASSISTANCE AND MEMORIAL AFFAIRS
UNITED STATES HOUSE OF REPRESENTATIVES

WITH RESPECT TO

Focused Issues on Dignified Burials: A National Cemetery Update

WASHINGTON, D.C.

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

On behalf of the men and women of the Veterans of Foreign Wars of the United States (VFW) and our Auxiliaries, I would like to thank you for the opportunity to testify today on issues regarding the National Cemetery Administration.

From October 18, 1978 until October 31, 1990, VA paid a headstone or marker allowance to surviving families who purchased a private headstone or marker on behalf of veterans who

NATIONAL HEADQUARTERS

406 W. 34th Street
Kansas City, MO 64111
Office 816.756.3390
Fax 816.968.1157

WASHINGTON OFFICE

200 Maryland Ave., N.E.
Washington, D.C. 20002
Office 202.543.2239
Fax 202.543.6719

info@vfw.org
www.vfw.org

were interred in a private cemetery, in lieu of VA providing a government-furnished headstone or marker. This benefit was eliminated on November 1, 1990, with the enactment of the Omnibus Budget and Reconciliation Act of 1990. From November 2, 1990 through September 11, 2001, VA paid no assistance in the purchase of a private headstone or marker for veterans who qualified for interment in a national or state cemetery. Between 2001 and 2006, VA provided government headstones or markers to qualifying veterans, regardless of whether or not they had a privately purchased headstone as a pilot program. In 2007, VA made this program permanent, and included the medallion as an alternative option to a second headstone or marker and made it retroactive to November 1, 1990. This has allowed qualifying veterans to receive some form of headstone or grave marker benefit since the inception of the benefit in 1978.

Unfortunately, this benefit has started, stopped and changed enough times that it has become confusing to veterans and surviving family members. Many do not understand why they do not qualify for a medallion, believing the November 1, 1990 date is just an arbitrary starting point for a new benefit. Many of the veterans who call the VFW state they would be willing to purchase the medallion if VA made them available.

Based on these conversations, the VFW would support a pilot program that would allow the next-of-kin of a veteran who would otherwise qualify for the medallion, except for his or her date of death, to submit a request for purchase of the medallion.

H.R. 3106, the “Alicia Dawn Koehl Respect for National Cemeteries Act” would codify the authority of the Secretaries of Veterans Affairs and Defense to reconsider prior decisions of interments in national cemeteries. Title 38, U.S.C. outlines crimes that disqualify veterans from interment in national cemeteries, but there are no provisions for the removal of a veteran who was laid to rest in a national cemetery prior to the discovery that he or she had committed a disqualifying crime.

This legislation also calls for the disinterment of a specific veteran who committed murder, and then turned the gun on himself, ending his life. He was buried in a national veterans cemetery six days later. The circumstances of this case made it very difficult for VA to discover the murder that would have precluded this veteran from interment.

The VFW supports this legislation, but believes it falls short in preventing future non-qualifying interments from taking place. Current protocol requires the surviving family member to fax qualifying paperwork - DD214 and death certificate - to the National Cemetery Administration (NCA). Upon receipt of these documents, NCA calls the family member and asks 16 questions. These questions range from location of death and burial needs to cemetery choice and marital status. Nowhere in the questioning does NCA ask a question regarding criminal activity. The requesting family member should be required to fill out a form that asks the current 16 questions and an additional question regarding federal or state capital crimes. Knowing this information will assist NCA in investigating

disqualifying crimes, prior to the veteran's interment.

Access to burial options must continue to be a priority for NCA. The VFW has supported the NCA policy of providing burial options for 95 percent of all veterans within 75 miles of their homes. In FY 2011, NCA recognized that under its then-current threshold of 170,000 veterans within a 75-mile radius with no access to a national or state cemetery, no new locations would be eligible for a national cemetery. NCA reduced the threshold to 80,000 veterans within a 75-mile radius, which allowed for creation of five new national cemeteries, and access to burial options for an additional 550,000 veterans. The same year, NCA began its urban initiative. This has allowed NCA to purchase property in densely populated areas, where veterans may live within the 75 mile radius of a cemetery, but due to actual travel times access is not considered accessible. This initiative will allow NCA to provide new burial options in five urban areas.

In its FY 2013 budget request, VA introduced a new burial option, the National Veterans Burial Grounds. This will allow NCA to increase access to burial options for veterans who live in remote, low veteran-populated areas that do not have reasonable access to a national or state cemetery. When pairing the reasonable access model with a threshold of less than 25,000 veterans within a 75 mile radius, NCA can provide eight states with additional burial options.

Even with these new threshold models that will increase access to burial options, NCA must be flexible enough in their policies to recognize locations where under current policy, no new national cemetery will be developed, but other factors like geographic barriers or states that have invested in state cemeteries and have not been granted a national cemetery must be considered. These policies work to ensure the largest number of veterans have access to a veterans cemetery, but there are occasions when the desires of veterans must be included in the decision process.

NCA must maintain its commitment to the appearance of national cemeteries. Regardless of customer surveys that rate the appearance of cemeteries as excellent at 99 percent, the actual appearance is in decline. There are three performance measures that evaluate the overall appearance of national cemeteries: The percentage of headstones, markers and niche covers that are clean and free of debris and objectionable accumulation; the percentage of headstones and markers that are the proper height and alignment; and the percentage of gravesites that have grades that are level and blend with adjacent grade levels. The results of the performance measures have held steady for the past several years, but have continually fallen short of their strategic goals. The most concerning aspect of these goals is that VA predicts a decline in its performance measures in its FY 2014 budget submission.

VA must maintain its focus on ensuring our national cemeteries continue to honor the service and sacrifice of our veterans. VA must request and Congress must appropriate specific funding for the National Shrine Commitment to ensure these performance

measures are met.

Since the leadership change at Arlington National Cemetery (ANC), the VFW has seen vast improvements in its overall operations. Extensive work has been done to ensure each plot is marked correctly, and although they have not been able to verify 100 percent of all grave sites, their efforts are ongoing. All burial information has been moved from the old three-by-five cards to a computer database. Improvements to the website have made locating the burial plot for loved ones much easier.

Under ANC's current leadership, improvements have been made to the Millennium Project. In early concepts, most of the existing trees were to be removed. In 2010, ANC asked the Army Corps of Engineers to design a more eco-friendly design. Today, the design is 65 percent complete and ANC has been working with local, state and federal agencies to minimize the ecological impact of the expansion as well as improving the stream that runs through the expansion site. The Millennium Project will add an additional 30,000 burial plots, ensuring Arlington National Cemetery will be open to receive interments well into the future.

Mr. Chairman, this concludes my testimony and I will be happy to answer any questions you or the Committee may have.

Information Required by Rule XI2(g)(4) of the House of Representatives

Pursuant to Rule XI2(g)(4) of the House of Representatives, VFW has not received any federal grants in Fiscal Year 2013, nor has it received any federal grants in the two previous Fiscal Years.