

**SUSTAINING THE SACRED TRUST: AN UPDATE ON  
OUR NATIONAL CEMETERIES**

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**HEARING**  
BEFORE THE  
SUBCOMMITTEE ON DISABILITY ASSISTANCE AND  
MEMORIAL AFFAIRS  
OF THE  
COMMITTEE ON VETERANS' AFFAIRS  
U.S. HOUSE OF REPRESENTATIVES  
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## **SUSTAINING THE SACRED TRUST: AN UPDATE ON OUR NATIONAL CEMETERIES**

**Wednesday, April 10, 2013**

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON VETERANS' AFFAIRS,  
SUBCOMMITTEE ON DISABILITY ASSISTANCE  
AND MEMORIAL AFFAIRS,  
*Washington, D.C.*

The Committee met, pursuant to notice, at 2:35 p.m., in Room 334, Cannon House Office Building, Hon. Jon Runyan [Chairman of the Committee] presiding.

Present: Representatives Runyan, Amodei, Titus, O'Rourke, Negrete-McLeod.

### **OPENING STATEMENT OF CHAIRMAN RUNYAN**

Mr. RUNYAN. Good afternoon, and welcome everyone. This oversight hearing of the Subcommittee on Disability Assistance and Memorial Affairs will come to order. We are here today to examine the current state of our military and veterans cemeteries. Our goal within this hearing is to learn more about the recent endeavors and accomplishments of the National Cemetery Administration and other organizations that are here today. We are also here to address the matters of ongoing concern that impact all of the final resting places of our military servicemembers, veterans, and their families, both at home and abroad.

Members of this Subcommittee as well as all Members of the House Veterans' Affairs Committee greatly appreciate the incredible feats of courage and selfless service that our War fighters have demonstrated throughout history. Time and time again American servicemembers have been called upon to put the welfare of the Nation before their own self interests. Our solemn obligation to honor those who have served does not cease at the end of their service commitment, retirement, or ultimately upon death. We have a sacred trust to ensure the dignity of the final resting places of our military and to honor the memories of America's brave. As our senior veterans from World War II and the Korean War decrease in numbers and casualties from Afghanistan return home, our obligation to provide honor for every one of the deceased remains, remains acutely felt.

This hearing will serve to conduct a broad spectrum review of recent cemetery memorial activities at home and abroad. We will receive an update on condition improvements at Arlington National Cemetery.

When I first became Chairman of this Subcommittee, fixing problems at Arlington was a top priority and I have made it a prime focus of this Subcommittee's oversight during my tenure. From my

first trip to Arlington to meet with Ms. Condon to get an overview to take care of a constituent headstone issue, I have seen it go from a place where records were kept on basically index cards, if you would remember the card catalogue from high school that most of us dealt with, in a building with no fire suppression, to today where everything is digitized and there is even a phone app that allows people to know exactly where their loved ones are located.

This Subcommittee's oversight has been made much easier by having Ms. Condon as a partner in working and improving Arlington. She has taken a mismanaged, insular, previously corrupt environment with no leadership or structure, and along with her team has transformed Arlington National Cemetery into what the Army Inspector General has described as an organization transitioning from crisis management to sustained excellence.

Ms. Condon, I know you are retiring in the next couple of months and I want to relay our thanks for your dedication and service to our Nation. The way that you have led your team to turn around Arlington has been nothing less than extraordinary, and it is very important that these best practices continue. I want to relay how much my staff and I have appreciated working with you to make Arlington the respectful, well run final resting place our Nation's servicemembers deserve.

We will also be exploring findings of an internal audit conducted by the National Cemetery Administration, or as I will refer to the organization, the NCA, as well as the findings of a separate audit of the VA Office of the Inspector General, which was done in order to evaluate the corrective actions taken by NCA.

Specifically, in October of 2011, NCA identified discrepancies at the Fort Sam Houston National Cemetery during a field test done to verify the accuracy of newly formatted gravesite maps. Ultimately, it was discovered that the headstone placement error occurred as a result of the raise and realign project that had been performed by a contractor. Since this discovery, NCA has been working to ensure that all gravesite errors are identified and corrected as soon as possible. Additionally, at the request of the House Veterans' Affairs Committee, the Department of Veterans Affairs Office of the Inspector General conducted an audit to ensure that the corrective actions taken by NCA have been fully effective.

Representatives of these groups will be speaking with us today and will offer detail on this issue and the response that has been undertaken. While we all understand the duty that is owed to those who have served in uniform, we must also recognize that our responsibility extends to the families of these veterans. It is the responsibility of NCA and other groups here today to provide a dignified and secure environment for families who visit their loved ones' resting places. We must be cognizant that if mistakes are made, the sacred trust is compromised and unnecessary trauma and heartache result to our military, family, and friends.

I would like to welcome our witnesses today. These panelists play a significant role in ensuring that our Nation fulfills our responsibility to honor to those who have served. We all hope that through discussions and questioning such that will occur today, we can work collectively not only to meet the challenges, but to exceed the standard.

Under Secretary Muro is here on behalf of the National Military Cemeteries Administration, which oversees 131 cemeteries nationwide. Ms. Kathryn Condon is here representing the Army National Military Cemeteries, which includes perhaps the most recognizable site of our honored fallen here in Arlington National Cemetery. Deputy Secretary Wollman represents the American Battle Monuments Commission, whose mission is to serve our country's fallen heroes and the missing in action where they have served overseas.

Next we have Ms. Linda Halliday who serves as the Assistant Inspector General for Audits and Evaluations, Department of Veterans' Affairs, Office of the Inspector General. She is accompanied by Cherie Palmer, who is Director of the Office of the Inspector General Chicago Office of Audits and Evaluations.

And we will also be hearing from Ms. Diane Zumatto, who is serving as the National Legislative Director of AMVETS, as well as Amy Neiberger-Miller, who is Director of Outreach and Education with Tragedy Assistance Program for Survivors.

And finally a statement for the record has been received from Ms. Kari Cowan, who is the surviving spouse of Chief Warrant Officer 3, Aaron William Cowan, of the United States Army. Ms. Cowan was affected by a memorial marker misplacement at the National Memorial Cemetery of the Pacific Punchbowl in Hawaii.

With those introductions complete, I am eager to hear of the progress that has been made in regards to National Cemeteries corrective actions, and I am also looking forward to hearing from our American Battle Monuments Commission, Arlington National Cemetery, and veterans service organizations. Thank you all for being here today and I will yield to the Ranking Member for her opening statement.

[THE PREPARED STATEMENT OF CHAIRMAN RUNYAN APPEARS IN THE APPENDIX]

#### **OPENING STATEMENT OF HON. DINA TITUS**

Ms. TITUS. Well thank you, Mr. Chairman. And thank you for holding the hearing on this very important topic. I also want to thank our witnesses who you have introduced for taking time to be here, for their flexibility with the rescheduling of this hearing.

Like you, Mr. Chairman, it is my belief that a proper burial for the Nation's veterans is a solemn obligation that we have. It is interesting to look at the history of the National Cemetery Administration. Over the years, I know that it has grown dramatically since its creation in 1862 when those first 14 cemeteries were established to serve as a permanent resting place for our veterans, those original ones who had served in the War Between the States.

On July 17th of that year, Congress enacted legislation that authorized the President to purchase cemetery grounds to be used as a national cemetery for soldiers who had died in the service of the country. And let us not forget those words, "Died in the service of the country." Then in 1873, all honorably discharged veterans became eligible for burial.

Since then the NCA has expanded its geographic diversity to better serve veterans all across the country. And recent legislation has even further expanded NCA's reach to urban and rural areas.

However, while you have expanded and access has grown significantly, there is still a very large population of the Nation's veterans who do not have the option of being buried in one of our Nation's prestigious National Veterans Cemeteries. In fact, the state with the largest veterans population that is not served by a national cemetery just happens to be my State of Nevada, where you have about 230,000 veterans, many of them in my district in Las Vegas. In total, 11 states with a combined veteran population of 1.8 million are without any national cemetery at all.

There are 131 national cemeteries across the country. New York alone has seven active cemeteries. Three other states have six active national cemeteries each, and Puerto Rico has two.

I look forward to hearing your thoughts about ways that we can provide veterans with better access to national cemeteries in those states that currently do not have one. And I would like to point out to you that that seems to be in the West. And I just happen to have a map that kind of shows just where they are. This whole yellow area in the West is the area without a national cemetery.

I am also well aware of some of the recent challenges that you have faced with regards to the audits that the National Cemetery Administration itself initiated. And I think that is an important point, that you recognized it and began to address the problem on your own without being forced to do so. Although it is always disturbing and unacceptable to hear of those instances in which veterans were incorrectly interred or the incorrect markers were placed, I applaud you for what you have done to make the corrections. Taking the initiative to recognize the need for the review, identifying the issues that were the problem, and now that the report has come out working in various ways in the different cemeteries to correct the problems. I also applaud the VA OIG in working with the VA to improve the audit process itself.

Most important is that these instances are identified and corrected. This allows the loved ones the peace of mind that they deserve in these very difficult times, when they face the burial of a member of the service.

I would ask you that you would continue to conduct these audits on a rolling basis, identifying quality controls as you go to ensure that mistakes such as these are not happening again. And that you continue to keep this Committee apprised of your progress and what is being done.

Another point I would just like to make is, at the end of March, I sent a letter to Secretary Shinseki commending him for allowing the first same sex couple burial in a national cemetery. I was joined by 40 of my colleagues to urge the Secretary to grant similar waivers in the future. It is only right that those who bravely serve this country should be laid to rest next to the person they love. So I thank you for addressing that as well.

So today I welcome the witnesses. I am also, I am sorry that I will not have the chance to work with you, Ms. Condon because it sounds like you have done a wonderful job at Arlington. I commend the work that you do to uphold this sacred trust. And I look forward to hearing from you. Give us the perspective that we need to ensure that our families of our veterans are served during difficult times. So thank you, Mr. Chairman.



[THE PREPARED STATEMENT OF HON. DINA TITUS APPEARS IN THE APPENDIX]

Mr. RUNYAN. Thank you very much. And again, good afternoon everybody. The first panel is seated at the witness table. We are going to hear from Under Secretary Muro, then we will hear from Ms. Condon, and finally Deputy Secretary Wollman. So with that, Secretary Muro you are now recognized for your statement.

**STATEMENT OF THE HONORABLE STEVE L. MURO, UNDER SECRETARY FOR MEMORIAL AFFAIRS, NATIONAL CEMETERY ADMINISTRATION, U.S. DEPARTMENT OF VETERANS AFFAIRS; ACCOMPANIED BY MR. GLENN POWERS, DEPUTY UNDER SECRETARY FOR FIELD PROGRAMS, NATIONAL CEMETERY ADMINISTRATION, U.S. DEPARTMENT OF VETERANS AFFAIRS; MS. KATHRYN CONDON, EXECUTIVE DIRECTOR OF ARMY NATIONAL CEMETERIES PROGRAM, U.S. DEPARTMENT OF DEFENSE; AND THE HONORABLE RAYMOND WOLLMAN, DEPUTY SECRETARY, AMERICAN BATTLE MONUMENTS COMMISSION**

**STATEMENT OF STEVE L. MURO**

Mr. MURO. Thank you, Chairman Runyan, and Ranking Member Titus, and other Members of the Subcommittee. I have with me today Mr. Glenn Powers, Deputy Under Secretary for Field Operations. I appreciate the opportunity to highlight some of the administration's accomplishments in the year since I last appeared before you.

This past July 17th, we commemorated the 150th anniversary of the enactment of Public Law 165. That legislation, signed by President Lincoln in 1862, created the national cemetery system. From that day to this, we and all the cemeterians before us, have considered ourselves keepers of a sacred trust. We fulfill this sacred trust in partnership with our colleagues here today from the Department of the Army, the American Battle Monuments Commission, and also with enduring support of this Committee in Congress, the veterans service organizations, and the American people. Together, as President Lincoln wrote, "We pay tribute to those that gave our lives so that the Nation might live." We recommit ourselves daily, and with each passing year, to fulfilling Lincoln's timeless promise of caring for all of those who have borne the battle.

In this past year, we have completed the first ever comprehensive review of more than 3.2 million gravesites at VA national cemeteries. As promised, we made timely notifications to Congress and next of kin regarding our findings, and advised them of any corrective actions. We formulated a sustainment plan with accountability procedures and specific contracting requirements to make certain our national cemeteries are always operated as national shrines.

In 2012, we also worked to increase veterans access to burial benefits in three important ways. First, we completed \$31.8 million worth of expansions and improvements projects at our national cemeteries. Second, we initiated land acquisition and planning efforts for construction of five new national cemeteries along with five columbarium-only sites in dense populated urban areas, and

eight National Veterans Burial Grounds in rural communities. Third, we awarded 18 grants to states and tribes to build or improve veterans cemeteries they manage. Taken together, these actions will contribute to 95 percent of the veterans having a burial option within 75 miles of their home by 2015. That is up from just 75 percent of the veterans with access as recently as 2004.

We also launched an online resource kit for funeral directors last year containing pertinent information to help families plan for burials and apply for VA benefits. This new Web site features videos narrated in English and Spanish that show families what they can expect on the day that they bring their loved ones for burial at one of our national cemeteries.

Last March, I told you about an idea to train homeless veterans as apprentices for permanent employment as cemetery caretakers. That pilot program was inaugurated last October at five of our national cemeteries and we now have 21 apprentices onboard. Thanks to the outstanding cooperation of VHA's Homeless Veterans Initiative Office and VA Learning University, the program offers participating veterans a fresh start and adds committed new members to the NCA team. Like all NCA training, the apprenticeship curriculum reinforces our high standards for cemetery appearance and customer service.

We continue to achieve high levels of customer satisfaction, as measured by the annual survey of veterans' next of kin and the funeral directors. Ninety-six percent of respondents in our 2012 client satisfaction survey rated the customer service as excellent. Ninety-nine percent also rated the appearance of our national cemeteries as excellent, and further indicated that they would recommend a national cemetery to other veterans' families. Results like this do not happen by accident. They reflect our ongoing commitment, and yours, to delivering burial benefits in a manner that expresses our Nation's gratitude for the service and sacrifice of our veterans, their families, and their survivors.

I thank you for this opportunity and your support for NCA as we serve those who have served us so well. Thank you, and I am ready for questions.

[THE PREPARED STATEMENT OF STEVE L. MURO APPEARS IN THE APPENDIX]

Mr. RUNYAN. Thank you, Under Secretary Muro. Ms. Condon, you are now recognized.

#### **STATEMENT OF KATHRYN CONDON**

Ms. CONDON. Chairman Runyan, Ranking Member Titus, and distinguished Members of the Subcommittee. Thank you for the opportunity to provide an update on the tremendous progress at Arlington National Cemetery. And Chairman Runyan, thank you not only for your kind words, but for your support and the tremendous support of your staff over the last several years at Arlington.

To the new Members of the Committee, long gone are the typewriters, the three-by-five index cards, and the paper maps colored in with pencils. In less than two years, we are the first national cemetery to geospatially manage cemetery operations. Arlington has achieved as directed by Congress the baseline accountability of

all its burial records and created a single, verifiable, and authoritative database of all those laid to rest at the cemetery. This database is linked to our digital mapping system which allows us now to not only assign, manage, but to track our gravesites electronically.

Leveraging this technology, on October 22, 2012, we also launched ANC Explorer. The first version of this free, Web-based application allows families and the public to locate gravesites, events, and other points of interest throughout the cemetery; to generate front and back photos of a headstone or monument; and to receive directions to those locations. And to date I am proud to say that we have had 30,465 downloads of our app. So now that allows the public to honor, remember, and explore the national shrine virtually, wherever they want, whenever they want. We have installed kiosks with ANC Explorer at our welcome center and we are about to put them throughout locations in the cemetery.

We have implemented energy, environmental, and sustainability initiatives to minimize our impact on the environment and enhance our natural greenspace.

We have changed our acquisition and resource management processes and procedures to be not only responsible stewards of all funds provided, but to remain compliant with all regulations and guidelines.

And finally, we are committed to maintaining Arlington as an active cemetery for as long as possible for our Nation's military heroes. We have three expansion projects, columbarium court nine, the millenium project, and the Navy annex. And once complete these projects are expected to extend Arlington's first interment burials well into the 2050s.

With the great support of this Committee, in less than two years we not only broke ground on the ninth columbarium court, increasing our cremation space by 20,296 niches, but we will dedicate that columbarium on the ninth of May. So please mark your calendars. An invitation will be coming shortly on that.

I could not be more proud of the men and women of Arlington who have worked diligently to restore the honor and dignity across every aspect of this national shrine. And while we have made great strides, work remains to complete the critical repairs of our crumbling infrastructure and to improve our service to our veterans by reducing the wait time between the family's initial request and the actual burial.

Mr. Chairman and ma'am, you have my promise that through diligent efforts adherence to the established procedures and by leveraging technology, Arlington will continue to do all within its power to sustain the trust it has recently reclaimed. And all burial services and ceremonies will be conducted with the honor and dignity our families, our veterans, and all who visit the cemetery deserve. Thank you, and I look forward to your questions.

[THE PREPARED STATEMENT OF KATHRYN CONDON APPEARS IN THE APPENDIX]

Mr. RUNYAN. Thank you, Ms. Condon. And with that, Deputy Secretary Wollman, you are now recognized for your testimony.

**STATEMENT OF RAYMOND J. WOLLMAN**

Mr. WOLLMAN. Thank you, Chairman Runyan, Ranking Member Titus, Members of the Subcommittee. Thank you for this opportunity to discuss the mission, operations, and programs of the American Battle Monuments Commission.

ABMC's core mission is commemoration. We execute that mission by maintaining commemorative sites to an unparalleled standard of excellence and by providing historical context for why our monuments and cemeteries were established, why those memorialized within them died, and the values for which they died.

On Veterans Day in November, ABMC dedicated Vietnam battle maps at our Honolulu Memorial. When the memorial was built in the 1960's, it included maps commemorating World War II in the Pacific and the Korean War. But maps commemorating the Vietnam War had never been added. That oversight is now corrected and Americans who served during the Vietnam War are appropriately honored at our most visited memorial. I want to thank the VA for their support, Mr. Muro and his team. This is uniquely a joint ABMC-VA site in Honolulu. And without the help of Mr. Muro and his team we could not have done it.

In Europe, we have three interpretation program visitor center projects that will be completed this year. One at the Cambridge American Cemetery in England; at the Sicily-Rome Cemetery, south of Rome, Italy; and at the Pointe du Hoc Ranger Monument in France near our Normandy Cemetery. Most of our cemeteries, however, receive far fewer visitors than these three sites. To better tell their stories to a broader audience, we have been turning to technology. Our first mobile app, a tour of the Pointe du Hoc battlefield was released in December. We plan to produce apps and virtual tours for all of our sites so we can bring these national historic assets to life not only to our visitors, but on our Web site and in our classrooms.

Turning to the Pacific Region, at the United Nations Cemetery in Pusan, Korea, most of the allied Nations have memorials in the cemetery honoring their armed forces. The United States does not. We are fixing that. We will begin construction on a monument this Spring and plan to dedicate it in July on the 60th anniversary of the signing of the Korean War Armistice.

Public Law 112-260, the Dignified Burial and Other Veterans Benefits Improvements Act of 2012, authorizes ABMC to restore, operate, and maintain Clark Veterans Cemetery in the Philippines. As required by law, the U.S. government is negotiating an agreement with the Philippine government to allow the ABMC to begin maintaining this cemetery. When such an agreement is reached, we will use existing funds to begin minimum maintenance with the crew from our Manila Cemetery, which is about an hour away from Clark and to contract for a full assessment of the site to determine restoration and maintenance requirements. Congress authorized \$5 million for restoration. This may be insufficient for a cemetery that is partially covered in volcanic ash and may have other unknown infrastructure issues. We will not know the true cost until we complete a site assessment. Nonetheless, the mission has been assigned to the ABMC and we will work towards executing that mis-

sion when an agreement allowing us to do so has been signed with the Philippine government.

Under the Consolidated and Further Continuing Appropriations Act of 2013, ABMC's total budget authority is \$73.347 million. This is a \$253,000 decrease from our fiscal year 2013 budget request. This \$73 million takes into account the March 1, 2013 sequestration order and two recessions included in the public law. We will take this reduction in areas with the least impact on cemetery operations. We do not plan to furlough any of our staff.

The essence of the Commission's mission success does not change from year to year. Keep the headstones white, keep the grass green, and tell the story of those we honor. With the support of the administration and the Congress, we will continue to ensure that the Commission's overseas shrines to American service and sacrifice reflect our Nation's commitment to honoring those who sacrificed on our behalf.

Mr. Chairman, Members of the Subcommittee, as always we invite you to visit these inspirational sites during your overseas travels. Thank you for allowing me to present this summary of our mission, operations, and programs.

