

## LODGE MANAGEMENT AT VA NATIONAL CEMETERIES

- 1. REASON FOR ISSUE:** This Department of Veterans Affairs (VA) National Cemetery Administration (NCA) Directive establishes lodge management policies and procedures.
- 2. SUMMARY OF CONTENTS:** This directive establishes policy and responsibilities for maintaining and protecting NCA lodges through adaptive reuse, leases, and compliance with related authorities.
- 3. RESPONSIBLE OFFICE:** National Cemetery Administration, Office of Design & Construction Service (43B), 425 I Street, NW, Washington, DC 20420, is responsible for the contents of this directive.
- 4. RELATED PUBLICATIONS:**
  - a. VA Directive/Handbook 7545 Cultural Resource Management (December 5, 2011);
  - b. NCA Directive 7545 Cultural Resource Management (January 4, 2019).
- 5. RESCISSIONS:**
  - a. Policy Letter: Cemetery Lodge Rental - Application of 1999 Consumer Price Index Adjustments and NCA Directive 7631.1 "Elimination of Federal Tax Exemption for Key Employees Occupying Quarters" (June 12, 2000);
  - b. Policy Letter: Decentralization of the Cemetery Lodge Rental Program (July 31, 1996);
  - c. Policy Letter: Vacating Cemetery Lodges (August 28, 1992); and
  - d. Policy Letter: National Cemetery Lodge Leasing and Historic Preservation Issues Concerning National Cemeteries (June 30, 1992).
- 6. RECERTIFICATION:** This document is scheduled for recertification the last day of January 2025.

/s/  
Ronald E. Walters  
Principal Under Secretary  
for Memorial Affairs

Distribution: Electronic

## LODGE MANAGEMENT AT VA NATIONAL CEMETERIES

**1. PURPOSE/AUTHORITY:** The purpose of this National Cemetery Administration (NCA) Directive is to:

a. Identify Lodge Management (LM) as an integral part of NCA's mission and activities;

b. Raise the level of awareness among NCA personnel, contractors, volunteers and others concerning the significance of NCA's historic lodges and accountability based on mandatory regulation, laws and public-trust responsibilities when they are impacted by projects ("undertakings"), to minimize or avoid adverse effects to historic and cultural resources;

c. Encourage usage of vacant lodges for NCA purposes, and/or other appropriate external organizations; and

d. Establish mandatory policy by which NCA will comply with Sections 106, 110 and 111 of the National Historic Preservation Act (<http://www.achp.gov/nhpa.html>) and 36 CFR 800 (<http://www.achp.gov/regs-rev04.pdf>).

## 2. BACKGROUND:

a. NCA cemeteries contain many historic artifacts and structures, including lodges that were originally designed as residences for cemetery caretakers. Today, these lodges serve various purposes described by the following Lodge Use Categories:

(1) NCA administrative space;

(2) Residences for NCA employees;

(3) Lodges leased to private entities such as non-profit organizations;

(4) Lodges leased to other government agencies, including federal, state, and local;

(5) Lodges that are vacant and suitable for other purposes;

(6) Lodges that are vacant and not suitable for other purposes ("mothballed"); and

(7) Lodges that may be potential candidates for demolition and removal as required for NCA to best meet mission requirements.

b. Lodges used by NCA as administrative space are managed by NCA Districts. All other categories of lodges are managed by the Director, Design and Construction Service (43B).

c. NCA performs historic preservation and cultural resources management responsibilities when managing and maintaining historic lodges. NCA currently has an inventory of 56 lodges. Lodges are an integral part of National Cemetery historic

landscapes as documented in National Register of Historic Places (NRHP) and National Historic Landmark (NHL) nominations. Regardless of said documentation, all lodges should be treated as contributing resources as indicated in a letter issued by the Acting Keeper of the NRHP in September 2011, which states, "all National Cemeteries are exceptionally significant as a result of their congressional designation as nationally significant places of burial and commemoration for veterans." Unlike most historic resources which are defined as at least 50 years old, NCA cemeteries and their resources, including lodges, regardless of their age, must meet special requirements set forth in the criterion considerations for cemeteries, memorials, graves and commemorative properties and are eligible for NRHP listing. According to the Keeper's clarification, any portion of national cemeteries developed for burial use are eligible for NRHP listing as contributing resources.

