OVERSIGHT OF H.J. RES. 131, NATIONAL CEMETERY SYSTEM, AMERICAN BATTLE MONUMENTS COMMISSION, AND ARLINGTON NATIONAL CEMETERY

HEARING

BEFORE THE

SUBCOMMITTEE ON
HOUSING AND MEMORIAL AFFAIRS

OF THE

COMMITTEE ON VETERANS' AFFAIRS
HOUSE OF REPRESENTATIVES

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OVERSIGHT OF H.J. RES. 131, NATIONAL CEMETERY SYSTEM, AMERICAN BATTLE MONUMENTS COMMISSION, AND ARLINGTON NATIONAL CEMETERY

TUESDAY, MAY 24, 1994

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON HOUSING AND MEMORIAL AFFAIRS,
COMMITTEE ON VETERANS' AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to call, at 9:30 a.m., in room 334, Cannon House Office Building, Hon. George E. Sangmeister (chairman of the subcommittee) presiding.

Present: Representatives Sangmeister, Kreidler, and Burton.

OPENING STATEMENT OF CHAIRMAN SANGMEISTER

Mr. SANGMEISTER. I will call the subcommittee to order. I am pleased to welcome all of our witnesses to discuss the programs and operation of the VA's National Cemetery System, the Arlington National Cemetery and the American Battle Monuments Commission.

I am particularly pleased to acknowledge the presence of Mr. Richard Foltynewicz, who flew in from my district to share his views on H.J. Res. 131, my bill to designate December 7th of each year as national Pearl Harbor Remembrance Day. Dick has already felt his presence known as I have seen him working the crowd out here. Dick, welcome.

The VA's National Cemetery System consists of 114 national cemeteries, 59 of which are open to first family interments, while 55 are closed except to eligible family members of those already buried.

Over the next decade we must focus our attention on identifying additional gravesites in our national cemeteries to meet the needs of an aging veteran population. Not only must we ensure that the honor of burial in our national shrines is available to our veterans, but we must strive to ensure that all graves are perpetually maintained at the highest standards possible.

In two separate reports to the Congress, as required by Public Law 99–576, the VA identified 10 areas of the country most in need of a national cemetery. While only one of the 10, San Joaquin Valley National Cemetery in California, has opened, I look forward to receiving updates on the status of the remaining sites.

In addition to hearing from officials of Arlington National Cemetery and the American Battle Monuments Commission, I would ap-

preciate it if the witnesses would comment on my bill, H.J. Res. 131. I know it does not fall within this subcommittee's jurisdiction. However, I believe that it is of importance to all veterans to commemorate the bombing of Pearl Harbor.

That attack, killing more than 2,000 citizens of the United States and wounding another 1,000 marked the entry of the United States into World War II. Between the period of December 7, 1941, and December 31, 1946, over 16 million Americans served in the Armed Forces of the United States. Of that number, 671,000 were wounded in action, 292,000 were killed in action, and an additional 114,000 died of nonbattle causes for a total of 406,000 Americans making the ultimate sacrifice in defense of freedom around the world. I believe that H.J. Res. 131 will promote a greater understanding and appreciation of this sacrifice.

There are 231 cosponsors as of this date in the House indicating strong support. Although the House Post Office and Civil Service Committee, which has jurisdiction over this bill, does not plan to move it out of committee because of a rule which prohibits permanently establishing commemorative days, I plan to file a discharge petition later this week so that we may bring this resolution to the Floor for a vote, and I am going to ask all the veterans' organizations to help support that with your various Members of Congress so that we can successfully discharge the committee and bring this before the Floor.

Mr. Burton is not here yet. Mr. Kreidler, do you have any opening statement you would like to make?

Mr. KREIDLER. Thank you, Mr. Chairman, just to commend you for holding this hearing and looking very much forward to hearing from the witnesses here today. This is an issue that has a growing importance to my State because of us being one of the designated areas where a new cemetery is going to be built.

Mr. SANGMEISTER. That is right, it is, and we are planning on holding a hearing out there in July, and we will be setting on the date shortly. We will commence with the witnesses.

The first panel will be Jerry Bowen, Director of the National Cemetery System. He will be accompanied by Mr. Roger Rapp, the Director of Field Operations, Ms. Dorothy MacKay, Director of Budget and Planning, and Mr. Vincent Barile, Director of Operations Support. Welcome to all of you.

Jerry, it is always good to see you. We have your written testimony. You may proceed as you see fit.

STATEMENTS OF JERRY W. BOWEN, DIRECTOR, NATIONAL CEMETERY SYSTEM, DEPARTMENT OF VETERANS AFFAIRS ACCOMPANIED BY ROGER RAPP, DIRECTOR, FIELD OPERATIONS; DOROTHY MACKAY, DIRECTOR, BUDGET AND PLANNING; AND VINCENT BARILE, DIRECTOR, OPERATIONS SUPPORT

Mr. BOWEN. Thank you, Mr. Chairman. Distinguished members of the subcommittee, I welcome the opportunity to appear here today to address the status of the National Cemetery System. Your continued support and interest in our program is greatly appreciated.

Mr. Chairman, it is with deep personal regret that I note your departure from Congress after this current session. Your leadership has been outstanding, your concern for our Nation's veterans has been sincere, and your accomplishments have been truly significant. We will sorely miss your leadership.

On behalf of the men and women of the National Cemetery System, I wish you continued success in your future endeavors.

Mr. SANGMEISTER. Well, thank you very much. It has been a mutual relationship. All I can say at this point is let's look forward to the 7 months left to get a lot of things done. Go ahead.

Mr. BOWEN. The National Cemetery System is one of VA's three operating agencies providing direct services and benefits to the Nation's almost 27 million veterans and their families. Burial in one of our national shrines is the final tribute of a grateful Nation honoring the memory and sacrifice of those who have served in our Armed Forces.

Last year we provided burial for 67,329 veterans and eligible family members. We are projecting 70,200 interments in fiscal year 1994. This is a 4.2 percent increase over last year.

In January of 1994 we reached a significant milestone. We now maintain over two million gravesites within our system of 114 national cemeteries. In fiscal year 1994 we project that we will provide 313,000 headstones and 294,000 Presidential Memorial Certificates.

Through our services, NCS reaches out and touches the lives of hundreds of thousands of American veterans and their families each year. In recognition of the fact that demand for burial in a national cemetery will continue to increase until well into the next century, we have developed a three-pronged strategy to meet this challenge.

First, establishing new national cemeteries when feasible; second, acquiring additional land to extend the service life of existing cemeteries; and, third, encouraging States to participate in the State Cemetery Grants Program.

Now, concerning new cemeteries. As you previously mentioned, the 1987 Report to Congress identified 10 areas of the country in greatest need of a new national cemetery. You also said that since 1987, only one new national cemetery has been constructed—the San Joaquin Valley National Cemetery in Northern California, which was opened in June of 1992.

We are pleased to report, however, that funding has been approved for land acquisition and master planning at five other sites: Albany, Chicago, Cleveland, Dallas, and Seattle. Construction funds for the Seattle cemetery are contained in the fiscal year 1995 budget request. Given current budgetary realities, it is no longer considered viable to plan for additional construction other than those five sites until after the year 2000.

The second prong of our strategy involves acquiring adjacent land so that existing national cemeteries can remain open. I am extremely pleased with our progress this year. We have completed purchase of 16 acres of land adjacent to Fort Gibson National Cemetery in Oklahoma and accepted a 10-acre donation of land at Fort Scott National Cemetery in Kansas. These acquisitions will permit both cemeteries to continue operations beyond the year 2030.

In Port Hudson, Louisiana, we have been negotiating with the Georgia-Pacific Corporation to acquire 12 acres of land adjacent to the Port Hudson National Cemetery, which was closed in 1992.

Our third approach is to utilize the State Cemetery Grants Program to complement our national system. This program has been very successful to date; however, interest has declined in recent months. Most state officials appear to have taken a wait-and-see attitude concerning passage of legislation changing the Federal/State share from 50/50 to 65/35 funding as provided for in House Resolution 949. Recent requests from States have involved improvements to existing cemeteries rather than applications for new State cemeteries.

I am pleased to bring to your attention a recently completed NCS initiative to improve customer service, the reintroduction of the upright granite headstone option. Initially, the new granite headstones will only be available in private or state veterans cemeteries. We will then assess their acceptability by the veteran community before deciding their suitability for use in our national cemeteries.

In closing, the National Cemetery System continues to seek ways to meet the increasing workload demand and to satisfy the high expectations of the public we serve. Our fiscal year 1995 budget request contains an additional 25 FTEE to perform interment and maintenance functions within our national cemeteries. In addition, we have initiated a streamlining effort which has resulted in a reduction of seven FTEE in our Central Office. These FTEE will be rechanneled to our field facilities beginning 1 October.

I plan to continue these efforts to decentralize functions and to streamline our organization when and wherever possible. I appreciate the opportunity to provide this update concerning the National Cemetery System, and I welcome your questions at this time.

[The prepared statement of Mr. Bowen appears on p. 45.]

Mr. SANGMEISTER. Well, thank you, Jerry. I don't think you would anticipate the first question that I am going to ask, but obviously from a parochial standpoint, Chicago is one of the areas that we are looking at for a new national cemetery. When can we expect a decision to be made by the Secretary?

Mr. BOWEN. As you are aware, Mr. Chairman, Chicago was one of those 10 areas that were identified in the 1987 Report to Congress and was revalidated in 1994. Last week we completed the final Supplemental Environmental Impact Statement on the Hoff Woods site on the Joliet Army Arsenal. It was signed by the Secretary last week, and has gone back to the contractor, the engineers that did the environmental impact study, for publication in the Federal Register.

This information should be published next week on the 3rd of June. We then have a mandatory 30-day waiting period, that would then conclude approximately on the 5th of July. Within 2 weeks of that date, I will recommend the site to the Secretary and we expect him to sign the record of decision in mid-July of this year.

Mr. SANGMEISTER. Okay. Well, it is nice you are getting down to a final date of when that is going to be done. If Joliet, and, of course, it is an if at this point, should become the site, does the VA

anticipate obtaining the land at no cost from the Department of the Army based on the provisions of P.L. 100–180?

Mr. BOWEN. Yes, sir. We have a written opinion from VA's General Counsel, which states the more reasonable interpretation of Section 2337 of the law that you mentioned, that the land transfer is to be consummated without compensation. I will recommend that the VA assert such a position in future discussions with the Army.

Mr. SANGMEISTER. Well, that is good to hear. I need to talk to you. I have been thinking about different things that we need to do with the Joliet arsenal and I am thinking about some legislation which will affect the whole 23,500 acres. I want to make sure that the legislation is drafted properly if, in fact, Joliet is selected as a site—that we are in sync as far as getting that property at no cost to you.

Mr. BOWEN. At your convenience, sir.

Mr. SANGMEISTER. All right. H.R. 949, which is sitting over in the Senate, would enhance the State Cemetery Grant Program by paying the $150 plot allowance to States for burying any veteran eligible for burial in a national cemetery, including peacetime veterans, and would increase the VA's proportion of the matching grant program from 50/50 to 65/35.

We are currently in negotiation with the Senate, and I know that the VA is opposed to these two provisions. Do you have any personal opinion as to which proposal would you consider to be the most beneficial provision of H.R. 949?

Mr. BOWEN. It would be difficult to speak for the States as a group. I think that certain provisions of H.R. 949, for example, the $150 plot allowance for all veterans would greatly assist those States that already have established State cemeteries because this would reduce their operating costs.

The plot allowances would be used to defray the operating cost of the cemeteries because matching funds are only for the construction, expansion, or improvement of cemeteries. So plot allowances are one of the ways that they receive their operating capital.

For example, Maryland has five State cemeteries, Tennessee has three, North Carolina has two. For these States the $150 plot allowances would help them more. But for those States that are contemplating constructing new State cemeteries, the increase from a 50/50 to a 65/35 ratio would be more helpful initially. In conjunction with that idea, in March of this year we sent a letter to each of the Governors advising them of the availability of Federal funds. We didn't mention any pending legislation or that the share may be increased, but just wanted to make sure that they all knew about the opportunity to establish or expand State veterans' cemeteries.

One of the interesting letters that we received back was from Alabama. In that letter, the Governor mentioned that should Congress pass legislation to provide States with more financial support in the creation and operation of the State Cemetery Program, he was confident that Alabama would be most interested in pursuing such an effort. So we do have the interest out there, but as I mentioned in my statement, there seems to be a wait-and-see attitude right now.

Mr. SANGMEISTER. So actually H.R. 949 is in some respects creating a problem as we just sit on it here because the anticipation it may pass, it may not, is affecting the States' view of this whole thing?

Mr. BOWEN. That appears to be the case, yes, sir.

Mr. SANGMEISTER. Okay. I have more questions here, but at this point does the gentleman from Washington have anything in particular he would like to explore with the director?

Mr. KREIDLER. Thank you, Mr. Chairman. I have a rather specific question that Mr. Bowen probably can anticipate, too. First, though, I would like to express my appreciation personally and certainly for the veterans and their families in the State of Washington for your work on the Seattle/Tahoma National Cemetery. As you pointed out, in the President's fiscal year 1995 Budget Request there is a request for the construction of the Seattle cemetery which is certainly very great news for our State. I need to and do most willingly express my appreciation and gratitude to Secretary Brown and to the President for their support in seeing that this is included in this fiscal year budget request.

I am wondering, Mr. Bowen, if you could respond to giving me any update as to where we are at right now relative to the Tahoma National Cemetery. Is it still on schedule for completion in 1996 as originally planned or not?

Mr. BOWEN. Right now, sir, we are anticipating an opening date of Veterans Day 1997. That gives us a little bit of wiggle room, but we hope that would be the latest date. As we proceed, it appears that that date will become a reality. We are moving forward with the award of the contract for design. These steps take time, but everything is on track.

We are waiting for the approval of our 1995 budget request, which includes construction dollars for Seattle.

Mr. KREIDLER. Well, there certainly are certain provisions of that budget request that I am going to be most interested in supporting, along with many other things. Thank you very much, Mr. Bowen.

Mr. BOWEN. Yes, sir.

Mr. SANGMEISTER. The Ranking Minority Member of the Subcommittee has arrived, Mr. Burton, the gentleman from Indiana.

Mr. Burton.

Mr. BURTON. Thank you, Mr. Chairman. Mr. Chairman, I have a statement I would like to submit for the record, and I congratulate you for holding this hearing. I think it is very timely.

Mr. SANGMEISTER. Okay, without objection, we will so do.

[The prepared statement of Congressman Burton follows:]

PREPARED STATEMENT OF HON. DAN BURTON

Thank you, Mr. Chairman. I too, believe that we should permanently designate December 7th of each year as "National Pearl Harbor Remembrance Day." So, I would like to commend you for introducing House Joint Resolution 131, and hopefully, it will come to the House Floor for a vote before this session of Congress ends.

I also want to commend you for calling this hearing to discuss the state of the VA's National Cemetery System. The 1994 VA Benefit Handbook states that "burial benefits in a VA national cemetery include the gravesite, opening and closing of the grave, and perpetual care." In my opinion, providing a final resting place for veterans who have served in defense of this country should be a simple way to demonstrate our government's commitment to veterans.

I am very interested to learn if we are meeting this commitment. Unlike past years, I have not heard any horror stories of unsightly cemeteries. At the same time, testimony provided by the representatives of the veterans' service organizations, who are here today, causes me some concern. In testimony provided by The American Legion, concern was expressed about the growing equipment backlog, which is projected to total $6.7 million by end of this year and $7.8 million by the end of fiscal year 1995. In testimony provided by the Paralyzed Veterans of America, concern was expressed about the aging infrastructure in our cemeteries, and it was recommended that $2 million be spent on repair projects. These are not good signs.

The solutions to the National Cemtery System's problems are easy. If some grass is brown, a VA cemetery should water it. If some dirt needs seeding, then a VA cemetery should seed it. If the VA lacks the money to maintain a cemetery, then it should ask for more. If the VA won't ask for the money necessary to provide a proper burial and a dignified resting place for our Nation's war dead, then our Subcommittee and the Appropriations Committee must find some way to provide it.

Mr. Chairman, once again, thank you for calling this hearing, and I am looking forward to hearing the testimony of our witnesses.

Mr. SANGMEISTER. This is kind of a broad question to you admittedly, but some of the veterans groups have testified that the VA must do more to expedite the processes involved in site selection, environmental assessments and construction to establish new cemeteries. What recommendations do you have that would streamline and shorten the number of years to build new national cemeteries if you have any ideas along that line?

Mr. BOWEN. Well, my primary effort right now has been to get the process moving in the same fashion as we have done in Seattle and we hope to do in Chicago. There is an initiative that we have undertaken with the Seattle Cemetery, called design build.

There are about six or seven processes that we go through for new cemetery construction. We do the Environmental Impact Statement, then the master plan to get a concept of what the cemetery is going to look like, and then the design phase which actually outlines the various details of the administration building and other cemetery facilities. Then we develop the construction documents, and from that actually award the construction contract.

What we are planning to do with Seattle is combine the design and the build phase and which will compress that process by about 8 to 10 months. That is a comcept that we are testing in the National Cemetery System and which has been utilized by VHA in their construction of hospitals. By doing this, we can combine at least two steps in this process and eliminate almost a year of planning time.

Mr. SANGMEISTER. I think you are to be commended for that. I think that is exactly what the various veterans' organizations are talking about. Like most things that happen through here, it seems like a long, prolonged area to work through and we need the cemeteries and we need to progress.

You touched on this question, but I would like to explore it a little bit more, and that is extending the life of currently open national cemeteries. With 55 cemeteries closed and more than 10 scheduled to close before the year 2000, how has the VA determined its plans to acquire additional land for gravesite expansion at existing national cemeteries? I believe you mentioned in your direct testimony, Fort Gibson, was it, where you bought additional land?

Mr. BOWEN. That is correct.

Mr. SANGMEISTER. Was there one other?

Mr. BOWEN. We purchased the land at Fort Gibson National Cemetery in Oklahoma, a 16-acre tract from a private landowner, with appropriated funds. At Fort Scott National Cemetery in Fort Scott, KS, several veterans organizations there combined to have a fund-raising project to purchase 10 acres of land, and then donated it to VA to keep that cemetery open.

This is an interesting item to note here. I have focused my efforts on keeping those cemeteries open that are scheduled to close before the year 2000. If we did nothing, 12 cemeteries would have to close between 1990 and 2000. With the efforts we have now, we are still going to have to close seven; there just isn't any way that those cemeteries can be expanded. This is primarily true for those Civil War era cemeteries that are now surrounded by cities. But here's what happened at Fort Scott. That cemetery was not scheduled to close until the year 2012, so we did not have it on our priority list to acquire additional land. But the veterans didn't want to wait, so they purchased the land and then donated it to us although we won't start burying there until after the year 2012.

Mr. SANGMEISTER. For all the national cemeteries there is always a survey of the surrounding land to find out if there is any available that may be used? You have an ongoing program for that?

Mr. BOWEN. That is correct. And even in one case I mentioned Port Hudson, LA earlier. That cemetery actually closed in 1992. Now, with negotiation with Georgia-Pacific we hope to acquire almost 12 acres, and then reopen that cemetery. So we are not only keeping the ones open if we can, but we will go back and reopen those where possible; however, I don't know of any other situation where we will be able to do that.

Mr. SANGMEISTER. The 1995 fiscal year budget for the general operation of the National Cemetery System is $72.6 million. Although this reflects a $2.2 million increase over 1994, how does the NCS plan to prevent a decline in services to veterans and in the physical appearance of our cemeteries as workloads continue to increase based on an aging veteran population? And then to supplement that question a little bit further, would burials be delayed as cemeteries reduce the number of interments performed on a daily basis, and would lawn and maintenance be curtailed, grass cut once every seven versus 5 days, one versus two applications of fertilizer? In other words, where is the economy going to come under the money you have got to work with?

Mr. BOWEN. Yes, sir. There are two ways that we are going to increase the number of FTEE that are actually working in the cemeteries. One of those was through our budget request for 1995 with 25 additional FTEE.

Now, those will all go to the cemeteries. None of those will go to the Central Office. None of those will go to our three area offices, One of the interesting things here, we can take that 25 FTEE and hire temporaries in the summer and we in effect get 50 people.

Now, the other way that we put more people working in the cemeteries is through the streamlining efforts that I mentioned in the Central Office. This will move an additional seven spaces out to the field.

We are also looking at the varieties of grass that we use, particularly the improved varieties that will not require mowing as fre-

quently. We can also apply chemicals in some areas to retard the growth of grass. These are some of the action that we are undertaking to economize.

I think that we can continue to maintain the high level of maintenance that the public expects, and we are certainly not going to deny burial services. We provide service on demand. When the cortege pulls up to the gates of a national cemetery, we provide the service, and we don't anticipate that we are going to make any changes to that.

Mr. SANGMEISTER. Not that I have visited a lot of our veterans national cemeteries, but the directors with whom I have met, raised questions about their equipment. The equipment is getting older and older, and they are just patching and trying to make do. The fiscal year 1995 budget states that the equipment backlog will be reduced to $6.7 million at the end of fiscal year 1994, and that an additional $2.7 million is scheduled for replacement in fiscal year 1995.

If this is the case, and considering the current budget climate, it appears that increases will continue to mount in the area of equipment backlog. I presume this is a concern of yours. I appeared before the Appropriations Committee and asked for, I believe, $8 million, the full amount needed to bring the equipment backlog up to date. I would like to think I got a little bit of their ear down there, but you never know when shove comes to push because it is easy to say they can get by another year on the equipment. What have you got to say about this equipment backlog?

Mr. BOWEN. I appreciate your efforts on our behalf in this area. This is a real problem. Our equipment backlog is projected to go up. We had worked our backlog down to $5.0 million at the end of fiscal year 1993. At the end of 1994, we project that will go up to $6.7 million. That is going to be an increase in our backlog of $1.7 million.

At the end of 1995, even though we are putting effort in that area, our backlog will continue to increase to $7.8 million, and that will be an increase of $1.1 million. The good news is that even though the backlog is increasing, it is increasing at a decreasing rate. You mentioned your visits to the cemeteries. I have been on board exactly one year this week, and during that time I have visited 36 of our 114 national cemeteries, and equipment backlog is one of the questions that I always ask the directors.

For fiscal year 1995, we made the decision that of the $2.2 million increase that we are requesting, the bulk of that will go to pay for our additional 25 FTEE. Because when I talked to the cemetery directors and I presented them with that choice, do you need newer equipment or do you need more people, not unanimously, but most of the directors told me to give them the people. Good people can make the equipment last longer, so that is a conscious effort on my part to try to stretch the service life of our equipment by providing them with more people in the field.

Mr. SANGMEISTER. Well, it is obviously an important area that you are addressing and it is needed because we certainly want to keep these cemeteries looking the way they should. All of our veterans' organizations and people in general are very impressed when they go to a national cemetery. To go there to see one falling into

disrepair because of lack of equipment would not be a good thing for us.

Does the gentleman from Indiana have any questions?

Mr. BURTON. I do, Mr. Chairman. Thank you very much. First of all, I want to congratulate the chairman on going to the Appropriations Committee and fighting to get adequate funding for the equipment that is necessary to maintain these cemeteries. We have made a commitment to, I believe, the people who have served in our military to provide them an adequate final resting place. If we don't have the equipment and if they don't take care of the cemeteries and they don't look right, then I think there is a real problem. We ought to do everything we can on this committee and the Appropriations Committee to make sure there is adequate funds to take care of those who served in the Armed Services. So, Mr. Bowen, I hope that if you and your colleagues find in the future that there is going to be a shortfall, you will take the initiative and contact the chairman or myself or somebody on the committee and let us know so that we can be ahead of the curve and try to deal with it.

We were just talking about the construction of columbaria, and we were discussing whether or not it would be cost-effective in the long term to have more of those facilities built because of the budgetary constraints we are facing. If there are some real economies to be made, could you illuminate that issue a little bit, and tell us if you have any projections long term what kind of impact that would have on the cemetery system.

Mr. BOWEN. Yes, I would like to ask Mr. Roger Rapp, who is Director of our Field Operations, to answer that question. That is one of the things when I first came on board that I wanted to look into. I think there are some opportunities in that area, but there are also some problems and some challenges that I was not aware of. Mr. Rapp has been working with this particular problem for quite some time, so I would ask him to respond.