[THE PREPARED STATEMENT OF RAYMOND J. WOLLMAN APPEARS IN THE APPENDIX]

Mr. RUNYAN. Thank you, Deputy Secretary Wollman. You may not know because our bells did not go off in here, but there is a vote being called on the House floor. I would probably anticipate that we would be back in about a half hour. So the Committee will stand in recess until approximately 3:30.

[Recess.]

Mr. RUNYAN. The Subcommittee will now come to order. We will begin the first round of questions, and I want to start with Under Secretary Muro. It clearly comes across that the majority of NCA staff is very hardworking and dedicated to the NCA mission. However, this Subcommittee received a personal statement from a surviving spouse, Ms. Kari Cowan, regarding her experience with a misplaced memorial marker at the National Memorial Cemetery of the Pacific at the Punchbowl. Ms. Cowan noted that she was treated with a shocking level of insensitivity and disrespect when she alerted the cemetery that her husband's marker was missing in 2011. The manner that Ms. Cowan's concern was handled by the Punchbowl management staff was nothing short of shameful, if you have had an opportunity to read her testimony. The cemetery's head groundskeeper and its public affairs specialist did not seem to improve Ms. Cowan's situation, nor did the cemetery director take any useful, proactive steps in fixing this problem. How will a situation such as Ms. Cowan's be handled by the National Cemetery staff going forward, and how did you convey the NCA's expectations to all of your cemetery employees?

Mr. MURO. Thank you, Mr. Chairman. First of all, I would like to apologize to Ms. Cowan for the situation that happened at the Punchbowl. Second, at the last conference, we did talk to all of the directors about this situation and we also have held those that were responsible for it accountable. It is not acceptable what was done. But we do have procedures in place that ensure that if we

are doing any type of marker movement or headstone movement, whether they be gravesites or memorial sections, we notify the next of kin. That was not originally done, but we have done so now to the impacted families. We have apologized. And we have acted on her request that her husband's memorial marker be moved to another cemetery. We ordered a new marker and it is at Fort Bayard National Cemetery in New Mexico. At the Punchbowl, we had the director call all impacted next of kin that he was able to reach and talk to them and let them know what had been done. We then sent letters to those families that we could not contact by phone in order to request that they contact us or give us a number where we can contact them. We will ensure that it does not happen again at another national cemetery.

Mr. RUNYAN. Is the proactive communication of the movement of a marker part of your standard operating procedure?

Mr. MURO. Yes, it is. We do not normally move markers unless we are doing renovation type work. We do not normally resize sections. We might add rows and add graves to the end of rows, but normally we do not resize a section. So if that would have come up through the channel it would not have been approved. So we have held the people accountable that did that, and also ensured that they received the training they need so they do not do that again. Also, when a family comes with a problem, we need to know what the problem is so we can research it to get the facts down.

Mr. RUNYAN. The next question is also for you. We have volunteer historian veterans organizations, local governments, and funeral professionals working diligently to search through the archives of death records, military records, and genealogical records to seek VA headstones for some of our Civil War veterans who are buried in unmarked graves. We have been told that the VA has in recent years put into place a new barrier for this initiative requiring approval from the next of kin. These local volunteers are essentially skilled researchers. If they could identify and locate a Civil War descendent, they would jump at the chance. The reality is that many of these veterans in unmarked graves tend to be poor young minorities with few, if any, family at the time they paid the ultimate price. When we make it absolutely necessary to get the next of kin approval, we are turning a success story into another reason for our citizens to be disappointed with government bureaucracy.

On behalf of one of my constituents, Mr. Richard Bareford of Medford, New Jersey, he has been in contact with the NCA pursuing two group monuments for veterans who died in the 1937 Labor Day Hurricane to be honored with one on the overseas highway near Islamorada, Florida, and one at Woodlawn Park North Cemetery in Miami. He is a historian who is seeking to have these monuments dedicated before the 80th anniversary, but he is not next of kin to any of the deceased so his request has not been granted.

One of the recent letters sent from a group in Ohio, to VA, asked VA to consider a couple of alternatives and we are told that the VA response did not even acknowledge that the two thoughtful remedies had been suggested. The two possibilities include to amend Section 38.632(b)(1) to include if no next of kin exist or can be located, applications may be filed by military researchers, local histo-

rians, genealogists or other who are familiar with the research sources or methods needed to prove the veteran's identity and service. Or the next solution, align the VA policy with the archives records policy at the National Archives and Records Administration for requesting military records, which does not require next of kin authorization for records dating back 62 or more years. Such policy could be stated as, quote, "applications for headstones or markers for eligible individuals who have been deceased 62 or more years prior to the date of application may be submitted by anyone familiar with the research sources and methods needed to prove a veteran's identity and their service", end quote. I think these seem reasonable to consider. I would like to know if the VA has considered these alternatives and how you would respond to this group that seems more than willing to work with the VA to find a remedy to this, or to Mr. Bareford who is seeking the two group memorials.

Mr. MURO. Yes, Mr. Chairman. We are actually reviewing that regulation. And we are going to do some rewrites to it. It was a few years ago. It was redone for many reasons. And it appears that they made it overrestrictive. There were some issues where individuals would come in and change information, and then next of kin would show up and say who changed the stone? So we want to make sure that does not happen. But we also want to make sure that it is not as restrictive as it is. And we are looking to change that so that it is more user friendly, especially with the VSOs that normally order headstones for many of their members. When we get the proposed rule ready, we will put it out for public comment. We will keep the Committee informed to let you know when we get ready to publish.

Mr. RUNYAN. We appreciate that cooperation and communication. With that, I will yield to the Ranking Member Ms. Titus.

Ms. TITUS. Thank you, Mr. Chairman. Mr. Muro, as I mentioned in my opening comments, Nevada is one of those western states that has no national cemetery. And I just want to hold this map up again because it is just so telling about all of these western states where you do not have a national cemetery. So I wanted to ask you, are there any plans? Or is that a goal? Or is that a dream to have any VA cemeteries in these areas, or especially in Las Vegas? And do you think maybe the current funding formula works to the disadvantage of veterans who are in the West? And finally, if that is not happening, or if it is sometime in the future, are there things that you can do better with some of the state cemeteries that exist? We have a state cemetery in Boulder City, but there was a terrible incident where an employee took headstones home and turned them into a patio, and that is because there is not the kind of oversight and regulation that you find at the national cemetery. So would you address those issues for me?

Mr. MURO. Sure, Congresswoman. First of all, we are coming to Nevada. There are six states out West that have no national presence. And one of the Secretary's charge and one of our goals, the Secretary's and mine, is to have National Veterans Burial Grounds in those states that do not have coverage by a national cemetery. And so with our budget in 2013, we put forth the new rural initiative. With a veteran population of 25,000 or less, we will build a national cemetery presence in those states so that we can provide

better service to the veterans in areas that do not meet the policy threshold for a national cemetery. Prior to the current criteria for 80,000 veterans in a 75-mile radius, we used 170,000 veterans in a 75-mile radius to determine where we would build a national cemetery. So we closed that gap in 2012 by establishing our current policy.

In reference to the Boulder State Veterans Cemetery, it is the second busiest state cemetery in the Nation. There are 88 operating state cemeteries at the present time. We are continuing to work with the states to open up more. In reference to their employees taking the headstones and using them for patios, which is an unauthorized use. They knew it. Because any state cemetery that is open we provide them our policies, our guidance, they are asked to follow everything we do. So it was a surprise to us that that happened. Unfortunately it happens at not just state cemeteries. It has happened at other cemeteries and we get calls every so often that somebody finds some headstones. NCA picks them up and we dispose of them properly. The state knew how to dispose of them. That employee no longer works for the state. I am willing to come and talk with you.

Ms. TITUS. Right.

Mr. MURO. We are going to have presence in those western states. That is our goal between now and 2015, to open up National Veteran Burial Grounds in those six states of the West that do not have them.

Ms. TITUS. Well that is good news. I appreciate that. Because that 75 miles is like driving across town in Las Vegas. That distance does not mean very much in states like Nevada and Montana and Idaho and things like that. So I appreciate it.

I am also working on something to help Native Americans with headstones in tribal cemeteries.

Mr. MURO. Yes.

Ms. TITUS. I know we look to you for some assistance with that.

Mr. MURO. Yes. We supply headstones to any veterans, whether they are in a state cemetery, a private cemetery, or national cemetery. And we are working with your office and with Congress in reference to providing the headstones for the spouses. When the legislation was granted they gave us authority to grant funds for tribal organizations to develop tribal cemeteries. They left out the part of spouses and dependents being able to, so we need to have the legislation updated so that we can provide them headstones so that they do not have to pay for them. Just like we do at the state cemeteries. We provide a headstone for anyone that is buried at that state, same thing at a national, or at Arlington. Anyone buried in that cemetery gets their name on the headstone. It may be the same headstone if there are multiple family members in the same grave.

Ms. TITUS. Well, thank you very much. Thank you, Mr. Chairman.

Mr. RUNYAN. Mr. O'Rourke?

Mr. O'ROURKE. Thank you, Mr. Chairman. Mr. Muro, I have a couple of questions related to Fort Bliss National Cemetery, which is in the district that I represent in El Paso, Texas. And as you know, more than a decade the decision was made to replace the



natural turf and grass at Fort Bliss National Cemetery with zeroscaping design, that while very beautiful and frankly better maintained than the turf had been prior to the installation of the zeroscaping, leaves a number of people in my community, especially the widows and friends of veterans who passed away and many of whom gave the ultimate sacrifice in their service to this country, leaves them a little cold. And while you all have been incredibly responsive to our questions and requests about this issue, and I want to publicly thank you for being, for doing so, most of your answers involve the public's happiness with the maintenance of the zeroscaping as it is today and do not really address the issue of whether the public, and especially the veterans community and their family and friends, would like to see grass turf instead of the zeroscaping. And it is, I can tell you from the canvassing I did in order to get here in talking to hundreds if not thousands of veterans door to door, it was a constant refrain, that they were upset with the zeroscaping decision.

I want to add publicly that I think this decision was made in the context of some misinformation at the time about the availability of water in El Paso. And that misinformation has since been corrected. We have an exceptional supply long term of water for El Paso from the Rio Grande, from our underground aquifers. We also, as you probably know, through a partnership with Fort Bliss have the world's largest inland desalinization plant. And right next to the Fort Bliss National Cemetery is the Fort Bliss Golf Course, which for many of these widows and friends of veterans, and veterans in the community, adds insult to injury. That you have a perfectly watered, greened, and manicured golf course that is much larger in acreage than the cemetery.

Let me conclude by saying that the cost savings are indisputable. And black and white, this is a no-brainer. We should be zeroscaping. But as you probably are well aware, this is not a black and white issue for the people who care most about the cemetery.

So I have two questions. One is, I would like some advice in continuing to work with you and your office to see if we cannot correct this problem, or what that path might look like. What the process is to reverse a zeroscaping decision? And the second question is, even if this is a ballpark estimate, in terms of national cemeteries that you oversee, how many of them, or what percentage of them, are zeroscaped versus having natural grass?

Mr. MURO. Thank you, Congressman. There are actually three national cemeteries that have waterwise landscaping. Fort Bliss, Arizona, and Bakersfield National Cemeteries. We opened Bakersfield about three years ago. We opened it with waterwise landscaping as was Arizona when it was originally opened.

We did not convert because of the cost of the water. We converted because we could not maintain the turf. We had many complaints. In 2004, we transferred more property from the base. We opened the new acreage with the waterwise landscaping. We had a lot of positive feedback. In fact, this year 97 percent of the respondents that we surveyed that had their loved one buried at the national cemetery responded that the grounds maintenance and appearance was excellent.

We had a lot of complaints in the past because we could not maintain the turf. We literally struggled to maintain the turf. With the waterwise landscaping, the appearance is nice. We get enough water so that we can run the drip system to the plants that are there, so we can keep color most of the year. So the system is good. In fact this year the State of Texas is recognizing Fort Bliss National Cemetery as a recipient of the Texas Environmental Excellence Award for water conservation.

Anything we can do to work with you, I am willing to meet with you. And to work with the veterans to see what we can do to improve. One of my big concerns is we are running out of space. We are working with DoD to see if we can get more land but it does not look like it will be adjacent to the current property. One of our goals is to keep national cemeteries open, and we want to continue to provide services to the veterans in the Fort Bliss area. Especially since the Army is increasing the size of their base there. So we know the population will increase in the Fort Bliss area.

Mr. O'ROURKE. I appreciate that, and I appreciate your answer on the number of zeroscaped or cemeteries that are saving water, and you mentioned the three including Bliss. And if I hear you correctly you are willing to at least meet with us and talk about what we can do to address these concerns within the community. And I think that is a good start.

Mr. MURO. Right.

Mr. O'ROURKE. So I appreciate that. Thank you.

Mr. MURO. You are welcome. Thank you.

Mr. O'ROURKE. Thank you, Mr. Chair.

Mr. RUNYAN. Thank you. And with that, I have one more question for Mr. Wollman. And you both are also welcome to ask further questions if you would like. It was brought to the Committee's attention concerns on the bilateral agreement with Clark Cemetery. We have been informed that ABMC has inserted language that only veterans or scouts who served prior to 1947 continue to be interred at Clark. If that is the case, it concerns the Committee as we are aware that many of the veterans who have restored the cemetery over the recent decades, and who have buried their fellow comrades over the years at the site. Does that bilateral agreement contain this new limitation?

Mr. WOLLMAN. Mr. Chairman, no it does not. We have been in contact with the groups and we understand their concerns. The confusion was really about comma placement and a period placement, I think, that confused things. It is Philippine scouts who are restricted to those that served before 1947 as part of the United States Army therein. But all U.S. veterans are still, are eligible under our, under the agreement that we are in the process of putting forward.

So that is incorrect. And we have been in contact with the citizens, our citizens down there in Manila that are concerned about this issue. And we have actually asked the State Department to rewrite the sentence so that there are two separate sentences and it makes that distinction clearer. So I understand why the confusion developed. But it was not the, that is not the, the intention of ABMC.

It has been rewritten and given to the Philippine government. So that change to make that absolutely explicit is what is before the Philippine government now. We are waiting for a response from the Philippine government. These negotiations are being handled by State Department, as is the requirement in the law.

Mr. RUNYAN. Thank you for that clarification. And with that, Ms. Titus, anything further?

Ms. TITUS. I would just ask the two of you if you have concerns about the impact of sequestration on what you are doing at Arlington and beyond?

Ms. CONDON. Ma'am, in fiscal year 2013 we have been able to absorb our sequestration cuts. We have modified our projects that we have outstanding. And because we still have some prior year dollars left, we will be able to handle our day to day operations. I am tremendously concerned if sequestration continues through the out years. Because then it will have an impact on burial operations at Arlington.

Ms. TITUS. Thank you. Mr. Wollman?

Mr. WOLLMAN. Yes, ma'am. My answer is essentially the same. There is an impact with sequestration. It is, we have managed to render its impact minor for this year. In the next year our request in fiscal year 2014 is the same as our 2013 appropriations, so we do not anticipate that there will be additional impacts. So we feel confident that we can go forward under the impact of sequestration using some, by being very careful with our appropriation.

Ms. TITUS. Thank you.

Mr. RUNYAN. Mr. O'Rourke, anything further? Well, ladies and gentlemen on behalf of the Subcommittee, I thank you for your testimony. We look forward to continuing to work with you on these important matters. And you are now excused.

At this time, I would like to welcome our second panel from The Department of Veterans Affairs, Office of the Inspector General, Ms. Linda Halliday, as well as Ms. Palmer.

Ladies, we appreciate your attendance here today and your complete and written statement will be entered into the hearing record.

And with that, Ms. Halliday, you are now recognized for five minutes for your testimony.

**STATEMENT OF LINDA HALLIDAY, ASSISTANT INSPECTOR GENERAL FOR AUDITS AND EVALUATIONS, OFFICE OF INSPECTOR GENERAL, U.S. DEPARTMENT OF VETERANS AFFAIRS; ACCOMPANIED BY CHERIE PALMER, DIRECTOR, CHICAGO OFFICE OF AUDITS AND EVALUATIONS, OFFICE OF INSPECTOR GENERAL, U.S. DEPARTMENT OF VETERANS AFFAIRS**

**STATEMENT OF LINDA HALLIDAY**

Ms. HALLIDAY. Chairman Runyan, Ranking Member Titus, Members of the Subcommittee, thank you for the opportunity to discuss the OIG's audit results related to the National Cemetery's Phase I Internal Gravesite Review.

I am accompanied by Ms. Cherie Palmer, our Director in our Chicago Audit Operations, who led the audit work on this effort.

NCA maintains approximately 3.2 million gravesites at 131 national cemeteries in 39 states and Puerto Rico and 33 soldier lots and monuments.

In FY2012, NCA conducted approximately 118,000 interments and processed about 355,000 applications for headstones and markers for placement in the cemeteries.

In October 2011, NCA initiated a proactive review to verify headstone and marker placement in all burial sections where major renovation projects to raise and align headstones and markers were completed.

The self initiated review followed the August 2011 discovery of 47 markers that were offset by one gravesite in a burial section in Fort Sam Houston National Cemetery. This resulted in placing four remains in the wrong gravesites.

For Phase I, NCA reviewed nearly 1.6 million gravesites at 93 national cemeteries and identified 251 gravesite errors at 13 of the cemeteries. Subsequently, we reviewed a sample of 200 gravesites at each of 12 statistically selected national cemeteries to insure headstones were accurately placed and we identified seven additional gravesite errors.

NCA's review procedures did not identify and report all gravesite errors. Further, NCA lacked controls to ensure independence because their review was performed by their cemetery directors.

In addition, the reviews were planned and implemented without considering the size, complexity, and age of the cemeteries.

The cemetery directors told us, it was challenging to complete and certify to the results by December 31, 2011. When we identified the errors not reflected in the directors' certifications, we questioned the validity of those certifications.

We found that cemetery directors were not provided updated maps and accurate gravesite maps to support these reviews. The maps reflect the usage of gravesites at the memorial sites.

In July of 2012 we issued a management advisory memorandum and recommended that NCA revise current gravesite review procedures to insure the accuracy in reporting of their results.

We recommended NCA plan and complete another review using revised procedures, and finally that NCA research the reasons why cemetery directors' certifications did not disclose the conditions we had identified. We recommended that NCA leadership take administrative action as deemed appropriate.

In response to our advisory memorandum, Mr. Muro worked with my staff to revise and test more comprehensive procedures at nine of the 12 cemeteries we visited. Using the revised procedures, NCA identified 146 additional gravesite errors at four other cemeteries. This, compared to initially identifying a total of 251 errors during the Phase I review.

The internal gravesite review procedures were not adequate to identify all errors which affected the accuracy of the review results, but NCA did take quick action and worked with us to identify additional errors and discussed our concerns with their procedures to adopt stronger procedures to make sure they got the results right.

We still believe NCA needs to take further action as we recommended in our report, *The Audit of NCA's Internal Gravesite*

Review of Headstone and Marker Placement, to identify and prevent future gravesite errors and to insure VA fulfills its mission.

Mr. Chairman, this concludes my statement and we would be pleased to answer any questions the Committee may have.

[THE PREPARED STATEMENT OF LINDA HALLIDAY APPEARS IN THE APPENDIX]

Mr. RUNYAN. Thank you, Ms. Halliday. My first question kind of goes to where you were winding up there. You were here for the testimony of Secretary Muro.

In your written testimony you said that the NCA did take action once you identified errors and concerns about their procedures. You noted that NCA agreed to implement three recommendations that were contained in the 5 July of '12 memorandum, as well, and it appears to comply with all recommendations contained in the VA LIG Report of 7 February of '13.

It seems that NCA has taken additional steps such as requiring contractors to insure headstones and markers remain at gravesites during their raise and realign projects.

And you kind of answered this, but I want to get it on the record again. In your opinion, have the inaccuracies that the Office of the Inspector General found been adequately addressed, and at this point has the NCA taken all necessary and appropriate steps to rectify the situation?

Ms. HALLIDAY. I believe the NCA has made a good faith effort to address all of the recommendations in our early advisory and redo the work to make sure that they got the results correct. They reviewed and held those directors where their certifications were in question accountable and took the actions they needed to move forward to make sure that Phase II review got accurate results.

And I think that from what we have seen in their responsiveness, I have some confidence that they will continue to update the maps that are relied upon and they are putting in new systems that will really help strengthen the whole oversight and the way they have their controls in the program.

Mr. RUNYAN. So, it is still a work in progress?

Ms. HALLIDAY. Yes.

Mr. RUNYAN. The next question I have is then, throughout the OIG's evaluation of the various sites, were the NCA employees candid and helpful in the process? And were you greeted at the sites with an appropriate manner?