Since 1966, federal agencies have been required to follow federal historic preservation mandates. Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to consider the effects of federally-funded projects on historic properties and to afford the Advisory Council on Historic Preservation (ACHP) an opportunity to comment on projects impacting lodges prior to the expenditure of any Federal funds. If historic properties are adversely affected, federal agencies attempt to mitigate adverse effects by consulting with states or tribes and entering into a Memorandum of Agreement (MOA) or Programmatic Agreement (PA). Prior to entering into MOAs or PAs, federal agencies use Section 106 checklists to ensure the proper stipulations and other relevant information is included in any MOA or PA.

Section 110 of the NHPA sets out the broad historic preservation responsibilities of federal agencies and is intended to ensure that historic preservation is fully integrated into ongoing federal programs. Section 110 charges each federal agency with the affirmative responsibility for considering projects and programs that further the purposes of the NHPA, and it declares that the costs of lodge preservation activities are eligible project costs in all undertakings conducted or assisted by a federal agency.

Section 111 of the NHPA allows NCA, after consultation with the ACHP to the extent practicable, to establish and implement alternatives for historic properties, including adaptive use, that are not needed for current or projected agency purposes, and may lease an historic property owned by the agency to any person or organization, or exchange any property owned by the agency with comparable historic property, if the agency head determines that the lease or exchange will adequately insure the preservation of the historic property. The proceeds of any lease may be retained by NCA and used to defray the costs of administration, maintenance, repair, and related expenses incurred by the Agency with respect to lodges that are listed in or eligible for listing in the NRHP which are owned or leased by NCA.

d. In addition to Section 111 of the NHPA, Title 38 U.S.C. § 2412 allows VA to lease any undeveloped land and unused or underutilized buildings owned by the United States and managed by NCA, including leasing these properties to any public or nonprofit organization. Leases may not be made for more than 10 years. Leases under § 2412 with public or nonprofit organizations may provide for the maintenance,

protection, or restoration of the leased property by the lessee, as a part or all of the consideration for the lease. VA may enter into such leases without advertising, although VA must publish a notice of intent to lease in a newspaper in the community where the property will be leased. Proceeds from the lease will be deposited into the "National Cemetery Administration Facilities Operation Fund" and may be used for operation and maintenance of NCA property.

Proceeds from leases of lodges to employees will be deposited in the "National Cemetery Administration Operations and Maintenance" account through employee payroll deduction and may be used for the operation and maintenance of NCA lodges.

Preservation, protection and promotion of America's cultural and archaeological resources are important functions and responsibilities of the Federal government for properties under its control or jurisdiction. NCA, as a federal Agency, has clear responsibilities to serve as a steward of its historic lodges.

### 3. POLICY:

a. It is NCA policy to effectively maintain lodges, promote adaptive reuse for vacant and underutilized lodges, seek long term leases (not to exceed the statutory 10-year limitation) under the authority of Section 111 of the NHPA and VA title 38, and minimize adverse effects through timely and efficient compliance with cultural resource legal requirements.

b. It is NCA policy to approve the demolition of a lodge only after careful consideration of potential use by VA and non-VA entities weighed against the business reasons for demolition and after the required consultation under the NHPA.

