

VA Advisory Committee on Cemeteries and Memorials

VA



**U.S. Department
of Veterans Affairs**

National Cemetery
Administration

**DEPARTMENT OF VETERANS AFFAIRS
ADVISORY COMMITTEE ON CEMETERIES AND MEMORIALS**

May 15, 2018 – May 16, 2018

Washington, D.C
8:37am – 4:30pm

MINUTES

Committee Members Present:

John (Jack) A. Kelly, Committee Chairman
Leslie E. Beavers, Committee Member
Gordon W. Lightfoot, Committee Member
Edith Gilbert Smith, Committee Member
Heather Mitchell Braatz, Committee Member
JoAnn Fisher, Ed.D, Committee Member
Marianne A. Trussell, Committee Member

Committee Members Absent:

Michael W. Horne, Committee Member
Michael S. Figlioli, Committee Member

Ex-officio Members Present:

Charles Sellars, National Park Service
Tom Sole, American Battle Monuments Commission
Karen Durham-Aguilera, Executive Director, Army National Military Cemeteries
Arthur Smith, Chief Arlington National Cemetery
Major Kenneth Kim, Program and Resource Manager, Army National Military
Cemeteries Program

Office of the VA Secretary Attendee:

Peter O'Rourke, VA Chief of Staff
Jeffery Moragne, Director, Advisory Committee Management Office
Jelessa Burney, Program Specialist, Advisory Committee Management Office

Office of General Counsel

Carol Borden, VA Staff Attorney

Public Attendees:

Craig Cressman, Director of Education and Veterans Services, Navy Mutual Aid
Association

National Cemetery Administration (NCA) Attendees:

Ronald E. Walters, PhD, Principal Deputy Under Secretary for Memorial Affairs
Tom Howard, NCA Chief of Staff
Kimberly Wright, Executive Director of Field Programs
Eric Powell, PhD, Director, Memorial Products Service
George Eisenbach, Director, Veterans Cemetery Grants Program
Michael Roth, Director, NCA Design and Construction Program
Michelle Buhr, Senior Associate for Strategic Partnerships and Development
Kenneth Holliday, Alternate Designated Federal Officer
Christine B. Hamilton, Designated Federal Officer

Wednesday, May 15, 2018

The semi-annual meeting of the VA Advisory Committee on Cemeteries and Memorials was held at the Veterans of Foreign Wars, Memorial Building, 200 Maryland Avenue, NE, Washington, D.C. The Committee convened at 8:00 a.m. for a meet and greet.

Opening Remarks

Committee Chairman John A. (Jack) Kelly called the meeting to order at 8:37 a.m. Chairman Kelly thanked the Veterans of Foreign Wars for hosting the meeting at their facility. He welcomed back Ronald Walters in his new role as Principal Deputy Under Secretary for Memorial Affairs (PDUSMA) and Tom Sole from the American Battle Monuments Commission (ABMC). Chairman Kelly also mentioned that his term is concluding and that it has been a great honor to serve on the Committee for the past 14 years. He provided an overview of the two-day agenda, which included a tour of the Congressional Cemetery, and updates from NCA representatives and ex-officio members. Attendees recited the Pledge of Allegiance and held a moment of silence for Veterans and Active Duty Servicemembers.

Chairman Kelly opened the floor for any issue, not on the agenda, that Committee Members would like to have NCA staff explore or provide an update. Ms. JoAnn Fisher, stated that she was pleased with the outreach efforts for Women Veterans, as it relates to cemeteries. Mr. Leslie Beavers wanted to make sure that there was enough time on the agenda to discuss the Outreach Ambassador Program and the survey results. Mr. Gordon Lightfoot asked for the survey updates prior to discussion. Ms. Christine Hamilton stated that she would provide everyone with the survey results at the end of the day to allow everyone a chance to look at them. Chairman Kelly mentioned that there was some confusion and misinterpretation by the cemetery directors, as to the purpose of the Outreach Ambassador Program. Heather Mitchell Braatz stated that the needs assessment is helpful and thanked NCA for getting it out in time for the meeting. Chairman Kelly expressed concerns with the National Cemetery Scheduling Office (NCSO) and the Pre-Need program.

Presentation on Advisory Committee Management Office (ACMO)

Mr. Jeffery “Boomer” Moragne, Director of the VA Advisory Committee Management Office presented information on his office, which oversees all of VA’s Federal Advisory Committees. The purpose of his presentation was to set the boundaries and expectation for participation on the advisory Committee. His key points were as follows:

- VA currently has 28 advisory Committees, which may grow to 30 by this year.
- The Federal Advisory Committee Act came into being in 1972, and with the stroke of a pen, the legislative and executive branches reduced Federal Advisory Committees from about 8,000-plus to about a thousand. Today, some 46 years later, we have 1,025. It's going to be a 1,027, if we grow. The Federal Advisory Committee Act (FACA) has held the line on the growth and expansion of Federal Advisory Committees because each Federal Advisory Committee has to have a specific mission with objectives.
- *(Note: During the meeting, there was a break in Mr. Moragne presentation to allow for a photo with Committee Members and remarks from Mr. Peter O'Rourke, who was the VA Chief of Staff at that time. Mr. Moragne convened his presentation upon conclusion of Mr. O'Rourke's remarks.)*

Remarks from Guest Speaker, Mr. Peter O'Rourke (at that time, VA Chief of Staff)

- Mr. Peter O'Rourke thanked the Committee members and spoke about his service in the Armed Forces and experience as a certified Black Belt Lean Six Sigma. His key points were as follows:
- Senior Leaders should be consistent, hold the line, and bring calm and a sense of order to their areas in order to provide service and support to Veterans.
- The Office of Accountability and Whistleblower Protection is starting to introduce new aspects to the organization, in both personnel and performance.
- Mr. O'Rourke commended the Committee and Mr. Randy Reeves, Under Secretary for Memorial Affairs on their efforts in trying to find ways to honor the memories of Veterans.
- One of VA's challenges has been a deficit with some of the key senior leader positions and merging the right reforms with the right people to execute those reforms.
- The VA Mission Act of 2018 includes a review of facilities and physical makeup of the organization. It also includes a caregiver stipend to expand to pre- and post-9/11 Veterans.

- Ms. Smith asked about the Office of Survivor Assistance, which she helped to establish. The Office started out with five persons, but is run, quite efficiently, by two people. Mr. O'Rourke stated that he is trying to find the best way to model or expand their capacity across the organization.
- Chairman Kelly stressed that NCA is facing a significant resource challenge at the National Cemetery Scheduling Office (NCSO). He reiterated that the problem is not due to the lack of commitment on the part of the personnel but it is a manpower issue. The Committee wants to ensure that NCA is not forgotten, as Senior Leaders determine top priorities for VA.

Opening Remarks from Deputy Principal Under Secretary for Memorial Affairs, Mr. Ronald Walters, PhD

- Mr. Walters thanked the Committee members for attending the meeting. He also thanked them for their commitment on behalf of the Under Secretary for Memorial Affairs (USMA), Mr. Randy Reeves. Undersecretary Reeves was unable to attend the meeting due to a pre-planned obligation.
- Mr. Walters noted that this was Chairman Kelly's last meeting. He asked the Committee to join him on behalf of the USMA in thanking Mr. Kelly for his tireless dedication and steadfast leadership.
- Mr. Walters shared Undersecretary Reeves' vision for NCA. He mentioned that Undersecretary Reeves has a passion for serving Veterans, and his leadership of NCA in the past six months reflects this energy and this interest. He has recommended and recommitted NCA to ensuring that burial access is provided to all Veterans, particularly those who reside in rural areas and the five percent of Veterans without convenient burial access in a national, state, or tribal veteran cemetery within 75 miles of where they live.
- Undersecretary Reeves has enthusiastically embraced NCA's Veterans Legacy Program as a key to modernizing how we memorialize veterans, and ensuring that Veterans are remembered for both their service to the military as well as their service to the community. He believes the stories of Veterans' experiences can be used to inspire others to realize that when they leave military service, their story really has not ended. In addition, Mr. Reeves is committed to ensuring that we extend our partnerships and enhance our partnerships with various stakeholders, particularly within state and tribal; and private sector organizations.
- Mr. Walters also mentioned that starting in May 2018, NCA will renew its effort to work with communities and organizations to raise the national profile and importance of the American civic tradition of honoring veterans through memorialization. Mr. Reeves, using his position as Undersecretary for Memorial

Affairs, will issue a call to action to all Americans to memorialize the fallen and to renew the real meaning of Memorial Day. He asked members to join NCA on Facebook and Twitter, or at their local national cemetery, as NCA leads this national “Memorial Day” commemoration.