Ms. HALLIDAY. I am going to let Cherie Palmer answer that.

Mr. RUNYAN. Okay.

Ms. HALLIDAY. Because she and her team actually went to the cemeteries. She can give you a firsthand account.

Ms. PALMER. Mr. Chairman, during our site visits we found that the cemetery directors were very cooperative with our staff.

We commented to the Under Secretary on a couple of occasions that we had a good working relationship with cemetery staff. Yes, I do feel that they were candid.

In most instances, our contact was limited to the cemetery directors and they were cooperative.

Mr. RUNYAN. So, not a lot of dealings with staff under that and professionalism at that level? Because, obviously, you heard some

of that in the last panel, that there was some un-professionalism underneath them.

Ms. PALMER. Right. We didn't experience that, because the Phase I review was conducted by the cemetery directors.

Mr. RUNYAN. Thank you.

Ms. HALLIDAY. Sir?

Mr. RUNYAN. Yes.

Ms. HALLIDAY. Can I add that we did have concerns with the three directors that certified there were no errors and then our team came behind them and actually identified errors that we thought were very visible.

We were not given good information from each of those directors. They just said they don't understand why they didn't find those errors. And no one would really say why. It was our belief that they didn't do a thorough review. So, if you want to assess cooperation, that certainly has to be considered.

Mr. RUNYAN. Okay. But post that, the cooperation was there?

Ms. HALLIDAY. Yes.

Mr. RUNYAN. Last question, Ms. Halliday. Going forward, in light of your work, what oversight activities would you recommend that we do on this Committee?

Ms. HALLIDAY. I think you have to make sure that you require NCA to provide information that their capacity planning for future cemeteries is adequate and staying within planned milestones and you don't have serious slippage.

Mr. RUNYAN. Thank you for that. And with that I recognize the Ranking Member Ms. Titus.

Ms. TITUS. Thank you. Sometimes when you say that something is a work in progress it is meant with fake praise and you really mean it is not happening like it should. But it seems to me in this case when you say it is a work in progress that you really are making progress and things are being put in place and the situation is getting much better fairly rapidly. Is that accurate?

Ms. HALLIDAY. That is accurate. And keep in mind the error rates that we detected in this review were extremely low. So, there were good results to start with and I do believe by invoking stronger procedures when they are doing graveside realignment such as headstones cannot be removed from the gravesite area while work is being done and having better oversight over contractors I think is going to go a long way to help things.

Ms. TITUS. I appreciate you saying that. Any mistake is not good, it is too many and when the veteran is concerned and the family and friends. But if you look at the statistics of how many gravesites there are, how far they go back, how poor the records must be from 150 years ago, it is pretty remarkable that the number of mistakes that you found was as low as it was.

Ms. HALLIDAY. Definitely, especially considering some of the maps were so old that they were almost illegible.

Ms. TITUS. And you think the new computer improvements—we are always hearing about glitches in computer systems, but the new systems improvements are in line to make a difference as well?

Ms. HALLIDAY. I think they are a positive change forward. My auditors did spend time examining the current information per-

formed extra procedures to look at the information in the computer system and then how that translated to the maps and how that translated to the actual site conditions. So, I do think it is a real positive move forward.

Ms. TITUS. Thank you.

Mr. RUNYAN. Mr. O'Rourke.

Mr. O'ROURKE. It is encouraging to hear a good story come out of the VA and the effort made initially to understand where there might be errors and then the follow up from your office to correct that and then the working relationship that you have going forward to insure that we don't have these problems in the future, so I just want to commend on your efforts and what you have been able to do in presenting this to this Committee.

I guess I have one question on a policy that I guess is still being implemented and that is to map through GIS, the location of all these gravesites and make sure that information is available electronically. Do you have any concerns or questions based on what you uncovered through this process in terms of how the VA implements that going forward?

Ms. HALLIDAY. I would have some concerns as far as the baseline data integrity of the maps, but I think that is a wonderful system and I think it is an appropriate enhancement for having realtime information that can support the mission of NCA.

The other thing is, I would like to congratulate Mr. Muro because I deal on a regular basis with senior leaders throughout VA and when he got the advisory that I issued to him about our concerns, there was an immediate phone call and a request for help to try to benchmark our procedures against what they used to make sure everyone got it right. And I commend that as strong leadership.

Mr. O'ROURKE. I appreciate hearing that and the fact that you shared that with the Committee and I will just say from our—I have only been here on the job for 90 days plus and in that short time Mr. Muro's office has been incredibly responsive so we join you in commending him. And again, thank you for your work. Yield back.

Mr. RUNYAN. Thank you, gentlemen, and both of you on behalf of the Subcommittee I would like to thank you for your testimony and you are now excused and I would like to welcome the third panel to the witness table.

Our third panel will consist of Ms. Zumatto here today representing AMVETS and Ms. Neiberger-Miller of the Tragedy Assistance Program for Survivors. We appreciate your attendance today.

Your complete written statement will be entered into the hearing record and Ms. Zumatto, you are now recognized for five minutes for your testimony.

**STATEMENT OF DIANE ZUMATTO, NATIONAL LEGISLATIVE DIRECTOR FOR AMVETS; MS. AMI NEIBERGER-MILLER, DIRECTOR OF OUTREACH AND EDUCATION TRAGEDY ASSISTANCE PROGRAM FOR SURVIVORS**

**STATEMENT OF DIANE ZUMATTO**

Ms. ZUMATTO. Thank you Chairman Runyan. I am happy to be here today to represent AMVETS and our views on the state of our national cemeteries.

In light of the ongoing fiscal challenges facing our Nation and the growing demand for VA services, AMVETS calls on Congress and the administration to make it their priority to insure that the NCA continually receives sufficient, timely, and predictable funding.

It is unfortunate that the administration's funding recommendations for VA in FY2014 have been delayed by almost two months and AMVETS is greatly concerned about how NCA program funding may be impacted going forward.

Additionally, the ongoing breakdown in the appropriations process is a major concern to AMVETS and it will mostly certainly have a negative effect on all VA operations.

In the midst of all the budget and spending woes, AMVETS hopes that neither Congress nor the administration forgets the sacred obligation they have to those who serve and protect this country. Our Nation must remain steadfast and committed to insuring that our military, veterans, their eligible family members and survivors receive their earned benefits in a timely and efficient manner.

This lifelong commitment begins when an individual raises their hand during their enlistment ceremony and while AMVETS understands the need to optimize taxpayer dollars, it urges Congress not to let the struggle to do more with fewer resources interfere with providing our departed servicemembers with the highest quality of care as their service to this Nation comes to a close.

A hundred and fifty years ago, President Lincoln promised a war weary America that those who had born the battle would be honored and never forgotten. It is because of that promise that we have our current system of national cemeteries which serve as daily reminders to the true cost of freedom.

The most important obligation of the NCA is to honor the memory of America's brave men and women who so selflessly served in the United States Armed Forces. Therefore there is no more sacrosanct responsibility than the dignified and respectful recovery, return and burial of our men and women in uniform.

This responsibility makes it incumbent upon VA to maintain our NCA cemeteries as national shrines dedicated to the memory of these heroic men and women. As our veterans population continues to age and the longest war in the history of our Nation winds to a close, VA needs to ensure that the development, especially in rural areas and maintenance of our national and state veterans' cemeteries meets the growing needs of our veterans and their eligible family members.

AMVETS would like to acknowledge the dedication and commitment demonstrated by the NCA leadership and staff in their con-



tinued devotion to providing the highest quality of service to veterans and their families.

We applaud the NCA for recognizing that it must continue to be responsive to the preferences and expectations of the veterans community by adapting or adopting new interment options and insuring access to burials in national, state and tribal government-operated cemeteries.

AMVETS also believes it is important to recognize the NCA's efforts in employing both disabled and homeless veterans, which is another area that NCA leads the way among Federal agencies.

While AMVETS would be the first to acknowledge all the great work done by NCA, this does not mean that there are no areas needing improvement.

From October 2011 through March 2012, NCA conducted an internal gravesite review of headstone and marker placements at national cemeteries and during that review a total of 251 discrepancies at 93 national cemeteries were uncovered.

While the incidents were corrected in a respectful, professional, and expeditious manner, the initial phase of NCA's internal review failed to identify and therefore to report all misplaced headstones and unmarked gravesites.

Additional discrepancies came to light thanks to the diligent oversight of Chairman Miller and the HVAC which had tasked the IG with conducting an audit of the internal NCA review. The IG highlighted several concerns and made corrective recommendations.

Based on those recommendations the Under Secretary from Memorial Affairs developed an appropriate action plan and AMVETS recommends continued oversight to insure the carrying out of all corrective actions.

[THE PREPARED STATEMENT OF DIANE M. ZUMATTO APPEARS IN THE APPENDIX]

Mr. RUNYAN. Thank you, Ms. Zumatto. Ms. Neiberger-Miller, you are now recognized for your testimony.

#### **STATEMENT OF AMI NEIBERGER-MILLER**

Ms. NEIBERGER-MILLER. Thank you, Mr. Chairman. I am pleased to submit this testimony on behalf of TAPS, the Tragedy Assistance Program for Survivors.

I am the Director of outreach and education and the surviving sister of Army Specialist Christopher Neiberger who was killed in action in Iraq.

TAPS is a non-profit organization that provides comfort and care to anyone grieving the death of someone who died while serving in the military, regardless of where they died or how they died. And we assist the families of veterans who recently left the military and died.

Sadly, in 2012 our organization welcomed 4,807 new survivors seeking support in coping with the death of a loved one. A nearly 50 percent increase over the previous year.

We believe that how a Nation cares for those who have served in its armed forces and died reflects its commitment to honoring their sacrifices.

Those who oversee the final resting places of our veterans are the custodians of a sacred trust, a really valuable trust that we, families, place in them.

Most surviving families that we interact with are very pleased with the care that they and their loved ones receive from our national cemetery system and at Arlington National Cemetery.

The VA should be commended for undertaking a review of its cemeteries after identifying initial problems. Unfortunately, this review lacked thoroughness, time, and resources, but these problems were addressed and more errors were found and corrected.

When one considers that the VA oversees 3.2 million gravesites and 131 cemeteries, the error rate is quite low. But even one error is one error too many for our families. And we are grateful that VA took the counsel of OIG and strengthened its procedures.

I wanted to bring to the attention of the Committee the Corey Shea Act. This act permits a surviving parent to be interred with a veteran in a national cemetery if no eligible spouse or child exists and the veteran died in action or from a training related injury.

A surviving father recently contacted TAPS because he wants to be buried at Santa Fe National Cemetery with his son, Army Specialist Vincent Contreras, who died in 2011 while deployed in Germany at age 20. Sadly, Mr. Contreras is not eligible under the Corey Shea Act for interment because his son died on a roadway in an accident and not on the drill field.

Like Mr. Contreras, other survivors are ineligible under the Corey Shea Act for this benefit. We hope the Subcommittee will consider expanding eligibility so it is not linked to cause or location of death.

One might think that the VA's waiver request process could offer Mr. Contreras and others in his situation relief, but unfortunately decisions about waiver requests do not typically happen until after the person seeking interment has died.

As of today, Mr. Contreras would have to die without knowing if his request to be buried with his dear son, whom he raised as a single parent, could be granted.

Due to the secretary's recent decision to grant a waiver for the interment of a same sex spouse of a veteran in a national cemetery, it is reasonable to believe that more families may request waivers in the near future.

Coping with death is difficult enough for families. Dying and not knowing if a request to be buried with a loved one can be honored adds to the pain that survivors carry. We hope that the VA and Arlington will consider changing the waiver decision-making process.

There are other areas where care for survivors could also be improved. We recommend that cemetery staff receive sensitivity training on working with bereaved families. That they pursue professional certifications in bereavement care and that they connect with TAPS when emotional issues arise.

We also recommend that a survivor be appointed to Arlington National Cemetery's advisory committee so this important stakeholder group feels included.

We appreciate the Subcommittee's interest in our cemeteries at a time when many, if not most Americans feel disconnected from the war effort and military service.

Our national cemeteries and Arlington National Cemetery are very public reminders of the price paid for freedom and assure us that America has not forgotten the great price paid by our loved ones for the country that they loved so very much. Thank you.

[THE PREPARED STATEMENT OF AMI NEIBERGER-MILLER APPEARS IN THE APPENDIX]

Mr. RUNYAN. Thank you. My first question is for Ms. Zumatto. Can you elaborate on the calculations as to why the service-connected and non service-connected burial plot allowance should be substantially increased?

Ms. ZUMATTO. Let me just check my figures here. The problem seems to be mainly because the allowance has—the value of the benefit has been diminishing over time. Costs have increased, there have been changes as far as the amount that is being offered for the plot allowance, and it is really not sufficient to cover the actual costs of the service.

It seems to me that last year I had spoken to Under Secretary Muro about this and, unfortunately, I can't remember the exact number that he had told me the actual cost was. But the benefit, the way it is now, doesn't come close to really covering it.

And, you know, originally it covered close to 60 percent—57 percent, I think and now that amount is much lower. So, we just think that it needs to be increased so that it is actually much more of a benefit the way the law really intended it when it was first implemented.

Mr. RUNYAN. When you do get that number could you submit it to us so we can put it into the record, please?

Ms. ZUMATTO. Sure thing.

Mr. RUNYAN. And, Ms. Zumatto, do you believe that overall, veterans and their loved ones have benefitted from the NCA audit? And, in your opinion, how can NCA continue to improve its operations moving forward? Have they benefitted from the audit and what can they do to continue to improve?

Ms. ZUMATTO. I think, certainly, any time we can uncover errors, that is a benefit to, you know, not only those that are already interred, but obviously to those who will be seeking a place, you know, down the road.

I think that the GIS system should be a huge benefit to minimize these types of errors happening in the future. I think the plan that has been agreed upon between the NCA and the IG's office, you know, as long as all of those items are implemented, I think that, you know, we shouldn't have many more problems in the future and that really is the benefit.

This is something that we count on and if the family members, if the veterans themselves don't feel that they have a level of comfort or trust for what is going to happen to themselves and/or their loved ones, then really that diminishes the benefit.

So, I think as long as they implement the agreed upon fixes for the problems that were uncovered that, you know, going forward everything should be much smoother.

Mr. RUNYAN. Thank you. The other question I have is for Ms. Neiberger-Miller. From a TAPS perspective, put a face on what it is like for a grieving family to discover a mistake, when someone

is not properly buried at NCA or Arlington Cemetery. Please give the feel for the record.

Ms. NEIBERGER-MILLER. When we work with a family that has encountered an error, whether that is an error on a headstone or the unfortunate discovery that their loved one may not be where they originally thought, it is viewed by the family as a betrayal of trust, because they entrusted their loved one to the care of the cemetery at the time of the death.

And it often becomes a hindrance and a block in terms of being able to address their other grief issues in their lives. Just because they then are upset and angry, they often, you know, if people do not respond well to them when the initial concern comes up, if they feel they have not been treated honestly or openly or not been listened to, that magnifies the problem. And then they are pursuing other solutions and it takes a very long time sometimes, often months and years, for those families to really, I think, step forward again.

The things that we can do that really help families, I think, are be very up front and honest with them and talk with them if something comes up that is a problem, if there is an error so that the family is able to get it addressed.

And one of the things that I observed as well when we supported a couple of families through disinterments at Arlington in the middle of the scandal was that when their loved ones' remains were located and re-interred and they received honors again, that was a very healing moment for these families who had suffered and being able to provide that really made a difference.

Mr. RUNYAN. Thank you for putting that real face on the pain that a lot of these families suffer. So, with that, I will yield to the Ranking Member, Ms. Titus.

Ms. TITUS. Thank you, Mr. Chairman. First, I also want to thank you for the assistance you provide and the advocacy that you offer for veterans and their families at this very difficult time and I would like to ask for your help to work with me with Mr. Muro to be sure that we do extend the presence of the national cemeteries into those western states, because your voice will be very powerful in trying to move that forward.

I just want to ask you, how does a family find you? How do they know where to go to get help? And is that process working? And then when they find you, are the Web sites or the information adequate for you to be able to assist them effectively or is there some way we could improve that?

Ms. NEIBERGER-MILLER. For active duty losses, TAPS has memorandums of agreement in place with the armed services and so families are actually asked as part of a casualty notification process if they would like their information forwarded to TAPS and it is explained to them that we are a private non-profit, that we are not part of the government, and that we provide peer based emotional support for others who are grieving the death of someone who served in the military.

And so many, many families come to us through the MOA program. Additionally, families sometimes hear about us through the media as well and we often receive calls that way. And we also rely on that quite a bit, especially for families of recent veterans be-

cause there is no formal MOA process that helps get those families to us and in particular when we do stories with the media that talk about our care for suicide survivors, and we have about 3,000 suicide survivors just within TAPS.

We intake, on average, about 13 people per day grieving a loss. At least two to four of those will be grieving a suicide related loss. And when they hear that we offer care, especially in that area, that often does trigger additional calls.

I mean, we even will put our call center on alert if we believe a major news story is going to break, with the knowledge that that may mean a large influx of new families.

Ms. TITUS. Maybe our Congressional offices can do things to help put the word out about the services that you provide to some of those folks who don't hear about you directly.

Ms. NEIBERGER-MILLER. We would very much appreciate that because there are often many people out there who don't know about us and even for the families that come through the MOA process, the military has on record the primary next of kin for the servicemember who died, but there is at least ten people impacted by every loss. And the military does not keep a family tree on every servicemember, so there is often many other people affected who are needing care and support.

Ms. TITUS. Thank you.

Mr. RUNYAN. Mr. O'Rourke.

Mr. O'ROURKE. Thank you for your testimony. And I thought the recommendations that you made to our Committee are very reasonable, very thoughtful recommendations and I noticed that Under Secretary Muro is here listening.

But I echo the other Members of this Committee, if there is anything our office can do to be of assistance, either through legislation or working with the administration, you know, we are here to help and we would be happy to work with you.

And I would also join Ranking Member Titus in offering our office and especially our district office in reaching out to the veterans in our community. There are over 80,000 veterans served by the VA in El Paso. So, we want to make sure that they understand what it is that you do and are able to avail themselves of your services and if we can be helpful with that, let us know. But thanks, thanks for your testimony.

Ms. NEIBERGER-MILLER. Thank you.

Mr. RUNYAN. Thanks, gentlemen. On behalf of the Subcommittee, I would like to thank you both for your testimony. I would like to thank everyone for being here today.

The status reports for our various cemetery representatives as well as the audit information and the VSO input was well presented and this Subcommittee appreciates the work that went into your preparations for today's hearing.

I look forward to future updates on the initiatives that we have heard about today and look forward to working with all of you throughout this Congress to insure the final resting places of our veterans and their families left behind receive the highest standard of care.

I would like to, once again, thank all of our witnesses for being here today. And I ask unanimous consent that all Members have

five legislative days to revise and extend their remarks and include extraneous material. Hearing no objection, so ordered.

I thank the Members for their attendance today and this hearing is now adjourned.

[Whereupon, at 4:05 p.m. the hearing of the Subcommittee was adjourned.]

## A P P E N D I X

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### Prepared Statement of Hon. Jon Runyan, Chairman

Good afternoon and welcome everyone. This oversight hearing of the Subcommittee on Disability Assistance and Memorial Affairs will now come to order.

We are here today to examine the current state of our military and veterans' cemeteries. Our goal in this hearing is to learn more about the recent endeavors and accomplishments of the National Cemetery Administration and the other organizations that are here today. We are also here to address matters of on-going concern that impact all of the final resting places of our military servicemembers, veterans, and their families, both at home and abroad.

Members of this Subcommittee, as well as all Members of the House Veterans' Affairs Committee, greatly appreciate the incredible feats of courage and selfless service that our warfighters have demonstrated throughout history.

Time and time again, America's servicemembers have been called upon to put the welfare of our Nation before their own self-interest. Our solemn obligation to honor those who have served does not cease at the end of their service commitment, retirement, or ultimately, upon death.

We have a sacred trust to ensure the dignity of the final resting places of our military and to honor the memories of America's brave. As our senior veterans from World War II and the Korean War decrease in numbers, and casualties from Afghanistan return home, our obligation to provide honor to every one of the deceased remains acutely felt.

This hearing will serve to conduct a broad-spectrum review of recent cemetery and memorial activities at home and abroad.

We will be receiving an update on conditions and improvements at Arlington National Cemetery. When I first became Chairman of this Subcommittee, fixing the problems at Arlington was a top priority and I have made it a prime focus of oversight and hearings during my tenure. From my first trip to Arlington to meet with Ms. Condon to get an overview and take care of a constituent headstone issue, I have seen it go from a place where records were kept on library cards in a building with no fire suppression to today where everything is digitized and there is even a phone App that allows people to know exactly where their loved ones are located.