### 4. RESPONSIBILITIES:

a. **Deputy Under Secretary for Management** is responsible for:

- (1) Promoting an awareness of NCA Lodge Reuse/Lease Program for use other than administrative use;
- (2) Establishing overall policy and guidance for the lodge reuse program; and,
- (3) Appointing personnel and providing resources to manage the lodge program.

b. **Director, Design and Construction Service (43B)** is responsible for:

- (1) Managing and overseeing NCA's Lodge Reuse/Lease Program for use other than administrative;
- (2) Managing lodges not used by the cemetery for administration purposes;
- (3) Overseeing large Capital Improvement, Non-Recurring Maintenance (NRM) and Maintenance and Repair (M&R) projects of lodges;

(4) Coordinating rehabilitation projects with NCA's Historic Architect to ensure compliance with Section 106 and NHPA;

(5) Developing Statements of Work (SOW) and Independent Government Estimates (IGEs) for Minor projects for lodges; and

(6) Providing copies of lodge leases and outlease agreements to Budget Service for lodges leased to NCA employees, private entities, and other government entities.

c. **Director, Budget Service (42B)** is responsible for:

(1) Determining the methods and means of funding for lodge maintenance, repairs, renovations, and/or demolition; and

(2) Maintaining the metadata and status of lodges, associated leases, and outlease agreements in the Capital Asset Inventory (CAI) database.

d. **Historic Architect, Design and Construction Service** is responsible for:

(1) Serving as project manager for all NCA lodge rehabilitation projects;

(2) Representing NCA to State Historic Preservation Offices (SHPOs) in consultations/undertakings regarding lodges;

(3) Coordinating Section 111 and other lease activities with VA's Office of Real Property (ORP) and NCA Office of Finance and Planning;

(4) Ensuring rehabilitations/adaptive reuse/renovations are in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Resources; and

(5) Updating the list of NCA's historic buildings, structures, objects, archeological sites, and artwork contained in the VA CAI database.

e. **Program Specialist, Design and Construction Service** is responsible for:

(1) Serving as Designated Housing Officer;

(2) Determining regional monthly rental rates for new and existing renters based on calculations from Internet Quarters Management Information System (iQMIS); and

(3) Providing updates to NCA leadership on leased or vacant lodges.

f. **District Executive Directors** are responsible for:

(1) Ensuring lodges used for NCA administration space are maintained in a manner consistent with NCA Shrine Standards;

(2) Promoting awareness of lodge lease program for NCA employees, especially as lodges become vacant;

(3) Providing notification to Design & Construction Service when they become aware of any damage to the lodge; and

g. **District Engineers** are responsible for:

(1) Developing SOWs and IGEs for Maintenance & Repair and Non-Recurring Maintenance (NRM) and mini-minor projects for lodges used for administrative purposes;

(2) Coordinating rehabilitation projects for lodges used for administrative purposes at the District level with the NCA Historic Architect to ensure compliance with Section 106 and NHPA; and

(3) Coordinating all repairs and renovations and associated notifications/actions for lodges used for administrative operations with the Historic Architect, Design and Construction Service.

h. **Cemetery Directors** are responsible for:

(1) Notifying their respective District office of any damage to a lodge;

(2) Reminding the tenant to contact the Designated Housing Officer if they plan to vacate a lodge;

(3) Coordinating and monitoring tenant move-ins/move-outs with the tenant and Designated Housing Officer to ensure that cemetery operations are not impacted by the move;

(4) Ensuring that lodges used for NCA administrative purposes are maintained, repaired, or improved as necessary;

(5) Requesting projects requiring additional funding from their District office; and

(6) Obtaining advanced, written District Executive Director approval for all locally performed maintenance and repair to the lodge. The only exception to receiving advanced approval would be to accomplish emergency work that is necessary when advance approval is not practical or possible (i.e., severe damage sustained or will be sustained from natural or other causes requiring immediate correction).

## 5. REFERENCES:

a. NCA Directive 7545, Cultural Resources Management at VA National Cemeteries, especially Appendix A (list of authorities for cultural resource management);

b. American Indian Religious Freedom Act of 1978 (42 U.S.C. 1966);

c. Antiquities Act of 1906 (16 U.S.C. 431);