Presentation on Advisory Committee Management Office (ACMO) - Continued

- The Federal Advisory Committee is governed by charter. Mr. Moragne advised all members to review the charter, which was previously provided to them by the DFO and is also located on the VA website at va.gov/advisory. He stated that the charter has information about the Committee and what the Committee is expected to do.
- Business meetings are open to the public and the notification must be published in the Federal Register 15 days prior to the meeting. A meeting can be closed for certain reasons, such as the sharing of propriety, private, or sensitive data. A portion of the meeting can also be closed for administrative or preparatory work.
- Mr. Moragne stressed the importance of the DFO or Alternate DFO being present in all meetings to avoid a FACA violation and the possibility of a lawsuit.
- All business meetings must have a quorum of membership, which is 50 percent plus one. For legal purposes, a quorum is required for any decisions, recommendations, or advice forwarded to the VA Secretary for consideration.
- Committee members should also read the ACMO Committee Members Handbook, which contains information on ethics and VA policies.
- One of the VA policies state that two terms is the maximum term limit that a member can serve on a Federal Advisory Committee. The reasoning for term limit is to ensure that new ideas are brought to the table and to afford other American citizens the opportunity to serve. Mr. Moragne mentioned that a Committee Member may recommend a qualified replacement to VA prior to expiration of their term.
- He also stated the Advisory Committee on Cemeteries and Memories is “gold standard” and has a 10-plus year record of 85 percent of recommendations being adopted by the Department of Veterans Affairs. *“No other Federal Advisory Committee can claim that”*, he said. Recommendations should be S.M.A.R.T (Specific, Measurable, Actionable, Realistic, and Time-phased). ACMO provided a template, which can be used a guide to write good recommendations.
- Mr. Moragne’s last important point was that members can testify before a legislative body but only as a private citizen, and not as a member of the advisory

Committee. Ms. Marianne Trussell clarified that this rule applies for any speaking engagement or forum.

Presentation on Arlington National Cemetery (ANC)

- Ms. Karen Durham-Aguilera, Executive Director, Army National Military Cemeteries, presented a status update on Arlington National Cemetery to Committee Members.
- ANC's mission is to lay to rest those who have served our nation with dignity and honor, treating their families with respect and compassion; in addition, connect visitors to the rich tapestry of the cemetery's living history while maintaining the hallowed grounds in a manner befitting the sacrifice of all those who rest there in solemn repose.
- The cemetery averages 30 burials a day, Monday through Friday, and have placement only burials on Saturdays; and on average there are 11,000 visitors a day. In FY17, ANC had over 2.9 million visitors.
- ANC also has honor flights and public and private volunteers to lay wreaths. Historical tours are conducted by tram and trolley service.
- The second priority for ANC is taking care of people, with an infrastructure that includes security and screening of employees and visitors.
- Ms. Durham-Aguilera mentioned that there is great care taken into having the right workforce and resources in place because families will remember their loved one being laid to rest for the rest of their lives.
- ANC is leading the military cemetery profession in terms of using GIS platforms for burial accountability. 400,000 graves of people that are laid to rest have been mapped, to include the Soldiers' and Airmen's Home. This year, ANC will be launching GIS technology across Army cemeteries, and three pilot cemeteries in Normandy, Manila, and Panama, which are managed by the American Battle Monument Commission (ABMC).
- Arlington also has "virtual" visitation capability, which allows family members the ability to view a headstone or marker online and to read historical facts about the Veteran.
- Public outreach is another important element for Arlington National Cemetery. thru social media and a mobile app called "ANC Explorer", which is the one of the top ten apps in the industry. ANC Explorer can be downloaded on a smartphone. Users are able to find a gravesite, find cultural resources, get

directions, history, and alerts on anything going on in the cemetery, to include heat advisories. In FY17, 73,000 people downloaded the ANC Explorer app.

- Ms. Durham-Aguilera also spoke about the future for Arlington in order to serve more Veterans and families. Two-thirds of people requesting burial at Arlington are choosing cremation (burial in a niche, columbarium, or in-ground) over the traditional in-ground casketed burial. To ensure that there are more burial options, Arlington National Cemetery is almost complete with the Millennium Project that will provide another 28,000 burial opportunities. ANC is also uniting the Columbia Pike corridor with Pentagon City via multimodal transit and is currently designing a southern expansion around the Air Force Memorial and West Point Cemetery. The Southern Expansion Project develops land for cemetery use made by the Defense Access Road (DAR) project, extending the cemetery life into the mid-2050s. The Southern Expansion will provide anywhere from 40,000 to 80,000 more burial spaces.
- Ms. Durham-Aguilera mentioned that ANC has over 3 million followers on a Facebook, Twitter, and Instagram. The budget is capped at \$79 Million for infrastructure revitalization and operations and maintenance. In the recently based omnibus, ANC received an additional \$10 Million in the baseline budget. The military construction funding is separate from the cemetery expense funding.
- Wait times for burial requests for Veterans killed in action or dependent honors are about two weeks. For everyone else, requests can take up to nine months. For example, full military honors with cremated remains can be nine-month wait. Veteran killed in action are treated as priority.
- The Veterans branch of Armed Services provides the escorts and resources. The full honor service is a collaborated effort with the Armed Services.
- ANC conducted a public survey to gain feedback on the future solution for eligibility for burial at Arlington. About 28,000 people responded to this survey. They also had a booth at the Association of the U.S. Army annual meeting at the Convention Center in Washington, D.C., where hundreds of thousands of people attended. Over 90% of the respondents stated that Arlington National Cemetery should remain an active cemetery in the future. Over 90% of respondents also said that Arlington should make sure that there is a place for those killed in action, and for Medal of Honor recipients or other valor awards. Respondents also stated that Arlington should phase eligibility for traditional veterans and a few respondents stated to keep it open for retirees. Chairman Kelly commended the ANC leadership on their outreach initiative to gather input from veterans on their future requirements for burial.
- Under the direction of the Advisory Committee on Arlington National Cemetery, a second public survey is being conducted. As of May 14th, over 220,000 people have responded. The ANC Eligibility Survey results can be found on the

Arlington National Cemetery website at <https://www.arlingtoncemetery.mil/News/Post/4519/Eligibility-Survey-Launched-on-Future-of-Cemetery>

- Based upon an analysis of the survey results and other considerations, the Advisory Committee on Arlington National Cemetery will provide recommendations to the Secretary of the Army.
- Chairman Kelly commended the relationship that the two organizations have, particularly as we collaborate on the process to transfer of 11 Army cemeteries that are no longer active.

Ms. Durham-Aguilera concluded by stating that Arlington currently has 100,000 spaces. Unless there are changes in eligibility that limits who can be interred, Arlington National Cemetery will continue to have more demands than they can accommodate.

Mr. Leslie Beavers thanked Ms. Durham-Aguilera for establishing an app which allows him to see his loved one's headstone online.

Video by Under Secretary for Memorial Benefits, Randy Reeves

- The Committee was shown a video by Mr. Randy Reeves, Under Secretary for Memorial Affairs. In the video, Mr. Reeves shared his top three strategic priorities:
 1. No Veteran ever dies, by sharing the stories of our Veterans who have so honorably served our country in both war and peace.
 2. Expanding access and choice by continuing efforts towards reaching our goal of providing 95 percent of Veterans with a convenient burial option within 75 miles of their homes; and for every Veteran and eligible family member/survivor to have convenient access to a burial option in a national, state, or tribal Veteran cemetery.
 3. Increasing partnerships with local communities and public and private organizations to better service our Veterans and honor their memory for generations to come. Mr. Reeves stated in the video that he is especially proud of the Veteran Cemetery Grants Program that has provided over \$766 million in grants to help establish over 109 state and tribal Veteran cemeteries. In 2018, the program will be celebrating its 40th anniversary.
- Chairman Kelly stated that the video was excellent and, for the record, commended Under Secretary Reeves and his message.