This Subcommittee's oversight has been made much easier having Ms. Kathryn Condon as a partner to work with in improving Arlington. She has taken a mismanaged, insular, previously corrupt environment with no leadership or structure, and along with her team has transformed ANC into what the Army Inspector General described as an organization "transitioning from crisis management to sustained excellence."

Ms. Condon, I know you are retiring this summer and I want to relay our thanks for your dedicated service to our Nation. The way you have led your team to turn things around at Arlington has been nothing less than extraordinary and it is very important that these best practices continue. I want to relay how much my staff and I have appreciated working with you to make Arlington the respectful, well-run final resting place our Nation's servicemembers deserve.

We will also be exploring the findings of an internal audit conducted by the National Cemetery Administration, or as we refer to the organization, the "NCA," as well as the findings of a separate audit of the VA Office of Inspector General, which was done in order to evaluate the corrective actions taken by NCA.

Specifically, in October 2011, NCA identified discrepancies at Fort Sam Houston National Cemetery during a field test done to verify the accuracy of newly formatted gravesite maps. Ultimately, it was discovered that a headstone placement error occurred as a result of a "raise and realign" project that had been performed by a contractor.

Since this discovery, NCA has been working to ensure that all gravesite errors are identified and corrected as soon as possible. Additionally, at the request of the House Veterans' Affairs Committee, the Department of Veterans Affairs, Office of

Inspector General, conducted an audit to ensure that the corrective actions taken by NCA had been fully effective.

Representatives of these groups will be speaking with us today and will offer detail on this issue and the response that has been undertaken.

While we all understand the duty that is owed to those who served in uniform, we must also recognize that our responsibility extends to the families of these veterans. It is the responsibility of NCA, and the other groups here today, to provide a dignified and secure environment for the families who visit their loved ones' resting places. We must be cognizant that if mistakes are made, the sacred trust is compromised and unnecessary trauma and heartache result to our military, families, and friends.

I would like to welcome our witnesses today. These panelists play significant roles in ensuring that we as a Nation fulfill our responsibilities to honor those who have served us all. We hope that through discussions and questioning such as will occur today, we can work collectively to not only meet the challenges, but to exceed the standard.

Under Secretary Muro is here on behalf of the National Cemetery Administration which oversees 131 cemeteries nationwide.

Ms. Kathryn Condon is here representing the Army National Cemeteries Program, which includes perhaps the most recognizable site of our honored fallen in Arlington National Cemetery.

Deputy Secretary Wollman represents the American Battle Monuments Commission whose mission is to serve our country's fallen heroes and the missing in action where they have served overseas.

Next we have Linda Halliday who serves as the Assistant Inspector General for Audits and Evaluations at the Department of Veterans Affairs, Office of Inspector General and she is accompanied today by Ms. Cherie Palmer who is the Director of the Office of Inspector General, Chicago Office of Audits and Evaluations.

We will also be hearing from Diane M. Zumatto, serving as the National Legislative Director with AMVETS, as well as Ami Neiberger-Miller, who is the Director of Outreach and Education with Tragedy Assistance Program for Survivors.

Finally, a Statement for the Record has been received from Ms. Kari Cowan, the Surviving Spouse of "Chief Warrant Officer Three" Aaron William Cowan, of the United States Army. Ms. Cowan was affected by a memorial-marker misplacement at the National Memorial Cemetery of the Pacific at Punchbowl, in Hawaii.

With those introductions complete, I am eager to hear of the progress that has been made in regards to the National Cemeteries corrective actions and I also look forward to hearing from our American Battle Monuments Commission, Arlington National Cemetery, and our Veterans Service Organizations. Thank you all for being with us today.

I now yield to our Ranking Member for her opening statement.

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#### **Prepared Statement of Hon. Dina Titus**

Thank you, Mr. Chairman, and thank you for holding a hearing on this very important topic.

I also want to thank the witnesses for their attendance this morning. I appreciate your flexibility regarding rescheduling this hearing.

It is my belief that a proper burial for our Nation's Veterans is a solemn obligation. The National Cemetery Administration has grown dramatically since its creation in 1862 when 14 cemeteries were established to serve as a permanent resting place for those killed during the civil war.

On July 17 of that year, Congress enacted legislation that authorized the President to purchase "cemetery grounds" to be used as national cemeteries "for soldiers who shall have died in the service of the country."

In 1873, all honorably discharged Veterans became eligible for burial.

Since then, NCA has expanded its geographic diversity to better serve Veterans across the country and recent legislation has even further expanded NCA's reach to rural and urban areas.

However, while access has grown significantly, there is still a very large population of veterans that do not have a nearby national cemetery in which to be buried.

The state of Nevada does not have a national cemetery. This leaves over 230,000 veterans without the option of being buried in one of our Nation's prestigious national cemeteries within their home state.



In total, 11 states with a combined Veteran population of 1.8 million are without an active national cemetery.

There are 131 National Cemeteries in the United States. New York has seven active national cemeteries. Three other states have six active national cemeteries, and Puerto Rico has two.

I look forward to hearing your thoughts on ways to improve access to national cemeteries for all veterans, especially those that live in states that currently do not have one.

With that said, I am also well aware of some of the recent challenges that the VA has faced in regards to the audits that the National Cemetery Administration self-initiated. Though it is always disturbing and unacceptable to hear of those instances in which Veterans were incorrectly interred, or that the incorrect markers were placed, I applaud the VA for taking the initiative to identify the need for this review, identifying these issues, and promptly working to correct them.

I also applaud the VA-OIG in working with VA to improve the audit process. Most important, is that these instances are identified and corrected immediately, allowing loved ones the peace of mind that they deserve. I ask that VA continue to conduct these audits on a rolling basis, while also identifying quality controls to ensure that these mistakes do not happen again, and that the Committee be apprised of your findings.

At the end of March, I sent a letter to Secretary Shinseki commending him for allowing the first same sex burial at a national cemetery. I was joined by 40 of my colleagues to urge the Secretary to grant similar waivers in the future. It is only right that those who bravely serve their country should be laid to rest next to the person they love.

Today I also welcome our witnesses from Arlington National Cemetery and the American Battle Monuments Commission. I commend the work that you do in upholding the sacred trust and look forward to hearing more of your insights on how current budget constraints affect your missions.

Lastly, I would like to offer my thanks to Ms. Kari Lin Cowan for sharing her troubling story regarding her experiences at National Memorial Cemetery, and to Ms. Zumatto and Ms. Neiberger-Miller for their work with our veterans and their survivors. I hope that your testimony provides the Committee the perspective we need to ensure that these facilities are serving our Nations Veterans and their families with the kindness, respect and sensitivity that they deserve.

I yield back.

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#### **Prepared Statement of Steve L. Muro**

Chairman Runyan, Ranking Member Titus, and distinguished members of the Subcommittee, I am pleased to be here today to share with you several recent accomplishments of the National Cemetery Administration (NCA). I am accompanied by Glenn Powers, Deputy Under Secretary for Field Programs.

Over the past year we completed our first national Headstone and Marker Review of all 3.2 million gravesites, increased our ability to meet the burial needs of our Nation's Veterans and Servicemembers, enhanced our partnerships with other Federal, state, and tribal providers of burial benefits, expanded communications with our funeral director stakeholders, and implemented an innovative program to provide employment opportunities for homeless Veterans.

NCA's primary mission is to honor our Veterans and Servicemembers, as well as their eligible family members, with final resting places that memorialize their service and sacrifice. We are responsible for managing the largest cemetery system in the United States. Our organization is comprised of 131 VA national cemeteries and 33 soldiers' lots, burial plots, and monuments. More than 3.7 million people, including Veterans of every war and conflict—from the Revolutionary War to the war in Iraq and Afghanistan—are memorialized by burial in VA's national cemeteries. Since 1973, VA has furnished nearly 12 million headstones and markers for the graves of Veterans and other eligible persons around the world.

In Fiscal Year 2012, we conducted over 118,000 interments, processed requests for over 355,000 headstones, markers, and medallions, and provided nearly 719,000 Presidential Memorial Certificates. NCA maintains over 8,600 acres of developed cemetery grounds.

NCA continues to implement the largest expansion of its national cemetery system since the Civil War. At present, approximately 90 percent of the Veteran population—about 20 million Veterans—has access to a burial option in a national, state, or tribal Veterans cemetery within 75 miles of their homes. Just in 2004, only 75

percent of Veterans had such access. This dramatically increased access over just 8 years is the result of a comprehensive strategic planning process that analyzes the best use of resources to reach the greatest number of Veterans, as well as the continued support of the Administration and Congress. We are seeing the results of the policy decision to lower the threshold for establishing a new national cemetery from 170,000 to 80,000 Veterans within a 75 mile radius, which has allowed us to close the gap between the populations served by national cemeteries and those served by state and tribal Veterans cemeteries.

We established six new national cemeteries since 2009 and are in the land-acquisition and planning phases for five additional national cemeteries based on our new policy. We have acquired property for three of the five new national cemeteries near Omaha, Nebraska, Tallahassee, Florida, and Central East Florida. We are moving forward with initiatives to meet the unique needs of Veterans in highly rural and urban areas. We continue to partner with states and tribes to fund construction of Veterans cemeteries in areas where national cemeteries do not meet the full demand. Since 2009, 15 new state and tribal cemeteries have opened. Taken together, these efforts will allow us to attain our strategic target of providing 95 percent of Veterans with a burial option within 75 miles of their home by 2015.

As a complement to the national cemetery system, NCA administers the Veterans Cemetery Grant Service (VCGS). There are currently 88 operational state and tribal cemeteries in 43 states, Guam and Saipan, with six more currently under construction. Since 1978, VCGS has awarded grants totaling more than \$500 million to establish, expand or improve Veterans cemeteries. In Fiscal Year 2012, these cemeteries conducted over 31,000 burials for Veterans and family members.

New columbarium-only cemeteries will be constructed in five urban locations where the existing national cemetery location has proven to be a barrier to burial and visitation. This new Urban Initiative to alleviate time and distance barriers is being implemented in New York, Los Angeles, San Francisco/Oakland/San Jose, Chicago, and Indianapolis.

Most recently, the Rural Burial Initiative was launched that will provide access for 132,000 Veterans who reside in sparsely populated areas where access to a national, state, or tribal Veterans cemetery does not exist. National Veterans Burial Grounds may be located within or adjacent to existing public or private cemeteries and operated by NCA. We are moving forward with implementing the Rural Burial Initiative in eight States: Maine, Wisconsin, North Dakota, Montana, Wyoming, Nevada, Idaho, and Utah. Six of these sites are in states that currently have no VA national cemetery presence and this initiative will now allow VA to expand its ability to provide a burial option to Veterans, Servicemembers, and eligible family members in these states.

NCA continues to leverage its partnerships to increase service for Veterans and their families. NCA provides Government-furnished headstones and markers for all federally-administered cemeteries, except the American Battle Monuments Commission. In Fiscal Year 2012, NCA was honored to provide over 38,000 headstones and markers to other federal and state Veteran cemeteries, including Department of Defense (DoD) cemeteries and Department of Interior's National Park Service (NPS) national cemeteries. NCA's National Training Center and annual conference provide opportunities to share best practices and standards among all agencies. NCA manages a congressionally mandated advisory committee, on which representatives from ABMC, NPS, and Arlington National Cemetery (ANC) are ex officio members. NCA and ANC have formalized a working group to ensure the organizations share information and collaborate on shared goals.

NCA works closely with funeral directors and private cemeteries, two other significant stakeholder groups. Funeral directors are often the spokespersons for the Veteran or next of kin and assist in the delivery of NCA services through the coordination of committal services and interments. Funeral directors may also help families in applying for headstones, markers, and other memorial benefits. NCA partners with private cemeteries by furnishing headstones and markers for Veterans' gravesites in these private cemeteries. In January of this year, NCA announced the availability of a new online funeral directors resource kit that may be used by funeral directors nationwide when helping Veterans and their families make burial arrangements in VA national cemeteries.

Veterans Service Organizations are key stakeholders and partners in the VA mission. These organizations act as a voice for Veterans and their families, and as advocates for their needs and expectations. At many national cemeteries, they are important partners in providing support for military funeral honors, and we value the services they provide to our Veterans.

NCA continues its extraordinary record of customer service. This has been underscored by results achieved through external and internal survey instruments. NCA

received the highest score—94 out of 100 possible—in the 2010 American Customer Satisfaction Index (ACSI) sponsored by the University of Michigan. This is the fourth time NCA participated and the fourth time it received the top rating in the Nation. NCA was recognized by ACSI for a decade of superlative performance. NCA continues to achieve high levels of client satisfaction as measured by our annual surveys of Veterans or their next of kin who recently selected a national cemetery for the interment of a loved one, and the funeral directors who provided assistance at their time of need. NCA's 2012 client satisfaction survey results show that 99 percent of respondents rate the appearance of national cemeteries as excellent and 96 percent rate the quality of service as excellent. Ninety-nine percent of respondents would recommend a national cemetery to other Veteran families.

NCA's committed, Veteran-centric workforce is the main reason we are able to provide a world-class level of customer service. We continue to maintain our commitment to hiring Veterans. Currently, Veterans comprise over 74 percent of our workforce. Since 2009, we have hired over 400 returning Iraq and Afghanistan Veterans. In addition, 82 percent of our contracts in Fiscal Year 2012 were awarded to Veteran-owned and Service-Disabled Veteran-Owned small businesses.

NCA achieves such high-levels of customer satisfaction because we constantly examine our operational processes to ensure efficient and accurate benefit delivery. For example, NCA continues to improve benefit delivery processes in order to reduce the number of inaccurate or damaged headstones and markers delivered to the gravesite. In Fiscal Year 2012, 95 percent of all headstones and markers were delivered undamaged and correctly inscribed; inscription data for 99 percent of headstones and markers ordered by national cemeteries were accurate and complete, and nearly 719,000 requests for Presidential Memorial Certificates were processed. These certificates bear the President's signature and convey to the family of the Veteran the gratitude of the Nation for the Veteran's service. To convey this gratitude, it is essential that the certificate be accurately inscribed. The accuracy rate for inscription of Presidential Memorial Certificates provided by VA is consistently 99 percent or better.

In 2009, NCA assumed responsibility for processing First Notices of Death to terminate compensation benefits to deceased Veterans. This now allows for the timely notification to next-of-kin of potential survivor benefits. Since taking on this responsibility, NCA has advised families of the burial benefits available to them, assisted in averting overpayments of some \$142 million in benefit payments and, thereby, helped survivors avoid possible collection actions.

We are looking to the future needs of our Veterans. This year, we plan to survey Veterans about their preferences on emerging burial practices, including 'green' burial techniques that may be appropriate and feasible for planning purposes. The completed study will provide information and analysis for leadership consideration of potential new burial options.

NCA's Homeless Veterans Apprenticeship Program, established in 2012, supports the Department's strategic priority of ending Veteran homelessness by 2015. The Apprenticeship is a 1-year paid employment training program for Veterans who are homeless or at risk for homelessness. This program has created paid employment positions as Cemetery Caretakers for 21 homeless Veterans who are enrolled in VA's Homeless Veterans Supported Employment programs around the country. Apprentices who successfully complete 12 months of competency-based training will be offered permanent full time employment at a national cemetery. Successful participants will receive a Certificate of Competency which can also be used to support employment applications in the private sector. The program will be completed at the end of this fiscal year and we will be able to better evaluate its success rate as the first class graduates in October 2013.

In addition to these recent accomplishments, NCA completed its first system-wide comprehensive review of the entire inventory of gravesites within the national cemetery system. It was self-initiated with a goal to ensure each headstone and marker was in its proper location. It was the first-time in the 150-year history of national cemeteries that such a review was undertaken.

This ambitious and thorough review took many dedicated hours of our employees' time and multiple steps to validate the data. NCA leaders played a critical role in validating findings and conducted statistically-valid sampling of each national cemetery to increase assurance in the accuracy of the reported data. The review confirmed that the vast majority of work completed during recent "raise and realign" renovation projects was accomplished accurately and according to contract. The information gained was invaluable in validating current operations and ensuring we have a clear path forward to ensuring a sustainment plan is in place to enhance our management practices.

Out of 3.2 million gravesites, a total of 778 errors were found. These errors included 632 gravesites which were identified as mismarked and 131 gravesites that were discovered to be unmarked, and up to 15 sets of remains that NCA determined may require reburial. A mismarked grave is one that is marked with a headstone or marker that was intended for another grave. An unmarked grave is one with a recorded interment which has no headstone or marker. Generally, an unmarked grave occurs when a headstone is damaged or removed but not replaced; or was intended to be set, but never set for a variety of reasons, for example, not ordered or not delivered. While no error is acceptable, the total number of errors—less than 800 out of 3.2 million in a system that was begun during the Civil War—provides confidence of the management practices in place. For those areas that we determined weaknesses were present, solutions are being implemented.

As I committed to doing, we provided our oversight committees with updates every 60 days on the status of the review. Throughout the process, the next of kin were our priority. I appreciate the oversight provided by the full Committee and this Subcommittee on this issue that allowed the families to remain everyone's top concern.

We conducted comprehensive notifications of congressional oversight committees and local congressional members. For each error found, cemetery directors called the next-of-kin on record and followed up with certified letters where we were unable to reach a family member. Corrective actions were done in consultation with the families.

NCA's entire self-initiated review concluded on December 31, 2012. The Office of the Inspector General (OIG) also completed an audit of Phase I of the review. On February 7, 2013, OIG issued the "Audit of Internal Gravesite Review of Headstone and Marker Placements." NCA concurred with the findings of the OIG audit of the headstone and marker review, and has already adopted many of the recommendations. OIG found that NCA's Burial Operations Support System and our records of interment were sufficiently reliable for this audit. NCA's experience during the headstone and marker review was similar; when mismarked or unmarked graves were discovered, NCA was able to determine what corrections needed to be made by examining our records of interment and comparing them to our gravesite layout plans.

During its audit, the OIG provided a management advisory letter in July 2012 and NCA began implementing recommendations immediately, which included an independent review of each cemetery. NCA strengthened the Phase II gravesite review procedures based on experience in implementing the Phase I headstone and marker review. NCA directed Memorial Service Network executive leaders to conduct independent gravesite reviews at every national cemetery and soldiers' lot administered by VA using statistically-valid sampling of gravesites or complete 're-audits.' These independent reviews increased assurance in the accuracy of both the Phase I and Phase II headstone and marker reviews conducted by the cemetery directors.

As part of NCA's goal to ensure the accountability of remains, NCA leadership has implemented a number of actions to ensure future sustainment:

- **Additional Reviews.** NCA leaders will conduct additional full audit reviews at 17 facilities to achieve reasonable assurance that all gravesites are accurately marked at those facilities.
- **Accountability Procedures.** Among the updated April 2011 procedures are steps designed to alert interment crew members to the potential for misaligned markers, either at the interment site or in an adjacent row.
- **Contractual Requirements.** To minimize errors associated with "raise and realign" projects, contracts for renovation projects require the headstones and markers to remain at the gravesite.
- **Quality Improvement Initiatives.** In October 2012, NCA integrated a gravesite validation step in a quality improvement process, which requires reviewers to confirm that all markers match the arrangement on the gravesite layout map.
- **Contracting Officer Representatives.** To help ensure compliance with contractual requirements, NCA is hiring certified contracting officer representatives at each Memorial Service Network office to oversee future gravesite renovation projects, additional reviews, and to assist in integrating new technologies (GIS/GPS) that NCA will leverage in the future.

To further enhance the accountability of remains, NCA leadership will proceed with the following actions:

- **Mapping Certification.** NCA will establish a certification procedure and reporting process ensuring gravesite layout maps are routinely updated, accurate, and provided to the cemeteries.
- **Leveraging Information Technology.** To ensure that future headstone and marker reviews are comprehensive, NCA must leverage information technology to access VA's extensive historical records of interment to automate checks of the match between a gravesite, its marker, the record of interment for that gravesite, and the overall gravesite layout plan for that cemetery. The Memorial Affairs Redesign (MAR) will allow NCA to electronically map a gravesite to the record of interment and the layout map for the cemetery. The MAR mapping solution will include a Geo-Spatial Information System (GIS) interface that will layer the interment data, burial maps, and cemetery engineering drawings into a single view allowing a real time comprehensive review and analysis of the interment workflow process.

I am committed to ensuring we move forward on all fronts facing our organization. We will implement the actions outlined in the sustainment plan that resulted from our headstone and marker review. We will continue to expand access to burial options for our Veterans. We have and will continue to make progress in opening up the 18 new NCA facilities over the next several years and reach more Veterans who are currently unserved with a burial option.

Our National Training Center in St. Louis, Missouri, will continue to offer critical competency-based training for our employees. This allows us to ensure there will be a new generation of cemetery practitioners that are ready to continue the operation and management of our system of National Shrines.