- d. Archeological and Historic Preservation Act of 1974 (16 U.S.C. 469);
- e. Archaeological Resources Protection Act of 1979 (16 U.S.C. 470);
- f. Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines (48 FR 44716);
- g. Consultation and Coordination with Indian Tribal Governments (Executive Order 13175, dated 11-6-00);
- h. Determinations of Eligibility for Inclusion in the National Register of Historic Places (36 CFR Part 63);
- i. Executive Order 13287, Section 3, Triennial Report to ACHP Report to the ACHP;
- j. Government-to-Government Relations with Native Americans Tribal Governments (Executive Memorandum, dated 4-29-94);
- k. Historic Sites Act of 1935 (16 U.S.C. 461);
- l. Indian Sacred Sites (Executive Order 13007, dated 5-24-96);
- m. National Environmental Policy Act of 1969 (42 U.S.C. 4321);
- n. National Historic Preservation Act of 1966 (16 U.S.C. 470);
- o. National Register of Historic Places (36 CFR 60);
- p. Native American Graves Protection and Repatriation Act of 1990 (25 .S.C. 3001);
- q. Protection of Archaeological Resources (43 CFR Part 7);
- r. Protection and Enhancement of the Cultural Environment (Executive Order 11593, dated 5-13-71);
- s. Protection of Historic Properties (36 CFR Part 800);
- t. Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb);
- u. Secretary of the Interior's Standards and Guidelines for Federal Agency Historic Preservation Programs Pursuant to the National Historic Preservation Act (63 FR 20495);
- v. VA Directive/Handbook 7545
- w. OMB Circular A-45, Rental and Construction of Government Quarters;
- x. 5 USC 5911: Quarters and facilities; employees in the United States;

- y. 38 USC 2412: Lease of land and buildings; and
- z. VA Directive/Handbook 7631, Quarters Management.

## 6. DEFINITIONS:

a. **Adverse Effect.** Adverse effects occur when an undertaking may directly or indirectly alter characteristics of a historic property that qualify it for inclusion in the Register. Reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative also need to be considered. Examples of adverse effects include physical destruction or damage; alteration not consistent with the Secretary of the Interior's Standards; relocation of a property; change of use or physical features of a property's setting; visual, atmospheric, or audible intrusions; neglect resulting in deterioration; or transfer, lease, or sale of a property out of Federal ownership or control without adequate protections.

b. **Archaeological resource.** Any material remains of past human life or activities which are of archaeological interest. Such regulations containing such determination shall include, but not be limited to: pottery, basketry, bottles, weapons, weapon projectiles, tools, structures or portions of structures, pit houses, rock paintings, rock carvings, intaglios, graves, human skeletal materials, or any portion or piece of any of the foregoing items. Non-fossilized and fossilized paleontological specimens, or any portion or piece thereof, shall not be considered archaeological resources, under the regulations under this paragraph, unless found in an archaeological context.

c. **Cultural resource.** The term "cultural resource" is used here to include all aspects of the human environment that have historical, architectural, archaeological, or cultural significance, including, but not limited to, historic properties, archaeological resources and data, Native American ancestral remains and cultural items, religious places and practices, historical objects and artifacts, historical documents, and community identity. Cultural resources also include archaeological materials (artifacts) and sites that date to the prehistoric, historic, and ethno-historic periods and that are currently located on the ground surface or buried beneath it. The term also includes standing structures and/or their component parts that are over 50 years of age and are important because they represent a major historical theme or era, and structures that have an important cultural, architectural, or local significance. In the context of NCA's real estate, this includes but is not limited to: buildings (lodges, garages, admin buildings, structures (rostrum, wall/fence, gates, vault, columbaria, roads, bridges); objects (headstone, monument, flagpole, site features); and landscape (burial sections, plantings, vistas, walkways).

d. **Historic properties.** Any district, site, building, structure, or object included in, or eligible for inclusion in the National Register of Historic Places and entitled to consideration under NHPA.

e. **National Register of Historic Places (NRHP)** is the Federal government's official list of districts, sites, buildings, structures, and objects deemed worthy of preservation.

f. **National Historic Landmark** (NHLs) are nationally significant historic places designated by the Secretary of the Interior because they possess exceptional value or quality in illustrating or interpreting the heritage of the United States.

g. **Undertaking**. A project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a federal agency, including those carried out by or on behalf of a federal agency; those carried out with federal financial assistance; and those requiring a federal permit, license or approval.