

VA NATIONAL CEMETERY ESTABLISHMENT, EXPANSION, AND REPLACEMENT

1. REASON FOR ISSUE: This is an out of cycle issuance to amend distribution of responsibilities and provide policy update for establishment, expansion, or replacement of Department of Veterans Affairs (VA) national cemeteries.

2. SUMMARY OF CHANGES:

a. Adds new policy content to decision criteria for expanding or replacing an existing national cemetery (see para 3.d(4)) and adds associated changes to the definition of "Availability of Land" in para 6.b(2).

b. Revises responsibilities to more accurately reflect current practice and evolution of the decision-making process for cemetery establishment, expansion and replacement.

(1) Removes responsibilities for Director, Policy and Planning Service (42A) and Director, Budget Service (42B) and creates new responsibility for the Deputy Under Secretary for Finance and Planning (DUSFP) to designate a responsible official within the Office of Finance and Planning (42) to manage the decision-making process and associated activities.

(2) Removes responsibilities for Executive Director, Office of Engagement and Memorial Innovation and Director, Congressional and Correspondence Service which were redundant to the routine roles and responsibilities of those positions.

(3) Creates new responsibilities for a designated responsible official related to managing the decision-making process and associated activities.

(4) Adds responsibilities for Chief, Cemetery Development and Improvement Service (CDIS) and Director, Design and Construction Service (DCS).

c. Makes administrative changes to policy text in para 3.c.(1) to reflect changes in responsibilities.

d. Includes minor technical and administrative corrections.

3. RESPONSIBLE OFFICE: NCA Office of Finance and Planning, 810 Vermont Avenue, NW, Washington, DC 20420, is responsible for the contents of this directive. Questions may be referred to the Office of Finance and Planning (42).

4. RELATED PUBLICATIONS:

a. NCA Directive 3020, NCA Construction Programming and Budgeting Process.

October 10, 2024

NCA DIRECTIVE 3001

b. NCA Directive 3140, Management and Decision Support System.

c. NCA Directive 3015, VA National Cemetery Reduction in Burial Services and/or Closure.

5. RESCISSIONS: This issuance supersedes NCA Directive 3001, Department of Veterans Affairs National Cemetery Establishment, Expansion and Replacement dated October 19, 2020.

6. RECERTIFICATION: This document is scheduled for recertification not later than five (5) years from the date of issuance.

/s/

Ronald E. Walters

Acting Under Secretary for Memorial Affairs

Distribution: Electronic Only

VA NATIONAL CEMETERY ESTABLISHMENT, EXPANSION, AND REPLACEMENT

1. PURPOSE/AUTHORITY:

a. This directive establishes the policy for determining the need to establish new Department of Veterans Affairs (VA) national cemeteries, expand or replace existing national cemeteries, allow existing and depleting national cemeteries to close, or to reopen closed cemeteries.

b. NCA's authority to establish, expand, or replace national cemeteries, as well as allowing national cemeteries to close, is title 38, United States Code (U.S.C.), sections 2400, 2404, 2406, and 2412.

2. BACKGROUND:

a. VA's current system of national cemeteries was created with the enactment of Public Law 93-43, the "National Cemeteries Act of 1973." This law transferred to VA 82 national cemeteries and 32 soldiers' lots (in private cemeteries), Confederate cemeteries, monument sites and various government cemetery lots that were previously maintained by the Department of the Army. VA elevated the status of its own 21 cemeteries to that of national cemeteries, creating a nationwide system of 103 national cemeteries. In 1974, VA completed a study that resulted in its first expansion policy and began establishing 11 new national cemeteries under the "Regional Cemetery Concept". In 1986, Congress passed P.L. 99-576, the "Veterans' Benefits Improvement and Health-Care Authorization Act of 1986." This legislation required VA to submit to Congress "a list, in order of priority, of the 10 geographic areas in the United States in which the need for additional burial space for veterans is greatest." This legislation shifted the focus for establishing new national cemeteries from a "Regional Concept" to VA's current strategy of meeting Veterans' burial needs in areas of the country with the greatest need.