Thank you for the opportunity to appear before you. I look forward to answering any questions that you may have.

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#### **Prepared Statement of Kathryn A. Condon**

Chairman Runyan, Ranking Member Titus and distinguished Members of the Subcommittee, thank you for the opportunity to provide an update on Arlington National Cemetery and our efforts to sustain the sacred trust of our Veterans and Families. We have continued to build upon our tremendous progress since my last testimony before this subcommittee a year ago. We have implemented processes to better serve our Veterans, Families and the public. We are using technology to share the data validated through our accountability efforts. We are institutionalizing Army processes and procedures to ensure all changes will endure. We are also setting the industry standards for best practices while working closely with our partner Veterans organizations who I am honored to testify with today.

All at Arlington are committed to constantly improve our operations. The pace of requests and burials at Arlington remains at an all-time high as we enter our busiest time of the year: the spring and summer months. I am concerned that possible Sequestration furloughs will severely impact our workforce as we enter this busiest season for the Nation's hallowed grounds. Yet, Arlington's workforce remains committed to provide our Veterans, Families and visitors the honored, solemn experience they deserve.

#### **OUR FOUNDATION HAS BEEN RESTORED**

Across all facets of the operation, in less than three years Arlington's transformation could not be more striking. We are developing and using industry-leading and externally-validated standards and auditable business practices. Our newly-trained and dedicated workforce is finally using equipment appropriate for the rolling hills and high water table of Virginia. With the help of the Center of Military History, we have catalogued and are helping restore and preserve 44 boxes and 846 folders of maps, pictures and papers documenting almost 150 years of Arlington's history. We are implementing energy, environmental and sustainability initiatives across this inherently Green space: hybrid vehicles, sidewalks of recycled materials, earth- and wildlife-friendly landscaping, digital read-aheads and briefs, and environmentally-sensitive supplies. Most importantly, we remain committed to maintaining the chain-of-custody process for all remains, ensuring that a non-negotiable standard of accountability is beyond reproach for everyone resting in solemn repose at Arlington.

These improvements at Arlington have been acknowledged in major inspections conducted over the past year, including those required by and reported to Congress. For instance, the September 2012 Department of the Army Inspector General's

(DAIG) report, submitted in compliance with Public Law 111-339, noted the changes “have transformed (Arlington National Cemetery) and the (Soldiers’ and Airmen’s Home National Cemetery) into premier institutions of excellence capable of setting the standards for federal cemeteries across the Nation.” The DAIG concluded Arlington had made “wholesale improvements across Cemetery operations—in gravesite accountability, contracting, information and technology, transparency, management, oversight, and interaction with Family members and loved ones.”

Arlington continues to implement recommendations from the inspection by the Government Accountability Office (GAO). For instance, the U.S. Army Manpower Analysis Agency and Force Management Support Agency completed their organizational assessment, which will allow Arlington in April to codify a refined organizational structure more appropriate for our current and future missions. We have started our Organizational Inspection Program, which serves as the basis for Arlington to complete self-assessments and others to complete oversight inspections of Arlington. We continue to work closely with our partner organizations, and have formalized the support relationships with Memorandums of Agreement. I have also continued using our strategic Campaign Plan to lead, manage and resource change across the organization, using the continuously staff-updated metrics and milestones. As noted in the GAO report, the Campaign Plan is my key planning, synchronizing and resourcing document, helping to ensure Arlington maintains standards expected of this national shrine and allocate resources for mission achievement, now and for the future.

As noted also by GAO, Arlington continues to improve its acquisition processes and procedures to remain compliant with Departments of Army and Defense regulations and guidelines. With assistance from the Army Contracting Command and other Army Acquisition organizations, we are achieving greater fidelity in our contracting management and reporting efforts. Of note, we are using the Electronic Defense Automated Requirements Tracking System (eDARTS) to process all requirements packages. The eDARTS process has increased our efficiency and creates auditable records, helping Arlington ensure it remains a responsible steward of all funds provided.

The Advisory Committee on Arlington National Cemetery, under the leadership of the Honorable Max Cleland, continues to provide valuable insights and strategic guidance for Arlington’s future. Now as a non-discretionary committee, the Committee endorsed Arlington’s efforts to pursue designation as an arboretum by the Cemetery’s 150th anniversary in 2014, helping preserve the cemetery’s cultural and natural history. The Committee is also helping guide our planning for the commemoration of the John F. Kennedy assassination and Arlington burial, monumental events for our Nation and Arlington that occurred fifty years ago this November.

The Advisory Committee was also pivotal in our recent renovation of our Welcome Center. In coordination with the US Army Center of Military History, on Inauguration Weekend we dedicated this improved facility that brings to life the honor, history, traditions and events associated with our Nation’s premier military cemetery. By combining Army expertise and ingenuity with Arlington’s history and beauty, we completed the first major upgrade to the historical displays in over 20 years.

### **Cemetery Expansion and Critical Infrastructure Repair**

The Army is committed to maintaining Arlington as an active cemetery for as long as possible for our Nation’s military heroes. We have three ongoing expansion projects: Columbarium Court 9, the Millennium Project and Navy Annex. Once complete, these projects are expected to extend Arlington’s first interment burials through the 2050s. In less than two years, we broke ground on the ninth Columbarium Court and will hold its dedication ceremony on May ninth. Its 20,296 niches will extend Arlington’s above-ground burial space to 2024. Working closely with the Norfolk District of the U.S. Army Corps of Engineers, the National Park Service, the Commission of Fine Arts, the National Capital Planning Commission, our Advisory Committee, and other agencies on the design for Millennium Project, we have reached the 65% design point. We are taking great care to create an environmentally-responsible design, incorporating the area’s natural beauty and historic nature. With funding requested in the President’s FY13 budget, we will complete the Millennium Project design and be able to begin construction this Fiscal Year. Finally, demolition began on the Navy Annex building in November 2012 and is scheduled to be completed by August 2013. We continue to work closely with Arlington County, as well as our other partners from the Millennium Project, awaiting funding to complete the Navy Annex’s design.

As directed by Congress and the Secretary of the Army, we are also nearing completion of our new Master Plan, last updated in 1998, and we will provide that plan upon its completion. We are coordinating with forty federal, District of Columbia, Virginia, Arlington County, and non-governmental organizations to complete the Master Plan, which will provide us a valuable roadmap to more deliberately manage and request resources for these hallowed grounds. Finally, we will soon complete our first-ever Integrated Cultural Resources Management Plan (ICRMP). In addition to helping Arlington more systematically maintain the historic and cultural items already in our care, our efforts to complete the ICRMP will start our application to finally be registered on the National Register of Historic Places.

Arlington continues to work diligently to complete the most critical repairs to our aging infrastructure. While compiling the breadth of our maintenance needs, we used the more than \$32.6 million recovered from un-liquidated obligations to fund the repairs most critical to our health, safety and public outreach missions. For instance, we repaired the leaking roof in the Welcome Center for the first time since the 1970s and installed its new Heating, Ventilation, and Air Conditioning (HVAC) unit, after both had catastrophic failures. We replaced over 230,000 square feet of the flagstone walkway at the Memorial Amphitheater, improving the beauty and safety of this national treasure. We have replaced a small percentage of our antiquated 2-inch, 6-inch and 16-inch water lines located throughout the cemetery, whose almost weekly failures create unsightly geysers and unsafe conditions for Families and visitors. We are completing repair of the John F. Kennedy Eternal Flame, ensuring this iconic memorial remains functional, safe and more energy-efficient for future generations. We replaced fire alarm systems across all offices and workspaces at Arlington. We are also finishing renovations to our two lodges, allowing Arlington's Superintendent to live on-site and increasing our available workspace for the additional staff validated by the manpower study.

#### **Information Technology as an Enabler**

On March 12, 2012, Arlington National Cemetery became the first national cemetery to geospatially (digitally) manage cemetery operations. Geospatial information system (GIS) technology, coupled with the authoritative data we validated during our accountability efforts, now form a single, state-of-the-art, authoritative digital ANC map. This GIS-based system helps synchronize all phases of our operations, from scheduling to headstone placement to authoritative documentation. Through these efforts, Arlington has also been able to transfer its paper records to the National Archives and Records Administration, ahead of the President's Managing Government Records Directive.

Leveraging this technology, on October 22, 2012 we also launched ANC Explorer. The first version of this free, web-based application allows Families and the public to locate gravesites, events or other points of interest throughout the Cemetery; generate front-and-back photos of a headstone or monument; and receive directions to these locations. We have installed kiosks with ANC Explorer in our Welcome Center, and we are also working with industry to field several outdoor kiosks throughout the cemetery. Recognized by the Federal Mobile Computing Summit as its 2013 "App of the Year," we are already working to add and refine the application. Since launching ANC Explorer, over 23,150 users have downloaded the application. We have also received 452 feedback comments, which are helping inform subsequent versions of the application.

Information Technology (IT) will buttress and help integrate all aspects of Arlington's mission in the future. Long-gone are the typewriters, 3x5 cards and paper maps: Even our most die-hard paper enthusiasts, having worked at Arlington for three decades, now pride themselves on the accuracy and efficiency of our geospatial (digital) capabilities. To ensure our IT investments enhance and support our priority efforts, in May we published our enterprise architecture (EA) plan, also completing this GAO recommendation. As with our other strategic documents, Arlington remains committed to keeping the EA updated to ensure our IT program remains focused and synchronized with our desired future state business processes.

#### **Accountability**

Establishing gravesite accountability has been at the core of Arlington's efforts to sustain the sacred trust with our veterans and families. Over the past year we have remained focused on completing the authoritative data set of all gravesites at Arlington, validated using a transparent and auditable process. The effort has three critical parts: 1) Ensuring we have dispositive records that support each individual interred or inurned at that location, 2) validating that the grave marker is con-

sistent with available records, and 3) verifying the marker location is accurately recorded in our GIS system.

This undertaking required a review of all existing gravesites. Due to the complexity and fidelity of historical data, by the end of April we expect to complete the final phase of this accountability process. As with earlier phases of this baseline accountability effort, the authoritative information is added to our GIS system. This system, coupled with our existing quality assurance procedures and Organizational Inspection Program, will help ensure end-to-end fidelity in our operations going forward.

### **WORK REMAINS**

I could not be more proud of the men and women of Arlington who have worked diligently to restore the honor and dignity across every aspect of this national shrine. And while we have made great strides, work remains to improve our service to our Veterans and Families. For instance, while Families are willing to wait for burials at Arlington, including for an Old Post Chapel service or a specific date, the sustained demand for burial services at Arlington has resulted in wait times that can be up to six months. We need to improve on keeping pace with the average of 220 weekly scheduling requests, which can result in hundreds of families with cremated remains waiting to be scheduled. This is our top priority and we are making progress in reducing this backlog and wait time. We are also working with the Department of the Army for hiring freeze exception requests to backfill critical positions left open through attrition. Rest assured, reducing wait times is now our highest priority issue to fix.

We are also focusing on our long delay in ordering and placing headstones, helping Families bring closure to their loved one's passing. Until recently, our cumbersome process to input manually the headstone request from within our Army scheduling system to the Department of Veterans Affairs (VA) ordering system created a multi-month lag. Through extended partnering efforts with the VA's Virtual Lifetime Electronic Record Program Management Office, last month Arlington finally began integrating our headstone ordering within our GIS system. Without losing our connectivity with the VA, once fully implemented this month, our cemetery personnel will be able to enter burial data one time into a single application, which is then used for scheduling and conducting the service, ordering the marker, placing the marker, and capturing the headstone photo. This will reduce dramatically a family's wait to see their loved one's marker in place. Using this new system for ordering markers also eliminates errors caused by manually entering data into a second application. By April, this capability will allow us to eliminate the headstone backlog.

From a facilities perspective, we must also complete significant infrastructure projects to improve the functionality and workplace environment. For instance, we have recently replaced three HVAC units, yet two additional HVACs in our maintenance area need replacement. Many roads are in disrepair and crumbling, creating safety hazards and detracting from the national shrine's expected appearance. Over 40,000 linear feet of waterlines are more than 50 years old. We have replaced only the most deteriorated 2,500 linear feet to date. Moving forward, we are using our Master Plan and 10-year Capitalization Plan to plan and prioritize major repairs and routine maintenance.

### **THE IMPACTS OF THE CONTINUING RESOLUTION AND SEQUESTRATION**

As with most Federal organizations, Arlington is facing significant fiscal uncertainties. Our fiscal year 2013 President's Budget included several critical requests that are not funded under the current Continuing Resolution (CR). These requests include the previously authorized \$25 million for critical infrastructure restoration and modernization and \$103 million for expansion projects: \$84 million to begin the Millennium Project construction and \$19 million to begin the Navy Annex planning and design. In the event of a full year CR for FY13, our funding will be reduced to \$45.8 million from the requested \$173.8 million.

Arlington is also scheduled for a 5% Sequestration decrement, further reducing FY13 available funding to \$43.5 million, or approximately 25% of the original budget request. The potential of mandated Sequestration furloughs to Arlington's civilian workforce could also severely impact Arlington's ability to serve our Veterans and Families in the professional and timely manner expected.

Furloughs could not come at a worse time for Arlington. Historically, April to September is Arlington's peak period of funeral and tourist activity. Arlington completes its seven-day a week mission with only 142 assigned civilians, already reduced due



to the hiring freeze. In addition, Arlington's Monday through Saturday burial operations must adjust based on weather events—including those working outside and those providing direct logistical, technology and operational support—making 20% reductions that much more devastating. Based on historical burial demand, furloughs will require Arlington to reduce the number of burial services it conducts by 35 each week. Forty families each week will also not be scheduled for burials, further delaying their wait time.

### CONCLUSION

Through diligent efforts, adherence to established procedures and by leveraging technology, Arlington will do all within its power to sustain the sacred trust it has recently reclaimed. Despite the challenges the Sequestration presents, the Arlington staff can assure the Nation of this: burial services at Arlington will continue to be conducted with honor and dignity for our Veterans and their Families.

#### Executive Summary

**Hearing Subject:** To testify on the state of Army National Military Cemeteries (ANMC) as part of broader testimony on upkeep and areas for improvement by leadership from various Veterans' cemeteries.

The pace of requests and burials at Arlington National Cemetery (ANC) remain at an all-time high. Despite this continued aggressive pace, Arlington remains committed to providing Veterans, Families and visitors the honored, solemn experience they deserve.

- **Broad Scale Transformation:** Arlington has developed and now is using industry-leading and externally-validated standards and auditable business practices. As part of its efforts, ANC has catalogued and is helping restore and preserve historically-significant maps, pictures and papers documenting almost 150 years of its history. Arlington is implementing energy, environmental, and sustainability initiatives and continues to improve its acquisition processes and procedures to remain compliant with Departments of Army and Defense regulations and guidelines. Most importantly, Arlington remains committed to maintaining the chain-of-custody process for all remains, ensuring that a non-negotiable standard of accountability is beyond reproach for everyone resting in solemn repose at Arlington.
- **ANC Expansion:** ANC has three ongoing expansion projects: Columbarium Court 9, the Millennium Project and Navy Annex. Once complete, these projects are expected to extend Arlington's first interment burials into the 2050s. The Columbarium Court 9 Project will add more than 20,000 above-ground burial spaces when it is completed in May of this year.
- **Information Technology:** On March 12th, 2012 ANC became the first national cemetery to geospatially (digitally) manage cemetery operations. This GIS-based system helps synchronize all phases of ANC's operations, from scheduling to headstone placement to authoritative documentation. Through these efforts, Arlington has also transferred its paper records to digital format. In October 22, 2012 ANC launched ANC Explorer, the free web-based application which allows Families and the public to locate gravesites, events or other points of interest throughout the Cemetery; generate front-and-back photos of a headstone or monument; and receive directions to these locations.
- **Accountability:** Over the past year, ANC has remained focused on completing the authoritative data set of all gravesites, validated using a transparent and auditable process, which includes three critical parts: 1) Ensuring there are dispositive records that support each individual interred or inurned at that location, 2) validating that the grave marker is consistent with available records, and 3) verifying the marker location is accurately recorded in the GIS system.
- **Sequestration / Continuing Resolution Impact:** Furloughs could not come at a worse time for ANC. Historically, April to September is the peak period for funeral and tourist activity. Based on historical burial demand, furloughs will require Arlington to reduce the number of burial services it conducts by 35 each week. Forty families each week will also not be scheduled for burials, further delaying their wait time.

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### Prepared Statement of Raymond J. Wollman

#### Introduction

Mr. Chairman and Members of the Subcommittee ...

Thank you for this opportunity to discuss the mission, operations and programs of the American Battle Monuments Commission (ABMC).

I begin with a statement that serves as the foundational vision for all that we do:

*Time will not dim the glory of their deeds*

These words of our first chairman, General of the Armies John J. Pershing, speak eloquently to the Commission's purpose since its creation in 1923—to honor our Nation's fallen overseas, at sites entrusted to our care by the American people.

ABMC's core mission is commemoration – honoring service and sacrifice by maintaining magnificent shrines to our Nation's war dead and preserving their stories so that the glory of their deeds is not diminished by the passage of time.

We execute our mission by maintaining commemorative sites to an unparalleled standard of excellence, and by providing historical context for why our monuments and cemeteries were established, why those memorialized within them died, and the values for which they died.

### **Telling Their Story**

Maintaining our monuments and cemeteries is our core mission and top priority. But we also have a responsibility to tell the stories of those we honor.

#### **HONOLULU MEMORIAL**

On November 11, 2012, during the Veterans Day Ceremony at the National Memorial Cemetery of the Pacific – the Punchbowl – ABMC dedicated Vietnam Battle Maps that now complete the story told at our Honolulu Memorial. While the cemetery is maintained by the Department of Veterans Affairs, the Honolulu Memorial is one of the 25 memorials that ABMC maintains worldwide.

When the memorial was built in the 1960s, it included Battle Maps and Courts of the Missing commemorating World War II in the Pacific and the Korean War. In the 1980's, while our Secretary Max Cleland was serving as the Administrator of the Veterans Administration, he asked ABMC to add Vietnam War Courts of the Missing to the memorial. ABMC honored this request, but battle maps commemorating the war were not part of that project.

That oversight is now corrected, and those Americans who served during the Vietnam War are appropriately honored at our most visited memorial. We believe this is the only memorial tribute to our Vietnam veterans paid for with Federal funds.

The message of the memorial is expressed in the haunting words of the poet Archibald MacLeish, words now inscribed on the outside stone face of the Vietnam Pavilion:

*We Leave You Our Deaths*

*Give Them Their Meaning*

The Vietnam Battle Maps are just part of the extensive restoration and renovation work completed and planned at the Honolulu Memorial. With 2010 and 2011 funding we added lifts to make all of the Courts of the Missing accessible, and additional renovation and repair was funded in 2012 and is planned for 2013.

#### **VISITOR CENTER PROJECTS**

In Europe, we have three visitor center projects under construction: at Cambridge American Cemetery in England, at Sicily-Rome American Cemetery in Italy, and at the Pointe du Hoc Ranger Monument in France. All will be completed this year, enhancing the visitor experience at these sites.

We recognize our responsibility to program our interpretive efforts to fiscal and visitation realities. None of these three sites have the visitation of Normandy American Cemetery, which receives one million visitors annually. But Pointe du Hoc receives nearly 500,000 visitors a year, benefiting from its proximity to Normandy; likewise, the proximity of Cambridge and Sicily-Rome to major tourism cities provides visitation growth potential that their new visitor centers can capture.

#### **WEBSITE AND MOBILE APPS**

Most of our cemeteries, however, receive far fewer visitors. To better tell their stories to a broader audience we have been turning to technology.

Our first mobile app—a tour of the Pointe du Hoc battlefield—was released in December; a web version should be launched this month. Our long-term objective is to produce apps and virtual tours for all of our sites, so we can bring these national historic assets to life on our website and in our classrooms.

Our website is undergoing a complete redesign, with more robust educational resources planned. We expect to go live with the new website by Memorial Day.

Concurrently, we are working to form partnerships with the education community. Our objective is to develop curricula that matches content based on military campaigns to core standards used in our school systems – all in keeping with our foundational vision that “Time Will Not Dim the Glory of Their Deeds.” With the approaching Centennial of World War I, our initial focus will be on World War I curricula.

### **Pacific Memorials**

Turning to the Pacific, there are several projects underway that deserve mention.

#### **UN CEMETERY MEMORIAL IN KOREA**

The only United Nations cemetery in the world is located in Pusan, Korea. Eleven countries have members of their armed forces interred at the cemetery, including the United States. Most of those nations have memorials in the cemetery honoring their armed forces—the U.S. does not. We are fixing that.

Last fall, the design of the new monument was approved. We will begin construction this spring and plan to dedicate the monument in July on the 60th Anniversary of the signing of the Korean War armistice. It will be a long overdue tribute to those Americans who fought and died during “the forgotten war,” built on land they helped defend.