Mr. RAPP. Generally, we try to include columbarium in our design of new cemeteries. Our hope when we design the Seattle cemetery would be to include a columbarium. By using the major construction funding, we have, I believe, the right amount of money available to build columbaria. In our existing cemeteries where we have land, in-ground cremation is probably a better use of our dollars than trying to construct a columbarium at an older cemetery. The cost of a columbarium is quite expensive. It is hard to fund and get a yield that is equal to what the cost of land might be at a cemetery that has adequate acreage.

At some of our closed cemeteries in California we have been offering cremation options even though we have no room for casketed burials, and we have used in-ground cremations to a point where, at one site, Fort Rosecrans in San Diego, we have exhausted all the in-ground space available. We have constructed columbaria there.

We have constructed columbaria in two phases using our minor construction dollars, and the cost per niche, when we prepare the site and comply with some other issues, is $200 to $250, even using economy of scale. We have built approximately 1,200 niches for around $400,000 or $500,000, and we filled that columbarium up in one year. So then we built another one that is in the several mil-

lion dollars range. We are getting that ready, which will have a few thousand niches available.

We are told there are about a thousand cremations ready to fill up that columbarium. We are finding that in some cases we can't build them quickly enough and large enough to accommodate the demand, yet the costs are such that at $200 to $300 a niche, that is a niche per family, we have to ask ourselves how many dollars can we spend just building columbaria. The best answer would be, it is a selective option that makes sense at places where we have the funding in our major construction program where we are master planning and building brand new cemeteries.

At existing cemeteries where we have the space, in ground seems to be the way to go in terms of cost, and in terms of choice. We have found that when we have had columbaria and in-ground space available, generally people choose the in-ground option. If we have only columbaria available, then that is their choice.

Mr. BURTON. You have alluded to the comparative cost. Can you give us a comparison or does it vary greatly by area?

Mr. RAPP. Per columbarium?

Mr. BURTON. You said that the per columbarium cost was approximately $250. What is the expense for interment in the ground?

Mr. RAPP. Around $30 to $40.

Mr. BURTON. Is that all?

Mr. RAPP. In terms of the space. That would be in places where we actually have the land available and we can fit cremations in the ground in a much more convenient manner because of the smaller gravesite size.

Mr. BURTON. So the initial cost is about seven or eight times higher?

Mr. RAPP. Yes.

Mr. BURTON. How about the long-term maintenance costs? You have to cut the grass and maintain the grounds and everything. I just wondered——

Mr. RAPP. Well, there are some folks who believe that the long-term maintenance costs of the columbarium are much cheaper, in that the structure itself may not require maintenance for quite a while. Generally, for the cremation areas in ground, the maintenance would be a little bit more, but not as much as a gravesite with a casket in it. Once the cremains are placed in the ground we don't have the same maintenance challenges that we do in casketed sites in terms of sinking graves and refilling graves.

Mr. BURTON. One more question, Mr. Chairman. Over a long period of time, have you done any projections over, say, a 10 or 15 or 20-year period as far as maintenance cost comparisons?

Mr. RAPP. Not——

Mr. BURTON. We are looking at long-term costs now and long-term budget problems. Maybe you could provide some cost comparison figures for the record that show the maintenance costs, over the next 12 to 20 years, of a columbarium proposal as compared to a conventional cemetery. Those comperative figures would be helpful in giving us an idea of what the long-term costs were going to be.

Mr. RAPP. We will be willing to provide that information, to take a look at it. I just want to emphasize one part of my answer. The dollars that we use to build columbaria in existing cemeteries come out of our minor construction program. Those are the same dollars that we use to buy land to keep cemeteries open, and that we use to develop land at places like the examples that Mr. Bowen has given at Fort Scott, Fort Gibson, Fort Sam Houston—places where we are expanding existing cemeteries. We use the same minor construction dollars to develop casketed gravesites, so much like the equipment dilemma, we have the same dilemma on using our scarce resources most effectively.

We are trying to balance that and use columbaria at selected sites.

[The information follows:]

LONG TERM MAINTENANCE COSTS

COLUMBARIA TO IN-GROUND BURIAL OF CREMAINS

The National Cemetery System (NCS) has carefully reviewed the issue of columbaria construction for the interment of cremated remains in national cemeteries. The focus to date has been to compare the initial cost to construct columbaria to that of the cost to provide in-ground sites for cremains. Columbaria units must be adapted to existing terrain features at individual sites (i.e. sloping hillside; need for a retaining wall, etc.) which results in a considerable increase in the cost per niche.

Columbaria niches generally cost between $300–$400 per niche, once the project is scoped. This cost is contrasted with the cost for burial of cremated remains in in-ground cremain sites. The estimated cost to develop land is between $55,000 and $75,000 per acre, including roads, curbs, irrigation, landscaping, and site grading. Approximately 2000 plots, measuring 3' x 3', could be developed for the burial of in-ground cremains at a cost of $30 to $40 per plot. There is a distinct disparity between the initial cost of one niche and one cremain site.

NCS has conducted no formal studies on the long-term costs associated with columbaria versus in-ground burial of cremated remains. We are, however, in the process of developing unit costs associated with our workloads, such as cost per casketed interment, cost per cremain interment, cost per gravesite maintained, and other relevant indicators. These will be developed over the next several years as we are challenged to comply with the Government Performance and Results Act.

Currently, we do have considerable experience in both types of burials and have reviewed and analyzed their associated costs and benefits. As with any structure, columbaria units require upkeep. Exposure to the elements necessitates periodic washing of the unit to clean off accumulated dust, dirt, and bird droppings; repair of cracks; caulking of seams; and maintenance of the landscaping surrounding the columbaria. In-ground cremain sites require trimming and mowing; however, the same maintenance challenges that exist with casketed sites, such as sinking and refilling of graves, do not exist.

The real issue here is how to best utilize available NCS resources. Since both development of in-ground sites and construction of columbaria are funded through the Minor Construction Appropriation, it becomes more an issue of available funds. The initial high cost to construct columbaria has led NCS to be prudent and selective in choosing the cemeteries that would benefit most from this option. As NCS becomes more experienced with the use and placement of columbaria, the issue will continue to be reviewed and analyzed for its application within the system.

Mr. BURTON. Thank you, Mr. Chairman.

Mr. SANGMEISTER. Do we have any further questions from the gentleman from Washington?

Mr. KREIDLER. I would be curious in just following up if you had—I would be interested in a written response, too, to Mr. Burton's question, but also curious as to whether you have at some point kind of penciled it out as to what the long-term costs are over

a number of years, maintenance and operation of a cemetery as opposed to a columbarium?

Is there any rule of thumb that you have right now that you can say that over 20 or 30 years what the difference is in cost, construction up front as opposed to construction plus maintenance and so forth?

Mr. RAPP. If we have a brand new cemetery like the one we will be building in Seattle, developing a gravesite is more reasonable. We can provide the exact figures and provide a paper to you. It is much cheaper to develop a gravesite than it is a columbarium niche, even though gravesites are on land that we have bought. The project to develop 90,000 gravesites, for example, at Calverton National Cemetery was around $5 million or $6 million; to develop a columbarium of a thousand niches would be close to $3 million. So there is an example of how you get a lot more gravesites in the ground developing turf than structuring a marble-type mausoleum.

Mr. KREIDLER. How about the salaries and operating expenses over a very extended period of time, what the differences would be if you calculated that into the equation. I am assuming the columbarium is much lower intensive maintenance than with all of the grass and turf and so forth for a cemetery.

Mr. RAPP. That is true. While the interest in cremation as an option has increased, by and large the majority choice is still for casketed burials, and that is where our most ideal opportunity is with a brand new cemetery. Let's build a cemetery that has the funding to allow us to construct the appropriate ratio of casketed gravesites, in-ground cremation, and columbaria. In regard to the initial question, columbaria make sense at our brand new cemeteries.

To go back into a confined existing cemetery that has been developed and then try to, in addition to the maintenance that we are going to have to do there, forever build another columbarium out of a funding pot that is not as large as we would like ti to be, that is where the tough choices are and that is where, frankly, we have had to decide not to do it.

Mr. KREIDLER. Thank you, Mr. Chairman.

Mr. SANGMEISTER. Thank you, Director. We appreciate your being here this morning and we have all, as usual, learned something. As I said to you earlier on this other item, I will be calling you to discuss if I, in fact, do some legislation along that line.

Mr. BOWEN. Well, Mr. Chairman, thank you for your interest, your concern, your questions, and those of the other distinguished Members. We will provide that and other information to you as soon as possible. Thank you.

Mr. SANGMEISTER. All right. Thank you.

Panel number two for this morning, pertaining to Arlington National Cemetery, we have Mr. Steven Dola, who is the Deputy Assistant Secretary for Management and Budget, the Department of the Army. He is accompanied by Mr. John Metzler. Both the gentlemen are here. And from the American Battle Monuments Commission, Col. William E. Ryan, Jr., Director of Operations and Finance, accompanied by Col. Frederick Badger. Welcome one and all. Mr. Dola, we have, as you know very well, all of your written

testimony as part of our record, which is read and digested by all of us, but you proceed as you see fit this morning.

STATEMENTS OF STEVEN DOLA, ASSISTANT SECRETARY, MANAGEMENT AND BUDGET, DEPARTMENT OF THE ARMY ACCOMPANIED BY JOHN METZLER, SUPERINTENDENT; AND COL. WILLIAM E. RYAN, JR., DIRECTOR OF OPERATIONS AND FINANCE, AMERICAN BATTLE MONUMENTS COMMISSION ACCOMPANIED BY COL. FREDERICK C. BADGER

STATEMENT OF STEVEN DOLA

Mr. DOLA. Thank you very much, Mr. Chairman and members of the subcommittee. I do appreciate the opportunity to appear before the subcommittee to testify on the operation of Arlington National Cemetery. The Superintendent of Arlington National Cemetery, as you indicated, Mr. John C. Metzler, Jr., is with me and will assist with the testimony.

With your permission, as you indicated, I ask that my full statement be included in the record of the hearing and, if I may, I would like to briefly, very briefly highlight two topics. First, the 1995 budget request. The budget request for fiscal year 1995 is $12,017,000. This amount will finance operations at both Arlington and Soldiers' and Airmen's Home National Cemeteries.

It supports the work force, will assure adequate maintenance of the buildings and grounds and will permit the superintendent to acquire necessary supplies and equipment. Major new construction projects proposed for fiscal year 1995 include repairs to existing structures. A total of $1.3 million is requested for design and construction to repair and restore the McClellan Gate, the Kennedy gravesite electrical system and the upper deck pavement at the parking facility, and a total of $1.1 million is requested for design only of the two remaining unstarted projects in the 1967 master plan; namely, Project 90 land development, which involves 52 acres of land and over 30,000 potential gravesites, and the Custis Walk Replacement Project.

Second, Mr. Chairman, I would like to mention Public Law 103–160, which was enacted on November 30, 1993. Section 1176 of this law extended eligibility for interment in Arlington National Cemetery to any former prisoner of war who, while serving in the active military, Naval or air service and who dies or died on or after November 30, 1993.

A proposed rule implementing this provision is anticipated to be published in the Federal Register next month, that is, June 1994. That completes my summary, Mr. Chairman. We will be pleased to attempt to answer your questions.

[The prepared statement of Mr. Dola appears on p. 49.]

Mr. SANGMEISTER. One of the things that was on everybody's minds yesterday was Mrs. Kennedy or Mrs. Onassis' funeral. When an event of this magnitude takes place, how is this coordinated among the other funerals? I understand you had 23 other funerals yesterday. How do you coordinate something like that?

Mr. DOLA. Mr. Chairman, I would like to ask the superintendent to answer that question since he was deeply and intimately involved yesterday and all weekend.

Mr. SANGMEISTER. Mr. Superintendent good to see you again. Go ahead.

Mr. METZLER. Good morning, Mr. Chairman. Yes, we had 23 other funerals yesterday, and I am very happy to report that none of those funerals were impacted and that we conducted our business as we normally would and that we worked right around the Kennedy service, and the other funerals were serviced as they would be each day.

Mr. SANGMEISTER. Obviously, people were not only not encouraged to come out, they were prohibited. I imagine you had to separate out the families and the other funerals. That must have been difficult.

Mr. METZLER. It was. We had a security ring around the Kennedy gravesite at the family's request so that the funeral itself would be private, and that the media was limited to a very small area, but the other funerals that were in the adjacent area of the security ring were allowed to come in and conduct their normal service. At the same time that the Kennedy service was going on there was a funeral being conducted less than 500 yards away in the adjacent section.

Mr. SANGMEISTER. Do you get supplemental funds for something special like that or does that come out of your existing funds?

Mr. METZLER. No, that comes out of our existing funds.

Mr. SANGMEISTER. If it comes out of your existing funds, maybe it is not that much, but does that affect the overall operating budget? Maybe it is not that significant an expenditure, I don't really know.

Mr. METZLER. There is some overtime involved, obviously. We worked all weekend, and we worked last night to complete the gravesite closure, but overall it was a minor expense to the cemetery overall budget.

Mr. SANGMEISTER. What do you anticipate is going to be the impact of Public Law 103–160, which provided burial eligibility for former prisoners of war?

Mr. DOLA. Mr. Chairman, the increase in burial activity related to former prisoners of war who are not already eligible will probably be very small in overall numbers at Arlington. As best we can determine, most former prisoners of war will have received the Purple Heart, 30 percent disability or greater before 1949 and remained in the military until retirement.

The ones who are not in this category will not have a severe impact. The superintendent has estimated that probably no more than one or two burials a month would be the impact.

Mr. SANGMEISTER. How is the new graveliner program proceeding?

Mr. DOLA. Mr. Superintendent.

Mr. METZLER. The new graveliner program is proceeding very well. It has cost us a little bit more per unit and more units are being used than we originally anticipated. The program has become very popular. To date we have spent $175,000. We will need to add some more money into that program to finish out this fiscal year, but the overall cost benefit for the long-term maintenance of the cemetery will greatly be appreciated by this program being imple-

mented and I certainly want to thank you and the other Members of Congress for allowing us to do that.

Mr. SANGMEISTER. Okay. I think you stated that the Federal Government is going to receive approximately $500,000 in income from the parking garage to Arlington. Do you directly receive those proceeds and if not, who makes the determination where that is going to go?

Mr. DOLA. Mr. Chairman, the amount under the new lease agreement that we have put into effect on January 16, 1994, provides for $500,000 plus an amount in addition to that. Depending on the usage we have of the parking facility, for example, if we had the same usage for buses and cars as we had in 1992, and if the average stay of the people who visited Arlington and used the cemetery was the same, we estimated that we would receive some $929,000. That money would not go to Arlington, because, you may recall, in 1986, when Congress appropriated the funds for the parking facility, proceeds from the lease of property under DOD control were to be deposited by law into the miscellaneous receipts category of the general Treasury, and consistent with that statutory requirement at the time and consistent with the understanding that we had with the Appropriations Committees and, namely, Chairman Boland, we consistently have followed that practice. We haven't changed it.

I want to say, however, that in 1990 Congress amended the Military Leasing Act to require the military departments to deposit such funds into a special treasury account, for property that produced rental income under their control, and we have had an indication that that money could be appropriated for later use at Arlington. In fact, some monies were, but we have not, in fact, used it. We are going to honor the original agreement in 1986 to return the funds that are collected until the parking facility is paid. That is our position, the Army position on what should be done with those funds.

Mr. SANGMEISTER. Until the facility is paid for?

Mr. DOLA. Yes. That certainly is our view.

Mr. SANGMEISTER. What was the figure that that was estimated at, the cost of the facility?

Mr. DOLA. As I recall, it was something over $9 million, so maybe nine or nine-and-a-half million dollars would be the ultimate cost of construction, and, to date the information we have indicates that three-and-a-half million dollars has been collected in revenues and deposited in the account.

Mr. SANGMEISTER. In your statement you outline a number of projects for the 1995 budget. Is your funding going to be adequate to do what you want to do?

Mr. DOLA. Mr. Chairman, yes. There are some new construction projects. We are very pleased to have those projects, and we think that the monies that we have requested will be adequate to carry out the new projects that I mentioned, and we do think these are the important ones to be done in 1995 budget.

I obviously heard the discussion on the columbarium and I want you to know that Congress has supported our request at Arlington for funds to design the third phase of the columbarium which we have, and we would hope that in the 1996 budget we could submit

to the Office of Management and Budget and then later to Congress a proposal to construct a third phase of the columbarium.

Mr. SANGMEISTER. The gentleman from Indiana.

Mr. BURTON. Thank you, Mr. Chairman. I think the gentleman on the previous panel indicated that when you have an existing conventional cemetery like we have at Arlington that when you build a columbarium, it is never going to be economically feasible. Has that been taken into consideration since you are talking about expanding the columbarium up there at Arlington?

Mr. METZLER. The columbarium at Arlington is a little bit different. Its original concept was to provide eligibility for burial for those veterans who lost their eligibility in 1967 when the burial regulations changed that restricted eligibility at Arlington, so the cost factor is not the driving motivation here. The driving motivation is to provide the service to all those veterans who lost the eligibility.

In our case we had a 50,000 niche complex which was divided into five phases. The first phase was completed in 1980, and we have continued to provide a columbarium complex since that time. We are getting ready to start phase three now, which would be 10,000 additional niches or two more buildings of 5,000 each.

The cost is estimated right now at a very rough figure of about $8 million, which is about $800 per niche. It is certainly expensive, but I agree that in the long run the cost benefit is much greater to Arlington Cemetery to have the columbarium complex and to provide the service to those deserving veterans.

Mr. BURTON. I have one more question, Mr. Chairman. Some of the people on our staff have been noticed wheelchair veterans waiting in line following national ceremonies for the two-chair elevator at the memorial amphitheater. That problem might be alleviated if there were a ramp of some kind built there.

Have you considered building a ramp at the amphitheatre to take care of that problem, because in the cold of November those people are sitting in wheelchairs for long periods of time waiting for that two-member elevator.

Mr. METZLER. We have not considered a ramp at this point. The elevator has been the primary means for moving wheelchair veterans from the ground level up to the amphitheater itself. We will definitely consider that in our renovation project of the amphitheater. However, that was not one of the primary items that we had looked at, but I will take that back and ask that question.

Mr. BURTON. When we passed the Americans With Disabilities Act, one of the provisions in it was that there be accessibility for people with handicaps. A lot of us agreed with parts of the bill and disagreed with other parts of it, but that was the thrust of the law that was passed, and if you have got a problem over there when it is cold and there are a lot of these veterans sitting out there in those wheelchairs, it could be a health hazard as well being very uncomfortable. So if you could give this committee some idea what it would cost to build a ramp at the amphitheatre and if it is reasonable, maybe we could incorporate that into our budgetary thinking for the future.

Mr. METZLER. Yes, sir. One of the things I would like to point out that we do work very closely with the Paralyzed Veterans Asso-

ciation each Memorial Day and each Veterans Day or any time we have a major activity to ensure their members' participation is the maximum effort we can do for them, providing them ushers, providing them assistance, and we will continue that support, but I will look into the feasibility of a ramp to see if that will be worked into our projects.

Mr. BURTON. Thank you. Thank you, Mr. Chairman.

Mr. SANGMEISTER. Okay, switching over to the American Battle Monuments Commission, Colonel Ryan.

STATEMENT OF COL. WILLIAM E. RYAN, JR.

Colonel RYAN. Yes, sir. Mr. Chairman and members of the subcommittee, the American Battle Monuments Commission thanks you for the opportunity to be here today and to provide information to the subcommittee on its operations and the Korean War Veterans Memorial.

The President has just appointed Lt. Gen. Joseph S. LaPosada, U.S. Army, retired, as the Secretary of the American Battle Monuments Commission. He is looking forward to representing the commission at the next oversight hearing.

As you have copies of my prepared statement and it will appear verbatim in the record, with your permission I will summarize its consents.

Mr. SANGMEISTER. Go right ahead.

Colonel RYAN. The principle functions of ABMC are to commemorate the achievements and sacrifices of the U.S. Armed Forces where they have served since April 6, 1917 through the erection of suitable memorial shrines; to design, construct, operate and maintain permanent American military burial grounds on foreign soil, and to control the design, construction and care of military monuments erected in foreign countries by other Americans, both public and private.

You can be assured that the guardianship of our war dead interred on foreign soil is a sacred trust which all of us here in ABMC hold in the highest regard and one for which we are extremely proud to be responsible.

Currently, ABMC administers, operates and maintains 24 permanent American military burial grounds and 49 memorial structures in 12 foreign countries and the commonwealth of the Northern Marianas. Additionally, it administers four memorials on United States soil. Interred in ABMC cemeteries are 125,000 U.S. war dead, 31,000 of World War I, 93,000 of World War II, and 1,000 of the Mexican War.

Additionally, 6,600 American veterans and others are interred in the Mexico City and Corozal American cemeteries. ABMC's budget authority for the current year is $20,211,000. Its appropriation request for fiscal 1995 is $20,265,000, $54,000 more than the current year.

Beginning in 1968, this commission will have experienced a 16 percent reduction in authorized personnel by the end of the next fiscal year, even though it has assumed responsibility for an additional cemetery and a number of memorials around the world. Despite the mandated reductions in personnel, being a service organi-

zation, over 75 percent of ABMC's budget still must go to defray personnel and benefits costs.

The remaining funds must defray all other administrative, care, maintenance and repair costs. Each year the foreign governments where our installations are located decree cost-of-living salary increases of at least $400,000. When our budget does not increase by a similar amount, we must defray these increases with funds budgeted for the care, maintenance and repair of the shrines for which we are responsible and the scheduled replacement of supplies, materials, spare parts and equipment.

Final construction of the Korean War Veterans Memorial has begun. It is scheduled to be completed in June of next year and to be dedicated the following month. The total cost will be about $17 million, of which $16 million was raised and $1 million was appropriated.

Last fall, Public Law 102–32 was enacted authorizing ABMC to establish the World War II Veterans Memorial in the Washington, DC area. Shortly thereafter, the Department of the Interior was requested to petition the Congress to enact legislation authorizing placement of the memorial in area one as defined by the Commemorative Works Act.

Once this has been done, a site can be selected, a concept for the memorial established, and a fund-raising campaign placed into full swing. Regarding H.J. Res. 131, the American Battle Monuments Commission supports its enactment, designating December 7th each year as Pearl Harbor Remembrance Day. This completes my summary. We will be pleased to respond to your questions.

[The prepared statement of Colonel Ryan appears on p. 55.]

Mr. SANGMEISTER. One of the questions I presume you anticipated in light of the discussion that we had in my office some months ago is the question of a copyright as it relates to the Korean War Memorial. As you know, the veterans are concerned that if they make copies of that memorial and put it on T-shirts or something that they are going to have to pay a royalty to the architect. We discussed how that was going to be handled, and if I recall correctly, at that time you indicated that when Cooper/Lecky subcontracted with the sculptor and the muralist for their work, that their contracts did not address copyrights. The two individuals assumed they would own the copyrights, so I guess my question to you is where are we today with this thing?

Are we any further than when we discussed it in my office? I anticipated also possibly filing some legislation addressing this matter. It gets rather technical. I have talked with staff on the Judiciary Committee on which I also serve. There are some problems; but at the same time veterans that believe once a memorial is created, it is theirs. It doesn't belong to the sculptor or the architect; and if they want to make copies of it or sell replicas to help fund their own organizations, they ought to be able to do that without paying a royalty to the sculptor or architect.

Anything further, particularly as to the Korean War Memorial?

Colonel RYAN. Yes, sir. Let me go back a little bit and tell you what occurred. The Army Corps of Engineers, on behalf of the commission, wrote the contracts for the AE firm of Cooper/Lecky Architects of Washington, DC to develop the design concept for the me-

morial into a final design solution acceptable to the Commission of Fine Arts, National Capital Planning Commission, and the Secretary of the Interior, and, of course, ourselves. Included in that contract in error was a statement that the American Battle Monuments Commission retained the copyrights for the memorial. Subsequently, Cooper/Lecky——

Mr. SANGMEISTER. Did I hear the words in error?

Colonel RYAN. Yes, sir.

Mr. SANGMEISTER. Go ahead.

Colonel RYAN. Subsequently, Cooper/Lecky contracted with the sculptor and muralist to assist in the work. The artists later learned that the copyrights for their own artistic work on the project had been retained by ABMC. They immediately informed Cooper/Lecky that they would withdraw from their contract unless they received the copyrights for their own work.

If they had withdrawn, completion of the memorial would have been delayed at least for an additional 2 years. Believing it to be in the best interests of the Government to complete the memorial in a timely fashion, ABMC at that time agreed to relinquish the copyrights to the artists. In the negotiations with the artists to relinquish the copyrights, they made reference to Title XVII, Section 101 of the United States Code.