b. NCA's strategic goal is to provide reasonable access to a burial option in a national cemetery or VA-grant funded State or Tribal Veterans' cemetery to 95 percent of our Nation's Veterans. Part of NCA's plan to achieve this goal is to establish new VA national cemeteries and expand or replace existing cemeteries. As of January 2024, NCA maintains 155 VA national cemeteries with 108 offering a burial option (open or cremation only).

c. The second part of NCA's plan is to award grants through the Veterans Cemetery Grants Program (VCGP) to States, Tribes and Territories to establish cemeteries to bury Veterans living in concentrations that do not meet NCA's establishment criteria and to expand and improve those cemeteries, as needed, once established. Through VCGP, NCA has awarded grants to States, Territories, and Tribes to establish and expand burial access for service areas that do not meet national cemetery establishment criteria. As of January 2024, the current number of State, Territorial and Tribal VA-funded Veteran cemeteries is 122.

3. POLICY:

a. Cemetery establishment, expansion, and replacement determinations and decisions will be made in accordance with this directive. The decision-making process described herein may be referred to throughout this directive as the 3001 process.

b. **Establishment of a New National Cemetery:** New VA national cemeteries will be established only under one of the three categories below:

(1) **Standard:** NCA will establish a new national cemetery where 80,000 or more Veterans without reasonable access to a national cemetery or VA-grant funded state or territorial Veterans' cemetery reside within a 75-mile service area of a possible cemetery location.

(2) **Rural Initiative:** NCA will establish a new national cemetery in a State without an open or cremation-only national cemetery in a location with less than 25,000 Veterans that do not have access to a national cemetery or an in-state VCGP funded state cemetery within a 75-mile service radius of that location. Of these states, those where all Veterans are served by an existing VA-funded State Veterans cemetery within the state or national cemeteries in adjacent states are excluded.

(3) **Urban Initiative:** NCA will establish a new columbarium-only national cemetery to enhance service of existing national cemeteries in urban areas where distance and travel time from the center of the city (urban core) to the existing national cemetery present barriers to visitation and contribute to lower usage rates than typical at national cemeteries serving other large, urban areas. Locations for the Urban Initiative must serve cities that are one of the 50 most populous according to the U.S. Census Bureau. The existing national cemetery must have a documented Veteran utilization rate of 20 percent or less for at least two of the last three years and recorded that next of kin cite travel time and/or distance as an access barrier at least five percent above the national average for at least two of the last three annual *Surveys of Satisfaction with National Cemeteries*.

c. **Consideration of Expansion or Replacement of an Existing National Cemetery:** NCA will consider expansion or replacement of a national cemetery only when:

(1) The 15-Year Projected Reduction and Closure List (15YPRC) indicates depletion of gravesites will result in cemetery closure or reduction in burial options within 15 years; or

(2) NCA becomes aware that potential suitable land is available to expand or replace a cemetery in advance of the standard 15-year depletion window.

d. **Decision Criteria for Expanding or Replacing an Existing National Cemetery.** Expansion or replacement is necessary to support NCA's strategic goal to maximize reasonable access to a burial option in a national or state cemetery for Veterans. A decision to not expand or replace would result in the eventual closure or a reduction in

burial services. When determining whether to expand or replace an existing national cemetery, it is NCA policy to consider the following five criteria in relation to one another. The presence or absence of the five criteria below either mitigate or support the need for cemetery expansion or replacement.

(1) Significant overlapping service: The presence of significant overlapping service with another national or VA-funded state Veterans cemetery mitigates the need to expand or replace a national cemetery, as other accessible burial options would be reasonably available. NCA determines the presence of significantly overlapping service by evaluating the proximity of neighboring national and state Veterans cemeteries (geographic threshold) and the impact of cemetery closure on providing reasonable access to Veterans currently living within the closing cemetery's service area (numeric threshold). See the definition of "significant overlapping service" in paragraph 6.i.

(2) Cemetery utilization rate: A utilization rate consistently above the national average, or a consistently stable high rate of utilization is considered supportive of expansion or replacement. This generally indicates a national cemetery would continue to be utilized if expanded or replaced. See the definition of "cemetery utilization rate" paragraph 6.e.

