

**STATEMENT OF
MATT SULLIVAN
DEPUTY UNDER SECRETARY FOR FINANCE AND PLANNING
NATIONAL CEMETERY ADMINISTRATION
BEFORE THE
SUBCOMMITTEE ON DISABILITY ASSISTANCE AND MEMORIAL AFFAIRS
HOUSE COMMITTEE ON VETERANS' AFFAIRS**

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Mr. Chairman and Members of the Subcommittee, I am pleased to be here today to provide the views of the Department of Veterans Affairs (VA) on pending legislation affecting VA's programs. Accompanying me today is Bryce Carpenter, Educational Outreach Program Officer, National Cemetery Administration (NCA).

H.R. 6409

H.R. 6409, the "Honoring Veterans' Families Act," would amend 38 United States Code (U.S.C.) Section 2306 to allow VA to provide inscriptions regarding a deceased spouse or eligible dependent child on a Veteran's Government-furnished headstone or marker. If feasible and upon request, VA would be authorized to inscribe information regarding a spouse or eligible dependent child who has predeceased the Veteran on the Veteran's Government-furnished headstone or marker destined for placement in a non-VA cemetery at the time of the Veteran's death. VA would also be authorized to replace, if feasible and upon request, a previously-furnished headstone or marker for a Veteran buried in a non-VA cemetery to inscribe information about the Veteran's spouse or eligible dependent child following the death of the spouse or child. The bill would define "non-VA cemetery" as a Veterans' cemetery owned by a State, or a State, local, tribal, or private cemetery. The provisions of the bill would be effective for deaths on or after January 1, 2014.

This legislation is consistent with a VA proposal in the President's Budget for fiscal year (FY) 2019; VA supports H.R. 6409, provided Congress can identify corresponding funding offsets.

In recent years, VA has received an ongoing and steady interest by families to have information about a Veteran's loved one, beyond just general terms of endearment referring to a spouse, inscribed on the Government-furnished headstone or marker. These headstones or markers would mark the gravesites of Veterans who are eligible for burial in a National cemetery, but not buried there, including gravesites in private and local government cemeteries as well as VA grant-funded Veterans cemeteries.

The bill would not expand eligibility for the headstone and marker benefit to spouses and dependents buried outside of a VA National cemetery (who, under current statutory authority in 38 U.S.C. § 2306 are not eligible for a headstone or marker of their own in local, private, or VA-funded tribal cemeteries). Rather, the bill will allow VA to inscribe information about a deceased spouse or dependent child on a Veteran's headstone or marker at the time of the Veteran's death. The information would be included either when the Veteran's headstone or marker is requested (if the spouse or dependent child has pre-deceased the Veteran) or on a replacement headstone or marker (if the spouse or dependent child dies after the Veteran). Replacement is the most cost-efficient way to provide this additional inscription, as VA does not have resources to add inscriptions to pre-set headstones in cemeteries outside the national cemetery system.

VA estimates that this bill will result in costs to the mandatory Compensation and Pension appropriation of approximately \$1.1 million in 2019, \$4.7 million over 5 years, and \$8.9 million over 10 years. By making this benefit available for deaths on and after January 1, 2014, the bill will allow VA to process requests to provide a replacement headstone or marker to add information about recently-deceased spouses and dependent children (in cases where the spouse or child has recently died after the Veteran and the Government has already furnished the Veteran's headstone or marker).

H.R. 6420

H.R. 6420 would provide VA with the authority to establish a grant program to conduct cemetery research and produce educational materials under the auspices of the Veterans Legacy Program (VLP). VLP supports the ongoing mission of the National Cemetery Administration to honor Veterans and their eligible family members with final resting places and with lasting tributes by providing engagement and educational tools and opportunities for the public to learn

about Veterans' service and sacrifice. By engaging educators, students, researchers, and the public, VLP proudly shares the stories of all those who served to help build an appreciation of what earlier generations have given to the Nation, and to help individuals understand why national cemeteries are set aside as national shrines.