On researching it, we learned to our and the Corps of Engineers' chagrin that artists who create sculptor, murals and architectural designs own the copyrights for their work even though the work is being performed for somebody else. In short, the U.S. Government has never owned the copyrights for the memorial and will not receive any of the royalties paid for their commercial use.

Mr. SANGMEISTER. Well, I understand that one of the problems was potential delay of the Korean War Memorial. No one really wanted to see that happen, after 2 years of hard work and negotiations. A World War II Memorial is now authorized under Public Law 103–32. Are we going to be faced with the same situation there?

Colonel RYAN. Sir, unless the law is changed, the copyrights will belong to the artists concerned.

Mr. SANGMEISTER. Okay.

Colonel RYAN. We use the Corps of Engineers legal counsel as much as we can. We don't have one of our own, but we have no choice but to comply with the law.

Mr. SANGMEISTER. If we file that legislation and we call you to come forward and testify regarding it, what is going to be your position?

Colonel RYAN. I would suspect that we would support it, sir.

Mr. SANGMEISTER. Okay, good to hear that. I think that may be what we will have to do in the long run because I don't think that is right. The architect and the sculptor ought to be paid a good wage for whatever their work is worth in the open market; and beyond that I don't see why they should have in perpetuity royalty rights for, what, the next 20 some—I don't know how many years it is under the copyright law?

Colonel RYAN. It is a large number of years, yes.

Mr. SANGMEISTER. And meanwhile we find veterans' organizations are being sued because they make copies of this stuff mostly

because they are not cognizant of what the law is. I think we need to do something about that. I would say to you that we want to consider legislation on that. Any questions?

Mr. BURTON. No, Mr. Chairman.

Mr. SANGMEISTER. All right, gentlemen, thank you both for being here. We will proceed accordingly.

Colonel RYAN. Thank you, sir.

Mr. SANGMEISTER. The third panel is Mr. Larry Rhea, Noncommissioned Officers Association, John Vitikacs, from the American Legion; Mr. Terry Grandison from the Paralyzed Veterans; Rick Surratt from the Disabled American Veterans, and Mr. Dennis Cullinan from the VFW. It is good to have everyone here.

You have heard our discussions that we have had this morning. Mr. Rhea, why don't we start with you and hear your comments on the subject of the day.

STATEMENT OF LARRY D. RHEA, DEPUTY DIRECTOR OF LEGISLATIVE AFFAIRS, NONCOMMISSIONED OFFICERS ASSOCIATION; JOHN R. VITIKACS, ASSISTANT DIRECTOR, NATIONAL VETERANS AFFAIRS AND REHABILITATION COMMISSION, THE AMERICAN LEGION; TERRY GRANDISON, ASSOCIATE LEGISLATIVE DIRECTOR, PARALYZED VETERANS OF AMERICA; RICK SURRATT, ASSOCIATE, NATIONAL LEGISLATIVE DIRECTOR, DISABLED AMERICAN VETERANS; AND DENNIS CULLINAN, NATIONAL LEGISLATIVE SERVICE, VETERANS OF FOREIGN WARS

STATEMENT OF LARRY D. RHEA

Mr. RHEA. Thank you, Mr. Chairman, and good morning to you and to the subcommittee members. The Noncommissioned Officers Association thanks you for the invitation to appear and testify this morning. As we began: in our prepared remarks, I think it is appropriate to begin in my oral comments here to express to you and to the subcommittee members our deep appreciation for the recognition that was recently extended to members of the National Guard and Reserve.

I am referring to the action taken in 1992 to provide burial flags and grave markers and the recent signing into law of H.R. 821, which extends burial in national cemeteries to retired or retirement-eligible Guard and Reserve Members. It is clear, Mr. Chairman, that these successes would not have occurred had it not been for your persistent efforts.

NCOA commends the subcommittee's efforts to recognize with dignity and respect all members of the total force and for that effort you have our deep and abiding thanks. NCOA does not consider it necessary in these brief oral remarks to recite the numbers, the percentages and so forth which depict the current situation and the future outlook for the National Cemetery System. Those facts are presented in our prepared statement, and they are well known to the subcommittee.

The situation, as reflected in the 1995 budget and as reflected in the 1994 report of the National Cemetery System paints a pretty clear picture, and that is that the National Cemetery System continues to fall farther behind in its efforts to keep pace with an in-

creasing workload, mounting equipment backlogs, and insufficient resources in both funding and employees.

I will point out, though, that NCOA is pleased with the work of Director Bowen, his staff at the national level, and the employees across the Nation who comprise the National Cemetery System. Given the constraints under which Mr. Bowen is required to operate, he and his people are doing an admirable job. NCOA extends our thanks to him and his employees.

In these brief remarks, Mr. Chairman, NCOA would like to highlight one concern regarding the National Cemetery System and to address a specific concern regarding Arlington National Cemetery.

First, NCOA is concerned about the slow, but steady defining down of the goals for national cemetery construction and expansion. NCOA remains committed to the goal that was established several years ago of burial in a national or State veterans cemetery for 90 percent of veterans within 50 miles of their home. Even in the face of rather harsh fiscal realities, NCOA believes that this overall goal should not be compromised.

Admittedly, it will be difficult to achieve in the foreseeable future, but that alone should not be cause to dilute the goal and in the process disenfranchise even more veterans. Secondly, NCOA does have one overriding concern regarding Arlington that we are compelled to address. The association's concern is that the epithat that Arlington National Cemetery symbolizes to the men and women of the United States Armed Forces not be diminished.

Putting this in as delicate terms as I possibly can, NCOA was disappointed by congressional approval of S.J. Res. 129 to place a memorial cairn in Arlington that will, in effect, honor 245 nonmilitary individuals, 81 of which are non-U.S. citizens.

Mr. Chairman, it is not the association's intent to rehash that decision by the Congress. The association is obliged, though, to remind this subcommittee and the Congress of the purpose of Arlington National Cemetery and of its legacy to the men and women of the Armed Forces of the United States. For more than a century it has become the preeminent and cherished shrine commemorating the lives and sacrifice of service in the Armed Forces. It is NCOA's humble wish that Arlington National Cemetery remain so always.

Therefore, we request that Congress reaffirm the purpose and legacy of Arlington National Cemetery to the men and women of the Armed Forces of the United States by codifying the qualifications of eligibility for burial or commemoration in Arlington National Cemetery.

In closing, Mr. Chairman, NCOA wholeheartedly and fully supports H.J. Res. 131, the joint resolution to designate December 7th of each year as National Pearl Harbor Remembrance Day. Rest assured, Mr. Chairman, you will have NCOA's full support in your efforts to discharge the bill. Also, NCOA would like to thank the members of the American Battle Monuments Commission for their stellar work.

Again, we appreciate the opportunity you have given us today, Mr. Chairman. In our opinion, aggressive oversight of NCS will continue to be needed if we are to ensure that veterans, as a final

act of a grateful nation, are bestowed with the honor, respect, and dignity that they have earned. Thank you.

[The prepared statement of Mr. Rhea appears on p. 59.]

Mr. SANGMEISTER. Thank you. Very nicely said.

Mr. Grandison.

STATEMENT OF TERRY GRANDISON

Mr. GRANDISON. Good morning, Mr. Chairman and members of the subcommittee. Paralyzed Veterans of America appreciates this opportunity to present testimony concerning the oversight of the Department of Veterans Affairs, National Cemetery System, the Korean War Veterans Memorial, and House Joint Resolution 131. PVA strongly believes this Nation must continue to provide a dignified resting place for the men and women who have honorably served in the Armed Forces.

In order to maintain an efficient and responsive National Cemetery System, PVA believes it is incumbent on Congress to address the following problems: Chronic underfunding, lack of burial space, equipment backlog, aging infrastructure, significant workload growth, and lack of an adequate information system.

Mr. Chairman, I am going to touch briefly on each of those points. First, funding. The National Cemetery System has shown no real dollar growth in programs, with the exception of a congressionally mandated fiscal year 1991 infusion of $10 million.

PVA recommended an appropriation of $81 million for fiscal year 1995. In addition, this request included an increase of 90 FTEE. This would insure the proper maintenance and the preservation of the park-like beauty of these national shrines. Moreover, funding at this level would allow the NCS to meet increasing demands of the aging veteran population.

Second, lack of burial space. The need for burial space is expected to peak in the year 2009. To meet this great demand, sufficient funds will be needed to acquire adjacent lands to keep existing cemeteries open, to open new cemeteries, and seriously underserved areas and to develop columbaria in existing cemeteries to preserve a burial option for veterans and their families.

In addition, PVA continues to advocate for the location of a VA cemetery in every State and a national cemetery within reasonable driving distance of each major veterans' population center.

Third, the equipment backlog. The equipment backlog within the system is unacceptable. A 1990 study revealed that more than 50 percent of the heavy equipment was well beyond its scheduled replacement date of 5 years. The current equipment backlog stands at $6 million. This figure does not fully capture the seriousness of the situation. This figure does not reflect lost productivity of staff because of equipment breakdowns or graves that cannot be adequately maintained. PVA recommends funding of at least $2.3 million to begin partial reduction of the equipment backlog.

Four, the aging infrastructure. PVA is concerned with the aging infrastructure of the NCS. The NCS is composed of numerous historical buildings, hundreds of maintenance buildings, and other purpose buildings. The NCS has more than 10,000 acres of land intersected with hundreds of miles of roads. In many cases, repairs

to old roads and structures are simply beyond the capability of cemetery personnel.

In order to maintain the shrine-like quality of national cemeteries, PVA recommends that $2 million should be directed for funding of repair projects.

Five, the workload growth. The rapidly aging veteran population will increase the NCS workload in all program areas. The NCS must have sufficient personnel to facilitate this growth efficiently. PVA recommends $1.4 million and 40 FTEE for incremental workload increases.

Lastly, adequate information system. NCS's information needs are critical to its overall operations. The computer system for the Office of Memorial Programs is antiquated and often unreliable. PVA believes the procurement of an updated computer support system could provide an FTEE savings to the system. Therefore, PVA urges Congress to appropriate $800,000 for this system in fiscal year 1995.

At this time, Mr. Chairman, I would like to shift to discussion of the Korean War Veterans Memorial. PVA is a proud supporter of the establishment of the Korean War Veterans Memorial. PVA's support and commitment to the erection of a Korean War Veterans Memorial is longstanding. Actual construction began on the memorial in April 1994. The dedication of the memorial is planned for July 27, 1995.

PVA, the veterans community, and all Americans look forward to the completion of this well-deserved acknowledgment and tribute to Korean War Veterans.

H.J. Res. 131. This joint resolution would designate December 7th of each year as National Pearl Harbor Remembrance Day. President Franklin D. Roosevelt characterized the attack on Pearl Harbor as "a day that will live in infamy." PVA believes that a National Pearl Harbor Remembrance Day is necessary to make President Roosevelt's prophecy a fact. PVA strongly supports the passage of this resolution, Mr. Chairman.

Mr. Chairman, that concludes my testimony. I will be happy to answer any questions that you or this subcommittee might have. Thank you.

[The prepared statement of Mr. Grandison appears on p. 65.]

Mr. SANGMEISTER. We will hold all questions to the end. Mr. Vitikacs.

STATEMENT OF JOHN R. VITIKACS

Mr. VITIKACS. Mr. Chairman and members of the subcommittee, the American Legion appreciates the opportunity to comment on the operations and strategic planning activities of the National Cemetery System. Mr. Chairman, a veteran who dies today can be buried in a national cemetery or State veterans cemetery provided an open veterans cemetery is geographically accessible.

In this scenario, the veteran's family or State would not have to incur some of the expenses associated with burial in a private cemetery. Fortunately, the option of interment in a national or State veterans cemetery is available for veterans and their families. On the other hand, only a small portion of eligible veterans are interred in veterans cemeteries.

For many veterans, burial in a national or State veterans cemetery is not a realistic option. Due to recent legislation, many veterans are no longer eligible to receive a plot burial or headstone allowance. Mr. Chairman, the American Legion believes that similar burial benefits should apply to all honorably discharged veterans. Oftentimes the only benefit a veteran will ever consider using is the burial benefit.

Now, the eligibility for this benefit is as confusing to veterans as is the eligibility for medical care. In the long term restoring, the pre1990 burial benefits would provide veterans an alternative choice to burial in a national or State veterans cemetery. Current VA plans call for the construction of new national cemeteries in five urban locations.

The American Legion supports these projects. We hope the proposed construction of the new Seattle-Tacoma, Washington National Cemetery takes place as proposed beginning in fiscal year 1995. In addition to Seattle, it is essential that the Congress provide funding for the construction of new national cemeteries by the end of this decade near the cities of Chicago, Cleveland, Dallas-Fort Worth, and Albany, New York.

Additional planning for the construction of new national cemeteries should proceed in the locations identified in the February 1994 VA report to Congress on the National Cemetery System. VA also needs to explore the possibility of expanding acreage at existing national cemeteries where feasible, as we heard this morning they are in the process of doing. Mr. Chairman, the Congress needs to do more to further encourage participation in the State Cemetery Grants Program.

The Legion supports legislation to adjust the Federal-State allocation for funding of State veterans cemeteries from the current 50/50 share to 65 percent Federal, 35 percent State. We also strongly support providing a plot allowance of a minimum of $150 for each eligible veteran buried in a State veterans cemetery.

We hope legislation, H.R. 949, which has passed the full House, will be favorably considered in the Senate. It is ironic, however, that H.R. 949 would reinstate most initial provisions of Public Law 95–476, enacted in 1978, which created a Federal program of aid to States for the establishment, expansion, and improvement of veterans cemeteries.

With regard to House Joint Resolution 131 designating December 7th of each year as National Pearl Harbor Remembrance Day, the American Legion is mandated to support the establishment of such an initiative.

Mr. Chairman, in closing, the American Legion deeply appreciates the continuing involvement of the advisory board to the Korean War Veterans Memorial. This advisory board has played a large role in the accomplishments of the Korean War Veterans Memorial. The board should remain an active component of the dedication planning process.

Mr. Chairman, that concludes our statement.

[The prepared statement of Mr. Vitikacs appears on p. 71.]

Mr. SANGMEISTER. Okay, thank you.

Mr. Surratt.

STATEMENT OF RICK SURRATT

Mr. SURRATT. Mr. Chairman and members of the subcommittee, good morning. On behalf of the DAV, I would like to thank you for inviting us to participate in this hearing on the four matters on the agenda today. The primary mission of the national cemetery system is to maintain the national cemeteries and provide for the interment of the remains of eligible deceased service members and veterans, their spouses, and eligible family members.

To fulfill that mission, new cemeteries must be established, existing cemeteries must be expanded where possible, and States must be assisted in establishing State veterans cemeteries. In meeting that mission, it must not only be noted that an aging veterans population is expected to increase demand for space in national cemeteries over the next 10 to 15 years, but also in addition to those cemeteries already closed, several others are expected to become full within that period.

The rate of interments is expected to increase from an estimated 73,000 this year to a high of about 100,000 in the year 2008. VA is in the process of increasing its capacity. New cemeteries are already slated for Seattle, Washington, where land has been purchased; Cleveland, Ohio; Dallas, Texas; and Albany, New York, where VA is close to purchasing land; and Chicago, Illinois, where site options are being studied, as we heard.

VA has acquired or is acquiring land for expansions at other locations. H.R. 949, passed by the House in September of 1993, would make State participation in the State Cemetery Grants Program more attractive by increasing the Federal grant for State cemeteries from 50 to 65 percent of the cost.

Mr. Chairman, as is the case throughout VA, the cemetery system is operating under the effects of budget restraints. However, it is striving to fulfill its mission, and the DAV applauds these efforts.

House Joint Resolution 131 would designate December 7th of each year as National Pearl Harbor Remembrance Day in recognition of the historical and patriotic importance of this anniversary of the infamous attack on Pearl Harbor on December 7, 1941. The DAV certainly supports this admirable expression of appreciation for the sacrifices of those who were affected by this event that marked our entry into World War II.

Many of our members are among that group of distinguished veterans, and I am certain they appreciate your initiative and this subcommittee's initiative on this resolution.

As with the other national cemeteries, Arlington National Cemetery, under the jurisdiction of the Department of the Army, must expand if it is to provide burial spaces after the year 2025.

Currently, the cemetery has 612 acres of land with approximately 50 remaining acres undeveloped. There is space for approximately 76,000 more gravesites within the existing developed and undeveloped land. Cemetery officials are therefore considering a new master plan for expansion.

We are also informed that Arlington, like the National Cemetery System, has so far been able to cope with the budget restraints, although there may be an increased demand for resources as the aging veterans population places more demand on the cemetery.

Mr. Chairman, in October 1986, Congress, by Public Law 99–572, authorized a memorial for Korean War veterans to be built in Washington, DC from predominantly private contributions. This law also established the Korean War Veterans Memorial Advisory Board, whose 12 members were to be appointed by the President.

The advisory board, working in conjunction with the American Battle Monuments Commission, was charged with recommending a site and selecting a design for the memorial. The advisory board was also given the responsibility of promoting establishment of the memorial and encouraging donation of private funds. Although Congress authorized the advisory board to expend up to $125,000 a year out of donations for its operation, the advisory board has funded its expenses solely from interest earned on contributions.

Nearly $17 million has been donated, and this is sufficient to meet the budget for construction of the memorial. The second phase of construction began in April of this year and is well underway. It is expected that construction will be completed in May or June 1995 with dedication of the memorial set for July 1995.

Mr. Chairman, the DAV wishes to acknowledge the contributions of the Korean War Veterans Memorial Advisory Board. It is by the perseverance of the distinguished members of this board that we are about to see the realization of this memorial. It is through their tenacity and vision that generations yet to come will appreciate Korean War veterans' sacrifices and dedication to the cause of freedom. This concludes our remarks, Mr. Chairman.

[The prepared statement of Mr. Surratt appears on p. 75.]

Mr. SANGMEISTER. Thank you.

Mr. Cullinan.

STATEMENT OF DENNIS CULLINAN

Mr. CULLINAN. Thank you very much, Mr. Chairman and members of the subcommittee. On behalf of the 2.2 million members of the Veterans of Foreign Wars, I wish to thank you for inviting us to participate in today's important hearing. The VFW remains committed to the proposition that all veterans should have convenient access to a national cemetery so that they are not denied the final veterans benefit.

Also under discussion today will be the operation of the Arlington National Cemetery, the American Battle Monuments Commission, and of course your legislation, Mr. Chairman, H.J. Res. 131. We will be pleased to comment on all of these important areas.

In recent congressional hearings, and as articulated through the independent budget for VA, the VFW has complimented NCS management on a job well done and we do so here again today. Nonetheless NCS is not without problems.

Equipment replacement backlogs within the National Cemetery Service continue to be of major concern. Additionally, the National Cemetery Service must implement critical maintenance and repair projects to maintain the cemetery's infrastructure of 400 buildings and 100 miles of roads.

The National Cemetery System has shown no real dollar growth in its programs in recent years. The VFW recommends an appropriation of $81 million or an increase of $7.5 million over the fiscal year 1994 appropriation level. This is to ensure proper mainte-

nance and the preservation of the park-like beauty of these national shrines. We further recommend a total of 1,405 employees in order to go along with the required budget figure. This would allow the National Cemetery System to address the increasing demand to the aging veteran population and will also enable the system to maintain the cemetery grounds at a level befitting a national shrine.

With respect to the Arlington National Cemetery, the VFW continues to view this as a well-run cemetery and compliments its management. We do note, however, that Arlington is rapidly running out of burial space and we recommend that Fort Myers land adjacent to Arlington be turned over to it so that veterans may continue to be properly buried there.

The VFW also views the American Battle Monuments Commission as being very well run and of unquestionable importance in memorializing the sacrifices and accomplishments of America's veterans. We can only ask that it continue to serve so admirably in this capacity.

In closing, Mr. Chairman, the VFW strongly supports the enactment of your legislation, H.J. Res. 131. On December 7, 1941, over 2,000 American men and women in uniform died for our freedom and many thousands more were injured. It is absolutely inconceivable to us that there are those who would hinder making December 7th an annual day of Pearl Harbor remembrance, and I can assure you of our ongoing support in this regard.

I would also say that if you choose to undertake the very tough and tricky proposition of assuring a copyright empowerment for the various veterans' organizations for the Korean War Memorial, for the World War II Memorial, for any veterans memorial, we will back you on that to the hilt. Thank you, Mr. Chairman.

[The prepared statement of Mr. Cullinan appears on p. 81.]

Mr. SANGMEISTER. Mr. Burton advises me that he is going to have to leave and he would like to make a statement before he does that.

Mr. BURTON. Yes. First of all, I think the chairman and I and probably everybody on the Veterans Affairs Committee agree with you on 99 percent of the issues that have been raised, maybe 100 percent.

One of the problems we are facing right now is severe fiscal constraints, and I am sure you are aware of that. So I would just urge all the veterans' organizations and all of you who came to testify today who are concerned to follow up with this at the appropriate Appropriations Committee meetings because that is where the rubber hits the road, and we really need you to help make the case that we are going to be making as well.

The Chairman has made the case before the Appropriations Subcommittee dealing with Veterans Affairs, and others have as well, but we really need for you to help put the pressure on those appropriators as well because if you don't we probably won't get the money necessary to do the things that, you and I know, need to be done. Thank you, Mr. Chairman.

Mr. SANGMEISTER. Thank you, Dan. In listening to all of your testimony, one thing I guess you certainly agree on is we need to have more national cemeteries within, Mr. Rhea, did you say 50

miles, to pick out a particular distance, but that is a concern of all of yours that it is filling up—and we are getting a no from Mr.——

Mr. VITIKACS. That is not the position of the American Legion, Mr. Chairman.

Mr. SANGMEISTER. Okay. So you are not concerned about the amount of burial sites that are within the metropolitan areas, how close the cemeteries may be?

Mr. VITIKACS. I believe I heard you ask the question of whether we would support a national cemetery within 50 miles of people——

Mr. SANGMEISTER. I guess that is very arbitrary.

Mr. VITIKACS. I am responding to that particular comment.

Mr. SANGMEISTER. The question is, are we locating our national cemeteries close enough to our metropolitan areas?

Mr. RHEA. Mr. Chairman, let me clarify what I said there. Back several years ago, the Veterans' Administration had a goal of establishing national or State veterans cemeteries so that 90 percent of veterans could be buried within 50 miles of their home. My point that I was making, and I will reiterate here, is NCOA believes that that remains an admirable goal.

What we are concerned with is because of fiscal constraints and all of the other problems that we are having to deal with here is that that goal is being compromised. We were going to a 75-mile radius. There is new talk of a 100-mile radius, all the time fewer will be buried closer to home. We can include more veterans in a broader radius, but I think that misses the point.

The point that I was trying to make is that the goal was widely ascribed to and endorsed at the time. NCOA believes that it remains a good goal, and we just hate to see it continually reduced and further disenfranchising more veterans. That was the point I was trying to make, sir.

Mr. CULLINAN. Mr. Chairman, by a national resolution, the VFW is asking for at least one open national cemetery in every State. The spirit of that resolution is such, though, that we are highly supportive of a national cemetery or at least 90 percent of the veteran population being within 50 miles of a national cemetery, and that is not something that is going to go away within our organization, so we are very concerned about space.

Mr. GRANDISON. Mr. Chairman, PVA is very flexible. We define the need in regards to reasonableness. If 50 miles is reasonable or 75 miles is reasonable, then we can agree on that, but it has to be in terms of a reasonable distance, specifically those areas where the veteran population is heaviest.

I think the question is whether or not veterans in heavily populated areas are being underserved or not. That is the real question, are they being underserved, and it should be based on a case-by-case or State-by-State or geographic-by-geographic analysis.

Mr. SANGMEISTER. Mr. Vitikacs, you wanted to reply.

Mr. VITIKACS. Yes, thank you, Mr. Chairman. I would like to articulate the views of the American Legion on this subject. We certainly support the development of new national cemeteries in major urban locations, and that is what the planning currently is undertaking right now. The five sites that are now under active planning as well as the other sites identified in the 1987 and the February

1994 VA report on future needs. Let it be noted that the areas of Detroit, Miami, Pittsburgh, Pennsylvania, Oklahoma have also been identified in various reports of VA.

Considering the fiscal situation that Congress is operating under, it would be desirable, but I don't think realistic to have an open national cemetery in every State. Desirable but not realistic. I think that there is a combination of factors that would work most appropriately, and that would be new national cemeteries in major urban locations, the development of State veterans cemeteries through the various initiatives that are currently in place, as well as being considered, H.R. 949 for one.