(3) First interment rate: A first interment rate averaging 50 or more interments for the past five years supports a decision to expand or replace the cemetery. Such a first interment rate suggests a national cemetery would continue to be utilized for first interments if expanded or replaced. A national cemetery's first interment rate also indicates how active it is in comparison to other national cemeteries, versus the more general utilization rate as described above. See the definition of "first interment rate" in paragraph 6.f.

(4) Availability of land: The availability of new land suitable for cemetery development supports expansion or replacement of an existing national cemetery. When considering land for expansion or replacement, the following is NCA's order of preference subject to the outcome of due diligence activities:

(i) Contiguous or proximate land suitable for cemetery expansion that is already owned by VA and available for internal transfer to NCA;

(ii) Contiguous or proximate land suitable for cemetery expansion that is already owned by the Federal Government and available for no-cost intergovernmental transfer to NCA;

(iii) Contiguous or proximate land suitable for cemetery expansion that will be donated to VA at no cost and is free of encumbrances (i.e., no existing liens, easements, property use restrictions, and structures that will be present at time of acquisition); and

(iv) All other types of land suitable for cemetery expansion or replacement, including but not limited to contiguous or proximate land available for purchase and non-contiguous land available for donation, transfer, or purchase.

(5) Historic designation of existing cemetery: The following historical factors would support not expanding an existing national cemetery:

(i) When the cemetery and/or contiguous land utilized to expand an existing cemetery is determined by appropriate Federal authorities to be more important as unaltered to preserve archeological or historical values; or

(ii) If expansion would require the removal of features documented as “contributing” to an NCA cemetery’s placement on the National Register of Historic Places and/or identified as “historic” in VA’s Capital Asset Inventory

e. Allowing a National Cemetery to Close:

(1) A national cemetery will not be closed if it is the only one located in its state or territory and adjacent land is available and feasible for expansion.

(2) If adjacent land is not available, NCA will attempt a non-contiguous expansion by either constructing an annex cemetery on land within 3 miles of the existing cemetery (if available) or constructing a replacement cemetery on new land exceeding 3 miles from the cemetery. NCA will close the cemetery if it determines that it is not feasible to expand or replace the cemetery due to lack of available land.

(3) Upon determination that a national cemetery will not be expanded (e.g., it will be replaced or closed), NCA officials will develop, maintain and execute a Reduction or Closure and Notification (R/C) Plan in accordance with NCA Directive 3015, VA National Cemetery Reduction in Burial Services and/or Closure.

f. Reopening a Closed National Cemetery: NCA will only consider reopening a closed national cemetery if the reopening supports one of the three establishment criteria (i.e. Standard, Rural Initiative, Urban Initiative, as described in paragraph 3.b. above) and is determined by NCA to be preferable to acquiring other land for that purpose.

4. RESPONSIBILITIES:

a. Under Secretary for Memorial Affairs (USMA) is responsible for deciding whether to establish, expand, replace, or reopen a national cemetery or allow it to close.

b. Principal Deputy Under Secretary for Memorial Affairs (PDUSMA) is responsible for making a final recommendation to the Under Secretary for Memorial Affairs on whether to establish, expand, replace, or reopen a national cemetery or allow it to close.

c. Deputy Under Secretary for Finance and Planning (DUSFP) is responsible for:

(1) Recommending whether to establish, expand, replace, or reopen a national cemetery or allow it to close prior to submission to the PDUSMA; and

(2) Designating a responsible program official within the Office of Finance and Planning, to manage the 3001 process activities.

d. Deputy Under Secretary for Field Programs and Cemetery Operations (DUSFPCO) is responsible for coordinating with the Deputy Under Secretaries for Finance and Planning and Management to review and concur or non-concur with the recommendation on whether to establish, expand, replace, or reopen a national cemetery or allow it to close prior to submission to the PDUSMA.

e. Executive Director, Cemetery Operations, is responsible for:

(1) Reviewing the recommendation on whether to establish, expand, replace, or reopen a national cemetery or allow it to close and providing input to the DUSFPCO.