Presentation on the American Battle Monument Commission (ABMC)

- Mr. Tom Sole, Ex-Officio Member and Executive Engineer at the American Battle Monument Commission, provided an update to Committee members.
- Mr. Sole began his discussion by challenging other Committee members to take a look at the different missions of the ex officio members, and to look at the similarities and differences. He stated that the differences will help to understand their strengths and how they might be able to help the mission.
- The Chairman of the ABMC was John J. Pershing from 1923 – 1948. At the current time, a Chairman has not been appointed.
- ABMC's primary mission functions are to:
 - Establish Memorials
 - Commemorate service, achievements and sacrifice of U.S. armed forces
 - Outside U.S. where Armed Forces served since April 6, 1917
 - In U.S. when authorized by Public Law
 - Build and Maintain Overseas Cemeteries
 - Design, construction, maintenance, administration
 - Quality Control of Other Memorials
 - Control design and construction
 - Public and private agencies, organizations, citizens
 - Encourage maintenance of private memorials
- ABMC conducts quality control of private memorials. If an American or an American organization wants to build a private monument overseas, theoretically they're supposed to come to ABMC. However, this is hard to enforce if ABMC is unaware of these intentions and the other party is unaware that they are supposed to contact ABMC.
- Mr. Sole showed several pictures of cemeteries managed by ABMC.
 - Meuse-Argonne American Cemetery (largest cemetery in Europe)
 - Manila American Cemetery (largest cemetery overall, located in the Philippines)
 - Normandy American Cemetery (most known cemetery based upon June 6th, D-Day)

- Mexico City National Cemetery (U.S. first cemetery)
 - Corozal American Cemetery (located in Panama Canal zone)
 - Lafayette Escadrille Memorial Cemetery (has a sarcophagus in the back and underneath; Air Force lobbied for ABMC to take over)
 - Honolulu Memorial (located at the National Memorial Cemetery of Pacific managed by NCA)
 - Midway Memorial Marker (WW II monument built two years ago)
- NCA and the VA are assisting ABMC with rehabilitating Clark Veterans Cemetery, which Congress gave back to ABMC a couple of years ago. NCA is helping ABMC with flat markers and replacing about 3,000 headstones to bring the cemetery up to standard.
 - In England, ABMC established two monuments to commemorate D-Day, those who were killed during the exercises, and all those who served in that area.
 - In 2007, the National Park Service (NPS) assisted ABMC with initiating their first interpretive center. The Interpretive Program establishes visitor centers that provide historical context for a visit to the cemetery grounds.
 - Normandy American Cemetery, Dedicated June 2007
 - Cambridge & Sicily-Rome cemeteries and Pointe-du-Hoc, dedicated May 2014
 - Meuse-Argonne, and Flanders Field Completed
 - Manila cemeteries Under Construction
 - Netherlands and Honolulu Future Construction
 - Lafayette Escadrille Memorial Cemetery (small cottage will be turned into visitor's center)
 - ABMC coordinates with ANC on building new monuments overseas.
 - Many U.S. Centennial events will also be held in Europe from May 2018 to May 2019.
 - Mr. Sole concluded by stating, in part, that ABMC's goal is to actively pursue the mission to keep Veterans legacies alive and to uphold their motto, "Time will not dim the glory of their deeds."

Presentation on the National Park Service (NPS)

- Mr. Charles Sellars, Superintendent Andersonville National Historic Site and Ex-Officio for the National Park Service (NPS) provided the Committee with an update.

- National Park Service administers 14 national cemeteries. He reported that Andersonville will soon be the last national cemetery administered by NPS.
- Andrew Johnson has 45 gravesites open for initial interments. Twelve cemeteries below are still doing subsequent interments.
- NPS has 417 units, however, only 14 have national cemeteries associated with them. NPS administers 84 million acres of property in every state in the Union, to include the District of Columbia, American Samoa, Guam, Puerto Rico, and the Virgin Islands. NPS maintains about 94,000 graves.
- The American Conversation Experience is a youth program that affords youths the opportunity to perform volunteer work in the national cemeteries. Over the last couple of years, there were over 4,000 volunteers at Chalmette National Cemetery.
- Mr. Sellars also mentioned the partnership between NCA and NPS to replace 5,700 markers at Poplar Grove, Petersburg National Battlefield.
- NPS consulted with the Historic Preservation Training Center to determine the condition of the cemetery wall at Shiloh National Cemetery, which was eventually replaced. He mentioned that the Historic Preservation Training Center also provide monument restoration consultations and have done a lot of work at the White House.
- NPS is in the process of resolving unmarked gravesite discrepancies found at Vicksburg and replacing 16 trees at Custer National Cemetery.
- Mr. Sellars mentioned a request from the Sons of Union Veterans of the Civil War to mark the last Civil War soldier's grave in each state, county, or parish with a medal star. NPS is currently reviewing this request.
- NCA worked with NPS to set up a grave finder kiosk at Andersonville. The kiosk was a donation through the Friends of Andersonville.
- Mr. Sellars stated that the NPS is continuing to look at ways to bring the visitors to the parks, to tell the stories, and the virtual experience to reach the younger generation.
- In 2017, Andersonville had 194 interments. There have been about 56 interments in 2018. NPS is working to very closely with local funeral homes in Georgia to expand the awareness of burial benefits at Andersonville.
- There is pending legislation for NPS to provide the outer burial receptacle for new burials similar to the benefit provided by the NCA and Arlington. NPS is currently working with Army Corps of Engineers to redesign part of Andersonville

and Andrew Johnson for pre-placed crypts (in preparation for a solution to this legislation). Mr. Sellars clarified that an outer burial receptacle is minimum container (either a polyethylene grave liner or a concrete vault for casketed remains).

- Mr. Lightfoot asked how NPS educates funeral directors of their services. Mr. Sellars stated that it's through continuous outreach and mentioned that the Ambassador Outreach Program is of interest to him.
- Chairman Kelly asked if NCA should be considered to maintain Veterans gravesites at NPS national cemeteries, to allow NPS to focus of their goal of telling the stories and operating the national parks. Mr. Walters mentioned there were discussions some time ago between leadership at NCA and NPS, but an actual agreement or decision was not determined. Mr. Sellars stated that funding is limited for the upkeep of national cemeteries.
- Mr. Tom Sole mentioned that the ABMC can also partner with NPS to maintain monuments in closed or near closed cemeteries. Mr. Walters stated that NCA has partnered with ABMC with the Veterans Legacy Program and that his point is well-taken, to utilize the strengths that each organization has in order to have a better product in the end.

Public Comments

Chairman Kelly noted for the record that the meeting would remain open for public comments until 12:30pm. The Committee recessed for lunch from 12:30pm - 1:30pm. The Chairman reconvened the meeting at 1:30pm and noted that public comments will remain open until the end of the day. He acknowledged Mr. Craig Cressman, Navy Mutual Aid, and asked him if he had any desire to make a public comment. Mr. Cressman did not have a comment.

Presentation on State and Tribal Veterans Cemeteries

- Mr. George Eisenbach, Director of Veterans Cemetery Grants Program (VCGP), provided an overview of the program, the grants process, and the strategic outlook for the program.
- VCGP was established in 1978 and assists states, territories, and tribal governments to establish, expand, and improve Veteran cemeteries.
- VA provides **100%** of development costs and has awarded more than **\$766** million awarded since 1980. Since FY2017, VCGP is adding **110** state cemeteries in 48 states, including Guam & Saipan; **4** new cemeteries are under construction; and there have been more than **38,200** interments.

- The four types of grant projects are (1) New Establishment; (2) Expansion; (3) Improvement; and (4) Operations and Maintenance (O&M – raise and realignment of landscaping and headstones, etc.).
 - The FY 2018 Priority List consists of **105** total projects
 - The estimated value of the 105 projects is approximately **\$294 million**.
 - There are **59** projects in Group 1; est. value is **\$174 million**
 - There are **46** ranked projects in group 2; est. value is **\$120 million**
 - The FY 2018 Priority List has **16** total tribal government pre-applications.
 - There are **16** tribal government pre-applications for cemetery grants.
- NCA's strategic goal is to provide burial options to veterans and their eligible family members that are not served by one of **135** national cemeteries. Access to 95% of Veteran population by 2021. Mr. Eisenbach mentioned that the strategic goal for VCGP is to partner and empower states and tribes to serve Veterans and eligible family members. The first priority is to expand the program within less than four years, with more concentration on remote, unserved areas.
- For example, VCGP has a pre-application from South Dakota. South Dakota currently has three tribal cemeteries but no state cemetery. If the grant is approved, approximately 42,000 unserved Veterans will have a burial option.
- The Compliance Review Program ensures that state and tribal cemeteries are following the same standards as the National Cemetery Administration. Cemeteries are inspected in accordance with the organizational assessment inspection assesses conducted at the national cemeteries.
- The Committee currently has a pending recommendation for VCGP to fund the training for state and tribal cemeteries employees. Mr. Eisenbach mentioned that he has drafted a legislative proposal, which will allow states and tribes to include (as part of their grant request) funding to send state and tribal employees to training courses. In any Fiscal Year, the aggregate amount of allowable training course, to include in grants, shall not exceed 100K. In the interim, Mr. Eisenbach is working with the Director of the NCA National Training Center to disseminate training catalogs/course work to the cemeteries.
- Mr. Beavers stated that only 17 states have residency requirements. He thinks that a Veteran should be able to be buried in a state or tribal cemetery across state lines. Mr. Beavers provided an example of a deceased Veteran who resided in one state but the elderly parent resides in another state and wants the burial closer in order for them to visit the gravesite. The issue is that the Veteran not being a resident of the state. Mr. Beavers stated that from the standpoint of receiving grants, a state should not be allowed to require residency for an expansion or a new establishment.