Mr. SANGMEISTER. You heard the director testify that he thinks H.R. 949 sitting where it is sitting is really hurting the situation. Do you have any feel for that or do you agree with him?

Mr. VITIKACS. I am not certain what his meaning was behind his statement, "it is sitting where it is sitting," you mean in the Senate?

Mr. SANGMEISTER. Yes, right.

Mr. VITIKACS. It has to be moved forward. It has to be moved along, and that is our goal. It has to be moved along. It is hurting the situation right now in States coming forth with new applications, and as you heard, they are coming forward with applications for improving existing cemeteries, but not for new cemeteries. Those are two initiatives. New national cemeteries in major urban areas, State veterans cemeteries, we would certainly encourage the development of a State cemetery in every State, minimally in every state.

Thirdly, the expansion of existing national cemetery space where feasible, and lastly, Mr. Chairman, and very importantly, the restoration of burial plot and headstone allowances to provide veterans with a realistic option of where they will be buried. Many veterans no longer have a realistic choice of being buried in a national cemetery or State cemetery because of geographic inaccessibility, and penny-wise, pound-foolish, eliminating these allowances.

In the long run, it is going to cost more to maintain the veterans burial program by eliminating these allowances, so it is a four-pronged approach here that that is the position of the American Legion. Thank you.

Mr. SURRATT. Mr. Chairman, in answer to your question, the DAV also has a resolution supporting a national cemetery in each State, but certainly to the extent that the 50-mile goal would exceed that, we would not oppose it.

Mr. SANGMEISTER. Okay. Let's switch things for just a little bit. You heard the Battle Monuments Commission testify here. Are you hearing from your members regarding copy rights? I am certainly hearing, not from a lot of them, but I am hearing from a number of them.

The Korean War veterans are the ones that are most upset at what is going on with the current memorial, and you heard what the testimony was. We couldn't change anything because the law has to be changed, and they couldn't do anything in their contracts at this time because it would slow down the memorial for a couple of years and all this kind of stuff. I would like to know, if I am going to introduce legislation, and I just might do that because I

also sit on the Judiciary Committee that would hear that, but I would certainly want all of your support for that. Is that something worth getting involved in or not? Whoever wants to respond.

Mr. CULLINAN. Mr. Chairman, I have already expressed the VFW's support of such an undertaking. We admire you for taking something like that up. It is a tough proposition.

Mr. SANGMEISTER. Don't you think it is kind of abhorrent that we hire somebody, pay them, as I understand it, very good money to design or sculptor these things and then all of a sudden they hang on to all of the copyrights. I was not aware of that until I got involved in this, that that was the situation.

Mr. CULLINAN. I remember when it came up, Mr. Chairman, and we were hoping that some resolution could be struck.

Mr. SANGMEISTER. It is not going to be now. Apparently the only thing is legislation. Could we get support from you, from the rest of you for that?

Mr. VITIKACS. Mr. Chairman, from the American Legion, we at this time do not have any resolution on that issue, but it is something that I will discuss once this hearing is completed, and I would be glad to provide your office with a response.

Mr. SANGMEISTER. I would appreciate your organization doing that. I would like to know if we are going to have support from the veterans' organizations because I think that legislation will be vigorously opposed for a lot of legal reasons and the practicalities of long-time copyright law. I can see all the arguments against it that are going to come, so we need your support.

Mr. SURRATT. Mr. Chairman, on behalf of the DAV I, too, will have to consult with the organization.

Mr. SANGMEISTER. I would like to hear from each one of you in writing as to whether or not you would support that legislation. I am not going to file it until I hear from you, okay?

Mr. RHEA. NCOA can state publicly today that we would support your efforts on that, but we will also provide that in writing, sir.

Mr. GRANDISON. PVA will also provide a written statement to you, Mr. Chairman.

Mr. SANGMEISTER. The other issue I want to discuss with you is H. J. Resolution 131 to make Pearl Harbor Day a national commemorative day, which falls under the jurisdiction of the Post Office and Civil Service Committee. The rules of the Committee are that you have got to do it every year. I have one of my own veterans here who will be testifying a little later.

The only way we are going to get this done is to discharge the committee to get that bill out on the Floor. A lot of people think if you have 231 cosponsors, you just go back and ask them to sign a discharge petition.

Well, there is a lot of hesitancy to sign discharge petitions, even though you are a cosponsor of that legislation, because obviously there is a problem with going against the committee Chairman and the individual committee rules. I think that is the only way we are going to get this done. I think it is important. I wouldn't have filed that legislation if I didn't think so. But here again, I am going to need the support of everybody. When the petition is ready, you are going to have to contact your individual Congressmen and tell

them to go down to the well and sign that discharge petition so we can get it out because that is the only way it is going to be done.

I will obviously contact everybody that is a cosponsor and ask them to do that. There will be a natural reluctance, but if they hear from you, I don't think there will be.

Is there anything else that you would like to have this committee know about? I think we have discussed the main issues, so if not, thanks to all of you. Again, it is always a pleasure to have all the service organizations here because you represent the people that we represent, and we want to make sure we are on the right track.

Thank you all. The next panel is Gen. Ray Davis, United States Marine Corps, Retired, Korean War Veterans Memorial Advisory Board, and Jerry Brown from the National Concrete Burial Vault Association. General, we are pleased to have you here this morning. You know the topics that we are talking about, and from your perspective we would like to hear what you have to say. We obviously have your written testimony, but you may proceed as you see fit.

STATEMENTS OF GEN. RAY DAVIS, USMC, (RET.), CHAIRMAN, KOREAN WAR VETERANS MEMORIAL ADVISORY BOARD ACCOMPANIED BY ROBERT L. HANSEN, EXECUTIVE DIRECTOR, ADVISORY BOARD; AND JERRY BROWN, EXECUTIVE DIRECTOR, NATIONAL CONCRETE BURIAL VAULT ASSOCIATION, INC.

STATEMENT OF GEN. RAY DAVIS

General DAVIS. Mr. Chairman, and distinguished Members, initially I would like to indeed support the establishment of Pearl Harbor Day on a permanent basis on behalf of the many friends I have who served there, and I was impressed by the actions of these gallant warriors who fired the spirit of this Nation and pointed us towards a total victory in that conflict.

Mr. SANGMEISTER. We agree with you, sir, and any help you can give me would be greatly appreciated.

General DAVIS. Certainly, my full support, sir. I would like to thank those who commended the work of our advisory board here. That was unsolicited but appreciated. We have struggled with it for 7 long years, but we see the light at the end of the tunnel. It is an honor, indeed, to brief you on the significant progress of the Korean War Veterans Memorial in the Nation's Capital.

Under Public Law 99–572 of October 28, 1986 we did several things. First, it authorized the American Battle Monuments Commission to erect the memorial in Washington on Federal land with funds obtained from private contributors. Second, it directed the President to appoint our board, 12 Korean War veterans who had the following task: recommend a site, and we got the ideal site by the Lincoln Memorial; select a design through a national competition; and to promote the establishment of the memorial and encourage donations of private funds.

Another part of the law was directed compliance with the Commemorative Works Act, Public Law 99–652. Our tasks are nearly complete, the site selected, known as Ash Woods, south of the reflecting pool near the Lincoln Memorial, gives balance to that end

of the mall. A perfect triangle is formed with the Lincoln Memorial, the Korean War Veterans Memorial and the Vietnam Veterans Memorial at each vertex. The memorial and design is unique, one of a kind. We consider it a masterpiece.

Three main features. There is a column of 19 troops representing those who fought the war on foot; a wall to commemorate and display the array of those in support in three segments, the air, the sea, the ground support; a commemorative area for those killed in action, missing in action and the POWs. The troops are positioned in an open field with several emerging from the woods giving an impression of legions which might follow.

The highly polished granite wall is 164 feet long and will have thousands of images etched into a mural recognizing, as Congress intended, the totality of the Armed Forces effort. These photographic images on the wall are from the National Archives in operational mode, the nurses, the chaplains, the airmen, the gunners, the mechanics, the cooks, the helmsmen, among many others, symbolize the vast effort which sustained the foot troops.

Whenever you look at the photograph, you can usually see someone you think you might recognize, and for that reason this memorial should live forever. The commemorative area, a still reflecting pool, is a suitably solemn tribute to our fallen comrades.

The advisory board and the Battle Monuments Commission in addition have approved a computerized database of all the known lost. The visitor will not only be able to see the name, the rank, the serial number, and the home of record and even a picture, but with the details such as the date, time and location of the action that had caused his loss or her loss.

The visitor can then take a printout of the information with them as a memento for their visit to our memorial. The advisory board is acutely aware that it is a surrogate to nearly five-and-a-half million Americans who served in the Armed Forces during the Korean War and those patriotic Americans who have contributed so much to its reality, $14 million in actual contributions, with the balance coming from interest raised on the principal.

About 80 percent of these came from veterans themselves or their organizations. They have either contributed directly or bought coins from the silver dollar commemorative coins authorized by the Congress.

Korean American corporations contributed near $2 million, American corporations near $1 million. The formal ground breaking took place on Flag Day, June 14, 1992. Site stabilization started last spring. Phase II of the construction began April of this year and due to be completed May/June of next year. Dedication is planned for July 27, 1995, the 42nd Anniversary of the Armistice that ended the armed hostilities of the war.

It has taken this country nearly 40 years to appreciate that this armistice not only stopped the spread of Communist aggression to the Pacific Rim countries, but in fact led us towards the demise of communism today throughout Europe. It is no longer, as we said before, a forgotten war, but in fact a forgotten victory which this memorial will document for all time to come, and thus, a fitting celebration for several days including a muster, a parade, enter-

tainment and fireworks, all these will accompany the actual dedication ceremonies in July of next year.

The ceremonies will be funded by private donations, nonappropriated funds designated for these specific purposes. The Korean War Veterans Memorial in our national capital is a great tribute to all Korean War veterans, those who came home, as well as those who did not. Korean War veterans, in particular, but all veterans, I am convinced, will stand tall with pride when they visit this memorial knowing that they, too, served the cause of freedom so nobly, indeed, a memorial for all veterans of all times.

This is my brief summary. Thank you very much and may I respond to any questions.

[The prepared statement of General Davis appears on p. 84.]

Mr. SANGMEISTER. Well, thank you. It must have been very interesting serving on the committee. It must have also been very frustrating at times. I think the amount of private money you were able to raise is outstanding. I served during the Korean conflict myself. I will be looking forward to July 27, 1995, for the dedication. We will certainly be here for that.

Seeing as you have gone through this and now we have the World War II Memorial that we are talking about, is there anything that you have gleaned along the way that you could tell us that is the right way to do things or the wrong way to do things? If some things went awry, maybe we can avoid it with the Korean War Memorial.

General DAVIS. I could make a speech about that, but I won't. Very briefly, they need some clarification in the review process. You know, six entities, our board, the Battle Monuments Commission, the Fine Arts Commission, the historical board, the memorial board, the fine arts, there was inadequate coordination between those.

We would actually go through with a concept, have it approved and come back with the final product, and it had enough members change on the board where they would disapprove the whole thing and we would start over. That is why it took 7 years, but if anything could be done to firm up that organization so that those boards and commissions could——

Mr. SANGMEISTER. Are working together and not working against each other and doing duplicate work. Okay. I don't know whether you want to get involved in it or not because it is past tense for you, but you heard the discussions regarding copyrights as far as these memorials are concerned. Do you have any thoughts about where that copyright ought to go?

General DAVIS. Yes, I do. To me, it was a fairly simple process. I know the artist and the sculptor and I believe them when they said they made a contract under the law which provided them with copyright, so if we are not going to give them the copyright we should give them—buy them off somehow to take care of that gap in the money that they had conceived that they would do.

A main point to me is I worked for this thing for 7 years without any idea of anybody making a profit off of it. I made none. I have put more money in than I have got out. So if somebody is going to make a profit out of it, under the law, if they are going to sell 15 million T-shirts and make $20 million profit, they ought to give

a few pennies to the guy that designed it. That is the way the law says, so if you change it, I don't think it will change our situation at all.

Mr. SANGMEISTER. I was told that there are limited number of—which I find a little hard to believe—a limited number of artists, sculptors, muralists I guess they are called, who have the capability of doing that kind of work. Through your work did you find that was true? Were you in charge—the commission actually itself issued the contract, did they not?

The question is how much of a relationship did you have when it came to the selection of the artist or the sculptor?

General DAVIS. We sat in on it and discussed it, but we had no decision authority, so they made the selection, but again I think they were honest in their—they knew what the law was. The law provided them with a copyright, so they made a contract under the law where they rated a copyright, so I think they went into it honestly.

Mr. SANGMEISTER. I don't think there is any question about that. As I understand, they get paid quite well for their work. I suppose that is a matter of how you view it, but if that is the case, maybe they ought to be paid a little bit more and then whatever can be generated off of that memorial should go to some of our veterans' organizations, but that is something to be discussed in the future.

General DAVIS. Mr. Chairman, could I ask our Executive Director, Mr. Hansen, who has been involved with this to make a brief statement about the copyright.

Mr. SANGMEISTER. Go right ahead, sir.

Mr. HANSEN. Thank you, Mr. Chairman. Thank you, General Davis. Mr. Chairman, I would like to try to put the copyright in a little bit different perspective, if I could. Simply from the standpoint of the entrepreneurs out there who would think they are possibly losing something if the artist holds the copyright, if you can think for a moment of the T-shirts as an example that are sold currently all throughout Washington, that T-shirt in quantity costs approximately $5 to produce. They can sell them on the mall for $15 or more, providing a margin of profit of $10.

The law stipulates that the royalty to be received by the artist holding the copyright cannot exceed 10 percent, so at best of that $10 margin of profit, $9 is going to the entrepreneur who has had the risk of producing the T-shirt and $1 is going to the artist, so the concerns expressed by some of the veterans that I have heard from and that the advisory board has heard from that the artists are going to get rich is, I think, a misplaced concern. And secondly, sir, as a Korean War veteran yourself, I would like to say that we don't build memorials as fund-raising mechanisms. We build them to honor the dedication and service that the veterans have given to this country for the cause of freedom and that they are not a fund-raising mechanism.

Mr. SANGMEISTER. You are probably right in theory on your last point, but I think all the veterans' organizations are always looking for some way to raise some money to support themselves, and that seems kind of a natural way to do it, and I could see where they are coming from. I don't know what the exact figures are. If you are correct, then, you are making a point that it is not as big as

it is, but I guess trying to play devil's advocate on the other side, we do know of a number of veterans' organizations apparently that have been sued by the architects or the sculptors because either ignorance of the law, didn't realize that they had to pay a portion of what they took in on those projects or not.

Well, we will see how the future goes on that, but thank you, appreciate your being here and giving us your feeling on that.

Mr. HANSEN. Thank you.

Mr. SANGMEISTER. All right. Now, Mr. Jerry Brown.

STATEMENT OF JERRY BROWN

Mr. BROWN. Thank you, Mr. Chairman. The National Concrete Burial Vault Association was founded in the 1930s, and is made up of concrete burial vault manufacturers from the United States and Canada. Our association represents the national franchisers as well as a host of independent burial vault and graveliner companies.

We thank the members of this subcommittee for your continued involvement with and the oversight of the National Cemetery System. The National Cemetery System is a source of pride, tradition, and profound national awareness. Programs within the jurisdiction of this subcommittee are critical to preserving and perpetuating the quintessential concept of memorializing the lives and deeds of Americans who have died in the service of our Nation.

The National Cemetery System provides the means for the proper perpetual memorialization of our deceased veterans. In all societies, when a death occurs, we feel the need to respond individually, as a family, as a community, and culturally. Our national cemeteries are an integral part of this cultural response. National shrines such as the Arlington Cemetery are visited by thousands of veterans and family members each year, furnishing a sense of continuity with the past and reinforcing the importance of the role the veterans played in our history.

For over two centuries, the courage and patriotism of our Nation's armed servicemen and women have been enshrined in the monuments and memorials bearing proud testament to their sacrifice and dedication for a free and Democratic society. The National Concrete Burial Vault Association vigorously supports House Joint Resolution 131, designating December 7th of each year as National Pearl Harbor Remembrance Day, and certainly the Korean War Memorial as integral parts of the memorialization process.

Since the dawn of human kind, world cultures have responded to death with ceremony, sensitivity, and sociological and religious fervor. The funeral embodies the fundamental equation for the recovery process, as it provides order and direction in the time of loss and certainly manifests our beliefs through the ceremony of choice.

The ceremony brings people together to share their feelings of grief and sorrow and bears testimony to the life of one who was known, loved, honored and remembered. Within the circle of the death and memorialization experience, the place of bestowal, the cemetery, emerges as the final chapter of the death and funeral experience and becomes the place where family and friends may return to reflect, remember, and recreate the images of a life that has been lived and as a footnote, the flags that have been flown

at half staff in our Nation this past month and certainly the touching and moving ceremony that occurred yesterday at Arlington National Cemetery punctuates and underscores our culture's need to memorialize and to remember.

Throughout the long and mobile history of the national cemetery network, what has been phrased as the dynamics of earth interment has played a significant role in the operational, logistical and economic and political profiles of the cemetery system. Specifically, the position and function of the burial vault and/or graveliner within the sphere of national cemetery policies, regulations and operations has become one of the primary focal issues of the past two decades.

For millenniums, the dynamics of earth burial have evoked various forms of entombment or protective enclosures to encase, surround, protect and memorialize the deceased. Even today, ancient pyramids, catacombs and sealed crypts remain as silent testament to man's compelling need to safeguard the dead and memorialize the place of interment.

In recent decades, the preference for some form of outer burial receptacle to encase and protect the casketed body in earth burial has expanded to include the aesthetic, functional and economic concerns of cemetery management, as well as fulfilling the cultural values and traditions of our society.

Since 1968, the National Concrete Burial Vault Association has worked with the National Cemetery System and the House Committee on Veterans Affairs, Subcommittee on Housing and Memorial Affairs to develop and implement a graveliner program.

In 1984, our association submitted to the subcommittee a study entitled, "The Economic and Aesthetic Impact of Using Outer Burial Receptacles in National Cemeteries," which detailed the dynamics of earth interment and its subsequent effects upon the physical and fiscal condition of the National Cemetery System.

The NCB VA continues to support the fundamental position of requiring outer burial receptacles for interments within the National Cemetery System, which corresponds with the policies of over 90 percent of the Nation and public, private and denominational cemeteries with the enactment of Section 504 of Public Law 101–237, effective January 1990.

The Government must provide a graveliner for each new grave in an open cemetery within the National Cemetery System in which remains are interred in a casket unless a burial vault has been selected by the next of kin. Proper maintenance of the National Cemetery System is enhanced by the use of outer burial receptacles such as those manufactured by our association.

When a casket is interred without some form of outer burial receptacle, anywhere from 5 to 11 restorations of the gravesite would be required in a 25- to 50-year period. In order to provide the highest quality product to the national cemetery system, the membership of the NCB VA adopted performance standards at its annual meeting in 1991. The NCB VA promotes safety and training in its member plants and in the handling and delivery system of concrete burial vaults and graveliners throughout the cemeteries with a vigorous comprehensive inspection and certification program for its members.

Our World War II veterans are now in their late sixties and early seventies and by the end of the century will be in their late seventies and early eighties. Korean veterans are now in their late fifties and by the year 2000, Vietnam veterans will be in their fifties. There are nine million living World War II veterans, five million Korean veterans and eight million Vietnam era veterans. The strain on our national cemeteries to provide an appropriate burial benefit to these veterans along with the proper and continued maintenance of these national shrines will be immense. The National Concrete Burial Vault Association supports this committee and your endeavors. Thank you.

[The prepared statement of Mr. Brown appears on p. 93.]

Mr. SANGMEISTER. Thank you, Mr. Brown. If you can, it may be a difficult question to answer, but how many graveliners do you estimate your members provide to the national cemetery? Our facts are that there are about 67,000 burials a year.

Can you give us an idea how many graveliners?

Mr. BROWN. Roughly, sir, approximately of the 67,000 veterans interred in national cemeteries annually, and I can speak for the Snelling National Cemetery, which I believe is the third largest national cemetery within the system. The percentage of graveliners to burial vaults that are selected by the next of kin is probably running about 70 percent, and I think extrapolating that with——

Mr. SANGMEISTER. Seventy percent are choosing graveliners?

Mr. BROWN. Are selecting the graveliners; that is correct.

Mr. SANGMEISTER. If you had a recommendation to make to us to either improve the work relationship with the national cemeteries system or the graveliner program, do you have any recommendation you would like to make? Or is the program going well?

Mr. BROWN. Well, the program, I do believe, is going well. We have testified at this hearing in the past relative to some of the fiscal constraints, I believe, the budget concerns relative to the National Cemetery System, and from time to time we have felt number one, I believe, that all of the superintendents of the various national cemeteries will concur that the graveliner program or some form of permanent outer receptacle is indeed cost-effective.

I indicated in my report that we did a study and a burial that takes place without some form of outer receptacle, the grave will require restoration anywhere from five to eleven times during the life cycle of the grave, so it is cost-effective. I believe that we have suggested that maybe to improve the fiscal condition of the National Cemetery System that some thought might be to retain the requirement and have the next of kin provide some form of either burial vault or graveliner from other sources, but as far as the program itself, sir, it does seem to be going very well.

Mr. SANGMEISTER. Well, that is what we are here to find out and are pleased that it is. So thanks to both of you, General Davis, for taking time to come over and updating us on the memorial. And Mr. Brown, thank you for your comments.

Mr. SANGMEISTER. We will move on to Lee Goldfarb.

The other witness is from my district, Mr. Richard Foltynewicz.

STATEMENT OF LEE GOLDFARB, PRESIDENT, NATIONAL PEARL HARBOR SURVIVORS ASSOCIATION; AND RICHARD FOLTYNEWICZ, PUBLIC WITNESS

STATEMENT OF LEE GOLDFARB

Mr. GOLDFARB. Mr. Chairman, before I give my testimony, I think I would be remiss if I did not thank you for your leadership in this fight to make December 7th a national day of remembrance. Your dedication has been a terrific boost to the Pearl Harbor survivors since, as you know, we have run into a stone wall with the Post Office and Civil Service Committee. However, it is your leadership, sir, which we believe will breach that wall and make December 7th a national day of remembrance a reality, and for that we thank you.

Just one other statement, if I may, one quick one, I would like to thank the fellows behind me with the white caps who came here in support of our position. They are Pearl Harbor survivors from Maryland and from Virginia, and I am truly grateful for their appearance here.

Mr. SANGMEISTER. You are more than welcome. Thank you for your kind comments.

Mr. GOLDFARB. I want to thank you, Mr. Chairman, for allowing me to testify on behalf of H.J. Resolution 131. As you know, to our organization, December 7, 1941, is one of the most important days on the calendar. It brings to mind a day in which 2,403 shipmates and comrades lost their lives in what can best be described as a sneak attack. This attack took place while the representatives of the Japanese Government were in Washington talking peace. We should never allow the events of that day to be forgotten or overlooked. That is why it is important that H.J. Resolution 131 be passed.

Mr. Chairman, I believe I can explain our feelings if you will allow me to read the letter I wrote to the Honorable William Clay, Chairman, Post Office and Civil Service Committee concerning H.J. Resolution 131. It is the Committee policy for consideration of commemorative legislation for the 103rd Congress which provides the stumbling block, and before I read the letter, I would like to quote paragraph two, line (e), which says: "The following types of proposals shall not be reported: Any proposal providing for recurring annual commemoratives," and the letter follows.

Mr. SANGMEISTER. You may proceed with that letter, if you want to read the letter into the record, that is fine.

Mr. GOLDFARB. Yes, sir, I do, may I?

Mr. SANGMEISTER. Go right ahead.

Mr. GOLDFARB. "Dear Chairman Clay: It is with more sadness than anger that I write this letter. It is inconceivable that with in excess of 200 cosponsors who have signed on in support of H.J. Resolution 131 you would not permit this bill to be released. I understand the reason behind your reticence, but I find it difficult to understand.

"The thought that many frivolous organizations would seek in one form or another a day of remembrance leaves you with the conclusion not to have any. On behalf of the 2,403 who were killed that Sunday morning, I find it unconscionable that you would

equate the Pearl Harbor Survivors Association with the Pickle Growers Association or the 42nd Street Ballet Dancers, ad nauseam. Perhaps my language is slightly strong, but perhaps it will help make my point.

"The reason we are determined to pursue the matter at this time is because it is now evident that we are in the final stages of our allotted time on this mortal coil, and we see no one in the foreseeable future who will labor annually for a National Pearl Harbor Remembrance Day. Let the last of us depart and the slogan, 'Remember Pearl Harbor' will depart with us.