(2) Working with District Executive Directors to review and validate the information on the 15YPRC annually.

f. District Executive Directors are responsible for:

(1) Validating the accuracy of current NCA Management and Decision Support System (MADSS) data on gravesite usage, available gravesites, developed and undeveloped acreage and reviewing interment rates to verify the projected date for reduction and closure; and

(2) Providing the list of cemeteries with burial options depleting within 15 years (15YPRC list) to the 3001 process Responsible Program Official after the district engineers deliberate at the CPWG Conference.

(3) Providing timely and accurate information to the Executive Director, Cemetery Operations, to review and validate the information on the 15YPRC; and

(4) Upon request or as assigned, provide information to the DUSFP and DUSFPCO, or their designees, for the purposes of projecting gravesite depletion and potential changes to burial service options at the national cemeteries under their jurisdiction.

g. Chief, Cemetery Development and Improvement Service (CDIS), is responsible for:

(1) Initiating requests for analysis of potential suitable land that is available to expand or replace a cemetery in advance of the standard 15-year depletion window.

(2) When the decision document from 4.i.(9) supports land acquisition, coordinating with the VA Office of Real Property to evaluate potential land actions or opportunities either identified by or offered to NCA. This includes evaluations conducted when NCA becomes aware of cemetery expansion opportunities in advance of the cemetery's placement on the 15YPRC as indicated in paragraph 3.c.(2).

(3) Serving as NCA's liaison or primary point of contact to VA's Office of Real Property for the coordination of land actions that result from the USMA's decision to expand, replace, or reopen a national cemetery.

(4) Coordinating with the District Executive Directors and the 3001 process Responsible Program Official to assemble the criteria analysis used to develop cemetery establishment, expansion, and replacement recommendations.

h. Director, Design and Construction Service, is responsible for:

(1) Managing the major and minor construction programs that identify proposed construction projects for a running period of 15 years based on submissions by District Executive Directors.

(2) Providing supporting criteria analysis of cemetery expansion, replacement or closure and reopening recommendations.

(3) Managing and monitoring the Gravesite Depletion Dashboard in coordination with District Executive Directors.

i. Responsible Program Official, 3001 Process, is responsible for:

(1) Updating the burial options usage rate in the Depletion Dashboard for the annual Construction Prioritization Working Group (CPWG) Conference.

(2) Obtaining the list of cemeteries with burial options depleting within the next 15 years (15YPRC list) from the District Executive Directors after the CPWG Conference.

(3) Receiving ad hoc requests for analysis from the Chief, CDIS for potential suitable land available to expand or replace a cemetery in advance of the standard 15-year depletion window.

(4) Coordination with the District Executive Directors and the Chief, CDIS to collect the data for the analysis and determine if the criteria specified in paragraph 3.d. of this directive are met.

(5) Coordinating with the DUSFP to develop a decision document with a proposed recommendation whether to establish, expand, replace, or reopen a national cemetery or allow it to close.

(6) Obtaining concurrences or non-concurrences on the proposed recommendation from the Deputy Under Secretary for Management and the DUSFPCO.

(7) Briefing and obtaining concurrence on the proposed recommendation from the PDUSMA.

(8) Obtaining the approval on the proposed recommendation from the Under Secretary for Memorial Affairs.

(9) Distributing the final signed decision document with the recommendation for whether establish, expand, replace, or reopen a national cemetery or allow it to close to the stakeholders.

5. REFERENCES:

- a. 38 U.S.C. § 2406, Acquisition of Lands

6. DEFINITIONS:

a. **15-Year Projected Reduction and Closure List (15YPRC)**: The list of national cemeteries with burial options depleting within the next 15 years. It is used to monitor and inform decisions regarding expansion, replacement, or closure of certain cemeteries.

b. **Availability of land**: This directive addresses and considers the availability of contiguous, proximate, and non-contiguous land that may be acquired.

(1) Contiguous land is new land that is connected or adjacent to the existing cemetery that may be acquired for cemetery expansion. The presence of contiguous land weighs more favorably in the evaluation of whether to expand or replace a closing national cemetery.

(2) Proximate land is new land that is not contiguous, but within close proximity (within 3 miles of the existing cemetery so as to be a logical extension of an existing cemetery) that may be acquired for cemetery expansion. The presence of proximate land weighs more favorably in the evaluation of whether to expand or replace a closing national cemetery.