- Mr. Eisenbach stated that tribal cemeteries are now opening up their cemeteries to all Veterans. Chairman Kelly clarified that although the tribal cemetery is open to all Veterans, the ceremonial area is distinguished from the traditional interment. The actual burials are the same as state burials.
- Mr. Eisenbach mentioned that he is continuing attempts to secure cemetery grants for the states of Michigan and Oregon. He also clarified that the funding to establish a cemetery comes from VA. However, the funding to operate and maintain a cemetery comes from the state. Staff of VCGP monitor grave depletion data in order to determine when to solicit pre-applications from state and tribal cemeteries. VCGP also provides the state and tribes a cross-analysis of the cost and resources to operate the cemetery based upon the grant (small, medium, large, or remote).
- The Committee commended Mr. Eisenbach on all his efforts.

Presentation on the Ethics for Special Government Employees (SGEs)

- Ms. Carol Borden, Office of General Counsel, Staff Attorney, provided the Committee with refresher training on Ethics for Special Government Employees (SGE). Committee members are considered SGEs. Ms. Borden stressed that ethics apply to members 24/7. For example, gift rules apply at all times. Ethics rules apply even if SGE serves without compensation. Ethics rules apply even on days when SGE is not directly performing Government services.
- SGEs are Government employees for ethics purposes, but are subject to less restrictive conflict of interest requirements and ethics rules. Unless exempted in writing, all SGEs must submit Confidential Financial Disclosure, OGE 450, which must be certified in order for a member to participate in any deliberative meeting.
- SGEs should also be mindful of topics on the agenda and their outside affiliations that may be considered a possible conflict of interest. If a member believes there is a conflict of interest, the member should recuse himself/herself from the meeting and contact OGC for further guidance.
- SGEs may not use their position on the Committee for their own private gain. It is a crime for a member to participate personally and substantially as a Government officer or employee in a particular matter which will directly and predictably affect their financial interest or a financial interest imputed to him or her. Underlying assets also includes assets of spouses, any minor children, general partner, or employee; or an organization, in which the member serves as an officer, director, trustee, general partner, or employee.

- OGC also looks at a person or organization with which SGE is negotiating with, or has, arrangement concerning prospective employment because a future employer could be interested in the work on the Committee.
- In order to trigger the criminal conflict of interest statute, a particular matter has to be identified. Particular matters include deliberations, decisions, actions focused on interests of specific parties (e.g., a contract, grant, or case in litigation); or general applicability (focused on a discrete and identifiable class such as an industry).
- SGEs **may** participate in particular matters of general applicability where the disqualifying financial interest arises from the SGE's non-Federal employment or prospective employment. Exception does not cover interests arising from stock ownership.
- SGE/employee cannot participate in specific party matter where a person with whom you have a "covered relationship" is, or represents, a party.
- SGE is prohibited from receiving compensation based on their representation or anyone else's before any Federal agency or court in connection with any specific party matter in which they participated personally and substantially as a Government employee. 18 U.S.C. § 203.
- Ms. Borden also clarified that an SGE cannot be paid by an outside source for participating on the Committee.
- SGE is prohibited from acting as agent or attorney, with or without compensation before any Federal agency or court in connection with any specific party matter in which they participated personally and substantially as a Federal employee. 18 U.S.C. § 205.
- Post-Government employment concept of no side switching. 18 U.S.C. § 207. If the Committee is working on a specific party matter, an SGE is prohibited, once he or she leaves the Committee, from representing back against the government on that same particular matter.
- Lifetime Ban – representing back to the Government in connection with particular matter involving specific parties in which SGE participated personally and substantially ("behind the scenes" advice is OK)
- SGE may not serve as an expert witness for party opposing the Government where SGE participated in the underlying proceedings as a Government employee. SGE may not serve as an expert for party opposing their own agency where they serve on a Committee established by statute or serve for more than 60 days.

- Ms. Borden asked members to be mindful that, “public service is a public trust”. 14 Principles boil down to two main prohibitions:
 - Do Not **Use Your Public Office for Private Gain**
 - Do Not **Give Unauthorized Preferential Treatment** to Any Private Organization or Individual
- No use of non-public information to engage in any financial transaction or to further own private interest.
- No use of Government property for other than authorized purposes.
- No use/allowing use of official title, position or authority to imply that the Department officially endorses/sanctions a private product, service or activity.
- No compensation for Teaching, Speaking, or Writing that relates to official duties.
- Relates to Official Duties if:
 - Undertaken as part of official duties,
 - Invitation extended primarily because of official position,
 - Invitation from someone whose interests may be substantially affected by member’s Government duties,
 - Information conveyed draws substantially on non-public information, or
 - Subject matter deals significantly with any specific party matter to which SGE is assigned or was assigned within past year of current SGE appointment
- Exception – Teaching a course requiring multiple presentations offered as part of regular curriculum of an elementary/high school or institution of higher education or training program sponsored by the Federal Government.
- Ms. Borden clarified that a Committee member may teach on a topic that involves an issue with the Committee. However, the member cannot receive compensation for doing so.
- May not accept gift given because of official position OR from a “prohibited source”. Prohibited Source:
 - Entity seeking official action by VA
 - Entity doing/seeking business with VA
 - Entity could be substantially affected by Committee decisions
 - Entity of which a majority of members are prohibited sources
- Exception – MAY accept meals, lodgings, transportation and other benefits arising from outside employment when benefits not offered due to status as Federal employee.
- Other minor exceptions exist, e.g., de minimis \$20 per occasion, \$50 during calendar year – consult an ethics official.

- SGE may engage in fundraising in a personal capacity as long as SGE does not personally solicit funds or support from a person whose interests may be substantially affected by the performance or nonperformance of the SGE's official duties.
- Emoluments Clause
 - Prohibits employment with, receipt of gifts decoration or titles of nobility from a foreign government or public university or commercial enterprise owned or operated by a foreign government, except to extent authorized by Congress. U.S. Constitution, Art. 1 § 9, cl.8
- Foreign Gifts and Decorations Act
 - No gifts > \$375 from foreign government or international organization (includes travel unless takes place entirely outside U.S.)
- Foreign Agents
 - No acting as agent of a foreign principal registered under Foreign Agents Registration Act unless deemed in national interest by head of agency where SGE employed
- The Hatch Act restricts certain political activities of Government employees. Applies to SGEs only when engaged in Government business (serving on the Committee):
 - No political activity on duty, on Government property, or while using a Government vehicle
 - No soliciting/receiving political contributions
 - May be candidate for public office in partisan elections – but no campaign work while on duty
- If an SGE has any questions, he or she may contact OGC's Ethics Specialty Team at GovernmentEthics@va.gov or 202-461-0000. By contacting an ethics attorney, the SGE may be provided a safe harbor if a conflict of interest arises.

Presentation on NCA Construction and Access

- Mr. Michael Roth, Director of NCA Design and Construction, provided an update on major construction projects, which are over \$10 million; and minor construction projects, which are under \$10 million. Major construction projects average two or three projects a year, in the range of \$30 - \$50 million dollars. Minor projects average 40 to 50 projects a year, and are about \$80 - \$100 thousand a year.
- Both Minor and Major Programs are about \$350 million combined, which is substantial for an agency of this size. Mr. Roth mentioned that it is a tribute to

the advocacy and the faith in NCA to manage the funds and execute construction projects in a manner that brings value back to the VA.

○ **FY 2018 NCA Minor Construction Efforts**

- For FY 2018, NCA plans to obligate over \$100 million in support of 55 minor construction projects at its national cemeteries—this year represents one of the largest amounts NCA has received in support of its national cemeteries.
- Minor projects include gravesite expansions and infrastructure repair, like road repair, renovation of historic lodges and administrative buildings, and construction of columbaria and committal shelters.
- All 5 Districts are scheduled to have minor projects undertaken at cemeteries within their jurisdictions.
- Projects are collaboratively prioritized by both Field and Central Office staff.
- FY 2018 obligations to date: \$25 million obligated, a bit of a slow start due to continuing resolution with plan to be back on track Summer 2018.
- NCA has partnered with the U.S Army Corps of Engineers (USACE), who provides contracting and engineering support to NCA construction program (FY 2018 USACE projection: \$26.5 million).