"Mr. Chairman, please understand our concern, please understand our fear, and please understand you are our only hope.

"Mr. Chairman, please join us in our crusade and please be our ally. Perhaps it is not fitting, but I subscribe to the adage that for every rule there is an exception. With much gratitude."

And at this time, if you have any questions I will be glad to answer them, Mr. Chairman.

[The prepared statement of Mr. Goldfarb appears on p. 98.]

Mr. SANGMEISTER. The obvious question has got to be did you get an answer to your letter?

Mr. GOLDFARB. Did Congressman Clay answer the letter?

Mr. SANGMEISTER. Yes.

Mr. GOLDFARB. Not yet, sir. Maybe being from the Post Office Committee he can't afford the 29 cent stamp.

Mr. SANGMEISTER. Well, not commenting on that, what is the date of your letter?

Mr. GOLDFARB. I don't see a date on here, but it is approximately 3 weeks ago.

Mr. SANGMEISTER. Three weeks ago you sent that? Okay, well, we are glad you sent that letter, and I presume you will be getting a response. Before we go into any further discussion on this, Dick, it is nice to have you here.

You know, Mr. Goldfarb, you gave me credit for going ahead and doing this and I feel very sincerely about it. It is a pleasure to do it, but the one man who has been a stimulus for me, and, of course, we always try to respond to people from our district, but beyond that, as you know, he is not a Pearl Harbor survivor, but he feels so firmly about this that he moved me to do this.

Mr. GOLDFARB. Well, you know, we were aware of this gentleman, and we certainly honored him at our convention and 50th anniversary.

Mr. SANGMEISTER. It was very fitting. We are very glad you did.

Mr. GOLDFARB. To be very honest, we will take any help we can get in this direction.

Mr. SANGMEISTER. Dick, what do you have to say?

STATEMENT OF RICHARD FOLTYNEWICZ

Mr. FOLTYNEWICZ. Well, one gentleman before us said one thing about the cemetery. He stated that you are going to retire, and that you are going to be missed by his group and the group here. Well, I am personally going to miss you because I represent the veterans in our area, as you well know, and I know they are going to miss one heck-of-a-good supporter for our veterans' rights.

Mr. SANGMEISTER. Thank you for that, Dick, but no one is irreplaceable, and I am sure someone is going to come along.

Mr. FOLTYNEWICZ. I know, but that letter last Friday that we received from you to Secretary Jesse Brown, that was the most wonderful respect that anybody could do. This was in regards to the outpatient hospital. I appreciated that.

Mr. SANGMEISTER. Okay, you are more than welcome for that.

Mr. FOLTYNEWICZ. Again, I certainly do want to thank you for inviting me to come here. It is, indeed, a great honor and privilege to come here and represent what I have been doing, something that is very dear to my heart.

As in my statement, I have an article in the World War II Times. Getting our congress to recognize December 7th as National Pearl Harbor Remembrance Day is a tough job, a task. It has been very tough.

Although the Japanese attack there on December 7, 1941, is one of the most significant events of this century, the bill to establish an annual commemoration date is stalled in a subcommittee with little chance of release because of Federal rules governing commemorative days.

House Joint Resolution 131 has 231 cosponsors of now. The requirement is 218 to have it come out of committee, to have the bill come to the Floor for a vote. Even so, Representative William Clay, Chairman of the House Post Office and Civil Service Committee, has not authorized the bill's release from the Population and Census Subcommittee.

It should be noted that the House Joint Resolution bill 131 designates December 7th as a working holiday similar to Flag Day on June 14th. It also requests the President to issue an annual proclamation calling upon citizens to observe the day with appropriate ceremonies and activities. The United States flag, our flag would be flown at half staff that day by all Federal agencies and interested groups in honor of those Americans who died in the sneak attack.

Representative George Sangmeister, who is retiring this year from Congress, said that in the 1970s the subcommittee established rules which prohibit commemorative days in the belief that eventually every day would become a commemorative day. However, Sangmeister added, this is not just another event we are talking about. This is an event which changed the course of history for America and also the world, the whole world, not just the United States.

Interestingly, since the subcommittee's rules were adopted, there have been days set aside for perpetual commemorations. Those were accomplished by tacking them on to legislative bills which is one way of doing it. Included among the commemorations are Federal Lands Cleanup Day, National Disability Awareness Month, and National Forest Products Week. Thus, tacking House Joint Resolution 131 on to a piece of must-pass legislation as a rider could be an alternative course to get the bill out of the subcommittee and on to the Floor for a vote.

We certainly didn't want to do that. It is not in the middle of the night. It is too significant of an event to do that. The idea to officially commemorate December 7th came to me during my sister's

birthday party in March of 1990. The next day, I contacted Representative Dennis Hastert of Saint Charles with the suggestion.

He sponsored a resolution that would designate December 7th as Pearl Harbor Remembrance Day, December 7, 1991. At that time I didn't know that the word of each year should have been incorporated in that, but it wouldn't have made any difference. He wouldn't have done it because they wouldn't have passed it then as they are not doing it now, so in order to get this bill passed and on its way, we went along with the appropriate way at the time.

Since then, I have formed the Foundation for a National Pearl Harbor Day to push for the commemoration. I also set up the Pennies for Pearl Fund, which raised funds for a bronze plaque which I presented to the Pearl Harbor Survivors Association at Pearl Harbor on December 7, 1991. They honored me by letting me march with our Pearl Harbor survivors of our State of Illinois that day, and I have wonderful movies of that. It is very gratifying to me to have that privilege.

Why is this legislation so important? Well, I was 15 years old when the Japanese bombed Pearl Harbor. That event left an indelible impression on me, and 18 months later I joined the Marines to serve in the Pacific theater.

This commemoration will enable future generations of Americans to recognize the significance of the date and to be reminded of what can happen if our country is unprepared to protect our cherished freedom. I second that very highly. We should never, never let our country be in such a position as it was then.

Congressman Sangmeister recently said, as a result of the attack, 16-and-a-half million Americans rallied to fight World War II, with 460,000 eventually losing their lives. As a military veteran, it saddens me to think that the significance of this event may be lost to future generations. I hope it doesn't. I hope we will get House Joint Resolution 131 passed, and with this I have just one more. Please let your voice be heard today. Please help pass House Joint Resolution Bill Resolution 131. Please be aware that there is no financial obligation here. It will not cost the taxpayer nor will it increase the deficit.

It will, however, put a warm glow within you to know that you did what you could to honor the military men and women who offered the ultimate sacrifice on that infamous Sunday morning, December 7, 1941, in Hawaii at Pearl Harbor by establishing for them a permanent day of remembrance. I certainly thank you, sir, for having me.

[The prepared statement of Mr. Foltynewicz appears on p. 100.]

Mr. SANGMEISTER. I want to thank you both for being here, and I want to thank all the Members sitting in the back, too. You are kind of special to all of us. You really are, and I think we need to fight this thing through. I can understand where the committee is concerned about starting some kind of a precedent, but Dick indicated a few places, I believe those were passed by tacking it on in the Senate. It is more difficult to do that in the House, but anyway regardless of that, we need to get this job done, and of course the only way we are going to get it done is through organizations such as yourself.

You heard all the veterans' organizations are willing to sign on. We need a massive writing. What I will provide to you and to all the other veterans' organizations is a list of the cosponsors broken out by State, and I think that is one way that your Members from each of the States can say look, thank you very much for signing on to H.J. Res. 131. We now need this additional step in order to get the job done or something like that, and each of you from the respective States get into those particular representatives already. That doesn't mean you shouldn't be talking to people that are not cosponsors. You can do that as well.

Mr. GOLDFARB. May I say one thing, sir?

Mr. SANGMEISTER. Surely.

Mr. GOLDFARB. We had a fact-finding sheet that we used. We put it in our magazine. The fellows were able to extract that from the magazine, and sent it to their Congressman and also some of the fellows sitting back here and myself, we literally walked the halls of Congress handing this sheet in just about every office. It is very short. I would like to read it. May I, sir?

Mr. SANGMEISTER. Surely you may.

Mr. GOLDFARB. Then I will explain why I want to do that. It is a fact-finding sheet. "H.J. Resolution 131. Honorable George E. Sangmeister, Member of Congress from Illinois has introduced H.J. Resolution 131, which asks that December 7th of each year be permanently designated as National Pearl Harbor Remembrance Day. We, the members of the Pearl Harbor Survivors Association, respectfully ask your support of this resolution. We look to the future when we will be no more, when there will be none of us left to ask every year for a national day of remembrance. If the legacy of Pearl Harbor is to be remembered, we can think of no better vehicle than H.J. Res. 131. This will tell the children of our beloved country what occurred on December 7, 1941, and this will explain why the flags are at half staff. Won't you join so many of your fellow Congressmen in cosponsoring H.J. Res. 131? This will indicate to the Pearl Harbor survivors that you truly remember Pearl Harbor."

Now, you mentioned that you were going to have—and I am not sure I know the proper wording—a discharge petition.

Mr. SANGMEISTER. That is correct.

Mr. GOLDFARB. Does that have certain wording in it?

Mr. SANGMEISTER. It will have a number assigned to it that will make it a lot easier for you.

Mr. GOLDFARB. If we could get that information, I promise you, sir, that Tony de Lorenzo and the rest of these fellows and myself will once again walk around the halls with that, plus the fact-finding sheet and do it again. I promise you.

Mr. SANGMEISTER. My staff will be happy to help you. All you need to do is just slightly amend your original declaration and we will give you the information as to the discharge petition number that they should go down and ask for when they want to sign it.

Mr. GOLDFARB. If we get that information, you will have our word.

Mr. SANGMEISTER. Also, I guess we can break this out by State for the number of people who are already cosponsors, and I think, you know, you did such a great job before, I obviously solicited everybody I could, but I didn't get all those signatures. I know that.

You got them. If you could just redo that, we could get this thing done.

Mr. GOLDFARB. Does that discharge petition only go to those who have cosponsored or to anybody?

Mr. SANGMEISTER. No, no, it goes to anyone. I want to make that very clear. You don't have to be a cosponsor of the resolution to ask for it to be discharged. Any member, so someone who is not a cosponsor who is now willing to help discharge that can sign just as well. In fact, you should approach everyone.

Mr. GOLDFARB. Well, we promise you we will, sir. The only reward we want is a new pair of shoes when we get done, that is all.

Mr. SANGMEISTER. We will see what we can do. I don't know if we have the money to provide that for you. Dick?

Mr. FOLTYNEWICZ. Congressman Sangmeister, I have the commitment of all these fellows that were sitting here, all these veterans because I belong to most of their organizations out here in the hall, and especially the most important one was the VFW Action Corps, and now all they asked me to have you to do is get that petition number to them, and this one VFW, Dennis the Menace, he said that get that and they will give a double whammy because I am on that action corps, and I have given them heck along the way because they haven't supported it.

Mr. SANGMEISTER. Have you really? That surprises me, Dick.

Mr. FOLTYNEWICZ. Well, anyhow, they assured me that we have unity, we have strength, and it will be out.

Mr. SANGMEISTER. I think we can do it, then. If you will just defer one minute here, can we as of tomorrow have that petition number? We got all the mechanics worked out to get that laid together so by tomorrow we can let them know what the petition number is? Okay. Fine, we should have it all by tomorrow.

Mr. GOLDFARB. Thank you very much. Thank you.

Mr. FOLTYNEWICZ. Thank you.

Mr. SANGMEISTER. Thank you all. Take care. The subcommittee is adjourned.

[Whereupon, at 12:10 p.m., the subcommittee was adjourned.]

APPENDIX

Statement of the Honorable Jerry W. Bowen

Director, National Cemetery System

Before the House of Representatives Committee on Veterans' Affairs

Subcommittee on Housing and Memorial Affairs

May 24, 1994

Good morning, Mr. Chairman and distinguished Members of this Subcommittee. I welcome the opportunity to appear here today to address the status of the National Cemetery System. Your continued support and interest in our program is greatly appreciated. Mr. Chairman, it is with deep personal regret that I note your departure from the Congress after this current session. Your leadership has been outstanding, your concern for our nation's veterans has been sincere, and your accomplishments have been truly significant. We will sorely miss your leadership. On behalf of the men and women of the National Cemetery System, I wish you continued success in your future endeavors.

Let me begin my testimony by stating that after 26 years of active Army service, it was a great personal honor to be asked by the President to direct this fine organization. NCS is one of VA's three operating agencies providing direct services and benefits to the nation's 27 million veterans and their families. Burial in one of our national shrines is the final tribute of a grateful nation honoring the memory and sacrifice of those who served in our Armed Forces. This memorialization is everlasting through the provision of perpetual care of our national cemeteries. It is a benefit available to all veterans, without regard to gender, race, religious affiliation or economic circumstances. We are projecting 70,000 interments in FY 1994. In January 1994, we reached a significant milestone--we now maintain over two million gravesites. Approximately 313,000 headstones and markers and 294,000 Presidential Memorial Certificates are projected to be provided in FY 1994. Through our services, NCS reaches out and touches the lives of hundreds of thousands of American veterans and their families each year.

In recognition of the fact that demand for burial in a national cemetery will continue to increase until well into the next century, we have developed a

three-pronged strategy to carefully manage existing resources and to identify future opportunities to acquire additional burial space. The strategy includes (1) establishing, when feasible, new national cemeteries; (2) acquiring additional land through purchase or donation to extend the service of existing cemeteries; and (3) encouraging states to provide additional gravesites through participation in the State Cemetery Grant Program.

The expectation of the aging World War II veterans is that there will be burial space available near their community at their time of need. Our strategy is designed to meet that expectation to the greatest extent possible. We are focusing our efforts on large population centers which currently are not served by an open national or state cemetery. The first report to Congress required by Public Law 99-576 identified ten areas of the country in greatest need of a new national cemetery. The second report submitted this year re-validated eight of the original ten sites identified in the first report and identified three new areas. Since 1987, only one new national cemetery has been constructed--the San Joaquin Valley National Cemetery in Northern California was opened in June 1992. Funding has been provided for land acquisition and master planning at five other sites: Albany, Chicago, Cleveland, Dallas and Seattle. Construction funds for the Seattle cemetery are contained in the FY 1995 budget request. Given current budget constraints, it is no longer considered viable for NCS to construct new national cemeteries, other than those just mentioned, before the year 2000.

The second prong of our strategy involves acquiring adjacent land so that existing national cemeteries can remain open. I am extremely pleased with our progress this year to acquire additional acreage through purchase and partnerships with veterans service organizations and other private concerns. In March 1994, the VA announced the purchase of 16 acres of land adjacent to Ft. Gibson National Cemetery in Oklahoma. The land, which was purchased from a private owner, will yield approximately 10,000 gravesites and allow Ft. Gibson to remain open beyond 2030. In Fort Scott, Kansas, the veteran community banded together to purchase and then donate ten acres of land, which will allow the Ft. Scott National Cemetery to give full service to veterans and their families beyond the year 2030. And in Port Hudson, Louisiana, the

VA has been negotiating with the Georgia-Pacific Corporation to acquire nearly 12 acres adjacent to the Port Hudson National Cemetery, which closed in 1992. Alexandria National Cemetery, the only open national cemetery in Louisiana, is scheduled to close later this year; therefore, the re-opening of Port Hudson will permit continuing service to Louisiana veterans and families. We are pursuing other efforts to acquire land for other national cemeteries wherever it is feasible and cost effective to do so.

Our third approach is to utilize the State Cemetery Grants Program to complement our national system of cemeteries. This program has been very successful to date; however, interest has declined in recent months. Most state officials appear to be taking a "wait and see" approach on the viability of passage of legislation changing the federal/state share from 50/50 to 65/35% funding as provided for in H.R. 949. Recent requests from states have involved improvements to existing cemeteries rather than applications for new state cemeteries. This program remains an integral and important component of our strategy to meet the increasing need for burial space. We must continue to pursue ways to increase the participation of states in this worthwhile program.

A recently completed initiative to improve customer service was the reintroduction of the upright granite headstones. Initially, the new granite uprights will only be available to mark veterans' graves in private or state veterans cemeteries. We will then assess their acceptability by the veteran community before deciding their suitability for use in national cemeteries.

The National Cemetery System continues to seek ways to meet the increasing workload demand and to satisfy the high expectations of the public we serve. Our FY 1995 budget contains an additional 25 FTE to perform interment and maintenance functions within our national cemeteries. In addition, I have initiated a streamlining effort which has resulted in a reduction of 7 FTE in Central Office which will be re-channeled to our field facilities. I plan to continue these efforts to decentralize functions and streamline our organization whenever possible.

I thank you for the opportunity to provide an update on the National Cemetery System and welcome your questions. Thank you.

STATEMENT OF STEVEN DOLA
DEPUTY ASSISTANT SECRETARY (MANAGEMENT AND BUDGET),
OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS)
BEFORE THE SUBCOMMITTEE ON HOUSING AND MEMORIAL AFFAIRS
COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES
ON THE OPERATION OF ARLINGTON NATIONAL CEMETERY
MAY 24, 1994

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

INTRODUCTION

I am pleased to be testifying before this subcommittee on the operation of Arlington National Cemetery. I am the Deputy Assistant Secretary for (Management and Budget), Office of Assistant Secretary of the Army (Civil Works). Assisting me today is Mr. John C. Metzler, Jr., Superintendent of Arlington National Cemetery. We are appearing on behalf of the Secretary of the Army, who is responsible for the operation and maintenance of Arlington and Soldiers' and Airmen's Home National Cemeteries.

My statement covers the following topics:

> Fiscal Year 1995 Cemeterial Expenses, Army, Budget;

> History and Present Day Significance;

> Eligibility;

> Funerals;

> Parking Facility;

> Fiscal Year 1995 New Construction;

> Previously Funded Construction; and

> Main Entrance Hemicycle Rehabilitation.

FISCAL YEAR 1995 CEMETERIAL EXPENSES, ARMY, BUDGET

The budget request for Fiscal Year 1995 is $12,017,000. The funds requested are sufficient to support the work force, to assure adequate maintenance of the buildings, and to acquire necessary supplies and equipment. The funds requested will finance operations at Arlington and Soldiers' and Airmen's Home National Cemeteries. Construction funds in the amount of $2,690,000 are included in the budget for repair of the McClellan Gate, Memorial Amphitheater interior, and roads; upgrade of the electrical system at the Kennedy gravesite; and design for Project 90 land development and Custis Walk replacement.

HISTORY AND PRESENT DAY SIGNIFICANCE

From its origin during the Civil War, Arlington National Cemetery has become a great national and military shrine. The 1,100 acre estate which comprises Arlington National Cemetery and the Fort Myer military reservation has a rich, historical background. It became the property of John Parke Custis in 1778 and descended to his son, George Washington Parke Custis, who built the handsome Greek revival mansion, now known as Arlington House. The grounds and house were owned by Robert E. Lee's family at the outbreak of the Civil War, when the house was taken over by the government for military purposes.

The establishment of the cemetery dates back to 1864. Today, the cemetery consists of 612 acres. Over the years, representatives of all the Nation's wars and conflicts have been buried in Arlington National Cemetery. Among the more commonly known and deeply cherished memorials in Arlington National Cemetery are the Arlington Memorial Amphitheater and the Tomb of the Remains of Unknowns from World War I, World War II, Korea, and the Vietnam era.

Arlington National Cemetery has become this Nation's principal shrine to honor the men and women who serve in the Armed Forces. It is a visible reflection of America's appreciation for those who have made the ultimate sacrifice to maintain our freedom. During Fiscal Year 1993, Arlington National Cemetery accommodated approximately 4 million visitors, making Arlington one of the most visited historic sites in the National Capitol Region. In addition to the thousands of funerals, with military honors, held there each year, hundreds of non-funeral ceremonies are conducted to honor those who rest in the cemetery. Thousands of visitors, both foreign and American, visited Arlington in Fiscal Year 1993 to participate in about 1,900 non-funeral ceremonies and the President of the United States hosted the ceremony on December 21, 1993, breaking ground for a memorial to the victims of the Pan Am Flight 103 disaster.

ELIGIBILITY

The interment eligibility criteria for Arlington National Cemetery are stated in 32 CFR 553.15. The following categories of decedent are generally eligible:

> Members of the Armed Forces who die while serving on active duty.

> Former members of the Armed Forces who have retired with 20 or more years of active service or reserves.

> Honorably discharged veterans who have held certain high government positions.

> Honorably discharged veterans who have been awarded either the Medal of Honor, Distinguished Service Cross, Navy Cross, Air Force Cross, Distinguished Service Medal, Silver Star or the Purple Heart.

> Honorably discharged veterans separated prior to October 1, 1949, for medical reasons with a service connected disability rated at 30 percent or more.

> Family members such as spouses and children also are eligible under certain circumstances.

Public Law 103-160, which was enacted on November 30, 1993, extended eligibility for interment in Arlington National Cemetery to any former prisoner of war who, while a prisoner of war, served honorably in the active military, naval, or air service and who dies or died on or after the date of enactment of the Public Law. This section is to be carried out under regulations prescribed by the Secretary of the Army. A proposed rule has been drafted and is being circulated for internal coordination prior to publication in the Federal Register. It is anticipated that the proposed rule will be published in June, 1994.

In addition, any honorably discharged veteran whose remains have been cremated is eligible for inurnment in the Arlington National Cemetery Columbarium.

FUNERALS

In Fiscal Year 1993, there were 3,056 interments and 1,583 inurnments; and 3,500 interments and 1,500 inurnments are estimated in Fiscal Year 1994.

Inurnment activities in the Columbarium continue to increase. In 1980, the first year of operation, there were 657 inurnments. Because of the advanced age of World War I and World War II Veterans, inurnments are now averaging approximately 1,500 per year. At this rate, all available space in the existing Columbarium will be exhausted in FY 1998. Design of the next increment of the Columbarium has begun so that a valid construction cost estimate could be developed in time for consideration in connection with the Fiscal Year 1996 budget submission.

At the end of Fiscal Year 1993, there were 194,118 used gravesites to accommodate 217,153 interments. The total gravesite capacity is 268,089, leaving 73,971 gravesites available. Current projections indicate that all available gravesites will be used by the year 2025. The Department of the Army is cognizant of this projected closing date and remains alert to such possibilities as may present themselves for expansion of the capacity of the cemetery.

PARKING FACILITY

The Arlington National Cemetery visitors center parking facility opened to the public in January 1989. This modern facility combines convenience and information for visitors to Arlington National Cemetery. There is parking for 570 cars and 42 buses in the three story parking facility. There is a fee for parking at this facility.

The method of operating the parking facility is by lease to a private vendor. A new lease began for a term of 1 year, beginning January 16, 1994, with a Government option to renew at the same annual rate, on a yearly basis for the next 4 years. The fee for cars under the new lease is $1.25 per hour for the first three hours. The fee for buses is unchanged - $5.00 per hour for the first three hours.

The new lease provides for an annual payment of $500,000 to the government. In addition, of every dollar earned after $744,422, ninety six percent is received by the government and four percent goes to the vendor. Based on the 1992 usage of the facility and the new fee structure, the annual payment to the government would be $929,277 compared to $756,861 that was actually received in 1992.

FISCAL YEAR 1995 NEW CONSTRUCTION

Major new construction projects planned for Fiscal Year 1995 include repairs to existing structures and design for the remaining two unstarted projects in the 1967 Master Plan.

McClellan Gate - The Fiscal Year 1995 request includes $660,000 for design and construction required to repair and restore the Gate. Work will include removal and resetting of stone including some stone replacement, structural repairs, repointing, patching and cleaning of the entire arch, a new concrete ring foundation, new copper roofing and flashing, repair and painting of the iron gate, and new granite cobblestone paving around the arch.

Project 90 Land Development - One of two remaining projects in the 1967 Master Plan is the development of the final 52 acres of land in the cemetery for burial purposes. The Fiscal Year 1995 request includes $800,000 to design this project. This development, providing approximately 31,000 gravesites, will include construction of new roads, paving, curbing, a new drainage system, installation of a potable and non-potable water distribution system, 1,500 feet of ornamental boundary wall and wrought iron fencing, fine grading and topsoiling, establishment of turf, and landscaping. Design of the project will be timed to take advantage of and be consistent with the work being done on the new Master Plan.

Custis Walk - The other remaining project from the 1967 Master Plan is the replacement of the Custis Walk. The Fiscal Year 1995 request includes $250,000 to design this project. This project will consist of removing and replacing 2,000 feet of existing deteriorating bluestone walk and retaining cheek wall constructed in the 1870's. The replacement with new flagstone and concrete retaining cheek wall will be compatible with the new walkways throughout the cemetery.