VA supports H.R. 6420, which is similar to a proposal in the President's Budget for FY 2019. VLP seeks to continually develop learning products to ensure educational opportunities to commemorate Veterans' service and sacrifice to our Nation are available to educators, students, researchers, and the public. To date, VA, working through the VLP, has awarded 12 separate contracts to conduct cemetery research and produce VLP educational material for use in elementary and high schools and the public to promote community engagement with Veterans' history. These contracts were awarded to procure a framework of digital and non-digital tools based on research that focused on Veterans interred at national cemeteries. In addition to developing biographies of Veterans, which are available on-line (including video presentations on YouTube), lesson plans and walking tours have been developed that can be employed without digital media/computers, so that teachers can print out a lesson plan and its accompanying resources to use with all students in the classroom, or on-site at the national cemetery. VLP has produced over 119 Veteran biographies, 10 documentary films about Veterans, and 6 Veterans cemetery walking tours, all based on research conducted on-site in VA national cemeteries by students. Under the contracts issued to date, VLP will have engaged almost 9,000 students from kindergarten through high school, over 300 teachers and 200 undergraduate students, nearly 40 graduate students, and over 50 scholars.

The use of grants instead of contracts would be a more appropriate vehicle for VA to obtain educational tools and services for VLP in the future. In particular, the use of grants would allow VLP to adopt an awards cycle that more closely aligns with the academic calendar of universities and other learning institutions, which are largely expected to be the entities to produce VLP learning products. VLP could also use this vehicle to increase its flexibility in the size of an award, thus making better use of its resources to increase the reach of the program beyond large universities to smaller groups that wish to engage with VA in enhancing the memorialization of Veterans.

This bill would incur no additional cost to VA, as funds are already allocated for VLP. Grants authorized by this bill would be an additional tool, beyond contracts, for the appropriate disbursement of existing allocated funds for VLP.

H.R. 4312

H.R. 4312, the “Fallen Warrior Battlefield Cross Memorial Act,” would ensure that VA may not prohibit the display of the “Battlefield Cross” in any national cemetery. The bill defines the “Battlefield Cross” as a “memorial monument in honor of fallen members of the Armed Forces that may include a replica of an inverted rifle, boots, helmets, and identification tag.”

VA does not support passage of H.R. 4312 in its current form because it would not allow VA any discretion to establish standards for the display of these monuments, which VA refers to as “fallen soldier displays.” VA has an existing policy that includes standards, such as those related to size and construction materials, that allow these monuments to be displayed in a manner that would enhance the appearance and operation of the national cemeteries. These standards may be rendered unenforceable under this bill as currently drafted.

To facilitate a reflective and peaceful atmosphere for visitors, NCA has a long-standing policy prohibiting acceptance of donations of military equipment or implements of war in its national cemeteries. Similarly, NCA guidelines restricted acceptance of memorials featuring actual or realistic replicas of ordnance. However, in recent years, VA has noted an increased interest in donations of the fallen soldier display to several national cemeteries. Review and acceptance of these donation offers was inconsistent across cemeteries, based on varying interpretations of the policies. Upon review, NCA determined that the familiarity of the fallen soldier display and its particular use of a rifle was sufficient to warrant an exception from the established policy, with some additional guidelines regarding size and construction of the monument. For example, NCA guidance notes that the fallen soldier display may be a three-dimensional replica or it may be an engraved image on a stone. The guidance also includes specifications regarding size and construction materials. These requirements ensure a consistency in appearance, durability of the monument, and ease of maintenance for cemetery personnel. VA notes that this additional guidance is lacking in H.R. 4312, which may raise questions as to VA’s ability to apply such design standards. We welcome the opportunity to work with committee staff to address these issues, should the bill move forward.

VA estimates that VA would not incur any significant additional cost if H.R. 4312 were enacted because VA already has statutory authority to accept donations of monuments to VA. Maintenance for donated memorials is part of VA's overall operational expenses for the national cemeteries.

This concludes my statement, Mr. Chairman. We would be happy now to entertain any questions you or the other Members of the Subcommittee may have.