(2) Non-contiguous land is new land that is not connected or in close proximity to the cemetery that may be acquired for cemetery expansion.

c. **Cemetery Annex**: A special category of non-contiguous cemetery expansion that, while not contiguous, is a logical extension of an existing cemetery that is not physically separated from the existing cemetery by a distance greater than 3 miles. It uses the same name and station number and is not counted separately in the official count of NCA national cemeteries. Examples of cemeteries that would fit this category are:

- (1) Barrancas historic and annex
- (2) Crown Hill historic and urban initiative annex
- (3) Culpepper historic and annex
- (4) Hampton VA Medical Center and Phoebus Addition (annex)
- (5) Los Angeles historic and urban initiative annex
- (6) Mountain Home historic and annex
- (7) Roseburg historic and annex

(8) Salisbury historic and annex

d. **Cemetery Expansion**: An increase in the cemetery's overall acreage.

e. **Cemetery utilization rate**: Cemetery utilization rates as referenced in this directive are based on national cemetery utilization rates, calculated based on Veteran interments divided by Veteran actuarial projections of deaths within a national cemetery's service area. Cemetery utilization rates are a measure of the degree to which Veterans who have reasonable access to a national cemetery choose to use that cemetery. The distance that Veterans must travel is often a major factor that influences utilization rates, but low Veteran populations or the presence of significantly overlapping service with other national or VA-funded state or tribal Veterans cemeteries may also contribute to low utilization rate. An average annual utilization rate at or above 5 percent for the previous three years would support the decision to expand or replace a closing national cemetery.

f. **First interment rate**: First interment rate as referenced in this directive means the number of first interments in a national cemetery per year. A first interment is defined as an interment of an eligible Veteran or their family member that consumes a plot or niche and into which other eligible family members may be later interred. An average of 50 or more first interments within a 5-year period would support expanding or replacing the national cemetery as this threshold is considered cost effective for expanding gravesites.

g. **Reasonable Access**: A Veteran is considered to have reasonable access if the Veteran lives within 75 miles of an open or cremation only VA national or VA-funded state or territorial Veterans cemetery.

h. **Replacement Cemetery**: An interim and internal-NCA term to refer to a cemetery that "replaces" an existing cemetery to provide burial access to (approximately) the same concentration of Veterans who would lose reasonable access or a burial option without the replacement. To the public (always) and internally (after the interim tag is no longer needed for administration purposes), NCA will refer to a replacement cemetery as a new cemetery. Cemeteries that fit this category are Louisiana National Cemetery, Miramar National Cemetery, and Morovis National Cemetery. Replacement cemeteries meet the following criteria:

(1) Physically separated from the existing cemetery by a distance greater than 3 miles;

(2) Different mailing/physical address;

(3) Separate name and station number; and

(4) Counted separately in the official count of NCA national cemeteries.

i. **Significant overlapping service**: Significant overlapping service occurs when the numeric threshold criteria and geographic threshold criteria for determining the

population of living Veterans in a service area are met. This definition considers both programmatic and public perspectives, and therefore has two assessment factors, both of which must be met to support a finding that there was not significant overlapping service.

(1) **Numeric threshold calculation** (programmatic perspective): Either of two numeric thresholds would be applied to the estimated number of living Veterans in the year in which a national cemetery is expected to close due to the depletion of available gravesites for first interments, based on VA's most recent VetPop Model provided by the VA Office of the Actuary (currently VetPop2020).

(i) Threshold 1: Loss of reasonable access to a first interment option for 5 percent or more of the estimated living Veteran population within the service area of a closing national cemetery

(ii) Threshold 2: The number of Veterans projected to lose reasonable access to a first interment burial option is greater than 0.05 percent of the total living Veteran population nationally.

(2) **Geographic threshold calculation** (public perspective): This threshold calculation would state that a national cemetery is considered to have significant overlapping service if there is at least one other national or VA-funded State or Territorial cemetery located within the cemetery's 75-mile service area, consistent with NCA's reasonable access measure.