Kennedy Gravesite Electrical System - The Fiscal Year 1995 request includes $300,000 for design and construction required to relocate existing above ground, pad-mounted electrical equipment into an existing underground vault, which will be enlarged; remove the no longer used electrical equipment presently in the vault; and add a new switch gear to facilitate future electrical maintenance for the Kennedy gravesite area.

Parking Facility Upper Deck Repair - Pavement on the upper deck of the parking facility is deteriorating because of heavy usage by buses. The asphalt pavement in this area will be replaced with concrete at an estimated cost (including design effort) of $350,000.

PREVIOUSLY FUNDED CONSTRUCTION

Master Plan - Arlington is developing a new Master Plan. The new plan, which is estimated to cost $1,000,000, will address projected improvements for the next 30 years, including expansion of the capacity of Arlington National Cemetery and development of out-year construction projects. The original 1967 Master Plan consisted of 28 projects. Of the 28, 25 projects are completed. The West Boundary wall project, which has been partially funded, is not completed. The two unstarted projects are, one, replacement of the Custis Walk; and, two, the development of 52 acres of land in the cemetery for burial purposes.

Memorial Amphitheater Combined Project - In Fiscal Year 1992, $4.82 million was appropriated for repair of rainwater leaks at the Memorial Amphitheater. In FY 1993, $4.5 million was appropriated for a marble restoration to be undertaken in conjunction with the rainwater leaks repair project. The design for the combined project is now complete. Although we had expected the construction would now be underway, resolution of three award protests is required. Actions required to resolve the protests have resulted in substantial delay in the construction start; and the previously scheduled completion date of July 1995 will be delayed by approximately six months.

Facility Maintenance Complex - The construction contract for the new facilities maintenance complex was awarded on January 25, 1994, at a cost of $5.8 million, and construction is now underway. The facilities maintenance complex will consist of work and storage areas for three divisions (Facility Maintenance, Horticulture, and Field Operations), in three separate buildings. There will be another building for warehouse operations and a building for the administrative functions associated with all of these operations. In addition, the project will include a vehicle storage area, as well as employee break rooms, locker and shower rooms, and meeting rooms. This facility will replace buildings constructed in 1930 that were originally used as horse stables and converted to a cemetery maintenance facility in the late 1940's. They were not designed to house or service

modern cemetery maintenance equipment and they do not meet OSHA standards. The proposed new facility is sited to facilitate the efficient performance of the daily operations of the cemetery in proximity to the planned new grave site development. The facility is expected to be ready for occupancy in June 1995.

MAIN ENTRANCE HEMICYCLE REHABILITATION

The main gate structures, center plaza, and Hemicycle of Arlington National Cemetery are located on land belonging to the National Park Service. The 1994 Department of Defense Appropriations Act provides $9,538,000, to be available through the U.S. Air Force, only for a grant to the Women in Military Service for America Memorial Foundation, Inc., to be used solely to perform the repair, restoration and preservation of the main gate structures, center plaza, and Hemicycle. These funds shall be made available solely for project costs, and none of the funds are for remuneration of any entity or individual associated with fund raising for the Memorial project.

The Hemicycle restoration is envisioned to occur simultaneously with the construction of the Women in Military Service for America Memorial, which will be located inside and directly behind the Hemicycle. As designed the memorial will be composed of an enhanced and restored hemicycle, as well as a visitor facility behind the wall. The National Park Service, National Capital Planning Commission and Commission of Fine Arts have all approved this facility as a Memorial to Women in Military Service to America. Because the memorial is to be located on National Park Service lands, the Park Service is the lead Federal agency responsible for overseeing design and construction of the memorial. The National Park Service has indicated that, in an effort to ensure coordination between all affected parties, it will take the lead in preparing a memorandum of understanding between the National Park Service, Women in Military Service for America Memorial Foundation, Inc., the U.S. Air Force, and Arlington National Cemetery. This memorandum will identify the responsibilities of the affected parties and address the design, construction, and operation of the memorial.

The Army supports the memorial to honor women who have served in the Armed Forces of the United States. As design and construction of the memorial progresses, Arlington and the Army will endeavor to ensure that the memorial, in its location at the entrance to Arlington, is compatible with the sacred character and vision of Arlington National Cemetery as a national shrine.

This completes my statement, Mr. Chairman. We will be pleased to respond to questions from the Subcommittee.

Prepared statement of Colonel William E. Ryan, Jr.

BEFORE THE
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON VETERANS AFFAIRS
SUBCOMMITTEE ON HOUSING AND MEMORIAL AFFAIRS
MAY 24, 1994

The American Battle Monuments Commission (ABMC) welcomes the opportunity to provide information to the Subcommittee on its operations and the Korean War Veterans Memorial.

The principle functions of ABMC are to commemorate the achievements and sacrifices of the United States Armed Forces where they have served since April 6, 1917, through the erection and maintenance of suitable memorial shrines; to design, construct, operate and maintain permanent American military cemeteries in foreign countries; to control the design and construction on foreign soil of U.S. military monuments and markers by other U.S. citizens and organizations both public and private; and to encourage these organizations and individuals to maintain adequately the monuments and markers that they have erected. The guardianship of our War Dead interred on foreign soil is a sacred trust for which all of us in the Commission are extreme proud.

Currently, ABMC administers, operates and maintains 24 permanent American military burial grounds and 49 memorial structures in twelve foreign countries and the Commonwealth of the Northern Mariana Islands and four memorials here in the United States. These cemeteries, monuments and memorials are among the most beautiful and meticulously maintained shrines of their nature in the world. Few others anywhere combine such fitness of design, beauty of landscaping and memorial features and immaculate care. ABMC presently is establishing a Korean War Veterans Memorial in Ash Woods at the foot of the Lincoln Memorial. It recently also was charged with establishing a World War II memorial in the Washington, D.C. environs.

Interred in ABMC's cemeteries are 124,912 U.S. War Dead -- 30,921 of World War I, 93,241 of World War II, and 750 of the Mexican War. Additionally, 6,573 American veterans and others are interred in its Mexico City and Corozal American Cemeteries. The World War cemeteries and the Mexico City Cemetery are closed to further burials except for the remains of American War Dead still found from time to time in the battle areas. In addition to their burials, the World War I and II cemeteries together with 3 memorials on United States soil commemorate individually by name the 94,100 U.S. service personnel Missing in Action or lost or buried at sea during the two World Wars, the Korean War and the Vietnam War.

The care of these shrines to our War Dead requires a formidable annual program of maintenance and repair of structures, facilities, vehicles and equipment and grounds maintenance. This care includes upkeep of 131,000 graves and headstones; 53 memorial structures; 41 quarters, utilities and maintenance facilities; 67 miles of roads and paths; 911 acres of flowering plants, fine lawns and meadows; 3 million square feet of shrubs and hedges; and 11 thousand ornamental shrubs and trees. The estimated replacement cost of these structures and facilities is almost 1/3 of a $billion. All of the plantings including the lawns and to some extent the meadows must be cultivated, cut and/or shaped, fed and treated with insecticides and fungicides at regular intervals during the growing season. Additionally,

the plantings must be replaced when their useful lives are exhausted or they receive major storm or other damage. Much of this maintenance and care must be performed by casual labor as the cemetery staffs are not large enough to provide it adequately on a daily basis.

ABMC's budget authority for the current year is $20,211,000. Its appropriation request and budget authority for fiscal 1995 is $20,265,000, $54,000 more than the current year. The expenses of the Commission fall into two categories, commemoration of the Armed Forces where they have served and care and maintenance of the shrines for which ABMC is responsible. Because of the large number of memorial structures, sculpture, buildings, headstones, flowering shrubs, ornamental trees, vehicles and equipment and the many acres of fine lawns and meadows, ABMC is very labor intensive. Last year, over 75% of ABMC's Budget Authority went to defray personnel salaries and benefits. The foreign governments where our installations are located annually decree cost of living increases for our foreign national employees of at least $400,000. When our Budget Authority does not increase by a similar amount, there are times we must defray these cost of living increases with funds budgeted for care and maintenance and replacement of supplies, materials, spare parts and equipment.

The following information and services are provided on request without cost to relatives and friends of those servicemen and women who are interred in ABMC cemeteries or commemorated individually by name on its Tablets of the Missing: name, location and general information about the cemetery, monument or memorial in which they are interested; plot, row and grave numbers if applicable; best routes and modes of travel in-country to these shrines; general information about accommodations in their vicinity; letters authorizing fee free passports for members of the immediate family travelling overseas specifically to visit an ABMC grave or memorial site; a black and white photograph of the headstone or section of the Tablets of the Missing where the name of the decedent is engraved mounted on a large color lithograph of the cemetery or memorial, together with a booklet describing the cemetery or memorial in detail; arrangement for floral decoration of a gravesite or section of the Tablets of the Missing where the name of the decedent is engraved utilizing funds provided by the donor; and provision to the donor of a color Polaroid photograph of the decoration in place, weather permitting.

On August 7, 1992, ABMC dedicated the Guadalcanal American Memorial on Skyline Drive overlooking Honiara, Guadalcanal in the Solomon Islands. It honors those servicemen who lost their lives during the Guadalcanal Campaign. The memorial was a joint project of ABMC and the Guadalcanal/ Solomon Islands War Memorial Foundation. It consists of an inscribed four foot square pylon of red calca granite rising twenty-four feet above its base and four radiating directional walls. Engraved on these walls are descriptions of the major battles towards which they point, Savo Island where four major naval battles took place, "Iron Bottom Sound" named for the many ships that lay on its floor, Edson's ridge commonly called "Bloody Ridge" for the fierce fighting in defense of Henderson Field that took place there, and Mount Austen where infantry units engaged a heavily intrenched enemy. Two ABMC Commissioners who fought in that campaign; Colonel Badger, Acting Secretary of ABMC; approximately 300 veterans of the 1st Marine Division and the Army Americal Division; and other Marine Corps, Naval and Army veterans of the campaign attended the dedication. General Raymond G. Davis, USMC(Ret) represented the President at the ceremony.

Public Law 99-572 was enacted on October 28, 1986 authorizing ABMC to establish a Korean War Veterans Memorial in the Nation's Capital utilizing funds obtained primarily through private donations. Since then, legislation was sought and enacted authorizing erection of the memorial on the Mall; a superb site for it was obtained in Ash Woods directly across the Reflecting Pool from the Vietnam Memorial; at the request of the Korean War Veterans Memorial Advisory Board (KWVMAB), a national competition was held to obtain a design concept; and the architecture/engineering firm of Cooper/Lecky was employed to assist us in obtaining approval of the winning design concept from the Commission of Fine Arts, the National Capital Planning Commission and the Secretary of the Interior. Simultaneously, a fund raising campaign was initiated to raise the funds needed to establish the memorial, over and above the $1 million which was authorized to be appropriated by P.L. 99-572. With the assistance of the KWVMAB, $7,808,000 was raised in private contributions, $5,820,000 was raised from sale of the commemorative coin and $2,487,000 in interest is being raised by investing in government securities funds not immediately needed to establish the memorial, for a total of $16,115,000. With the $1,000,000 that was appropriated, adequate funds should available to complete the memorial. Among its many provisions, the Commemorative Works Act provides 7 years from the date of enactment of a memorial's authorizing legislation for the sponsor to obtain a building permit from the Secretary of the Interior. In order to do so, the following conditions had to be met: the site and design had to be acceptable to all approving authorities; knowledgeable persons qualified in preservation and maintenance had to be consulted to ensure that the structural soundness and durability of the commemorative work would meet high professional standards; contracts for construction and drawings of the commemorative work had to be submitted to the Secretary of the Interior; and sufficient funds had to be available to construct the memorial. As the Korean War Veterans Memorial is being erected with funds obtained primarily through private contributions, an additional sum equal to 10% of the construction cost had to be made available to the Secretary of the Interior to defray future maintenance and repairs to the memorial. The construction permit was issued by the Secretary of the Interior on October 4, 1993. Installation of utilities and soil stabilization were completed in March of this year. Construction of the memorial should be completed in June of next year. Target date for dedication of the memorial is July 27, 1995, the 42 Anniversary of the signing of the Armistice in Korea.

Last fall, P.L. 103-32 was enacted authorizing ABMC to establish a memorial in the District of Columbia or its environs honoring members of the U.S. Armed Forces who served in World War II and to commemorate the participation of the United States in that War. The memorial is to be funded by private contributions and surcharges from the sale of three commemorative coins minted last year by the U.S. Mint, a $5 gold piece, a $1 silver coin and a $0.50 clad coin. There was a surcharge of $35 on each gold coin, $8 on each silver coin and $2 on each clad coin. In accordance with P.L. 102-414, after recovery of minting costs, the first $3 million in surcharges went to the Battle of Normandy Foundation, a U.S. private nonprofit organization, to erect a World War II Memorial Garden at a French museum in Caen, France. The next $7 million was to go to ABMC for the World War II Memorial. After that, any surcharges received were to be split monthly between the two organizations with 30% going to the Normandy Foundation and 70% to ABMC. Had all coins authorized to be minted been sold, the total value of the surcharges would have been $22.5 million. By law, minting of the coins

ceased on 31 December 1993. The U.S. World War II Memorial received $4,599,804 from the surcharges. Last July, the Secretary of the Interior was asked to petition the Congress to enact legislation authorizing placement of the World War II Memorial in Area I of the Nation's Capital. It is anticipated that the petition will reach the Congress shortly. In accordance with the Commemorative Works Act, the Congress will have 150 days to enact the legislation, otherwise the petition is disapproved.

ABMC's memorial shrines will be featured prominently in the 50th Anniversary of World War II Commemorations being held this June. President Clinton, foreign Heads of State, other U.S. and foreign diplomats, members of Congress senior military officers and many tens of thousands of veterans will be attending ceremonies at ABMC's Sicily-Rome Cemetery near Anzio, its Normandy American Cemetery and Memorial overlooking Omaha Beach, its memorials at Utah Beach and Pointe du Hoc, and its Cemetery Memorial at Cambridge, England. We hope that you will be among those in attendance.

This concludes my prepared statement. We will be pleased to respond to your questions.

Statement of Larry D. Rhea, Deputy Director of Legislative Affairs, Non Commissioned Officers Association of the United States of America

Mr. Chairman, the Non Commissioned Officers Association of the USA (NCOA) sincerely appreciates the opportunity to present its views on oversight of the National Cemetery System (NCS), American Battle Monuments Commission (ABMC) and to comment on H.J. Res 131. The Association remains generally satisfied with the management and operation of the NCS although that is not intended to imply that the Association does not have any concerns. NCOA trusts that its observations will prove useful to the Subcommittee.

A WORD OF THANKS

NCOA considers it appropriate to begin by expressing to the Subcommittee our deep appreciation for the recognition that has been recently extended to members of the National Guard and Reserve. The Association is grateful for the action taken in 1992 to provide burial Flags and grave markers as well as for the recent passage by the Congress of H.R. 821. The action in 1992 in company with the enactment of H.R. 821, to extend burial in National Cemeteries, now provides full recognition for the valuable service of Reserve component members.

These recent accomplishments would not have occurred were it not for the persistent efforts of the distinguished Chairman and members of this Subcommittee. The Association's 160,000 members commends your efforts to recognize, with dignity and respect, all members of the Total Force. You have our deep and abiding thanks.

THE NATIONAL CEMETERY SYSTEM

Today's hearing is timely with the recent publication and release of the Secretary of Veterans Affairs second report on the NCS. The first report in 1987 identified ten areas of the country

in "greatest need" (the largest number of veterans without reasonable access to a national or state cemetery). Similarly, the 1994 report identified the ten most needy areas. A comparison of the two reports indicates that little has changed between 1987 and 1994 regarding the overall needs and outlook for the NCS.

A total of 114 national cemeteries comprise the NCS. In September 1992, 53 of the 114 national cemeteries were closed to full-casketed remains. NCS is projecting that in six years an additional eleven sites will close bringing the total to 64 by the year 2000. Nine other cemeteries are projected to close between the period 2000 and 2010. In other words, if the NCS remains on its present course, 65% of national cemeteries will be considered closed in the next sixteen years.

Nationally, the number of internments for veteran or eligible individuals will continue to increase. Another annual record of internments (73,000) is expected in Fiscal Year 1995, a 55% increase in the last ten years. Similarly, the number of gravesites maintained is estimated to reach 2.1 million by 1995, a 35% increase in ten years. Since the system's establishment in the Department of Veterans Affairs in 1973, approximately 1,014,000 decedents have been interred in national cemeteries and 5.6 million headstones and markers have been furnished to mark gravesites. A total of 330,000 gravemarker applications are projected for Fiscal Year 1995.

VA estimates that staffing shortages of 244 wage grade employees and 41 general schedule employees will exist in Fiscal Year 1995. During the period 1984 to 1995, full-time wage grade employees of the NCS have risen from 830 in 1984 to 847 projected for 1995, a 3% increase.
VA estimates that staffing shortages of 244 wage grade employees and 41 general schedule employees will exist in Fiscal Year 1995.

These staffing shortages requires that VA prioritize its efforts. First priority is given to timely burial. Second in priority are enhancements of cemetery appearance and infrastructure such as maintenance and repair of the NCS's approximately 400 buildings and 100 miles of road.

The backlog for essential operating equipment remains a critical issue. Although VA has pursued an aggressive service life extension and maintenance program, there inevitably are eventual limits. With available funding in 1994, the equipment backlog increased to $6.7 million and VA projects an additional $2.7 million in equipment due for replacement in 1995. Funding requested in 1995 to reduce the backlog of equipment replacement is $1.6 million. It is noted with gratitude that the House Veterans Affairs Committee recommended the addition of $7.8 million for equipment replacement.

NCOA is pleased to note that the DVA has recently purchased land in the Seattle/Tacoma area to establish a new national cemetery and that construction funds have been provided in the 1995 budget. The Association appreciates the action by Congress to provide land acquisition funds for cemeteries in Albany, Cleveland, Dallas/Ft. Worth and Chicago. These four sites were included in the 1987 report as among the areas of the country in greatest need. NCOA also notes that four other locations identified in the 1987 report (Miami/Fort Lauderdale, Detroit, Pittsburgh and Oklahoma City) remain as priorities in the VA's 1994 report for establishment of new cemeteries. NCOA is concerned about the slow progress on these latter four sites and it now appears that it will be after the year 2000 before VA will focus on these areas. The reality of the 1995 budget and future indicators clearly show that the establishment of new national cemeteries will not proceed at a pace to meet expanding veterans needs.

NCOA continues to support the State Cemetery Grants Program and its funding mechanism because studies have shown that veterans prefer to be buried close to their home. As VA notes in their 1994 NCS report, the federal government cannot rely though upon the States to open State veterans cemeteries to compensate for all national cemetery closures. Hence, while this is a worthy and attractive alternative, the need for new national cemeteries and/or expansion of existing cemeteries will continue. In NCOA's view, the federal government retains the primary responsibility to provide a final, dignified resting place for the Nation's veterans. That responsibility must be protected and continued.

NCOA remains committed to the goal of burial in a national or state veterans cemetery for 90% of veterans within 50 miles of their home. Even in the face of rather harsh fiscal realities, NCOA believes that this overall goal should not be compromised. Admittedly it will be difficult to achieve in the foreseeable future but that alone should not be cause to dilute the goal.

The 1995 budget and the 1994 NCS Report reveals that the NCS continues to fall farther behind in its efforts to keep pace with an increased workload and maintenance of national cemeteries. NCOA remains hopeful however that this trend can be reversed. In this regard, NCOA urges the Subcommittee to remain vigilant in its oversight responsibilities to the following areas in particular:

> *Employee levels*
> *Acquisition, construction and expansion*
> *Equipment needs and backlog .*

ARLINGTON NATIONAL CEMETERY AND THE AMERICAN BATTLE MONUMENTS COMMISSION

NCOA continues to view Arlington National Cemetery as the preeminent shrine of honor to the Nation's veterans. The Association extends its sincere gratitude to the Administrators of the Arlington National Cemetery for their excellent management and support to the veterans of this Nation.

Similarly, NCOA would like to thank the members of the American Battle Monuments Commission for their stellar work in commemorating the services and achievements of United States Armed Forces in foreign countries.

NCOA does have one overriding concern regarding Arlington National Cemetery that the Association is compelled to address in this testimony. The Association's concern is that the epitaph that Arlington National Cemetery symbolizes to the men and women of the United States Armed Forces not be diminished.

NCOA was disappointed by Congressional approval of S.J. Res 129 to place a memorial cairn in Arlington that will, in effect, honor 245 non-military individuals, 81 of which are non-U.S. citizens. It is not the Association's intent though to rehash that decision by the Congress. In stating our concern, the Association wants to be implicitly clear that NCOA shares the deepest regret, sympathy and outrage for the senseless act of terrorism which occurred on December 21, 1988, over Lockerbie, Scotland. Likewise, the Association is deeply grateful to the people of Scotland for donating to the United States a memorial cairn to honor the victims and families of Pan Am Flight 103.

The Association is obliged though to remind this Subcommittee and the Congress of the purpose of Arlington National Cemetery and of its legacy to the men and women of the Armed Forces of the United States. For more than a century, Arlington National Cemetery has become the preeminent and cherished shrine commemorating the lives and services of members of the United States Armed Forces. Within the boundaries of Arlington rest the mortal remains of the honored dead, the known and the unknown. the great and the humble, who have served our Nation's Armed Forces from the time of the Revolutionary War. Arlington National Cemetery is a national "Shrine of Each Patriot's Devotion" for their service and sacrifice in the Armed Forces of the United States. It is NCOA's humble wish that Arlington National Cemetery remain so always.

It is difficult for NCOA to articulate this concern regarding Arlington National Cemetery without the risk of being characterized as unsympathetic for the grief, pain and loss suffered. As a military and veterans service organization, the 160,000 members of NCOA are all too familiar with the agony and grief associated with the loss of a loved one or fellow comrade-in-arms, regardless of the circumstances surrounding that loss.

NCOA requests that Congress reaffirm the purpose and legacy of Arlington National Cemetery to the men and women of the Armed Forces of the United States by codifying the qualifications of eligibility for burial or commemoration in Arlington National Cemetery.

H.J. Res. 131

NCOA fully supports H.J. Res. 132, a joint resolution to designate December 7 of each year as "National Pearl Harbor Remembrance Day."

CONCLUSION

Mr. Chairman, NCOA sincerely appreciates the opportunity you have provided to discuss the National Cemetery System. In the Association's opinion, aggressive oversight of the NCS will continue to be needed if we are to ensure that veterans, as a final act of a grateful Nation, are bestowed with the honor, respect and dignity that they have earned.

Thank you.

STATEMENT OF

TERRY GRANDISON, ASSOCIATE LEGISLATIVE DIRECTOR

PARALYZED VETERANS OF AMERICA

BEFORE THE

SUBCOMMITTEE ON HOUSING AND MEMORIAL AFFAIRS

OF THE

HOUSE COMMITTEE ON VETERANS' AFFAIRS

CONCERNING

THE DEPARTMENT OF VETERANS AFFAIRS NATIONAL CEMETERY SYSTEM

THE KOREAN WAR VETERANS MEMORIAL

AND

H.J. RES. 131

MAY 24, 1994

Mr. Chairman and Members of the Subcommittee, Paralyzed Veterans of America (PVA) appreciates this opportunity to present testimony concerning the oversight of the Department of Veterans Affairs (VA) National Cemetery System (NCS), the Korean War Veterans Memorial, and H.J. Res. 131.

NATIONAL CEMETERY SYSTEM

For over two centuries, this nation has provided a dignified resting place for the men and women who have honorably served in the Armed Forces. PVA strongly believes this longstanding tradition embodies the final thanks of a grateful nation and must be protected and continued.

In order to maintain an efficient and responsive NCS, PVA believes it is incumbent on Congress to address the following problems: **chronic underfunding; lack of burial space; equipment backlog; aging infrastructure; significant workload growth; and lack of an adequate information system**. If these problems are not effectively

remedied, the system will deteriorate to an unacceptable condition, not only in appearance but also in stature.

Funding:

According to the *FY 1995 Independent Budget* (*IB*), the NCS has shown no real dollar growth in programs, with the exception of a congressionally mandated FY 1991 infusion of $10 million dollars. The *IB* recommendation for FY 95 is $81 million, or an increase of $10.5 million over the FY 1994 appropriation of $70.5 million. In addition, the above *IB* budget request includes an increase of 90 FTEE. The total FTEE for FY 1994 was 1,315. The *IB* request would raise the total NCS FTEE to 1,405. This would ensure the proper maintenance and the preservation of the park-like beauty of these national shrines. Moreover, funding at this level will allow the NCS to meet the increasing demands of the aging veteran population.