#### **THE PHILIPPINES**

We have a long term plan to bring Manila American Cemetery and the Pacific Memorials up to ABMC standards. Master plans for the cemetery and four memorials are complete and under review. With fiscal year 2013 funding, we are addressing encroachment issues at the cemetery and renovating the Cabanatuan Memorial.

To protect the cemetery and address security concerns, the Commission is replacing the current chain link fence, which defines the border, with a robust perimeter wall. Unless marked by a substantial “permanent” wall, local culture ascribes a “temporary” definition to the boundary that will continue to subject our commemorative site to degradation by such intrusions as local highway projects, development, and squatters.

The memorial at the site of the Cabanatuan Prison Camp honors those who died during internment in the Second World War. The Commission accepted responsibility for its operation and maintenance in 1989. The renovation includes replacing and upgrading cladding materials, addressing deficiencies in the memorial text, and making site improvements.

#### **WEST COAST MEMORIAL**

The West Coast Memorial on the grounds of the Presidio overlooking the entrance to San Francisco Bay was erected in memory of those who died in the American coastal waters of the Pacific Ocean during World War II. A project to address Americans with Disabilities Act upgrades and landscaping improvements is underway and should be completed by Memorial Day.

### **Clark Cemetery**

Public Law 112–260, the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012, authorizes ABMC to restore, operate and maintain Clark Veterans Cemetery in the Philippines. As required by law, the U.S. Government is negotiating an agreement with the Philippine Government to allow ABMC to begin maintaining the cemetery.

If and when such an agreement is reached, we intend to use existing funds to—

- begin minimum maintenance with crew from our Manila cemetery, about an hour from Clark, and
- contract for a full assessment of the site to determine restoration and annual maintenance requirements.

The Congress authorized \$5 million for restoration and amounts necessary to operate and maintain the cemetery. This may be insufficient for a cemetery that is partially covered in volcanic ash and may have other unknown infrastructure issues. However, we have no prior involvement at this cemetery, so we are not able to estimate the true costs until we complete a comprehensive site assessment.

We again applaud the dedicated efforts of U.S. veterans in the Philippines who have been maintaining Clark cemetery for many years. The mission has now been assigned to ABMC. We will work toward executing that mission when an agreement allowing us to do so has been reached with the Philippine Government.

### **Fiscal Year 2013 Funding**

ABMC's total budget authority for FY 2013 is \$73.37 million, a \$230,000 decrease from our FY 2013 budget request level. The \$73 million takes into account funding provided under the Consolidated and Further Continuing Appropriations Act, 2013 (P.L. 113-6) and the March 1, 2013 sequestration order.

Our mission is to ensure that our commemorative cemeteries and memorials remain fitting shrines to those who have served our Nation. In meeting the requirements of sequestration and the rescission, the Commission is not planning to furlough staff – staff that maintains our cemeteries to the highest standards that reflect this Nation's core values – staff that keeps our grass green and our headstones white. The reduction will come from areas with the least impact on cemetery operations.

### **Conclusion**

The essence of the Commission's mission success does not change from year to year: keep the headstones white; keep the grass green; and tell the story of those we honor.

With the support of the Administration and the Congress, we will continue to ensure that the Commission's overseas shrines to American service and sacrifice remain unparalleled in their beauty, reflecting our Nation's willingness to sacrifice to protect our freedoms and the freedoms of others, and our Nation's commitment to honoring those who made that sacrifice on our behalf.

Mr. Chairman, Members of the Subcommittee, as always we invite you to visit these inspirational sites during your overseas travels. You will never forget the experience.

Thank you for allowing me to present this summary of our mission, operations and programs.

### **Executive Summary**

#### *Telling Their Story*

Honolulu Memorial at the National Memorial Cemetery of the Pacific

- November 11, 2012, Veterans Day, ABMC dedicated Vietnam Battle Maps
- Additional restoration and renovation work completed and planned

#### *Visitor Center Projects*

- 3 visitor center projects under construction:
- Cambridge American Cemetery in England
- Sicily-Rome American Cemetery in Italy
- Pointe du Hoc Ranger Monument in France
- All will be completed this year, enhancing the visitor experience at these sites

#### *Website and Mobile Apps*

- 1st mobile app—a tour of the Pointe du Hoc battlefield—released; web version due later in March
- Objective is to produce apps and virtual tours for all of ABMC sites
- Website is undergoing a complete redesign, expect to go live by Memorial Day
- Partnerships with the education community to develop curricula

#### *Pacific Memorials*

- UN Cemetery Memorial in Korea
  - Design of the new monument was approved
  - Begin construction this spring and dedication planned for July, 60th Anniversary of the armistice
- The Philippines
  - Master plans complete and under review
  - Addressing encroachment issues at cemetery and renovating the Cabanatuan Memorial in FY 2013
- West Coast Memorial
  - Americans with Disabilities Act upgrades and landscaping improvements

#### *Clark Cemetery*

- Negotiations underway to allow ABMC to begin maintaining the cemetery
- If and when such an agreement is reached, ABMC intends to:
  - begin minimum maintenance

- fund assessment to determine restoration/maintenance requirements

*Fiscal Year 2013*

- ABMC's total FY 2013 budget authority is \$73.37 million
- Includes funding provided by Consolidated and Further Continuing Appropriations Act, 2013 (P.L. 113-6) and the March 1, 2013 sequestration order
- \$230,000 decrease from the FY 2013 budget request level
- No planned furloughs

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**Prepared Statement of Linda A. Halliday**

**INTRODUCTION**

Mr. Chairman and Members of the Subcommittee, thank you for the opportunity to discuss the issues related to the National Cemetery Administration's (NCA) internal gravesite reviews that were identified in an Office of Inspector General (OIG) audit report, Audit of NCA's Internal Gravesite Review of Headstone and Marker Placement, issued February 7, 2013. I am accompanied by Ms. Cherie Palmer, Director, OIG Chicago Audit Operations Division, who directed the preparation of the report.

**BACKGROUND**

NCA's mission is to honor veterans and their families with final resting places in National shrines and with lasting tributes that commemorate their service to our Nation. NCA is responsible for maintaining approximately 3.2 million gravesites at 131 National cemeteries in 39 states and Puerto Rico and 33 soldiers' lots and monuments. In fiscal year 2012, NCA conducted approximately 118,000 interments and processed about 355,000 applications for headstones and markers for placement in cemeteries. NCA's cemeteries are organized under five Memorial Service Networks (MSNs). The network provides direction, operational oversight, and engineering assistance to the cemeteries located in their geographic areas.

NCA conducts major renovation projects to raise and realign headstones and markers to ensure they are maintained at proper height and alignment. These projects are critical to NCA's ability to meet its National Shrine standards and, more importantly, to honor veterans. NCA uses its employees and contractors when conducting raise and realign projects.

In October 2011, NCA directed MSN directors and cemetery directors to conduct a review to verify headstone and marker placement in all burial sections where raise and realign projects were completed. This review included a requirement for cemetery directors to certify the accuracy of their review results. NCA self-initiated the review in August 2011 following the discovery of 47 markers that were offset by one gravesite in a burial section at Fort Sam Houston National Cemetery in San Antonio, Texas. This resulted in placing the remains of four decedents into the wrong gravesites.

NCA's independent gravesite review was conducted in two phases. Phase One reviewed burial sections where raise and realign projects were completed and Phase Two reviewed the remaining burial sections at those cemeteries as well as cemeteries that did not undergo renovations. Our work examined NCA's Phase One review results. We did not review NCA's results for Phase Two.

**OIG WORK**

Our audit was conducted to determine whether NCA adequately identified and addressed issues found during its Phase One review. In this phase, NCA reviewed nearly 1.6 million of approximately 3.1 million gravesites at 93 National cemeteries and identified 251 gravesite errors at 13 of 93 National cemeteries. Initially NCA reported 218 misplaced headstones, 25 unmarked gravesites, and 8 misplaced veteran remains. NCA notified congressional committees, contacted next of kin where possible, and implemented corrective action plans once MSN staff verified the errors.

We found Phase One review procedures did not identify and report all misplaced headstones and unmarked gravesites. While NCA reviewed all gravesites that were raised and realigned, we conducted a sample of 200 gravesites at 12 National cemeteries to ensure headstones were accurately placed. After completing a review of the 12 National cemeteries, we identified 7 additional misplaced headstones and unmarked gravesites (see Table 1). We determined that NCA's procedures:

- Lacked controls to ensure independence – Independent reviews increase objectivity and provide impartial judgment associated with conducting and reporting

results. However, NCA limited the review process to the cemetery or the acting cemetery director.

- Did not provide adequate time and resources to conduct a national review of this magnitude – NCA did not provide sufficient time and resources needed to conduct the reviews. NCA planned the reviews without considering the size, complexity, and age of the cemeteries. Cemetery directors reviewed a range of 2,700 to nearly 124,000 gravesites for the 12 cemeteries we visited. NCA's October 2011 policy memorandum instructed each cemetery director or acting cemetery director to complete the review and certify the accuracy of the results in 78 days, from October 14, 2011, through December 31, 2011, without considering cemetery size. Cemetery staff at nearly every site we visited told us that completing the review concurrently with continuing standard cemetery operations proved challenging.
- Did not provide updated gravesite layout maps to cemetery directors – MSNs did not provide cemetery directors with updated and accurate gravesite layout maps. These maps reflect interment usage of gravesites and memorial sites. Cemetery directors are responsible for ensuring gravesite layout maps are maintained and updated daily and updates are provided to the appropriate MSN staff at least semi-annually. However, gravesite layout maps used to conduct the review at 4 of 12 cemeteries we visited were not accurate.

At one cemetery, the gravesite layout maps were illegible and were not updated since 1970. At another cemetery we observed four rows of headstones that were not included on the map used by the cemetery director to conduct the review. In addition, a cemetery director told us the updated maps received from the MSN do not always include all the updates provided by the cemetery. This resulted in reliance on inaccurate gravesite layout maps. We found discrepancies when using the maps to conduct our reviews. For example, maps showed reserved gravesites when the burial space was occupied; obstructed gravesites when the burial space was occupied; duplicate gravesites; and maps did not include all gravesites.

As stated earlier, this review included a requirement for cemetery directors to certify the accuracy of their review results. When we identified additional gravesite errors that were not reported in cemetery directors' required certifications, we questioned the validity of the directors' certifications. For example, two cemetery directors certified that they found no errors, yet we identified three at one location and two at the other. When we asked why the error was not identified during the initial Phase One review, the directors could not explain why it was not reported.

In July 2012, we issued a Management Advisory Memorandum to the Under Secretary for Memorial Affairs because we were concerned that the Phase One internal gravesite review procedures did not identify and report all misplaced headstones and unmarked gravesites. We recommended NCA revise current internal gravesite review procedures to ensure the accuracy of gravesite reviews and reporting of results; secondly, that NCA plan and complete another review of all Phase One and Two National cemeteries using revised procedures; and finally, that NCA research the reasons the Directors' certifications did not disclose the same conditions we identified and take administrative action as deemed appropriate.

In response to our Management Advisory Memorandum, NCA revised their procedures and tested them at 9 of the 12 cemeteries that we visited or planned to visit during our audit. They used independent teams to conduct these follow-up reviews instead of relying solely on the cemetery director. Using the revised procedures at 9 cemeteries, NCA identified 146 additional gravesite errors at 4 cemeteries compared to initially identifying a total of 251 errors during Phase One (see Table 2). We have also been told by NCA officials that they have completed their reviews of why Directors' certifications did not identify all errors, and that one director has been reassigned to other duties.

In response to our report recommendations, the Under Secretary for Memorial Affairs agreed to and provided an appropriate action plan to:

- Implement the three recommendations in the July 5, 2012, Management Advisory Memorandum.
- Take corrective actions regarding the additional errors identified in the audit report, including the notification of congressional committees and contacting families when possible.
- Implement procedures to assess cemetery size and cemetery director responsibility to ensure adequate time and resources are available before conducting future gravesite reviews.
- Implement controls, including a certification, to ensure gravesite layout maps are routinely updated, accurate, and provided to the cemeteries.

In addition, NCA reported implementing corrective actions such as requiring contractors to ensure headstones and markers remain at gravesites during raise and realign projects. Previously, headstones may have been removed from the site during raise and realign projects.

### CONCLUSION

NCA's internal gravesite review procedures were not adequate to identify all errors, which affected the validity and accuracy of the review. Consequently, NCA reported unreliable and understated results to Congress in March 2012 following the completion of the Phase One review. NCA did take action once we identified additional errors and concerns about their procedures. However, NCA needs to take further actions as recommended in our report to identify and prevent gravesite errors to ensure VA properly fulfills its mission.

Mr. Chairman, this concludes my statement. We would be pleased to answer any questions that you or other Members of the Subcommittee may have.

**TABLE 1**  
Gravesite Errors Identified by NCA and OIG

MSN	National Cemetery	Gravesites Reviewed by NCA	Errors Identified by NCA	Errors Identified by OIG
1	Philadelphia, PA	11,041	13	1
1	Winchester, VA	5,097	-	3
2	Bay Pines, FL	27,304	-	-
2	Beaufort, SC	17,410	4	-
2	Marietta, GA	16,960	-	-
3	Fort Logan, CO	62,741	-	-
3	Santa Fe, NM	32,322	13	-
4	Jefferson Barracks, MO	123,851	-	-
4	Wood, WI	25,531	-	2
4	Zachary Taylor, KY	10,655	-	-
5	Riverside, CA	37,711	1	1
5	Roseburg, OR	2,723	-	-
	<b>Total</b>	<b>373,346</b>	<b>31</b>	<b>7</b>

**TABLE 2**  
Results of Subsequent Additional Errors Identified by NCA

MSN	National Cemetery	MSN Gravesites Reviewed	Errors Identified by MSN
1	Winchester, VA	5,097	60
5	Riverside, CA	400	52
4	Wood, WI	25,531	32
1	Philadelphia, PA	11,041	2
	<b>TOTAL</b>	<b>42,069</b>	<b>146</b>

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**Prepared Statement of Diane M. Zumatto**

Chairman Runyan and Ranking Minority Member Titus and distinguished members of the subcommittee, as an author of The Independent Budget (IB) with responsibility for the NCA, I thank you for this opportunity to share with you AMVETS' views on the state of our National Cemeteries.

The most important obligation of the NCA is to honor the memory of America's brave men and women who have so selflessly served in the United States armed forces. Therefore there is no more sacrosanct responsibility than the dignified and respectful recovery, return and burial of our men and women in uniform. This responsibility makes it incumbent upon NCA to maintain our NCA cemeteries as national shrines dedicated to the memory of these heroic men and women.

Unfortunately, more often than not, our National Cemeteries, many of which are richly steeped in history and containing historic architecture, monuments, markers, landscapes and related memorial tributes, are under-valued and unappreciated by the majority of Americans. These venerable commemorative spaces are part of America's historic material culture; they are museums of art and American history; they are fields of honor and hallowed grounds and they deserve our most respectful stewardship.

The Department of Veterans' Affairs (VA) National Cemetery Administration (NCA) maintains 131 of the nation's 147 national cemeteries, as well as 33 soldiers' lots. The 131 NCA operated cemeteries are composed of approximately 3.1 million gravesites and are located in 39 states and Puerto Rico. As of late 2011, there were more than 20,191 acres within established installations in the NCA. Nearly 60 percent are yet to be developed and hold the potential to provide approximately 5.6 million more gravesites, composed of 5 million casket sites and nearly 601,000 in-ground cremation sites. Of these 131 national cemeteries, 72 are open to all interments, 18 can accommodate cremated remains only, and 41 perform only interments of family members in the same gravesite as a previously deceased family member.

VA estimates that approximately 22.2 million veterans are alive today, and with the transition of an additional 215,000 service members into veteran status over the next 12 months, this number is expected to continue to increase until approximately 2016 at which point it will begin declining for the next few years. These veterans have served in World War II, the Korean War, the Vietnam War, the Gulf War, Operation Enduring Freedom, Operation Iraqi Freedom, Operation New Dawn, and hostile conflicts around the world as well as during times of peace. On average, 15.2 percent of veterans choose to be laid to rest in a national or state veterans' cemetery. As new national and state Veterans cemeteries open, this percentage is expected to increase. In addition, NCA plans to further increase access for rural Veterans by establishing National Veterans Burial Grounds in existing public or private cemeteries in eight sparsely populated rural locations across the country.

Out of the 117,400 interments conducted in FY 2011, 65.5 percent were in the 20 busiest national cemeteries: Riverside, CA.; Florida National; Calverton, NY.; Fort Snelling, MN.; Jefferson Barracks, MO.; Fort Logan, CO.; Fort Sam Houston, TX; Willamette, OR.; Dallas-Fort Worth, TX; Fort Rosecrans, CA.; National Memorial Cemetery of Arizona; Abraham Lincoln, IL.; Tahoma, WA.; Houston, TX; Great Lakes, MI.; Sacramento Valley, CA.; Massachusetts; South Florida; Ohio Western Reserve; and Indiantown Gap, PA.

As of Sept. 30, 2011, eight national cemeteries each contained more than 100,000 occupied gravesites, collectively accounting for 39 percent of all NCA gravesites maintained: Long Island, N.Y.; Calverton, N.Y.; Riverside, Calif.; Fort Snelling, Minn.; Jefferson Barracks, Mo.; Willamette, Ore.; Golden Gate, Calif.; and Fort Sam Houston, Texas.

VA estimates that approximately 22.4 million veterans are alive today and with the transition of an additional 1 million service members into veteran status over the next 12 months, this number is expected to continue to rise until approximately 2017. On average, 14.4 percent of veterans choose a national or state veterans' cemetery as their final resting place. As new national and state cemeteries continue to open and as our aging veterans' population continues to grow, we continue to be a nation at war on multiple fronts. There is no doubt that the demand for burial at veterans' cemeteries will continue to increase.

AMVETS would like to acknowledge the dedication and commitment demonstrated by the NCA leadership and staff in their continued devotion to providing the highest quality of service to veterans and their families. It is the opinion of AMVETS that the NCA continues to meet its goals and the goals set forth by others because of its true dedication and care for honoring the memories of the men and



women who have so selflessly served our nation. We applaud the NCA for recognizing that it must continue to be responsive to the preferences and expectations of the veterans' community by adapting or adopting new interment options and ensuring access to burial options in the national, state and tribal government-operated cemeteries.

One of the areas that NCA does a good job in is forecasting the future needs of our veterans by:

- securing land for additional cemeteries, including two new national cemeteries in Florida and working in CO & NY;
- getting the word out on burial benefits to stakeholders. Including developing new online resources for Funeral Directors;
- making it easier for family members to locate and chronicle loved ones by partnering with Ancestry.com to Index historic burial records. This partnership will bring burial records from historic national cemetery ledgers (predominantly of Civil War interments) into the digital age making them available to researchers and those undertaking historical and genealogical research. From the 1860s until the mid-20th century, U.S. Army personnel tracked national cemetery burials in hand-written burial ledgers or "registers." Due to concern for the fragile documents and a desire to expand public access to the ledger contents, VA's National Cemetery Administration (NCA) duplicated about 60 hand-written ledgers representing 36 cemeteries using a high-resolution scanning process. The effort resulted in high quality digital files that reproduced approximately 9,344 pages and 113,097 individual records. NCA then transferred the original ledgers to the National Archives and Records Administration (NARA) where they will be preserved. In addition to the NCA's ledgers, NARA was already the steward of at least 156 military cemetery ledgers transferred from the Army years ago.
- awarding grant money for State and Tribal Veterans Cemeteries; and
- expanding burial options in rural areas – **The Rural Initiative**. This program provides full burial services to small rural Veteran populations where there is no available burial option from either a VA national, State or Tribal Veterans cemetery. This initiative will build small National Veterans Burial Grounds in rural areas where the unserved Veteran population is less than 25,000 within a 75-mile radius. VA's current policy for establishing new national cemeteries is to build where the unserved Veteran population is 80,000 or more within a 75-mile radius.

A **National Veterans Burial Ground** will be a small three to five acre NCA-managed section within an existing public or private cemetery. NCA will provide a full range of burial options and control the operation and maintenance of these lots. These sections will be held to the same National Shrine Standards as VA national cemeteries. Over the next six years VA plans to open eight National Veterans Burial Grounds in: Fargo, North Dakota; Rhinelander, Wisconsin; Cheyenne, Wyoming; Laurel, Montana; Idaho Falls, Idaho; Cedar City, Utah; Calais, Maine; and Elko, Nevada. This option will increase access to burial benefits to rural veterans and will help NCA to reach its strategic goal of providing a VA burial option to 94 percent of Veterans within a reasonable distance (75 miles) of their residence.