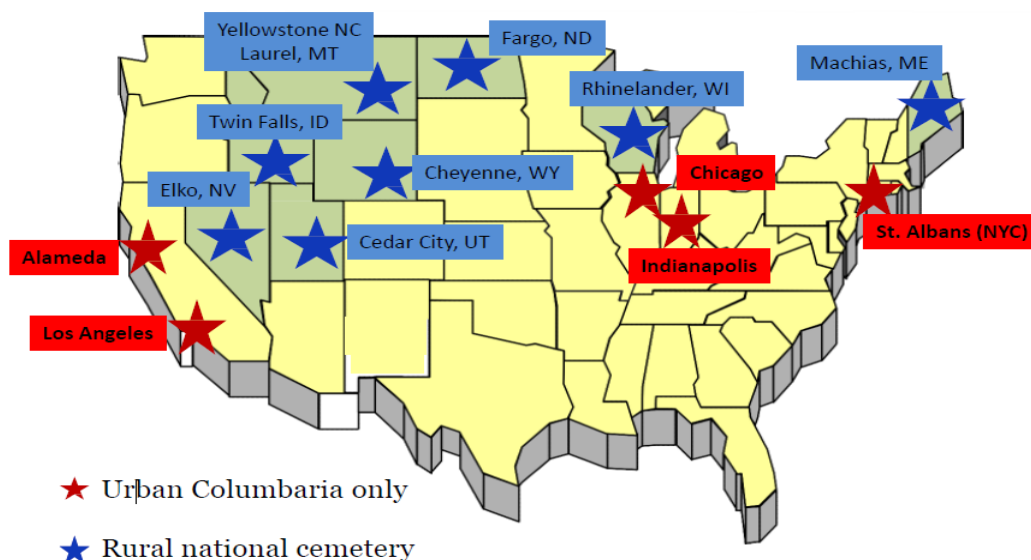
○ **Completed Minor Construction Efforts**

- Mountain Home National Cemetery
 - Public Information/Administration Building
 - Maintenance Building
- Salisbury National Cemetery (Gravesite Expansion)
 - 2,400 – Niche Columbarium
 - 4,500 – Pre-placed Crypts
 - 1,600 – Cremains
 - 300 – Traditional gravesites
 - Wash Bay and Public Restroom Building
- Camp Nelson National Cemetery
 - Wash Bay and Public Restroom Building

- **FY 2018 NCA Major Construction Efforts**

- The VA's Office of Construction and Facilities Management (CFM) manages the Department's major projects, and NCA is CFM's customer.
- In FY 2018, VA's Office of Construction and Facilities Management received an estimated \$256 million to support NCA major projects.
- Projects this fiscal year include:
 - National Cemetery of the Alleghenies (\$39M): *In design phase w/ projected construction award in Fall 2018*
 - Sacramento Valley (\$35M): *In design phase*
 - Abe Lincoln (\$35M): *In design phase w/ projected construction award in Fall 2018*
 - NMCA (\$31.9M): *In design phase w/ projected construction award in Fall 2018*
 - Florida (\$51.1M): *In land acquisition phase*
 - Calverton (\$50M): *In land acquisition phase*

Mr. Roth mentioned that the goal in NCA's Long Range Plan is to increase access to Veterans by building 15 cemeteries by 2021. Omaha National Cemetery, Pikes Peak National Cemetery, and Cape Canaveral are three of the 15 new cemeteries. The other 12 cemeteries are or will be in urban and rural areas. Urban initiatives are columbarium only due to the land footprint. The Alameda project is part of a big VA community-based outpatient clinic project. The columbarium has about 25,000 niches, and the project includes some infrastructure for the hospital.



Mr. Lightfoot asked if NCA accepts donated land. Mr. Roth stated that NCA does accept donated land, and Mr. Walters added that there is very, specific criteria that defines where cemeteries are placed and whether the offer of donated land meets the need of the Veteran population and utilization rates in the area.

Multimedia Presentation on New Benefit, Education, and Outreach

- Mr. Tom Howard, NCA Chief of Staff, began his presentation by showing a few short videos, which reflect NCA's enhanced commitment to outreach, education, and partnerships. There are new NCA videos that can be easily accessed on the VA internet site or YouTube:
- New Benefits Video:
<https://www.cem.va.gov/videos.asp>
<https://www.youtube.com/watch?v=c3hsIEj6Hpo&feature=youtu.be>
- ABMC Partnership from a few months ago:
<https://www.abmceducation.org/understandingsacrifice/soldier/clayton-landon>
<https://www.abmceducation.org/understandingsacrifice/soldier/george-allingham>
- As part of the Veterans Legacy Program, local teachers will be adopting Veterans buried in the national cemeteries, conducting research on the Veteran, delivering eulogies, and bringing their local classes to those national cemeteries to learn about Veterans, national cemeteries, and the benefits offered by NCA.
- Mr. Howard also introduced Mr. Kenneth Holliday, who is currently the Alternate Designated Federal Officer (DFO), but also works on the Veterans Legacy Program. Mr. Holliday is a Veteran and a graduate of the University of Central Florida Legacy Program.
- Ms. Trussell asked about the family involvement in the development of Veteran profiles. Mr. Howard clarified that NCA worked closely with ABMC and support Committees, who share information with the community about the opportunity to profile a loved one at the national cemetery.
- Mr. Lightfoot asked about the Veterans Legacy Program versus the Veterans History Project, which is offered by the Library of Congress; and whether the two programs can be linked. Mr. Holliday stated that it parallels the Veteran Legacy Program except NCA focuses just on Veterans and cemeteries, whereas the Veterans History Project consists of oral interviews. Mr. Walters stated that NCA has talked with the Library of Congress and is working on a way to synchronize technology to link the biographies from both the programs.

- Ms. Braatz commended Ken Holliday on the excellent blogs he writes for the NCA Facebook website and stated there is a lot of interest from funeral directors to view the videos and webinars on the site.

Meeting Adjourned

Chairman Kelly concluded the public comment and reviewed the agenda items for the next day. The meeting was adjourned at 3:42pm.



Wednesday, May 16, 2018

Opening Remarks

- Chairman Kelly reconvened the meeting on Wednesday, May 16, 2018, at 8:37am. Attendees recited the Pledge of Allegiance and held a moment of silence for Veterans and Active Duty Servicemembers. Afterwards, Ms. Hamilton, DFO, provided members with administrative announcements for the day.
- Chairman Kelly welcomed the first presenter of the day, Ms. Kimberly Wright, Executive Director of Field Programs and restated the Committee's concern about the National Cemetery Scheduling Office (NCSO) and backlog of Pre-Need determinations. He further clarified that the employees at the NCSO are extremely dedicated and that the Committee's concerns are not a reflection of her leadership or the staff's hard work.

Presentation on National Cemetery Scheduling Office (NCSO)

Ms. Wright thanked the Chairman for his support and the opportunity to speak with the Committee about the problems at the NCSO. Her key points were as follows:

- Goal of the NCSO is to identify and determine eligibility for service members and their family members, and schedule interments and/or committal and memorial services in support of NCA's mission. The NCSO supports all 136 national cemeteries.
- NCSO is currently staffed with a new Director and an Assistant Director. There are currently 53 employees who verify eligibility and schedule burials; and 23 employees who determine eligibility for pre-need and time of need applications. The office is authorized to have 81 full-time positions (FTE).
- In Fiscal Year 2017, the scheduling office answered nearly 137,000 calls for burial services and established more than 134,000 burial cases; and 176 cases were identified and tracked as indigent Veterans, which included cases from the Missing in America Program.
- Thus far, in Fiscal Year 2018, the scheduling office has answered over 107,000 calls; established nearly 83,000 burials and memorials services; and identified and tracked 105 indigent Veterans.
- The primary issue is there are more calls received than NCSO personnel can actually answer. To address this issue, the Scheduling Division implemented the following actions:
 1. Redirected two Eligibility Pre-need staff to Scheduling in support of call-back activities

2. Sent Communications Package to management team which provided key messages and communication guidance
3. Adjusted employee work shifts in response to high call volume
4. Extended hours of employees through use of overtime
5. Completed traffic studies
6. Analyzed call activity data with experts from VBA National Call Center

Eligibility Verification Division – Pre-Need

- Current inventory 41,008, as of May 9
- In Fiscal Year 2017
 - Received 51,636 applications
 - Processed 25,227 cases
- Fiscal Year 2018, through April
 - Received 26,846 applications
 - Processed 8,183 applications
 - Processing was halted from mid-January – mid-April to support the Scheduling Division

Ms. Wright mentioned that naturalized Hmong individuals are now eligible for burial benefits and are sending in pre-need applications. Based upon a meeting with Lao Veterans of America, there are 3000 to 4000 naturalized Hmong individuals who may be eligible under Public Law 115-141.