Lack of Burial Space:

The NCS is comprised of 114 national cemeteries, with thirty-four soldiers' lots located within municipal and private cemeteries. The *IB* stated that of the 67,329 burials in national cemeteries, 25.3 percent or 17,044 were cremains. In addition, the *IB* revealed that the cremation rate in national cemeteries is higher than the rate for private or municipal cemeteries. PVA and the *IB* co-authors attribute this higher NCS rate to a number of factors, most notably the lack of available casketed grave space in many populated areas, coupled with a greater willingness to accept cremation burial. Nevertheless, the need for burial space is expected to peak in the year 2009. To meet this great demand, sufficient funds will be needed to acquire adjacent land to keep existing cemeteries open, open new cemeteries in seriously underserved areas, and develop columbaria in existing cemeteries to preserve a burial option for veterans and their families. In addition, PVA continues to advocate for the location of a VA cemetery in every state and a national cemetery within reasonable driving distance of each major veterans' population center.

Equipment Backlog:

PVA has tracked the NCS equipment backlog and has seen it grow steadily over the years. A 1990 study revealed that more than 50 percent of the heavy equipment was well beyond its scheduled replacement date of five years. While the current equipment backlog stands at $6 million, this figure does not fully capture the seriousness of the situation; this figure does not reflect lost productivity of staff because of equipment breakdowns, or graves that cannot be adequately maintained. PVA recommends funding of at least $2.3 million to begin partial reduction of the equipment backlog.

Aging Infrastructure:

PVA is concerned with the aging infrastructure of the NCS. The NCS is composed of numerous historic buildings, hundreds of maintenance buildings and other purpose buildings. The NCS has more than 10,000 acres of land - intersected with hundreds of miles of roads. Because of years of underfunding this infrastructure has suffered. In many cases, repairs to old roads and structures are simply beyond the capability of cemetery personnel. In order to maintain the shrine like quality of national cemeteries, PVA recommends that $2 million be directed for funding of repair projects.

Workload Growth:

The rapidly aging veteran population will increase the NCS workload in all program areas. For example, during FY 1995, interments are estimated at 73,000, an increase of 3,000 over FY 1994 estimates. As mentioned earlier, this growth is expected to rise until the year 2009. The NCS must have sufficient personnel to facilitate this growth efficiently. Over the years, the need for significant increases in FTEE to meet workload growth has remained unfunded. The NCS is estimated to have a shortfall of 250 FTEE for its current field staffing needs. PVA and the *IB* co-authors recommend $1.4 million and 40 FTEE for incremental workload increases, along with a plan to support, in FY 1995, a substantial reduction in the

system-wide shortfall of 250 FTEE. PVA recommends $1.8 million and 50 FTEE to address this shortfall.

Adequate Information System:

NCS's information needs are critical to its overall operations. The computer system for the Office of Memorial Programs (OMP) is antiquated and often unreliable. According to the *IB*, OMP's workload is projected to increase at a rate of 2 to 3 percent per year. For FY 1993 OMP provided 330,345 headstones and markers. The FY 1993 total for Presidential Memorial Certificates (PMC) was 269,489. PVA believes the procurement of an updated computer support system could provide an FTEE savings to the system. It is estimated that 3.0 FTEE savings could be achieved in the PMC program and that a 3.5 FTEE savings could be realized in the headstone and marker program. A new computer system is also necessary to interface with the burial operation's support system (BOSS). PVA urges Congress to appropriate $800,000 for this system in FY 1995.

PVA would like to thank the Administrators of the Arlington National Cemetery and the members of the American Battle Monuments Commission for their efforts to provide excellent support services to the veterans of this nation.

KOREAN WAR VETERANS MEMORIAL

On June 27, 1953, the hostilities ceased throughout the war-torn Republic of Korea. During the Korean War's three year duration (21 June 1950 - 27 July 1953) 5,720,000 Americans served in the Armed Forces. Of those servicemen and women, 34,000 were killed in action, 8,000 of whom were missing in action and later declared dead, and 20,000 others died of non-battle causes, for a total of 54,000 deaths in service. Also, 103,000 were wounded, and 7000 were captured or interned; only 4,000 of the latter were returned by the enemy. These staggering statistics clearly illustrate the magnificent courage, honor, and sacrifice of America's servicemen

and women during the Korean War. PVA is a proud supporter of the establishment of a Korean War Veterans Memorial. PVA's support and commitment to the erection of a Korean War Veterans Memorial is longstanding. PVA was particularly proud when Public Law 99-572 was enacted on October 28, 1986, authorizing the American Battle Monuments Commission to erect a Korean War Veterans Memorial in Washington, D.C.

Since the enactment of P.L. 99-572, more than $17 million have been collected to build the Memorial. PVA contributed $100,000 toward the completion of this great memorial. In addition, the contract for the first construction phase, site stabilization, began on April 28, 1993. Actual construction began on the memorial in April 1994. The dedication of the memorial is planned for July 27, 1995. PVA, the veterans community, and all Americans look forward to the completing of this well deserved acknowledgment and tribute to Korean War Veterans.

On another related issue, PVA supports H.J. Res. 332. This joint resolution would provide an annual Korean War Veterans Armistice Day on July 27th. The passage of H.J. Res. 332 is a fitting remembrance of those who served in the Korean War. PVA strongly urges members of this Subcommittee to support H.J. Res 332.

H.J. RES. 131

This joint resolution would designate December 7 of each year as National Pearl Harbor Remembrance Day. President Franklin D. Roosevelt characterized the attack on Pearl Harbor as: " a day that will live in infamy." PVA believes it is essential that we keep the memory of December 7, 1941, alive for the reasons so eloquently stated by the President on that fateful day. PVA believes that a National Pearl Harbor Remembrance Day is necessary to make President Roosevelt's prophecy a fact.

Mr. Chairman that concludes my testimony. I will be happy to answer any questions that you, or this Subcommittee, might have.

STATEMENT OF JOHN R. VITIKACS, ASSISTANT DIRECTOR
NATIONAL VETERANS AFFAIRS AND REHABILITATION COMMISSION
THE AMERICAN LEGION
BEFORE THE SUBCOMMITTEE ON HOUSING AND MEMORIAL AFFAIRS
COMMITTEE ON VETERANS AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
MAY 24, 1994

Mr. Chairman and Members of the Subcommittee:

The American Legion appreciates the opportunity to comment on the operations of the National Cemetery System (NCS). We value the efforts of the Subcommittee to ensure high standards for the operations and functions of the National Cemetery System. Also, we commend the National Cemetery System staff for the skillful leadership and sound judgement exercised in directing cemetery operations.

Mr. Chairman, the National Cemetery System must carry out its mission in a first-class manner because the American public demands nothing less. When conditions in a national cemetery are not satisfactory to the survivors of deceased veterans, those families let us know, and they let their Congressional representatives know also. Veterans who choose a national cemetery for their interment and the interment of their families trust that the federal government will provide an honored resting place and proper perpetual care. As this Subcommittee knows, limited funding makes the job of the NCS harder each year.

Only about ten percent of eligible veterans choose to be buried in a national cemetery. Other veterans and their dependents are buried in state veterans' cemeteries. The data do not adequately explain why so few eligible veterans choose national or state veterans' cemeteries as a final resting place. Perhaps one critical factor is that many veterans live far away from an active national or state veterans' cemetery. That is why The American Legion has called for an expansion of existing national cemeteries, where possible, and for the construction of new national and state veterans' cemeteries. Until new national cemeteries and additional state veterans' cemeteries become reality, eligibility for burial benefits will not be evenly available to all veterans.

Mr. Chairman, because the practical option of burial in a veterans' cemetery is unavailable to many veterans, The American Legion supports the restoration and increase of a burial allowance for veterans who are buried in private cemeteries. Until 1981, this benefit was available to all veterans. Also, we support the restoration of the pre-1990 Omnibus Budget

Reconciliation Act burial benefits to provide eligibility for a government furnished headstone allowance and plot allowance. These benefits were eliminated by the Congress due to budgetary constraints. The American Legion believes that every veteran should be eligible for these benefits until all veterans have a realistic option of burial in a national or state veterans' cemetery. In the long run these benefits are less costly than the expenses associated with new cemetery construction and perpetual maintenance.

For Fiscal Year 1995, the President's budget proposes an increase of $2.156 million for cemetery operations and an increase of 25 full time employees (FTE). The Legion commends the vision associated with these proposals. Also, we support the President's proposal to fund the construction of a new national cemetery in the Seattle/Tacoma area of Washington State. We believe that the priority areas identified in the February 1994 VA report on the National Cemetery System, including: Seattle/Tacoma, WA; Cleveland, OH; Albany, NY; Chicago, IL; and Dallas/Ft. Worth, TX, should proceed with the greatest dispatch. The American Legion recommends that these proposed new national cemeteries all receive construction funding by the end of this decade. This is an achievable and feasible goal. We also support the transfer of 43 acres of land from the Department of Defense to VA to expand the active life of the Ft. Sam Houston, Texas national cemetery. Since this cemetery is scheduled to close by 1998, it is important that no delays occur in this process.

The final supplemental Environmental Impact Statement (EIS) on the planned new national cemetery in northern Illinois is expected to support the development of 900 acres of the Army's Joliet Arsenal for a national cemetery. The American Legion supports the construction of a national cemetery in northern Illinois, and recommends the VA and Congress move as quickly as possible to make this long awaited cemetery a reality.

Mr. Chairman, the Legion is concerned about the potential impact of the Administration's proposed personnel reductions under the Reinventing Government Task Force Report. Any FTE reductions will degrade the operations of the National Cemetery System. Every dollar now appropriated to the NCS is wisely spent. We do not believe that contracting services always results in reduced costs. In some instances, contracting services provides the NCS with needed flexibility for the proper use of authorized personnel. However, required contracting would not be in the best interest of the NCS.

Mr. Chairman, for many years, the National Cemetery System has not received adequate major construction funding. When major construction funding for necessary renovation and restoration projects is inadequate, the planned major projects are separated into minor projects, adding additional costs of 15 to 30 percent over a longer period of time. That is not a good use of taxpayer dollars. Yet, this practice has continued for many years. The Legion believes the National Cemetery System's construction program must be fully and properly funded. No one would be proud to see these dignified resting places fall into the same state of disrepair as many of our nation's private cemeteries, old and new. The Congress must get serious about providing proper funding for our national cemeteries.

Another issue that impedes the ability to provide the most efficient burial service is the persistent replacement equipment funding shortfall. The backlog for replacement equipment at the end of Fiscal Year 1992 was $5.9 million. By the end of this year, the backlog is projected to total $6.7 million, and $7.8 million by the end of Fiscal Year 1995. During the current fiscal year, the National Cemetery System had allocated $3 million toward new replacement equipment. Of this amount, $1.7 million has been redirected as follows: $0.9 million for locality pay and other payroll increases; $0.6 million for increased funding for M&R projects; $0.2 million for increased costs for utilities and data communications.

For Fiscal Year 1995, of $2.7 million identified for new replacement equipment, only $1.6 million will be allocated for such purpose.

Mr. Chairman, The American Legion has testified in support of H.R. 949, a bill to adjust the Federal/State allocation for construction funding of state veterans' cemeteries from the current 50/50 allocation to a 65 percent Federal/35 percent State funding formula. The state construction allocation can be further reduced up to 50 percent through the donation of land. This measure would also provide for a plot allowance of $150 for each eligible veteran buried in a state veterans' cemetery. We hope this bill, which has passed the House, will be favorably considered in the Senate.

Public Law 95-476, enacted in 1978, created a Federal program of aid to States for the establishment, expansion, and improvement of veterans' cemeteries. The program was advertised as a Federal/State partnership in the development and maintenance of veterans' cemeteries. Originally, VA was to participate in all costs associated with the program. The original law required a 65/35 percent share in state cemetery

construction costs, a $150 plot allowance aid program for each veteran burial, and an annual $40 maintenance fee for each veteran burial.

Mr. Chairman, the State Cemetery Grants Program is a good deal for VA but not for the states. If not for this program, VA's national cemetery expenses would be much more costly. On the average, it costs the states $650 for each veteran's burial. The return to the states is $150 for the burial of an eligible veteran. Clearly, the State Cemetery Grants Program is not cost-effective to the states. Since 1980, the plot allowance paid to the states has been set at $150. While we realize the proposal contained within H.R. 949, to pay a plot allowance of $150 to the states for each eligible veteran's burial is an improvement over current conditions, we also think the plot allowance should be increased. With VA participating in all costs associated with the development and maintenance of state veterans' cemeteries, the program could provide greater incentives to the states for their involvement.

Mr. Chairman, with regard to H.J. Resolution 131, designating December 7 of each year as "National Pearl Harbor Remembrance Day", delegates to The American Legion 1992 National Convention, approved Resolution No. 230, urging the Congress to name December 7 as National Pearl Harbor Day. The Legion enthusiastically supports H.J. Resolution 131.

Mr. Chairman, The American Legion deeply appreciates the continuing involvement of the Advisory Board to the Korean War Veterans Memorial, as set forth in Public Law 99-572. This Advisory Board has played a large role in the accomplishments of the Korean War Veterans Memorial. The Board should remain an active component of the dedication planning process.

Mr. Chairman, that concludes our statement.

STATEMENT OF
RICK SURRATT
ASSOCIATE NATIONAL LEGISLATIVE DIRECTOR
OF THE
DISABLED AMERICAN VETERANS
BEFORE THE
SUBCOMMITTEE ON HOUSING AND MEMORIAL AFFAIRS
OF THE
COMMITTEE ON VETERANS' AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
MAY 24, 1994

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

I am pleased to appear before you today on behalf of the more than 1.4 million members of the Disabled American Veterans (DAV) and its Women's Auxiliary to present our views on the operation and status of the Department of Veterans Affairs National Cemetery System. The DAV appreciates the opportunity to participate in the oversight process. Additionally, we wish to thank the Subcommittee for inviting our testimony on House Joint Resolution 131 designating December 7th of each year as "National Pearl Harbor Remembrance Day"; on the operation of Arlington National Cemetery; and on the status of the Korean War Veterans Memorial. And, I would be remiss if I did not express our appreciation for this Subcommittee's continuing watchful devotion to the interests of our Nation's veterans.

THE NATIONAL CEMETERY SYSTEM

Mr. Chairman, the heritage of the National Cemetery System had its beginning with the Civil War. What is now the National Cemetery System grew out of the 14 national cemeteries established by legislation signed by President Lincoln in July 1862. Today, after our Nation has endured a number of additional military conflicts, there are 114 national cemeteries with more than 10,000 acres of land. Of course, these thousands of acres are made up of much more than just gravesites. There are historic structures, miles of roads, and parking lots, etc., which combine for the purpose of meeting the highest standards for form and function.

The perpetual maintenance of the grounds, over 400 buildings, and other structures requires a variety of trucks, tractors, and other equipment and vehicles. The logistics, support operations, and other programs under the Cemetery System involve data processing systems and a variety of publications ranging from Presidential Memorial Certificates to handout maps and pamphlets and operations manuals. The varied functions are accomplished by 1,315 employees. Since 1973, this system has been a part of the Veterans Administration, now the Department of Veterans Affairs (VA).

Although the activities and responsibilities of the National Cemetery System generally fall into four broad categories, its primary mission is to maintain the national cemeteries and provide for the interment of the remains of eligible deceased service members and veterans, their spouses and eligible family members. If the National Cemetery System is to fulfill its mission, it cannot be allowed to fall victim to neglect. If it is not properly maintained and preserved, it can neither serve as a lasting testimonial to this nation's gratitude for the service of the veterans already interred there, nor continue to meet the future interment needs of our aging veterans' population.

The National Cemetery System must be seen and appreciated as a resource worthy of close and ongoing attention. This Nation's strength resides in its citizens' values and sense of moral obligation to those who uphold its ideals, particularly shown by bestowing honor upon those who have served and sacrificed to protect our democratic way of life. The National Cemetery System has itself stood as an enduring symbol of the special honor the Nation reserves for veterans to memorialize their patriotic contributions. Certainly if in disrepair, national cemeteries cannot project the necessary appearance of a stately shrine, of dignity, and of sanctuary.

The rate of interments is expected to increase significantly in the coming years from an estimated 73,000 this year to a peak of about 100,000 in the year 2008. It is expected that increased capacity will result in increased demand. VA's plan for increasing capacity includes three approaches: adding new cemeteries, expanding existing cemeteries, and involving more states in the State Cemetery Grant Program.

In Seattle, Washington, the land for a cemetery has been purchased and the design phase is about to begin. Four other regions are targeted for new cemeteries. VA is close to land purchases in Cleveland, Ohio, Dallas, Texas, and Albany, New York. In the Chicago, Illinois, area where there are over a million eligible veterans, site options are being studied.

VA has bought land for expansions at Fort Gibson, Oklahoma, and Fort Scott, Kansas, and is in the process of acquiring land by donation in Port Hudson, Louisiana. There are a number of other areas which have been identified for cemetery expansion. For example, more land is definitely needed for the cemetery at Fort Sam Houston, Texas.

H.R. 949 would make state participation in the State Cemetery Grants Program more attractive by increasing the Federal grant from 50 percent to 65 percent of the cost of the land for the state cemetery and improvements. The DAV fully supports this worthy goal.

The VA is increasing its field personnel to meet the increasing demands. At the same time, it is streamlining its Central Office staff in order to transfer these FTE authorizations to its field staff.

Mr. Chairman, as is the case throughout VA, the Cemetery System is operating under the effects of budget restraints. However, it is apparent that the Cemetery System is taking appropriate measures to adjust to increased demand under those circumstances. The delegates to the DAV annual National Convention, in August 1993, adopted a resolution supporting legislation to provide for at least one open national cemetery in each state. The new cemeteries planned at this time would not accomplish that goal but are certainly a step in the right direction. The DAV commends this good work, and we are confident that this Subcommittee will continue its support.

H.J. Res. 131

House Joint Resolution 131 would designate December 7 of each year as "National Pearl Harbor Remembrance Day" in recognition of the historical and patriotic importance of this anniversary of the infamous attack on Pearl Harbor on December 7, 1941. This action stands on its own merits, but the DAV certainly supports this admirable expression of appreciation for the sacrifices of those who were affected by this event that marked our entry into World War II. Many of our members are among that group of distinguished veterans, and I am certain they appreciate this Subcommittee's initiative on this resolution.

ARLINGTON NATIONAL CEMETERY

Arlington National Cemetery, the best known of our national cemeteries, is under the jurisdiction of the Department of the Army. The cemetery grounds are on 612 acres of land.

Nearly 235,000 service members and family rest at Arlington. There are an average of 18 new burials daily. Counting those on 50 undeveloped remaining acres, there are approximately 76,000 available gravesites. Without further expansion, these available gravesites will only allow Arlington to remain open until the year 2025. Cemetery officials are therefore considering a new master plan for expansion.

The Cemetery currently employs a staff of 135, with some services performed by outside contractors. A new complex is under construction. This will house maintenance and other support services. Approximately 4 million people visit the Cemetery annually.

We are informed that Arlington, like the National Cemetery System, has so far been able to cope with budget restraints. However, the aging veteran population can be expected to increase demands, as is expected with the National Cemetery System. This will be an important factor in Congress' consideration of future needs.

KOREAN WAR VETERANS' MEMORIAL

Mr. Chairman, Public Law 99-572, enacted October 28, 1986, authorized the American Battle Monuments Commission (ABMC) to erect a Korean War Veterans Memorial in Washington, D.C., on Federal land with funds obtained primarily from private contributions. This law also provided for the Presidential appointment of the twelve-member Korean War Veterans Memorial Advisory Board.

ABMC was created by an act of Congress in March 1923 to erect and maintain memorials in the United States and foreign countries where United States Armed Forces have served since April 6, 1917, the date of our entry into World War I. ABMC is an independent agency of the executive branch of the Federal Government. Its eleven members are appointed by the President of the United States.

The Korean War Veterans Memorial Advisory Board was given the responsibility of site recommendations and design selection for the Memorial subject to the approval of ABMC. The Advisory Board was also charged with promoting establishment of the Memorial and encouraging donations of private funds.

There are many notable and unique aspects of the Memorial project itself. Congress granted $500,000 toward design costs and another $500,000 toward construction costs. Congress authorized the Advisory Board to use $125,000 a year from donations for its operation. It is noteworthy, however, that the public's donations were placed in escrow, and the Advisory Board's functions have been funded solely from interest earned on these contributions.

The initial estimate of the cost of the Memorial was 5 million dollars. Because of unanticipated costs, the current budget is just under 17 million dollars, however. The public has generously supported the Memorial, and the donations received meet the budget. A sum of nearly 17 million dollars has been deposited in the Treasury. Contributions are still being accepted to defray the cost of perpetual maintenance of the Memorial.

Approximately 80 percent of the total donations have been from individuals and veterans, veterans' organizations, and a surcharge on the sale of commemorative coins. The balance, just

under two million dollars, has largely come from Korean-American companies.

The construction plan includes two phases. Phase I was ground preparation and installation of utilities. Phase II includes all remaining construction. Because of the unforeseen problem of a high water table at the site, ground preparation required additional time and substantially more money than was originally projected.

One consideration for dealing with the ground water was to dig wells and pump it indefinitely. However, to avoid the possibility of damage to the foundations of the Lincoln Memorial and Reflecting Pool, an elaborately engineered drainage system was installed. Site preparation required firm foundations because of the unstable ground and the necessity that the Memorial be able to withstand the millions of annual visitors expected to traverse this striking new addition to the monuments already located on the Mall, the area between the United States Capitol and the Lincoln Memorial.

Phase II of the construction began in April of this year and is well under way. The contractor is working on the site, the granite for the wall is being engraved, and the statues are being cast. Construction is expected to be completed by May or June of 1995. Thus, in spite of delays and substantially higher than expected construction costs, in addition to a somewhat stormy and controversial planning and design phase, realization of a war memorial for Korean veterans is finally near.

The design of the Memorial is truly unique. It will be a one-of-a-kind work of art, world renowned for its architecture and beauty, according to Robert Hansen, Executive Director of the Advisory Board. It will be very befitting for the honor our nation wishes to bestow upon this group of forgotten heroes.

The dedication is set for July 27, 1995. The theme of dedication is "freedom is not free - a victory remembered." This theme is in recognition that the armistice is now considered a victory although it was not perceived as a victory when signed. The armistice is now credited with marking the turning point on the spread of communist aggression to the Pacific Rim countries, and indeed, leading to the demise of communism throughout Europe. The Memorial reminds all future generations that this was once not only a forgotten war but a forgotten victory.

Because there was originally a public perception that we left Korea with a lack of victory, there was an inattention and indifference to the noble deeds and accomplishments of Korean veterans. There were no celebrations nor public welcoming home. Korean veterans returned and became citizens who quietly lived with their own pride and knowledge of what they had really

accomplished. The dedication will finally express this Nation's gratitude to those who served during the Korean War.

There are currently 4.6 million living Korean War veterans out of a total of 5.7 million who served during the Korean War. It is expected that more than one-half million people will attend the dedication ceremonies. The dedication is expected to cost approximately 3 million dollars, but the funding will come from corporate America, not the construction funds.

Mr. Chairman, the DAV wishes to acknowledge the contributions of the Korean War Veterans Memorial Advisory Board. The Board has overcome a multitude of unexpected problems. It is by the perseverance of the distinguished members of this Board that we are about to see the fruition of this Memorial. It is through their tenacity and vision that generations yet to come will appreciate Korean War veterans' sacrifices and dedication to the cause of freedom.

This concludes our remarks, Mr. Chairman. I would be happy to respond to any questions you and the members of the Subcommittee may have.

STATEMENT OF

DENNIS M. CULLINAN, DEPUTY DIRECTOR
NATIONAL LEGISLATIVE SERVICE
VETERANS OF FOREIGN WARS OF THE UNITED STATES

BEFORE THE

SUBCOMMITTEE ON HOUSING AND MEMORIAL AFFAIRS
COMMITTEE ON VETERANS AFFAIRS
UNITED STATES HOUSE OF REPRESENTATIVES

WITH RESPECT TO

VA NATIONAL CEMETERY SYSTEM, ARLINGTON NATIONAL CEMETERY
AND THE AMERICAN BATTLE MONUMENTS COMMISSION

WASHINGTON, D.C. MAY 24, 1994

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

On behalf of the 2.2 million members of the Veterans of Foreign Wars of the United States I wish to thank you for inviting us to participate in today's important hearing. The VFW remains committed to the proposition that all veterans should have convenient access to a national cemetery so that they are not denied this final veterans benefit. Also under discussion today will be the operation of the Arlington National Cemetery and the American Battle Monument Commission. We will, of course, be pleased to comment on these important subject areas as well.