AMVETS also believes it is important to recognize the NCA's efforts in employing both disabled and homeless veterans, which is another area that NCA leads the way among federal agencies. Programs include:

- **The Homeless Veteran Supported Employment Program (HVSEP)** provides vocational assistance, job development and placement, and ongoing supports to improve employment outcomes among homeless Veterans and Veterans at-risk of homelessness. Formerly homeless Veterans who have been trained as Vocational Rehabilitation Specialists (VRSs) provide these services;
- **VA's Compensated Work Therapy (CWT) Program** is a national vocational program comprised of three unique programs which assist homeless Veterans in returning to competitive employment: Sheltered Workshop, Transitional Work, and Supported Employment. Veterans in CWT are paid at least the federal or state minimum wage, whichever is higher; VA's National Cemetery Administration and Veterans Health Administration have also formed partnerships at national cemeteries, where formerly homeless Veterans from the CWT program have received work opportunities; and
- **The Vocational Rehabilitation and Employment (VR&E) VetSuccess Program** assists Veterans with service-connected disabilities to prepare for, find, and keep suitable jobs. Services that may be provided include: Comprehensive rehabilitation evaluation to determine abilities, skills, and interests for employment; employment services; assistance finding and keeping a job; and On the Job Training (OJT), apprenticeship, and non-paid work experiences.

#### *Veterans Cemetery Grant Programs*

The Veterans Cemetery Grants Program (VCGP) complements the National Cemetery Administration's mission to establish gravesites for veterans in areas where it cannot fully respond to the burial needs of veterans. Since 1980, the VCGP has awarded more than \$482 million to 41 states, territories and tribal organizations for the establishment, expansion or improvement of 86 state veteran cemeteries. For example, the NCA can provide up to 100 percent of the development cost for an approved cemetery project, including establishing a new cemetery and expanding or improving an established state or tribal organization veterans' cemetery. New equipment, such as mowers and backhoes, can be provided for new cemeteries. In addition, the Department of Veterans' Affairs may also provide operating grants to help cemeteries achieve national shrine standards.

In FY 2012, with an appropriation of \$46 million, the VCGP funded 15 state cemeteries and one tribal organization cemetery. These grants included the establishment or ground breaking of one new state cemetery and one new tribal organization cemetery, expansions and improvements at ten state cemeteries, and six projects aimed at assisting state cemeteries to meet the NCA national shrine standards.

In fiscal year 2011, NCA-supported Veterans cemeteries provided nearly 29,500 interments. Since 1978 the Department of Veterans Affairs has more than doubled the available acreage and accommodated more than a 100 percent increase in burial through this program. The VCGP faces the challenge of meeting a growing interest from states to provide burial services in areas not currently served. The intent of the VCGP is to develop a true complement to, not a replacement for, our federal system of national cemeteries. With the enactment of the "Veterans Benefits Improvement Act of 1998," the NCA has been able to strengthen its partnership with states and increase burial services to veterans, especially those living in less densely populated areas without access to a nearby national cemetery. Through FY 2012, the VCGP has provided grant funding to 88 state and tribal government veterans' cemeteries in 41 states and U.S. territories. In FY 2011 VA awarded its first state cemetery grant to a tribal organization.

This is an extremely cost effective program which will need to continue to grow in order to keep pace with ever increasing needs.

#### *Veteran's Burial Benefits*

Since the original parcel of land was set aside for the sacred committal of Civil War Veterans by President Abraham Lincoln in 1862, more than 4 million burials, from every era and conflict, have occurred in national cemeteries under the National Cemetery Administration.

In 1973, the Department of Veterans' Affairs established a burial allowance that provided partial reimbursement for eligible funeral and burial costs. The current payment is \$2,000 for burial expenses for service-connected deaths, \$300 for non-service-connected deaths and a \$700 plot allowance. At its inception, the payout covered 72 percent of the funeral costs for a service-connected death, 22 percent for a non-service-connected death and 54 percent of the cost of a burial plot.

Burial allowance was first introduced in 1917 to prevent veterans from being buried in potter's fields. In 1923 the allowance was modified. The benefit was determined by a means test until it was removed in 1936. In its early history the burial allowance was paid to all veterans, regardless of their service connectivity of death. In 1973, the allowance was modified to reflect the status of service connection.

The plot allowance was introduced in 1973 as an attempt to provide a plot benefit for veterans who did not have reasonable access to a national cemetery. Although neither the plot allowance nor the burial allowance was intended to cover the full cost of a civilian burial in a private cemetery, the recent increase in the benefit's value indicates the intent to provide a meaningful benefit. AMVETS is pleased that the 111th Congress acted quickly and passed an increase in the plot allowance for certain veterans from \$300 to \$700 effective October 1, 2011.

However, we believe that there is still a serious deficit between the original value of the benefit and its current value. In order to bring the benefit back up to its original intended value, the payment for service-connected burial allowance should be increased to \$6,160, the non-service-connected burial allowance should be increased to \$1,918 and the plot allowance should be increased to \$1,150. AMVETS believes Congress should divide the burial benefits into two categories: veterans within the accessibility model and veterans outside the accessibility model.

AMVETS further believes that Congress should increase the plot allowance from \$700 to \$1,150 for all eligible veterans and expand the eligibility for the plot allowance for all veterans who would be eligible for burial in a national cemetery, not just those who served during wartime. Congress should increase the service-con-

nected burial benefits from \$2,000 to \$6,160 for veterans outside the radius threshold and to \$2,793 for veterans inside the radius threshold.

Additionally, AMVETS believes that Congress should increase the nonservice-connected burial benefits from \$300 to \$1,918 for all veterans outside the radius threshold and to \$854 for all veterans inside the radius threshold. The Administration and Congress should provide the resources required to meet the critical nature of the National Cemetery Administration's mission and to fulfill the nation's commitment to all veterans who have served their country so honorably and faithfully.

Finally, AMVETS calls on Congress and the Administration to provide the resources required to meet the critical nature of the NCA mission so that it can fulfill the nation's commitment to all veterans who have served their country so honorably and faithfully.

Does this mean that there are no areas needing improvement at NCA – absolutely not. From October 2011 through March 2012, NCA conducted an internal gravesite review of headstone and marker placements at VA National cemeteries. During that review a total of 251 discrepancies at 93 National cemeteries were discovered which included:

- 218 misplaced headstones;
- 25 unmarked graves;
- 8 misplaced veteran remains

While these incidents were corrected in a respectful, professional and expeditious manner, the initial phase of NCA's internal review failed to identify, and therefore to report, all misplaced headstones and unmarked gravesites. Additional discrepancies came to light thanks to the diligent oversight of Chairman Miller and the HVAC which had tasked the IG with conducting an audit of the internal NCA review. The IG report highlighted several concerns and made corrective recommendations. Based on those recommendations, the Under Secretary for Memorial Affairs developed an appropriate action plan and AMVETS recommends continued oversight to ensure the carrying out of all corrective actions. This issue will be further explored in my oral remarks.

This concludes my written statement.

4 March 2013

The Honorable Representative Jon Runyan, Chairman  
Subcommittee on Disability Assistance & Memorial Affairs  
U.S. House of Representatives, Veterans Affairs Committee  
335 Cannon House Office Building  
Washington, DC 20510

Dear Chairman Runyan:

Neither AMVETS nor I have received any federal grants or contracts, during this year or in the last two years, from an agency or program relevant to the upcoming 7 March 2013, Subcommittee on Disability Assistance & Memorial Affairs hearing on *Sustaining the Sacred Trust: An Update on our National Cemeteries*.

Sincerely,

Diane M. Zumatto, AMVETS  
National Legislative Director

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### Prepared Statement of Ami D. Neiberger-Miller

Mr. Chairman and Members of the Subcommittee:

I am pleased to have the opportunity to submit this testimony on behalf of the Tragedy Assistance Program for Survivors (TAPS).

TAPS is the national organization providing compassionate care for the families of America's fallen military heroes. TAPS provides peer-based emotional support, grief and trauma resources, grief seminars and retreats for adults, Good Grief Camps for children, case work assistance, connections to community-based care, and a 24/7 resource and information helpline for all who have been affected by a death in the Armed Forces. Services are provided to families at no cost to them. We do all of this with no financial support from the Department of Defense. TAPS is funded by the generosity of the American people.

TAPS was founded in 1994 by a group of surviving families following the deaths of their loved ones in a military plane crash. Since then, TAPS has offered comfort and care to more than 40,000 people. The journey through grief following a military

death can be isolating and the long-term impact of grief is often not understood in our society today. On average, it takes a person experiencing a traumatic loss five to seven years to reach his or her “new normal.”

TAPS has extensive contact with the surviving families of America’s fallen military service members, making TAPS uniquely qualified to comment on issues affecting the survivors left behind. TAPS receives an average of 13 newly bereaved survivors per day both from our relationship with the Services casualty officers and direct contact from those who are grieving the death of someone who died while serving the Armed Forces.

In 2012, 4,807 new survivors came to TAPS for comfort and care. Thirty percent of the survivors coming to TAPS were grieving the death of a loved one in combat or in hostile action. Nineteen percent of the survivors coming to TAPS were grieving a loved one who died by suicide or in a suspected suicide under investigation. Fifteen percent of survivors reported a cause of death as “unknown” for their service member which often means a death is under investigation. Twelve percent were grieving the death of a loved one by sudden illness, and nine percent lost a loved one in an auto accident. Six percent lost a loved one in an accident and four percent were grieving someone who died in an aviation accident (typically a military training accident). Three percent were grieving the death of a loved one by homicide. One percent were grieving a death in a non-hostile incident, 0.7 percent lost a loved one in a noncombat incident, and 0.3 percent to friendly-fire.

In 2012, approximately sixty-two percent of the family members coming to TAPS for support were grieving the death of a loved one who served in the Army. Sixteen percent of the families were grieving a loved one who served in the Marine Corps. Thirteen percent were grieving a loved one who served in the Navy, six percent were grieving the death of someone who served in the Air Force, and three percent were serving in the Coast Guard or another area.

My name is Ami Neiberger-Miller, and I am the director of outreach and education at TAPS. I am a surviving family member of our fallen military. Tragedy struck my family in 2007 when my 22-year old brother, Army Specialist Christopher Neiberger, was killed in action in Baghdad, Iraq. My brother is buried in section 60 at Arlington National Cemetery among hundreds of others who gave the ultimate sacrifice in Iraq or Afghanistan. My father-in-law, Marine Corps Captain (retired) Norman Vann Miller, who died in 2003 of natural causes, is buried in section 66 at Arlington National Cemetery. I began working with TAPS in October 2007. In my role as a staff member with TAPS, I have supported many surviving families of our fallen military and veterans in communicating with Arlington National Cemetery and represented TAPS at meetings with the National Cemetery Administration.

We have been asked by the subcommittee to discuss the state of “various Veterans’ cemeteries, including upkeep and areas for improvement,” including both the national cemetery system administered by the VA and Arlington National Cemetery, administered by the Army. The subcommittee staff also asked TAPS to provide comments on how cemetery errors and mistakes impact the bereavement journey for survivors and to highlight policy matters worthy of future attention.

#### **I. Feedback about the national cemeteries that are administered through the VA’s National Cemetery Administration**

Our perspective at TAPS is anchored in our expertise – which is providing emotional support to anyone grieving the death of someone who died while serving in the Armed Forces. Our role is to support families in their grief - and when something goes wrong at a cemetery – we know it impacts how families cope with their loss.

Since our founding in 1994, TAPS has worked cooperatively with the National Cemetery Administration (NCA) administered by the Department of Veterans Affairs. The national cemetery system is the ultimate metaphor for the TAPS model of honoring the service and sacrifice of all those who died while serving in the Armed Forces, regardless of where or how they died. The national cemetery system – with its pristine cemeteries and identical headstones – truly honors all who have served and died and are part of our nation’s legacy of service and sacrifice.

NCA inters service members and veterans, side by side, regardless of rank, cause of death, or station in life. Service is an equalizing factor in the VA cemetery system, and that is commendable, at a time when the military still presents different gold star pins based on cause of death and others reserve certain honors only for the families of those who are killed in action. The VA cemetery system recognizes all who have served their country and died and we applaud this spirit of equality and honor. The shrine status of our national cemeteries is deeply appreciated by survivors and reflects the care and devotion of our nation to honoring its war dead.

Earlier this month, the VA announced that a review of every grave in the national cemetery system found 15 sets of remains buried in the wrong spots and nearly 800 other problems. We were concerned by the recent VA Office of the Inspector General report, *“National Cemetery Administration: Audit of Internal Gravesite Review of Headstone and Marker Placement.”*

The inspector general’s office found that the VA’s examination in its self-review was marred by a lack of “an impartial and independent review procedure.” VA officials also did not “provide sufficient time and resources,” and “cemetery directors were overwhelmed and felt pressure to complete the review by the target date.” The Office of the Inspector General found that at four of twelve national cemeteries, there were seven misplaced headstones or unmarked gravesites, as well as outdated and illegible maps.

While the VA should be praised for initiating a review after problems were discovered at a cemetery in Texas, the haste of the review and lack of resources devoted to supporting the review is concerning. While VA has made adjustments and improvements in response to the Office of Inspector General report, the situation remains troubling.

## **II. Arlington National Cemetery**

We continue to be encouraged by progress being made at Arlington National Cemetery under new leadership. The new telephone system, GPS mapping system, website, and plans for growth with the Millennium project are moving the cemetery’s management from being behind the times, to becoming a leader in innovation and development. We feel this track record of progress is helping surviving families move forward beyond the scandals and revelations of 2010. TAPS has worked proactively with surviving families and the administration of Arlington National Cemetery for many years. We hosted a public forum in 2010 for families to meet the new superintendent and executive director of the Army Cemeteries Program. We also supported families grappling with the burial issues at the cemetery, including two families who dis-interred their loved ones to determine if they were buried in the correct locations. We are relieved to be beyond those difficult days and to see improved management and financial oversight in place at Arlington National Cemetery.

### **Survivor Representative Needed on the Arlington National Cemetery Advisory Committee**

The community of surviving families was saddened greatly by the death from cancer of Janet Manion in April 2012. Mrs. Manion was a gold star mother who served on the Advisory Committee for Arlington National Cemetery. Her son is buried at Section 60 among the many other heroes who gave their lives in Iraq and Afghanistan in these recent wars. Some of the families with loved ones buried at Section 60 participate in programs with the foundation that Mrs. Manion established in memory of her late son. Mrs. Manion was the only identified surviving family member of a service member buried at Arlington National Cemetery on the committee, and no survivor has been named to replace her. The seven current members of the committee all have exceptional credentials with the military and veterans service, but none are identified as a surviving family member. This important stakeholder population – the families that are grieving their loved ones at Arlington National Cemetery - is impacted by decisions made by the advisory committee and could contribute greatly to the decisions this committee makes, and we believe they should have a representative on the committee.

### **Plans for the Section 60 Historical Memento Collection Project**

We would like to see plans finalized for the Army’s historical collection project at Section 60, which pick up artifacts and mementoes of historical significance once per week and archive them. The project has been in a pilot phase now for a few years and while it has received positive feedback from families, its future remains unknown.

## **III. How Cemetery Errors and Mistakes Impact the Bereavement Journey for Survivors**

It should be noted that most of the families TAPS works with are very pleased with the level of care and service they receive from the National Cemetery Administration and Arlington National Cemetery.

We regularly file requests to help families address errors on headstones and grave markers, talk with VA staff about family concerns, and offer feedback and family input to VA officials and staff. TAPS attends the quarterly briefings conducted by the National Cemetery Administration with veterans’ service organizations, where we are updated on activities within the cemetery system and can offer feedback.

When problems arise, we work with NCA staff and Arlington National Cemetery staff to try to resolve matters. If a loved one's name is misspelled on the headstone, it can become a stumbling block for a family's grief. The newly-bereaved may struggle with completing what appears to be a relatively simple form to request a correction, because of the shock and struggle they are going through with their grief.

Even more concerning, when a loved one's grave or memorial marker is mismarked, unmarked or moved without the knowledge of the family, trust is broken between the family and the institution that they have entrusted to care for the gravesite or interment site.

If the family's trust in the institution of the cemetery is broken, then it is very hard to restore it. In some cases, this lack of trust can lead to families becoming angry and disillusioned. They may step away from completing the tasks of grieving, and focus on the cemetery and what has happened. This can be detrimental on a personal level and to the entire family – because instead of contemplating how to re-assemble their lives after the death of a close loved one, the family is caught in addressing these other issues.

Sometimes when issues arise, it is because cemetery staff or others want to spare survivors any pain. In our experience, it is always better to be honest with surviving families than to avoid telling them the truth. Over and over, we have seen families get upset and hurt, not when they are told difficult things and given updates, but when they are led to believe that someone is hiding information from them, when someone is not listening to them, and or when someone is not telling them the truth.

How cemetery staff and leaders respond when something goes wrong can play a pivotal role in helping families step forward beyond their hurt over an error. Cemetery staff would benefit from training in how to work with surviving families when problems arise so they can communicate clearly with families. TAPS is able and willing to provide training at a national level to assist national cemetery or Arlington National Cemetery staff.

#### **IV. Limitations of the Corey-Shea Act**

An area that TAPS would like to bring to the attention of the subcommittee is the limitations of the Corey-Shea Act (Public Law 111-275, Title V, Section 502) and its impact on surviving military families. This act permits the burial or interment of a parent with their child who served in the military and died by hostile action or from a training-related injury in a national cemetery. Parents are only eligible if the service member does not leave behind a spouse or child who would be eligible to be interred with the service member, and if the Secretary of Veterans Affairs determines that there is space available at the gravesite.

It is not uncommon for grieving military parents to want to be buried with their children. TAPS supports the Corey-Shea Act for assisting these parents in fulfilling this desire. However, not all grieving military parents are eligible for these burial privileges, because the Corey-Shea Act limits eligibility to only cases where a service member dies due to hostile action or from an injury incurred in military training.

A surviving father named Frank Contreras of Albuquerque, New Mexico recently made contact with TAPS requesting help because he would like to be buried with his son, Army Specialist Vincent Frank Contreras. Specialist Contreras died at age 20 in an auto accident on September 3, 2011 while deployed in Germany for training. He is buried at Santa Fe National Cemetery.

Mr. Contreras was initially cheered by the passage of the Corey-Shea Act and the initial media reports about it, but then he discovered that he was not eligible for burial because of the location and manner of his son's death. Mr. Contreras raised his son as a single parent and Vincent was his only child. Mr. Contreras had a close relationship with his son. In the obituary published for Specialist Contreras, Mr. Contreras is the only survivor and there are no other family members listed.

When asked why he wants to be buried with his son, Mr. Contreras said, "This would mean a lot to be right with him. I'd like to just be with him. One day I'll be ready to visit him, but it would be better if I was with him . . . My only wish is to be with him when I die. He was only twenty-years old when he died. I would like for my last thing in life to be buried with him. It would be the greatest thing on earth. That would mean a lot, just to know that I would be there. It's hard to describe, but that's a man's dream to be buried - it's my dream to be buried with my son."

If Specialist Contreras had died on the training field, his father would be eligible to be buried with him. But because he died on a roadside while in Germany for training, his father is not eligible for burial benefits. For other military families whose loved ones do not die in combat or from a training-related injury, the same denial of this benefit happens. If their loved one dies from a sudden illness, a cancer

potentially-related to burn-pit exposure in Iraq or Afghanistan, by homicide, suicide, or in an accident off-base, their parents cannot request to be buried with them in a national cemetery.

Because of its negative impact on survivors whose loved ones did not die in combat or from a training-related injury, TAPS would support the future expansion of the Corey-Shea Act to include surviving parents of service members, regardless of manner of death or location of death, in cases where the veteran does not leave behind an eligible spouse or child, and in cases where the Secretary of Veterans Affairs, or the appropriate representative, determines that there is space at the gravesite for the interment of additional remains.

#### **V. VA and Arlington National Cemetery's Burial Waiver Request Process**

One might think a potential solution for ineligible parents like Mr. Contreras, would be to apply to the Secretary of the VA for a waiver, requesting burial with their child in a national cemetery. A similar waiver process exists at Arlington National Cemetery. Waivers could, in theory, resolve the matter on a case-by-case basis. However, the process of requesting a waiver for burial or interment in a national cemetery, or at Arlington National Cemetery, is an area where these grieving parents can find no relief.

While Mr. Contreras and other parents ineligible for burial benefits with their children could request waivers— they would have to die not knowing if their requests to be buried with their children could be granted.

In practice, the VA typically does not grant waivers until after the person has died. Meaning - emotionally – the parent has to die without knowing if the request to be buried with the child will be permitted. When talking with another parent about the waiver process a few years ago before the Corey-Shea Act was passed, a surviving mother told me she found no relief in having to die without knowing if she would be placed with her son.