Eligibility Verification Division - Pre-Need Actions

- Sent emails and letters acknowledging receipt of applications in March 2018
- Worked with Veterans Benefits Administration (VBA), who has a mail handling system
- Scanned received applications into electronic database
- Executed scanning contract service
- Processed pre-need applications received through July 2017
- Extended hours of employees through use of overtime

There was some additional discussion about the backlog of 41,000 pre-need claims. Chairman Kelly expressed his concern about the manual claims processing and an electronic means to accept claims electronically and automate eligibility verifications. Ms. Wright clarified that electronic submission of claims may be available Summer 2018.

National Cemetery Scheduling Office – Actions

Short Term –

- Re-graded and selected new Director, GS-15
- Established and selected new Assistant Director, GS-14
- Reducing the supervisor to employee ratio
- Updating the telephone platform from “Tadiran” to a “Cisco” system.
- Upgrading IT support systems, such as routers, 69 additional lines
- Increasing office space in order to hire additional employees
- Upgrading Eligibility Office Automation Systems
- 29 cemeteries providing local support for 1st & 2nd interments
- Utilizing overtime hours for employee augmentation

Long Term –

- Expanding organizational structure
- Replacing BOSS with Memorial Benefits Management System
- Including Self-Service burial application
- Coordinating employee development through the National Training Center
- Educating agents on call handling and call control methods

Chairman Kelly recommended a working group that meets at least bi-monthly to address problems with the backlog of pre-need claims and the delay in time-of need scheduling. Chairman Kelly recommended that Mr. Leslie Beavers lead this effort, with supporting members, Gordon Lightfoot, Marianne Trussell, and Heather Braatz.

Mr. Sellars stated that part of the problem is the amount of time it takes to research the records to determine eligibility.

Presentation on Digital Memorialization & Strategic Partnership Development

- Mr. Tom Howard, NCA Chief of Staff, provided an update on engagement and educational efforts in response to the 2017 Recommendations for Digital Memorialization. In part, the recommendations are to:
 - “continue to collaborate with contractors, historians, professors, and students who enthusiastically embrace the specialized, unique mission of the NCA.”
 - “maintain a public facing digital presence that promotes in a clear and simple manner the goal of the project and how Veterans, survivors, their family members, and friends can participate.”
- Mr. Howard’s key points were as follows:
 - The Veterans Legacy Program staff has been working to develop new products and programs, which reflect the Undersecretary’s commitment to commemorate and memorialize Veterans.

- Three contracts were awarded with Universities in 2017; and nine contracts were awarded in February 2018 with a period of performance ending November 2018.
- **University & Non-Profit Partners**
 - Black Hills State University
 - University of Central Florida
 - San Francisco State University
 - University of Denver
 - University of California, Riverside
 - Cal Poly Pomona
 - George Mason University
 - University of Tennessee, Knoxville
 - National History Day
- Mr. Howard noted that the National History Day is actually a non-profit program, which is leading institute of history education and is focused on professional development of teachers. In the May 15th meeting, Committee members watched videos two of the eulogies from teachers who participated in last year's program at ABMC.
- He added that the VA included legislative proposal for grant authority in FY2019 budget for the Legacy Grants Program, as a way to manage and expand its flexibility.
- NCA is also pursuing public/private partnerships. Ms. Michelle Buhr is the senior strategic development officer, who is seeking direct contributions from corporate partners or nonprofit organizations. NCA sees this as a way to provide capacity building and agility without the need for additional Federal funding.
- The digital memorialization products will be different. However, for quality and consistency purposes, all contracts must (per agreement):
 - Engage students to research, develop, and share the history of veterans interred in National Cemeteries (to include) digital and in-print learning materials, and digital media products (and) showcase university students teaching school-level students the stories of service and sacrifice of veterans interred in National Cemeteries.
 - This research must be conducted under the guidance of qualified instructors (e.g. professors) and be reviewed for suitability and accuracy.
- Mr. Howard stated that the overarching theme of each digital product is the dignity and decorum of the national cemetery. The content must be positive and commemorative in nature, free of any negative information, nonpartisan, non-political, free from judgment, editorializing, sensationalism. Historians would also adopt these standards in most of their discourse.

- For Veterans who have been deceased in the last 62 years or since about 1955, NCA will ask the family if they are interested in sharing stories of Veteran buried in the cemetery. NCA also utilizes resources like Veteran Service Organizations to connect with families.
- The Committee video viewed a brief video produced by the Black Hills State University team, which is a small teaching college in Southern South Dakota. The video contained testimonials from the instructors and the students who participated in the project.
 - <https://www.youtube.com/watch?v=MuwXQ10sTac>
 - <http://www.fox35orlando.com/good-day/257601148-video>
- Ms. Buhr spoke about her efforts on the Partnerships and Outreach Team. Her background has been primarily in higher education partnership development. She worked at Yale University on their \$3 and a half billion campaign; worked for the University of Houston on their campaign, and also led the Department of Stewardship and Donor Relations.
- Ms. Buhr mentioned that her approach coming on the team was first to interview the team and to learn as much as she could about the vision for the program and the impact NCA was having. She also looked at how the stewardship and gifts were recorded and processed; where geographic strength centers were in terms of donations; and community engagement for the purpose of developing a fundraising case for support. NCA is looking into the possibility of establishing a 501(c)(3) to allow for the program to have the agility and freedom it requires.
- Thus far, NCA has collaborated with or reached out to:
 - Carry the Load – nonprofit organization founded in 2011 by two former Navy SEALs to educate people about the very unique and distinct reason for Memorial Day, and invited Americans to be purposeful and intentional about memorializing the fallen.
 - Tragedy Assistance Program for Survivors (TAPS) and 34 different Military and Veterans Service Organizations, to start sharing NCA’s message
 - Department of Defense (DOD) “Know My Military Campaign” - to share messaging in their platforms
 - United Services Automobile Association (USAA) – to host a field day, community engagement
 - American Airlines, Prudential, Amazon, and Google – commercial or advertisement possibilities

- Ms. Buhr also mentioned that she connected with Committee member, Heather Braatz and the National Funeral Directors about how NCA can better share messaging and communications about burial and memorial benefits.
- NCA will provide progress updates to the Committee on the monthly advisory Committee teleconferences.

Site Visit to Congressional Cemetery

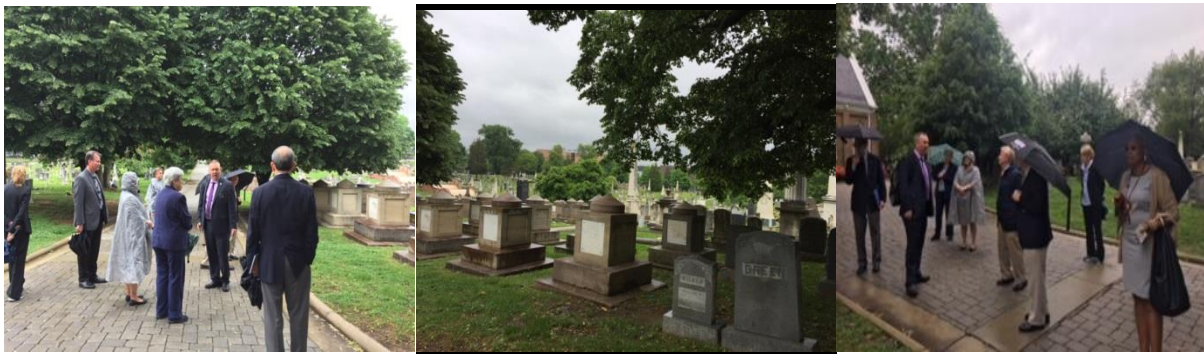
The Committee adjourned for lunch and a site visit to the Congressional Cemetery. The site visit was facilitated by Mr. Michael Brophy, Cemetery Director, Baltimore National Cemetery. He submitted the following items in an after-action report:

Committee members were given a brief walking tour of two sections of the cemetery with the Director providing a briefing on the history of the cemetery, community support, and highlighting some of the monuments and gravesites under NCA management.

The Committee chair expressed interest in any damage caused to government lots by the cemetery’s “K-9 Corps” (the cemetery allows dog walkers on the property via subscription which provides 25% of the cemetery’s operational budget).

Committee members also asked about the overlapping care of the government lots scattered throughout the cemetery. They were briefed on the functions carried out by cemetery staff (headstone and monument cleaning, fertilizer and herbicide applications) and by contracted grounds maintenance (mowing and trimming).

In discussing the interaction between the NCA Cemetery staff and the facility staff from the Association for the Preservation of Historic Congressional Cemetery, the idea was raised of a “special status” for non-NCA cemeteries that have overlapping footprints with NCA (i.e. Congressional Cemetery) with some form of access to NCA training and government headstone replacement authorities. These were areas that had previously been identified by Baltimore NC staff and APHCC staff as areas of overlapping interests that could not be pursued under current regulations.



Congressional Cemetery, Washington, D.C.

Presentation on Medal of Honor Medallion

The Committee reconvened following lunch for remaining agenda items on the afternoon session. Mr. Eric Powell, Director of Memorial Products Service, provided an update on the Medal of Honor Medallion.

- **2017 Committee Recommendation:** On December 16, 2016, Public Law 114-115, Sec 301, (Veterans Health Care and Benefits Improvement Act of 2016), expanded eligibility for a medallion to Medal of Honor (MOH) recipients, [who served on or after April 6th, 1917 and are buried in a private cemetery].
- Earlier this year, the National Cemetery Administration (NCA) consulted with the U.S. Army Institute of Heraldry. The U.S. Army Institute of Heraldry presented two design options for the MOH medallion that can be affixed to headstones in private cemeteries. The Chair previously appointed members to assist with this project. The U.S. Army Institute of Heraldry presented two design options for the Medal of Honor (MOH) medallion to NCA staff and the Committee. Committee members reached out to several Congressional Medal of Honor recipients for their review and feedback on the design options. The Committee recommends that NCA continues to work with the U.S. Army Institute of Heraldry to develop a suitable Medal of Honor medallion product and an awareness campaign to notify recipients and survivors about the product by early Spring 2018. The Committee recommends the following action items:
 1. NCA staff and Medal of Honor (MOH) workgroup shall work with the U.S. Army Institute of Heraldry to address concerns raised by certain MOH recipients regarding the recommended medallion design and to report back to the Committee no later than December 1, 2017.
 2. NCA shall develop an awareness campaign for this MOH medallion.
- NCA collaborated with the VA Advisory Committee on Cemeteries and Memorials , U.S. Army Institute of Heraldry, and the U.S. Commission of Fine Arts to create an acceptable design option.
- On January 18, 2018, the Commission members recommended the design option below, citing its strong association with the historic 1861 MOH design, using a star-shaped planchet with trefoil points, framed by paired leaves and scrolls. On April 23, 2018, Acting VA Secretary Robert L. Wilkie approved the following medallion design.



New Medal of Honor Design

- Mr. Powell stated that NCA is working with Contracting Services to solicit contract support to mold and manufacture the medallion.
 - **Manufacture new MOH medallion**
 - Memorial Products Service (MPS) submitted a Statement of Work to Contracting Services on May 2, 2018 for solicitation and award
 - MPS is working in parallel with the Office of Information and Technology to implement an enhancement to our ordering system
 - NCA is awaiting samples from the contractors who are interested in completing the work; anticipate an award no later than Fall 2018

- Mr. Powell discussed the campaign to inform the families of MOH recipients about the availability of the new medallion.
 - **Awareness campaign**
 - Update NCA website once the medallion is available
 - Work with the Congressional Medal of Honor Society to provide information and instructions on how to apply for this benefit
 - Total MOH recipients: 3,500 and 71 are still living
 - Received one application to date
 - Private First Class, Milton Lee Olive, III
 - Interred in Lexington, MS
 - NCA is coordinating with Ettrick Cemetery and family to hold a small ceremony and present the medallion to the family

- He also mentioned that NCA is working on updating VA Form 40-1330M, Claim for Government Medallion for Placement in a Private Cemetery. In the interim, applicants can write-in “Medal of Honor Medallion” as the type of medallion.

- Mr. Beavers asked if there was enough data to send a letter out or outreach to eligible MOH recipients. Mr. Powell stated that NCA will work the Congressional Medal of Honor Society to assist with notifying eligible recipients. Ms. Smith mentioned that there is an official Medal of Honor historical association that has the names of recipients and where they're buried.

- Instructions on how to affix the medallion to the headstone can be found on YouTube at: <https://www.youtube.com/watch?v=qA5eaD6ndwc&list=PL7897A1FCC5516DDE&index=18>

Presentation on Outreach Ambassador Program

Committee Member Gordon Lightfoot provided an update on the Outreach Ambassador Program. The 2017 Recommendation is as follows:

- **2017 Committee Recommendation:** The Advisory Committee on Cemetery and Memorials Committee recommended that NCA establish an NCA Outreach Ambassador Program which provides a model by which Committee members have increased access to outreach opportunities and receive suitable staff support (training; materials etc.). The Committee recommends the following action items:
 1. A time phased Outreach Ambassador (OA) program be instituted to educate Committee members. This education program may be conducted in collaboration with NCA Outreach Officers and representatives from the Outreach Ambassador Subcommittee.
 2. OAs (private volunteers) will reach out to local National Cemeteries and their communities to offer assistance to advance NCA outreach.
 3. Where appropriate, all NCA outreach materials shall include reference to “survivors”.
 4. The OA workgroup shall report annually to the Committee on the program’s progress.
 5. Based upon the 2016 recommendations, the Committee would like for NCA to continue efforts on the following items:
 - Develop materials or programming to raise awareness of burial benefits and how to properly communicate to family members who have no military experience.
 - Partner with professional sports franchises and teams to transmit the NCA message to a wider audience.
 - Produce a new version of “A Sacred Trust,” (AST) to demonstrate greater diversity and/or develop various versions of AST.
 - Introduce legislation to require funeral directors nationwide to disclose burial entitlements for Veterans and their families.
 - Work with Veterans Benefit Administration (VBA) to standardize fact sheets.
 - Purchase new, modern table top displays to maximize NCA exposure at major events.
 - Monitor other government websites and ensure that NCA mirrors those website’s efforts to keep pace with technological innovation.
 - Focus outreach efforts to reach out to major Veterans Service Organizations, Veterans, and their families.

- On March 22, 2018, NCA administered the 2018 Community Outreach Assessment to Cemetery Directors to assess the need for an Outreach Ambassador Program and to identify gaps in outreach, in general. A total of **68** were received.
- The Committee discussed their concern about one question that may have been misconstrued by cemetery directors – *“Do you believe that having assigned private volunteers to work community events would be beneficial? If no or not sure, please provide additional feedback.”* More than half of the respondents answered “no” or “not sure”.
- **The Committee clarified that the purpose of the Outreach Ambassador is to be a general advocate or messenger on behalf of NCA, and not an outreach volunteer for national cemeteries.** The ambassador's role is to voluntarily speak in a generic sense about the value of national cemeteries and burial/memorial options available to Veterans, spouses, surviving spouses, and eligible dependent children.
- In the assessment, cemetery directors also expressed the need for outreach materials and updated products, such as the video, “Sacred Trust”. 30 of the 68 respondents answered, “No” to the question – “Are current outreach materials sufficient for community outreach? If no, please provide additional feedback.” Mr. Lightfoot stated, in part, that when exhibiting at conferences and conventions, outreach materials are used to attract the public and express [NCA’s] product.
- Chairman Kelly stated that he would like to focus on ten individuals, who will be trained as Outreach Ambassadors at the NCA’s National Training Center. The concern in the assessment regarding outreach materials is a separate item for NCA to address.
- Ms. Hamilton will clarify the purpose of the Outreach Ambassador Program on the next Office of Field Programs and Cemetery Operations call held with District Executive Directors and Cemetery Directors.

Public Comments

Chairman Kelly noted for the record that public comments are available at any time from any individual who wants to appear before the Committee to make statements.

Presentation on Interagency Agreement with the Department of Justice (DOJ)

Mr. Tom Howard discussed the 2017 recommendation for NCA to work with the Department of Justice on burial eligibility requests pertaining to Veterans convicted of capital crimes and sexual offenses, tier 3. Deceased Veterans convicted of a capital crime or sexual offense, tier 3 are barred from burial in a national cemetery. Key points of this discussion are as follows:

- In the 2017 Committee Recommendations, the Committee recommended that NCA consult with the Department of Justice (DOJ) to determine whether an interagency agreement can be established to facilitate review of eligibility requests that may be subject to the statutory bar to benefits under section 2411 of title 38, United States Code (U.S.C.).
- As background, in 2013, when 38 U.S.C. §2411 was expanded to bar benefits from certain sex offenders, NCA and VA's Office of the General Counsel (OGC) discussed the feasibility and utility of the U.S. Department of Justice (DOJ) giving VA access to its database.
- At the time, VA did not pursue DOJ access but instead discussed the need to communicate with U.S. Attorney Generals and State officials to inform them of the 2411 bar and notification requirements for final conviction cases.
- Recently, OGC reviewed the Advisory Committee's current recommendation to explore the possibility of entering into an interagency agreement (IAA) with DOJ under which VA would request DOJ search its own criminal databases for information that would help NCA determine whether a particular person would be barred from benefits under § 2411 for final convictions of Federal crimes or sex offenses. DOJ would not be providing VA access to its databases.
- NCSO informally reached out to the Federal Bureau of Investigation (FBI) about VA access to criminal files. FBI indicated that absent a change in the law, VA would not be given access to FBI records for which they have no need.
- Tom Howard mentioned that NCA's primary concern would be the amount of time it would take for a DOJ name check for a time of need burial. Chairman Kelly stated that a name check could be done relatively quickly. The coordination and specifications for the name check would be part of the formal discussions with DOJ.
- There was some discussion about establishing eligibility for pre-need. Ms. Kimberly Wright mention that a law recently passed to allow for the disinterment of remains that have already been interred but the Veteran had been found to have committed a capitol crime. She clarified that a pre-need eligibility determination is made before death and a second eligibility check is done at the time of burial need (death).