Because the VA interprets that it must determine “at the time of need” if space is available for someone who is ineligible, the people desiring waivers have to die not knowing if their waiver requests will be granted. Arlington National Cemetery's policies outline a similar policy for waivers, which reference applications by a Next of Kin for a decedent.

In a 2011 memorandum VA examined National Cemetery Administration records from 2001 to 2009 to determine the potential impact of the Corey-Shea Act. NCA's examination found a total of 135 requests for waivers were received. Twenty-three of the 135 waiver requests were for the burial of parents. VA approved only 8 of the 23 requested burial waivers for parents. It is reasonable for a parent to expect, with only this type of information available, that his or her request to be buried with a child may not be granted. Dying without knowing whether one can be buried with one's child when a parent desires it, is an emotional burden for a grieving parent to carry.

This is an area where better defining the waiver request process could help survivors. Perhaps the National Cemetery Administration and Arlington National Cemetery could make a preliminary determination on a waiver request, so parents would have more assurance before their deaths, if their desire to be buried with their children could be granted.

Additionally – due to the VA's recent decision to grant a waiver for burial for a same-sex spouse, Nancy Lynchchild, in the VA's Willamette National Cemetery in Oregon, it is reasonable to believe that more waiver requests will be filed in the next few years.

Even this landmark case illustrates the challenges found in the waiver request process for military and veteran families. The burial waiver was requested in December by Lynchchild's spouse, Air Force Lt. Col. (ret.) Linda Campbell, who will be eligible to be buried in a national cemetery when she dies. Her spouse died in late December and the VA made a decision on the waiver request in January. So Lynchchild died not knowing where her remains would be placed, and Lt. Col. (ret.) Campbell agonized over funeral arrangements for several weeks in hopes that the request might be granted.

While the Department of Defense has indicated that it is actively examining the implications of providing burial benefits for same-sex spouses, it may take a long time for the VA and the Department of Defense to work out how these benefits will be applied in practice. As same-sex marriage relationships are becoming more accepted in our society, VA and Arlington National Cemetery may receive more waiver requests for interment while these official policies are being examined and put into place.

We believe that improving the waiver process with greater clarity and earlier decision-making could alleviate some of the pain that grieving families now experience in the waiver process.

#### **VI. Recommendations for Improvement**

(1) Provide sensitivity training in how to work with bereaved families for national cemetery staff and Arlington National Cemetery staff. TAPS has conducted training for the Fisher House staff, USO volunteers at the Dover Port Mortuary, military casualty assistance officers and chaplains in all services, and other volunteers in partner organizations on how to provide compassionate and empathetic care for surviving military families. TAPS welcomes the opportunity to provide this training, at no cost, to VA cemetery staff who come in contact with grieving families.

(2) Consider asking or supporting national cemetery staff or Arlington National Cemetery staff who work directly with families to pursue professional certification in bereavement, such as the certification in thanatology program offered by the Association for Death Education & Counseling.

(3) Encourage cemetery staff to connect with TAPS when emotional issues arise, so we can help them facilitate the solution the family seeks, while addressing the family's bereavement needs.

(4) Nominate or appoint a surviving family member with a loved one interred at Arlington National Cemetery and a willingness to listen to other survivors to join the Advisory Committee for Arlington National Cemetery.

(5) Formalize the memento collection program at Arlington National Cemetery.

(6) Consider legislatively modifying the Corey-Shea Act to include surviving parents of active duty service members who are buried in a national cemetery, regardless of location of death or cause of death, in circumstances where the service member does not leave behind an eligible spouse or child.

(7) Clarify and further define the waiver request process for the national cemetery system and Arlington National Cemetery, so those requesting interment or burial waivers can receive an indicator of a decision prior to their death, even if it can not be a finalized decision.

Thank you for the opportunity to submit this testimony on behalf of the Tragedy Assistance Program for Survivors (TAPS).

#### **Executive Summary**

##### **Introduction**

Because of our role in caring for thousands of surviving families left behind by America's fallen military since 1994, the Tragedy Assistance Program for Survivors (TAPS) is uniquely qualified to comment on our national cemeteries and Arlington National Cemetery.

##### **I. Feedback about the cemeteries administered through the VA's National Cemetery Administration**

Concern is expressed about the recent Office of the Inspector General report, but it should be noted that most surviving families are pleased with the care they and their loved ones receive at our national cemeteries.

##### **II. Arlington National Cemetery**

The cemetery leadership has made stellar advancements from where we were two and a half years ago. Discusses the Arlington National Cemetery Advisory Committee and the memento collection project.

##### **III. How Cemetery Errors and Mistakes Impact the Bereavement Journey for Survivors**

Discusses the impact of cemetery errors and mistakes on the grief carried by surviving military families.

##### **IV. Limitations of the Corey-Shea Act**

Parents of service members who do not die due to hostile act or in a training incident remain ineligible for interment in national cemeteries with their children.

##### **V. VA and Arlington National Cemetery's Burial Waiver Request Process**

Expresses concern about the burial waiver request process, which may see an increase in requests, due to recent developments. Recommends changes be made so requestors can get an earlier determination on decisions.



## **VI. Recommendations for Improvement**

(1) Provide sensitivity training in how to work with bereaved families for national cemetery staff and Arlington National Cemetery staff. TAPS is willing to assist with this type of training at a national level.

(2) Consider asking or supporting national cemetery staff or Arlington National Cemetery staff who work directly with families to pursue professional certification in bereavement.

(3) Encourage cemetery staff to connect with TAPS when emotional issues arise, so we can help them facilitate the solution the family seeks, while addressing the family's bereavement needs.

(4) Nominate or appoint a surviving family member with a loved one interred at Arlington National Cemetery and a willingness to listen to other survivors to join the Advisory Committee for Arlington National Cemetery.

(5) Formalize the memento collection program at Arlington National Cemetery.

(6) Consider legislatively modifying the Corey-Shea Act to include surviving parents of active duty service members who are buried in a national cemetery, regardless of location of death or cause of death, in circumstances where the service member does not leave behind an eligible spouse or child.

(7) Clarify and further define the waiver request process for the national cemetery system and Arlington National Cemetery, so those requesting interment or burial waivers can receive an indicator of a decision prior to their death, even if it cannot be a finalized decision.

### **DISCLOSURE STATEMENT**

Neither Ami Neiberger-Miller, nor the Tragedy Assistance Program for Survivors (TAPS), have received any Federal grant or contract, relevant to the subject matter of this testimony, during the current or previous two fiscal years.

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## **Statement For The Record**

### **STATEMENT OF KARI LIN COWAN**

Chairman Runyan and Subcommittee Members, thank you for providing me this opportunity to offer testimony on the important issue of Sustaining the Sacred Trust as it pertains to our National Cemeteries.

#### *Introduction*

I am Kari Lin Cowan and I am the surviving spouse of CW3 Aaron William Cowan, United States Army. CW3 Cowan, a 19 year member of the United States Army, suffered a line of duty death as a result of a combat aviation mishap in Paju, South Korea on February 26, 2005.

On May 7, 2005 my husband Aaron's cremains were interred at sea pursuant to his wishes.

I allowed our son Logan, who was 8 years old at that time, to choose the point of embarkation for the interment. The interment ceremony was performed by honor guard and attendant crew of the USS Lake Erie during a mission off the coast of Oahu, Hawaii. In keeping with the desire to memorialize Aaron near his burial site we subsequently chose to memorialize Aaron at the National Memorial Cemetery of the Pacific. Logan and I traveled to Hawaii in June of 2005 at the invitation of the captain and chaplain of the USS Lake Erie to have lunch aboard ship and to receive Aaron's burial flag and photographs of the interment ceremony.

While in Hawaii we intended to visit the Punchbowl to visit the memorial marker. Unfortunately we learned prior to the trip that the marker had been engraved incorrectly. Cemetery staff informed me that the marker had been removed and a new one would be made locally.

We returned to Hawaii in February 2006 to mark the first anniversary of Aaron's passing. I contacted the cemetery staff ahead of my visit, had a vase installed and the cemetery staff marked the newly made memorial marker with a flag so we could locate it upon our arrival.

The trips I made with my son Logan to Hawaii were solely for the purpose of remembrance and healing. Hawaii provided us with remarkable opportunities to spend extraordinary quality time bonding and growing together. We did not simply fly to Hawaii, visit the cemetery and leave flowers. Our trips were meaningful.

Every bouquet was hand-picked at the farmers market and hand-made and placed by us. We learned the lay of the land at the Punchbowl and visited every single section and memorial site. It was a rich history lesson in a beautiful, peaceful setting.

On each and every trip we honored Aaron's love of aviation by doing memorial helicopter flights in his honor. We visited a different island each trip and did the things that Aaron would have enjoyed. We hiked the active lava fields of Kilauea, experienced volcanic earthquakes and visited the USGS seismographs to watch them in point of time. We made long and difficult journeys to places like a green sand olivine beach at the southernmost point of OCONUS. We watched the sunset and star-gazed late into the night at the Mauna Kea observatories. On Christmas morning we watched the sun rise at 14,000 feet on Mt. Haleakala and then rode bikes down the mountain, 30 miles to the sea. During our visits we lived in his spirit and in his honor. Our last trip in December 2011 was no exception. Then everything changed forever. Again.

#### *The Missing Marker*

We visited the National Memorial Cemetery on December 28th in part to pay our respects and to remember Aaron's December birthday. When Aaron was interred at sea by the Navy we were given a map with the burial coordinates. I subsequently did research in 2008 on Google Earth and annotated the memorial marker coordinates. During our visits to the cemetery we mapped out the location of the marker in a manner similar to orienteering. This skill made it possible for us to navigate directly to the marker. So when on December 28, 2011 we walked to where we knew the marker had been, and it was not there, confusion ensued. I immediately felt a sense of panic and disorientation and I set my son on the task to find the marker by number. He did eventually find the marker #366 which had previously occupied the next to last position in row 9, 35 yards away and in the 10th row in the first position.

I left my son in the section and went to the cemetery office for an explanation. I carried with me photographs on my smart phone that did show the original location of the marker.

The events that transpired when I made contact with the cemetery staff revealed a serious problem in how such issues are handled at that particular location. I was ignored and summarily dismissed as someone who simply "was confused" or "did not remember" where the marker was. I was asked which section was involved and when I said MB I was told "oh, it's just a marker."

I had no choice but to press the issue and refuse to leave the office. I was told the Cemetery Director was on vacation and nothing could be done. I refused to leave until the Director was called. He was reached two hours later and advised of the situation but I did not speak to him. Not only was the marker in a different location, the urn I had purchased was not moved with it and that became a secondary issue. I could not leave the flowers I brought because the urn was missing. I was then told it had probably rotted or had been stolen. Given the fact the marker had been relocated it seemed more logical and probable that the urn had been misplaced. I returned to the MB section with the Public Affairs Specialist. She had been recently employed and was not familiar with the section or its layout. I took her to the marker section and walked her to where the marker had once been emplaced and then to the new location. I showed her the photographs I had with me on my smart phone. She gave them a cursory glance.

The Public Affairs Specialist and I were standing next to my husband's marker in the new location when the head groundskeeper approached me and began to verbally assault me. He was very aggressive and insistent that the markers had never been moved and that something like that never happens. He stated that I just did not remember or know what I was talking about. He got in my personal space and acted in a menacing and hostile manner. I was so incensed that he would behave this way in front of my husband's memorial, his son and his wife and that the Public Affairs Specialist just stood there silently. I demanded he get out of my face and leave me alone. I had to get very aggressive with him to make him understand that I was absolutely not going to condone such behavior.

I was hopeful when I left that day that although unresolved, there would be a resolution. I was promised I would be contacted by the Director, but I never was, and to date I never have been.

The PAS made the effort to ensure another urn was placed at the marker and she personally placed the flowers and sent me photographs of them the next day, December 29, 2011. She also included a statement in her e-mail that although not explicit, made reference to the missing urn and marker as: the "doubly unpleasant surprise you encountered" during the visit on December 28, 2011. That would be

the last time until April 27, 2012, when the cemetery officially acknowledged their error, that an admission as to what happened to the marker would be made by the cemetery staff or officials.

#### *The Investigation*

When I returned home on January 1, 2012 I began doing research, compiled my evidence and information for a complaint and enlisted the assistance of Congressman Gus Bilirakis' office to resolve the issue. At the same time I filed my complaint, the Honorable Jeff Miller ordered an investigation into all 131 national cemeteries including a national audit. I enlisted the help of investigative reporters at the Washington Post and the Honolulu Star. I immediately learned of the national cemetery controversies occurring nationwide. The investigative reporters began making inquiries of National Memorial Cemetery of the Pacific's Director Gene Castagnetti. What ensued were serial denials made by Cemetery Director Gene Castagnetti through the Public Affairs Specialist to the press. I was never contacted directly after I left Hawaii on January 1, 2012. All statements made by Director Castagnetti were made indirectly to the press or to my congressional caseworkers in response to investigative inquiries on my behalf.

#### *Resolution*

Subsequent to filing the Congressional, the Regional Director for the National Cemetery Administration Bradley Phillips became involved in my case. Director Phillips was deeply apologetic and by April 27, 2012 the NCA officially acknowledged that the marker had been moved. Ahead of official findings, on May 3, 2012 during a conference call with my congressional caseworkers, Director Phillips agreed to fulfill my request to have the marker in Hawaii destroyed and a new one made and emplaced at Fort Bayard National Cemetery.

Fort Bayard National Cemetery is in my husband's home state of New Mexico. Now emplaced in this location, the memorial marker is easily accessible to his immediately family.

#### *Public Law 97-66*

The decision my husband made to be interred at sea and be memorialized with a marker at a national cemetery was made possible under provision of Public Law 97-66 enacted on October 17, 1981. In summary this Act expanded eligibility for memorial markers to include all veterans; whose remains have not been recovered or identified; whose remains were buried at sea, donated to science or cremated and required that suitable land was set aside at each cemetery for this purpose. Public Law 97-66 effectively established a sacred place meant to memorialize the lives of all veterans and their distinguished lives of service regardless of the disposition of their remains.

#### *The Findings*

In December of 2012, I was apprised by Director Phillips of the NCA's final findings. The findings were that in fact the marker was moved. The findings also concluded that in fact no documentation other than what I furnished exists to explain how or when it happened.

Therein lays the breach.

I easily found past news articles in the Honolulu Star in which Director Castagnetti indicated the renovation began in 2009. I found another article specifically addressing the fact that the first contractor hired for the Punchbowl Millennium Renovation project was fired for performance failures.

The Director knew or should have known that there may have been past and potential ongoing contractor error. No safeguards were put in place to prevent such errors and no oversight was provided. I personally witnessed the haphazard manner in which urns were removed from the ground, displaced from their graves and left unmarked. Newspaper articles frame other family members' accounts of this and the reporter I sent to the Punchbowl witnessed this as well. The claim that the cemetery has no documentation or information to explain the movement of the markers in the MB section is refutable. I personally saw a map in 2006 showing the original emplacement and on December 28, 2011 I was shown the new map with the marker in the new location. Further, early in the investigation, Director Castagnetti stated that the marker "was where it belonged." Taken together these events indicate that the movement was planned.

#### *Duty and Breach of Sacred Trust*

It is my understanding that the National Cemetery audit is complete. It is also my understanding that an insignificant percentage of errors regarding markers and burial issues are being reported by the national cemeteries. These reported errors

may be few in number but are so egregious in nature that statistical minimization serves no satisfactory purpose. One cannot simply say that a marker was erroneously moved, or that it was only a few, they are just markers, there were no remains involved and just dismiss the egregious nature of the causal action. The breach of sacred trust is not limited to or dependent on whether remains are involved. The sacred trust extends to the memorial. Movement of a marker associated with remains may be more egregious by degree than one moved without associated remains, but the duty is the same. Barring some unforeseen natural disaster or circumstance, I expected that a duty existed by which I would be properly notified if there was such an occurrence that necessitated the removal or relocation of the memorial marker. I did have the expectation that barring such extreme circumstances that my husband's memorial would be in its original location of emplacement each time I returned and perpetually thereafter.

It is my firm belief that there was a failure of due diligence and oversight. The onus is on the director to ensure the integrity of the sacred trust. He should be held accountable for his failure to act in a manner consistent with the honor of accepting personal and professional responsibility for safeguarding the sacred trust. The director was remiss and breached that duty. The result was negative oversight of a multi-million dollar invasive renovation project (Millennium Renovation Project). This project caused the markers to be susceptible to relocation; the risk of which was foreseeable. Further, the director was careless and remains ignorant of the cause and occurrence of the breach and failed to directly address my concerns. The director owes a duty to the deceased and their families and he was negligent in his conduct as director. To this day I have never had discourse with the director regarding this issue. I credit the regional director and his commitment to finding the facts. He conscientiously reviewed the substantial evidence I submitted in the form of satellite and personal photographs. Otherwise, I would have no satisfaction and the outcome would be unresolved in favor of arrogant denial. I was not allowed to be informed of any remedial measures at the Punchbowl other than re-training of staff had taken place. Whether Director Castagnetti has been held accountable remains unknown to me.

#### *The Burden*

There is no question that in such a situation as mine the burden should have fallen on the cemetery director to compassionately address my concerns, make a proper procedural inquiry into the matter and acknowledge my evidence supporting the facts of the complaint. Instead not only was the burden of proof shifted to me, I also faced a significant hurdle caused by a culture of disrespect and disregard toward the memorial markers in the section that lacked remains.

Through my paralegal education I was uniquely qualified to undertake such an effort to prove my case. I had the competent assistance of trained and experienced Congressional caseworkers to help me achieve the end result. I was fortunate. The average family member does not necessarily have the skills, knowledge or training or individuals at their immediate disposal to help them facilitate a resolution when the sacred trust is breached. There clearly exists a lack of compassionate outreach to the families and a culture exists that minimizes the severity of the impact of the breaches of sacred trust in question. In all my research into VA policies and guidelines I found nothing that would give guidance on how to proceed under the circumstances at issue.

#### *Future Remedies*

I have been asked how I believe these incidents should be handled in the future. There is no question that this issue speaks to an institutional lack of common sense and a comprehensive failure of respect for the living and the deceased. Every complaint should be subject to the same principle. Every complaint is valid until proven otherwise and the burden should be on the administration and not the complainant. If common decency cannot dictate this process then some method of procedure must be implemented. Protocols for re-training staff how to compassionately interact with family members of the deceased need to be developed. Every individual should be treated with common courtesy, dignity and respect no matter what the concern. Had I been treated with a modicum of respect and had my issue been properly investigated rather than minimized and denied, the outcome would have been significantly different. I may have been willing to accept the mistake. The intervention I sought from Congressman Bilirakis's office was an effective form of mediation without which my complaint would have been summarily dismissed by Cemetery Officials. I would have then been barred from receiving any resolution. While necessary this simply is not an acceptable complaint resolution process. The VA has a long history of reliance on congressional offices to remediate veterans' issues. The

VA should not rely on congressional offices to mediate their disputes simply because they have failed to implement appropriate procedures to address failures of service and breaches of trust. I would not discount the future viability of an alternate dispute resolution process conducted by a specially trained ombudsman or mediators within the VA/NCA. It must be an effective process that is easily accessible to the complainant and one that does not unjustly burden the complainant. This would shift the burden of responsibility back to the VA and help to eliminate or alleviate abuses of valuable congressional resources.

*Conclusion*

I am grateful I was granted the request to have my husband's marker destroyed so that another could be emplaced in NM. I have no confidence in Director Castagnetti and I could no longer go to a place where Aarons' memory had been disrespected and my son and I had been mistreated. Aaron's family has benefitted greatly from the emplacement of the new marker and they too are grateful. I have not yet had the opportunity to see it other than in photographs. I do not expect to see it in the foreseeable future. While I appreciate this resolution it does not diminish the emotional impact of what occurred. It also does not allay the concerns I have over stewardship.

I believe my complaint was met with vehement denials because the protection of the reputation of the director was paramount to exposing, admitting to and resolving a serious problem. It was also clear to me that the prevailing attitude was that I would be geographically frustrated when I returned home and the matter would be forgotten. Logan was 15 on the day we discovered the marker was missing. Logan is a Civil Air Patrol Cadet Officer and Air Force trained honor guardsman. He has been instilled with deep respect for his sanctity of all veterans lost in the line of duty. Something we found lacking at Punchbowl. Logan was so distraught that day that I had to make emergency flight arrangements to remove him from Oahu. There can be no real solace for me and my son. Our loss has been compounded by these events. For us there is no substitute for the special place we relied on and considered to be a permanent and safe haven in which to find peace, serenity, and healing from tragedy and where we could honor and remember Aaron.

It was my husband's sincere desire in life to effect positive change. Through my statement on his behalf I am confident his desire is posthumously fulfilled. Thank you for this opportunity.