- Mr. Howard also clarified that the law does not include those who avoided conviction due to flight or death since they would not be considered a “convicted criminal” and may not be in the DOJ database.
- At the time of need family members/funeral directors are asked if the Veteran committed a capital crime or sexual offense prior to scheduling a burial. Ms. Braatz asked about the criminal offense question should still be asked if DOJ is going to certify. Mr. Howard mentioned that this is a sensitive question to ask family members and stated that NCA would have to look into whether or not a replacement for the question is required.
- Mr. Charles Sellars brought up his concern about those who committed a felony but committed suicide prior to a conviction. It may a challenge to validate these types of cases utilizing name checks by DOJ. He asked if NCA would also consider name checks from the National Crime Information Center (NCIC).

Presentation on Proposed Transfer of Army National Military Cemeteries (ANMC)

- Mr. Tom Howard led the discussion on the proposed transfer of six Army cemeteries to NCA, which is consistent with the President’s mandate to address redundancy and focus on consolidation across Federal agencies. He explained that there are existing legal authorities for BRAC (Base Realignment and Closure) and non-BRAC military cemeteries.
- **BRAC**
 - Army Materiel Command
 1. Fort McClellan, Anniston, AL
 2. Fort McClellan POW, Anniston, AL
 - Installation Management Command
 3. Fort Stevens, Hammond, OR
 4. Fort Worden, Port Townsend, WA
 - US Army Reserve
 5. Fort Missoula, Missoula, MT
 6. Fort Lawton, Seattle, WA
 7. Fort Sheridan, Sheridan, IL
- **Non-BRAC**
 - US Army Reserve
 8. Fort Devens, Devens, MA
 - Installation Management Command
 9. Benicia Arsenal, Benicia, CA

- Some USAR cemeteries occupy withdrawn public land requires coordination with Department of Interior – Bureau of Land Management (DOI-BLM) under existing regulations
 - 10. Vancouver Barracks, Vancouver, WA
 - 11. Fort Douglas, Salt Lake City, UT (Research Ongoing)
- The Office of Management and Budget (OMB) fully endorsed the transfer of eleven cemeteries and defined the scope to move forward.
- Mr. Arthur Smith, Chief of Arlington National Cemetery, clarified that the some of the sites are open and some land may be developed for additional burials after the transfer to VA.
- Mr. Howard also reviewed a chart displaying mileage to the closest national cemetery; the estimated population of Veterans to be served in a 75 mile radius; available gravesites; the acreage/capacity for additional coverage; and the Army operational status.
- Major Kenneth Kim, Program and Resource Manager, Army National Military Cemeteries (ANMC) program, stated that the Army has conducted an interagency onboarding work call with General Service Administration (GSA), U.S. Army Corps of Engineers, all the major commands, and landholding stakeholder to identify and to BRAC cemeteries to transfer. The target goal is to transfer as least one cemetery in the beginning of Fiscal Year 2019. The delegation of authority will be masked from GSA. The transfer of each cemetery is contingent upon the real estate documents (ex: title of surveys, deeds, environmental condition of property reports) are on hand. ANMC identified Fort Lawton as the cemetery with the most real estate documents that are available to the initially transferred.
- ANMC assesses conditions of these cemeteries, establishes MOA, and coordinates Army staff actions with:
 - Assistant Secretary of the Army (Installations, Energy and Environment) for coordination with GSA and DOI-BLM
 - Army Corps of Engineers for document collection and other real estate transaction efforts
 - Installation Management Command (IMCOM), ANC, and USAR for cemeteries towards acceptable standards
- Chairman Kelly reminded attendees that the meeting is open for public comment.

Charges and Endorsements

The Committee agreed to establish two working groups, to provide the VA Secretary with better informed recommendations at a later date.

1. *Scheduling and Pre-Need Working Group*

- The Committee recommends NCA establish a working group to meet bi-weekly, led by Mr. Leslie Beavers, to provide feedback and oversight of delays experienced by customers at NCA's Scheduling and Eligibility Office.
- NCA shall provide the Committee with **an action plan within 30 days**, to address both time of need and pre-need efforts.
- NCA is outsourcing pre-need processing **for the immediate elimination of the backlog within 120 days**.
- For time of need claims, the Committee suggested that **NCA develop the technological and training capacities needed by August 30th**.
- Mr. Powell clarified that the telephone system will be transitioning from Tadiran to Cisco during July 2018. The improved system will help to reduce the delay of answering calls for those who wish to schedule a burial. It will also have a call back feature.

2. *Emblems of Belief Working Group*

- The Committee recommends the establishment of a working group to review Emblems of Belief regulation and definition of a "belief system."
- **Background:** Currently VA regulations permit the inscription of a wide range of emblems (60+) on a Government-furnished headstone or marker, if the inscription reflects the religious belief or a belief system of the decedent (38 CFR). This is certified by the claimant.
<https://www.cem.va.gov/hmm/emblems.asp>
- NCA generally approves requests for new emblems given the broad application of the regulation. (Emblems of belief for inscription on Government headstones and markers do not include social, cultural, ethnic, civic, fraternal, trade, commercial, political, professional or military emblems. VA will not inscribe any emblem on a headstone or marker that would have an adverse impact on the dignity and solemnity of cemeteries.)
- Mr. Howard stated that a working group could look at the current criteria and process for EOB determinations and offer advice before any proposed rule for regulatory action.

3. The Committee agreed that the request to review authorities to maintain Veterans grave sites in private cemeteries should be tabled for future consideration due to the complexities involved.
4. The Committee agreed they would like for NCA to establish an education and information system to help members explore their personal networks, for the purpose of developing a referral network to advance NCA priorities through strategic partnerships.

Closing Remarks, Under Secretary for Memorial Affairs/Committee Chair

- Chairman Kelly offered closing remarks thanking the Advisory Committee members for their participation and the Principal Under Secretary, Mr. Ronald Walters for his leadership and support. This was the Chairman's last business meeting. He stated that it has been an honor to serve on the Advisory Committee since 2004. He also expressed his deepest gratitude and appreciation for the hard work performed by NCA employees, funeral directors, and other Veteran Advocates who ensure that Veterans and eligible family members are interred with dignity and respect.
- Mr. Walters presented Chairman Kelly with a Certificate of Appreciations signed by the Honorable Robert Wilkie, Acting Secretary of VA. The certificate read as follows:

"Presented to Major John A. "Jack" Kelly, with deepest appreciation for your many years of service on the VA Advisory Committee on Cemeteries and Memorials, and for your guidance to the Department of Veterans Affairs leadership. Your dedication, enthusiasm, and countless hours of assistance are unparalleled. The National Cemetery Administration has benefitted immensely from your contributions and continued commitment to honor the legacies and sacrifices of veterans. Signed, Washington, D.C., May 2018, Robert L. Wilkie, Acting Secretary of Veterans Affairs."
- To commemorate Chairman Kelly's service on the Committee, Mr. Howard as presented Chairman Kelly with a framed picture of Fort Rosecrans National Cemetery, which is one of the most beautiful national shrines.
- Chairman Kelly also presented a Certificate of Appreciation to Mr. Walters on behalf of the Committee. He stated, *"It is my honor as my last act here in a public forum to present to my colleague and friend, "Ron Walters, Ph.D., in recognition for your many years of support and guidance to the VA Advisory Committee on Cemeteries and Memorials. Your contributions, and continued commitment to veterans, families, and survivors are greatly appreciated. John A. Kelly, Committee Chairman."*

- Other members also expressed their gratitude to Chairman Kelly on a job well done and his steadfast leadership.



“I can’t extend any greater words...the strong feeling I have for the men and women of this organization.” – Chairman John (Jack) A. Kelly.

Meeting Adjourned

The Advisory Committee on Cemeteries and Memorials meeting was adjourned at 4:31pm.

A handwritten signature in cursive script that reads "John A. Kelly".

John A. (Jack) Kelly
Committee Chair

Note: The verbatim transcription of this meeting is available upon request.