The National Cemetery System (NCS) was established in 1973 pursuant to Public Law 93-43. NCS carries out four main activities. It places deceased veterans and deceased active members of the armed forces, their spouses, and certain dependents in national cemeteries that have available grave space and permanently maintains these grave sites; it provides headstones for these burials in national cemeteries and private cemeteries; it administers grants to states for state veterans' cemeteries; and it prepares and issues Presidential Memorial Certificates to surviving family members and others who request them.

In recent Congressional hearings and as articulated through the Independent Budget for VA, the VFW has complimented NCS management on a job well done. We now do so again.

However, NCS has not been without problems. One only need recall, for example, the deplorable conditions at Riverside

(California) National Cemetery a few years ago. Riverside National Cemetery, due to a lack of equipment and maintenance dollars, was unable to cope with unexpected heavy rains that reduced its appearance to that of a virtual pauper's field.

To stop the VA practice of reducing NCS funding due to budget cutbacks in GOE, congress established a separate budget line item of the National Cemetery System. This welcomed action has greatly enhanced the management of NCS.

Equipment replacement backlogs within NCS also continue to be a major concern. Additionally, NCS must implement critical maintenance and repair projects to maintain NCS's infrastructure of 400 buildings and 100 miles of roads.

With the exception of a congressionally mandated FY 1991 infusion of $10 million dollars, the National Cemetery System has shown no real dollar growth in its programs. The Independent Budget requests an appropriation of $81 million, or an increase of $7.5 million over FY 1994 appropriations. To ensure proper maintenance and the preservation of the park-like beauty of these national shrines, a total of 1,405 FTEE support is requested along with this budget figure. This request presents an increase of 90 FTEE to the base of 1,315. Funding at this level will allow the NCS to address the increasing demands of the aging veteran population and will also enable the system to maintain the cemetery grounds at a level befitting national shrines.

With respect to the Arlington National Cemetery, the VFW continues to view this as a well run cemetery and compliments its management. We do note, however, that Arlington is rapidly running out of burial space, and we recommend that the Fort Myers land adjacent to Arlington be turned over to it so that veterans may continue to be properly buried there. The VFW also views the American Battle Monuments Commission as being very well run and of unquestionable importance in memorializing the sacrifice and accomplishments of America's veterans. We can only ask that it continue to service so admirably in this capacity.

Mr. Chairman, once again, on behalf of the entire membership of the Veterans of Foreign Wars, I wish to thank you for inviting us to take part in today's hearing.

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May 24, 1994

TESTIMONY BEFORE THE
HOUSE OF REPRESENTATIVES COMMITTEE ON VETERANS AFFAIRS
Subcommittee on Housing and Memorial Affairs
The Honorable George E. Sangmeister, Chairman

Mr. Chairman:

It is indeed an honor to brief you on the significant progress of the Korean War Veterans Memorial in the Nations Capital. Public Law 99-572, passed on October 28, 1986 did several things; first, it authorized the American Battle Monuments Commission (ABMC) to erect a Korean War Veterans Memorial in Washington, DC, on Federal land with funds obtained primarily from private contributions; second, it directed the President to appoint a twelve member Advisory Board of Korean War veterans to work with ABMC to do the following: a) recommend a site; b) select the design; and c) promote the establishment of the memorial and encourage the donation of private funds; and third, it directed that the Memorial be established in accordance with the Commemorative Works Act, Public Law 99-652. The Advisory Board members serve without pay. The Board membership is listed in Exhibit A.

These tasks are nearly complete. The site selected, known as ash woods to the south of the reflecting pool near the Lincoln Memorial, balances that end of the Mall. A perfect triangle is formed with the Lincoln, the Vietnam Veterans Memorial and the newly established Korean War Veterans Memorial at each vertex. It is an ideal site and one which gives great credit and historical significance to these three events in our country's history.

An open national design competition was held. A total of 543 design concepts entered the competition. All of them were given the option of including the names of the U.S. military dead of the Korean War. Neither the first, second nor third place winning design concepts incorporated the names of the KIA's from the Korean War. The first place winning design concept was circulated among all veterans organizations, including the Korean War Veterans Association, for their comments. None suggested that it include names of the KIA's.

As the selected design concept followed the Commemorative Works Act procedures obtaining the approvals from the Commission of Fine Arts, the National Capital Planning

Commission, the American Battle Monuments Commission, the National Capital Memorial Commission and the Historic Preservation Review Board many modifications were required to meet their suggestions. It took over three years of presentations and negotiations, longer than it took to fight the war, to get their full approvals. One of the inherent characteristics of the Commemorative Works Act is, that not one of the reviewing commissions has final authority. So it was a little like a tennis match to get everyone satisfied.

This Memorial design is a unique, one-of-a-kind, masterpiece. It has three main features, they are: 1) a column of 19 troops representing those who fought the war on foot, 2) a wall depicting the array of combat and combat support troops in operational mode, and 3) a commemorative area for the KIA/MIA/POW.

The troops are positioned in an open field with several emerging from the woods giving the impression that there are legions to follow. The highly polished granite wall is 164ft long and will have 1000's of images etched into a mural recognizing, as Congress intended, the totality of the Armed Forces effort. These images are presented in a perspective so that it appears that there are thousands more than those visible. These photographic images, from the national archives, in operational mode - nurses, chaplains, air men, gunners, mechanics, cooks, helmsmen, among many others - symbolize the vast effort that sustained the foot troops. These thousands of faces will provide the basis for telling the story of the Korean War. Whenever you look at a photograph you usually see someone you think you recognize. For that reason this Memorial will live forever. It is a living Memorial, that will be moving to visitors, for all time to come. It is not designed to be a grave stone. The commemorative area, a still reflecting pool surrounded by a grove of trees and benches, is a suitably solemn tribute to our fallen comrades, those still listed as missing in action and the POW's.

The Advisory Board and the ABMC have also approved an additional element which will include a computerized data-base of names/details of all known KIA/MIA/POW's which will be accessible at the Memorial by all visitors. The visitor will not only be able to see the name, rank, serial number, home of record and a picture but also the details (such as the date, time and location of the action) that caused the KIA. The visitor can take a printout of this information with them as a memento from visiting the Memorial. The system can be updated as new information becomes available and is verified.

It is well to ponder how the three Memorials, at this end of the Mall, will work well together. There are at least three common characteristics to war. It takes people, millions of them to fight a war. There are always those who perform heroic acts during the war and there are those who make the supreme sacrifice of their lives. The single statue of the Great Emancipator, Abraham Lincoln - truly a hero, is a symbol of the freedom and unification that resulted. In a

larger context the Vietnam Veterans Memorial, has been referred to by some, as a huge tomb stone, yes, specifically for Vietnam veterans but symbolically a tomb stone for the war dead for all time; in like manner the Korean War Veterans Memorial will clearly convey the message that it takes men and women and lots of them to fight a war. That was true in the Civil War, in Vietnam, as well as in Korea. Each Memorial, therefore, has its own unique message which carries over and relates to the other two in a very distinctive way and as such, fits into the Mall adding to our Nation's remembrance of veterans and the honor, sacrifice, and hope they represent for all our countryman.

The Advisory Board is acutely aware that it is surrogate for the nearly 5.7 million Americans who served in the Armed Forces during the Korean War and those patriotic Americans who have contributed over $14 million to bring the memorial to reality. (The balance of the money raised has come from interest earned on the principal.) It is this interest earned on the principal that has sustained the administration of the Advisory Board since 1987. Not one penny of contributed money has been used for the Board's expenses. Although complete statistics are not available at this time it is safe to say that about 80% of the contributions have come from the veterans and their organizations. They have either contributed directly, bought the commemorative silver dollar from the US Mint in 1992 or otherwise supported this project. Korean American corporations have given over $2 million. American corporations have contributed less than $1 million. If there are monies left over after the $1 million of appropriated monies are repaid to the US Treasury in accordance with PL 99-572, it is the intent of the Advisory Board to create a not-for-profit foundation for the long term benefit of Korean War veterans and their families.

Formal ground breaking took place on June 14, 1992 with President George Bush turning the first shovel of earth. The contractor for the first phase, Site Stabilization, started work on April 28, 1993. The site is very unstable and will require careful preparation so the final memorial has a firm foundation upon which to rest. The final site must be able to withstand the millions of annual visitors expected to traverse the greatest new addition to the Mall in this decade. Phase II of the construction began in April, 1994 and is due to be completed in May/June of 1995.

While this site work is ongoing, the artist is developing the final design for the mural on the wall and arranging for the engraving of the photographic images into the granite. The sculptor is finalizing the specific designs for each of the 19 statues. They will then be cast in stainless steel, 7'3" - 7'6" high. The final product from both of these efforts must be reviewed by members of the Advisory Board, as it fulfills its mandate to select the design, and by members of the Fine Arts Commission.

Dedication is planned for July 27, 1995, the 42nd Anniversary of the Armistice that ended the armed hostilities of the war, July 27, 1953. It has taken the country nearly forty years to appreciate that this armistice not only stopped the spread of communist aggression to the Pacific Rim countries then, but in fact led to the demise of communism today throughout Europe. It is no longer a **forgotten war** but in fact a **forgotten victory** which this Memorial will document for all time to come. And thus a fitting celebration for several days including a muster, a parade, entertainment and fireworks will accompany the actual dedication ceremonies. Exhibit B to this testimony is the schedule of activities and Exhibit C is our Memorandum of Understanding with ABMC to facilitate this schedule. These ceremonies will be funded by private donations, non-appropriated funds, designated for this purpose.

This Memorial is intended to honor all those served in the Korean War, particularly those killed in action, still listed as missing in action or held as prisoners of war. It is not intended to be used as a principal fund raising mechanism. There is not a need for ongoing fund raising. The Commemorative Works law requires that 10% of the actual construction costs be set aside with the National Park Service for a perpetual maintenance fund. That is now part of our budget and will be paid when required. There is NO ongoing commitment for maintenance funds as now required by the Vietnam Veterans Memorial. The Commemorative Works law was not in effect when it was built. After dedication in July, 1995, the Korean War Veterans Memorial Fund as it now stands will cease to exist, its purpose being fully achieved.

Perhaps no monument in Washington has been more widely anticipated than the Korean War Veterans Memorial. Like so many memorials it began with zealous private initiatives and public support that culminated with Congressional authorization and the selection of a Presidential Commission. Great public memorials have traditionally been conceived and constructed with sustained commitment and broad-based participation over extended periods of time. It is axiomatic to their success.

Public art is collaborative effort that demands the active involvement of all parties, from those charged with the day-to-day production, to those who are selected to be the keepers of the public conscience. Out of the false starts and contentious debate that marked the roller coaster ride of this Memorial, a truly monumental concept has evolved. Site restrictions, legal requirements, constraints, precedents, etc can have either inhibiting or salutary effects History teaches successful projects meet the challenges that are integral to all of the great 20th Century Mall Memorials -- the Grant, Lincoln, Jefferson and Vietnam The Korean War Veterans Memorial's legacy must simultaneously honor past memories as it anticipates future public acceptance and critical accolades

Rest assured **THE KOREAN WAR VETERANS MEMORIAL IN THE NATION'S CAPITAL**, as it is currently approved, will be a great tribute to all Korean War veterans, those who came home, as well as those that didn't. Korean War veterans in particular, but all veterans will stand tall with pride when they visit this memorial knowing they served the cause of freedom so nobly - indeed a memorial for all veterans.

It will truly be a work of art and we all will be gratified, especially the forgotten veterans of the Korean War, who at last will be remembered in a fitting Memorial long overdue and much deserved. Our collective goal is to build a suitable Memorial that we can all be proud of as we visit it's hallowed ranks ... and to build it as soon as possible before increasing numbers are deceased.

Respectfully submitted,

General Ray Davis, USMC, (Ret)
Chairman, Medal of Honor, Korea

THE KOREAN WAR VETERANS MEMORIAL
IN THE NATION'S CAPITAL

EXHIBIT A

FACTS ABOUT THE KOREAN WAR VETERANS MEMORIAL IN THE NATIONS CAPITAL

Korean War Veterans Memorial Advisory Board
A Presidential Board (PL99-572)

DAVIS, Raymond G. (MOH)
General, USMC (Retired)
Chairman and
Chairman, Design Committee

McCARTHY, Rosemary T.
Colonel, USA (Retired)
Vice Chairman

McKEVITT, James D. "Mike"
Attorney-at-Law
Chairman, Promotion

WEBER, William E.
Colonel, USA (Retired)
Chairman, Veterans Liaison

BORCHERDT, Edward R., Jr.
Chairman, Borcherdt and Co.

CHERRY, Fred V.
Colonel, USAF (Retired)

COMER, John P. "Jake"
Past National Commander
The American Legion

DEHNE, Thomas G.
Administrative Director (Retired)
Disabled American Veterans

McSWEENY, William F.
Chairman, Ford's Theatre
Society

RODRIGUEZ, Carlos
Associate Executive Director
Benefits Service
Eastern Paralyzed Veterans
Association

STAUM, John S.
Past Commander-in-Chief
Veterans of Foreign Wars
of the United States

Deceased Board Members

STILWELL, Richard G.
General, USA (Retired)

HAUSMAN, Conrad
Colonel, USA (Retired)

Counselor

PARRIS, Stan
Former member of Congress

General Counsel

HOFFMAN, Martin R.
Former Secretary of the Army

SANTARELLI, Donald E., P.C.
Santarelli, Smith & Carroccio

Management Advisor
THOMPSON, Gerald J.
RADM, SC, USN (Retired)
Partner, Coopers & Lybrand

Executive Director

HANSEN, Robert L.

FAX (202) 208-3459

o Authorized by Public Law 99-572, October 28, 1986, to honor members of the Armed Forces of the United States who served in the Korean War, 1950-1953, particularly those who were killed in action, are still listed as missing in action, or were held as prisoners of war. $1 million of federal funds were authorized to be applied against design and construction costs and must be returned to the government if adequate funds are raised.

o On March 28, 1988, Congress approved a Mall site for the Memorial. On September 16, 1988, Ash Woods became the official location directly across the Reflecting Pool from the Vietnam Veterans Memorial.

o June 14, 1989, President George Bush unveiled a model of the winning design concept submitted by a team of architects from State College, PA, Burns Lucas, Leon, Lucas, Pennypacker Oberholtzer. Basis for selection was the powerful imagery: a column of statues, representative of those who fought the war on foot.

o June 14, 1992, President Bush broke ground. Construction site preparation began April 28, 1993. Phase II of construction began April, 1994. Dedication planned for July 27, 1995.

o Design details --- The column of troops - the powerful, central feature of the winning design concept - constitutes a multi-service formation, clad in ponchos with the cold wintry wind at their backs, arrayed for combat, their symbolic objective, the American flag, waves aloft at the highest point of the Memorial. The setting is dynamic, individual statues reflect the ethnic diversity of America and their faces resolutely convey the trauma and emotions generated by front line service in war. An etched mural wall, 164 feet long, recognizes, as Congress intended, the totality of the Armed Forces effort. Thousands of photographic images, in operational mode - nurses, chaplains, crew chiefs, mechanics, cooks, helmsmen, among many others - symbolize the vast effort that sustained the foot troopers. These faces will help tell the story of the Korean War. Whenever you look at a photograph you usually see someone you think you know. For that reason this Memorial will live forever. It is not meant to be a grave stone, it is a living Memorial that will move visitors for all time to come. The flag is surrounded by a still reflecting pool of water with the inscription superimposed "To Those Who Made the Supreme Sacrifice." Recognition of the role played by the Republic of Korea's Armed Forces and the 20 other nations which rallied under the UN banner will be evident. The Memorial is a grand and glorious salute to all who served.

o Architect of Record, Cooper-Lecky Architects, PC, of Washington, D.C., performed same role for Vietnam Veterans Memorial. Sculptor, Frank C. Gaylord, of Barre, Vermont, whose larger-than-life works are displayed throughout the nation, saw action in WW II with 17th Airborne Div. Muralist, Louis Nelson, of New York City, principal in a design and planning firm experienced in variety of media and environments, US Army, WWII veteran.

o The Memorial will cost about $17 million. Those funds have been raised. Contributions are still being received for perpetual maintenance fund and can be sent to the address below.

KOREAN WAR VETERANS MEMORIAL IN THE NATION'S CAPITAL

DEDICATION — Schedule of Activities

July 26 - 30, 1995

	Wednesday July 26	Thursday July 27	Friday July 28	Saturday July 29	Sunday July 30
AM	ALL DAY Check In, Register, Reunite with "Buddies "	Wreath Laying, Tomb of the Unknowns, Lighting Freedom Torch	Visit the Memorial	Memorial Church Services - all denominations, Visit the Memorial	Check out of hotel, Visit the Memorial
PM	ALL DAY Check In, Register, Reunite with "Buddies "	**DEDICATION****	Mass Muster,*** Joint Chiefs Inspection	Parade, Visit the Memorial	Visit the Memorial
EVE	ALL DAY Check In, Register, Reunite with "Buddies "	Visit the Memorial	Visit the Memorial	Major Entertainment**** and Fireworks, Visit the Memorial	Visit the Memorial
Ongoing	receptions of units, hospitality suites, Mall Activities *	Mall Activities * Entertainment, tours, Visit the memorial	Mall Activities* Entertainment, tours, Visit the memorial	Mall Activities * Entertainment, tours, Visit the memorial	Visit the Memorial

* Mall Activities include tents to visit from all Veterans Organizations, The Department of Veterans Affairs, Other Government agencies, Memorabilia sales Mess tent, Master Registration Log, Embassy Tents, 24 hour vigil reading the names of KIA/MIA/POW, first aid, general information and command post, reception area, meeting and greeting and reuniting with buddies, the Memorial will be available for visitors 24 hours a day in order to accommodate everyone, only about 2000/hour can flow through the Memorial so schedule your time accordingly Embassies of those members of the United Nations who participated with the United States and The Republic of Korea may be open for tours *(Australia Belgium Canada Columbia, Denmark Ethiopia France Greece India Italy Luxembourg New Zealand Netherlands Norway Philippines South Africa Sweden, Thailand Turkey United Kingdom)*

** Because of the huge crowds (over 500,000 veterans and their families) anticipated, the actual Dedication ceremonies will be short (about 30 minutes in length), there will be jumbo TV screens on the Mall so everyone will be able to see, but there will be no seating available, standing room only All living Presidents will be invited

*** Mass Muster - ceremonial activation of those units who bear battle honors from Korea and not now on the active rolls It is anticipated that the colors of these units will be uncased and join the active units who bear battle honors from Korea at this muster and stand for inspection by the Joint Chiefs of Staff

**** The Major entertainment show will include such celebrities as Bob Hope, Rosemary Clooney, Ed McMahon, Mickey Rooney, Gregory Peck, Frank Sinatra and many others pending their availability There will be an ongoing international film festival showing movies of the Korean War Entertainment troupes from Korea and all nations who fought under the UN Flag will also participate

EXHIBIT G

EXHIBIT

MEMORANDUM OF UNDERSTANDING

This is a memorandum of understanding between the American Battle Monuments Commission (ABMC) and the Korean War Veterans Memorial Advisory Board (KWVMAB) for the specific purpose of defining responsibilities for the dedication of the Memorial and ancillary activities. It is effective from the date of its signing by both parties until 30 September 1995, 65 days after the dedication of the Korean War Veterans Memorial in the Nation's Capital, 27 July 1995.

Given the authority implicit in Section 121-138c of Title 36 of the U.S. Code and Public Law 99-572, ABMC is authorized to establish a Korean War Veterans Memorial in the Nation's Capital. Under ABMC supervision, the KWVMAB is hereby authorized:

1. To plan, develop and execute the program for all ABMC/KWVMAB dedication ceremonies and its ancillary activities.

2. To conduct a joint in-process review with ABMC at least quarterly.

3. To enter into working agreements in support of the dedication with any government agency (e.g. The White House, GSA, MDW, DOD, DOI, NPS, DOL, DOC, Congress, DC Government, and state and local governments) as well as federal and state chartered veterans organizations.

4. To proceed with the following list of activities, though it may not be all inclusive, as a basis for dedication week activity planning:

a. A parade of associations, veterans, contingents from active military forces and civilian marching units.

b. A mass muster for Korean War Veterans.

c. Memorial services.

d. A film festival of Korean War related movies.

e. Receptions/open houses at the embassies of the 21 participating nations.

f. Production of entertainment shows suitable for the occasion within resources available.

g. Arrangements for the appearance of dignitaries and honored guests.

h. Emplacement of a time capsule on the Memorial site.

i. Coordination of logistical support (lodging and transportation) for visiting Korean War Veterans and their families to the Nation's Capital for the dedication.

All monies donated for dedication activities will be turned over to ABMC which will deposit them in the Korean War Veterans Memorial Fund of the U.S. Treasury and disburse them for the ABMC/KWVMAB jointly approved dedication activities. No more than $200,000 of the monies in the fund at the time of signing will be used to support dedication activities. Additional funding requirements must be met with donations made specifically for that purpose. Donations of monies, services or materials will be applied to the dedication if so designated at the time of donation. Acceptance of donations of monies, services or materials not designated for the dedication will be made only by ABMC. Neither the ABMC nor the KWVMAB will enter into commercial ventures to generate funds for the dedication.

The Director of Operations and Finance of ABMC and the Executive Director of the KWVMAB will be the focal points for coordination and exchange of information for this memorandum of understanding.

for RAYMOND G. DAVIS
General, USMC (Ret)
Chairman, KWVMAB
9 February 1994

for P. X. KELLEY
General, USMC (Ret)
Chairman, ABMC
8 February 1994

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STATEMENT OF NATIONAL CONCRETE BURIAL VAULT ASSOCIATION BY JERRY J. BROWN

SUBCOMMITTEE ON HOUSING AND MEMORIAL AFFAIRS

HOUSE COMMITTEE ON VETERAN'S AFFAIRS

MAY 24, 1994

The National Concrete Burial Vault Association ("NCBVA") was founded in the 1930's, and is made up of concrete burial vault manufacturers from the United States and Canada. Our association represents the national franchisors as well as a host of independent grave liner companies. We thank the Members of this Subcommittee for your continued involvement with and oversight of the National Cemetery System. The National Cemetery System is a source of pride, tradition and profound national awareness. Programs within the jurisdiction of this Subcommittee are critical to preserving and perpetuating the quintessential concept of memorializing the lives and deeds of Americans who have died in the service of our nation.

The National Cemetery System provides the means for the proper perpetual memorialization of our deceased veterans. In all societies, when a death occurs, we feel the need to respond individually, as a family, as a community, and culturally. Our national cemeteries are an integral part of this cultural response. National shrines such as the Arlington Cemetery are visited by thousands of veterans and family members each year, furnishing a sense of continuity with the past and reinforcing the

importance of the role the veterans played in our history. For over two centuries, the courage and patriotism of our nation's armed service men and women have been enshrined in the monuments and memorials bearing proud testament to their sacrifice and dedication for a free and democratic society. The NCBVA supports H.J. Res. 131, designating December 7 of each year as "National Pearl Harbor Remembrance Day" and the Korean War Memorial as integral parts of the memorialization process.

Since the dawn of humankind, world cultures have responded to death with ceremony, sensitivity and sociological and religious fervor. The funeral embodies the fundamental equation for the recovery process, as it provides order and direction in the time of loss and manifests our beliefs through the ceremony of choice. The ceremony brings people together to share their feelings of grief and sorrow and bears testimony to the life of one who was known, loved, honored and remembered. Within the circle of the death and memorialization experience, the place of bestowal - THE CEMETERY - emerges as the final chapter of the death and funeral experience and becomes the place where family and friends may return to reflect, remember and recreate the images of a life that was lived.

Throughout the long and noble history of the National Cemetery network, what has been phrased as "the dynamics of earth interment" has played a significant role in the operational, logistical, economic and political profiles of the cemetery system. Specifically, the position and function of THE BURIAL VAULT and/or GRAVELINER within the sphere of National Cemetery policies, regulations and operations has become one of the primary focal issues of the past two decades.

For millenniums, the dynamics of earth burial have evoked various forms of entombment or protective enclosures to encase, surround, protect and memorialize the deceased. Even today, ancient pyramids, catacombs and sealed crypts remain as silent testament to man's compelling need to safeguard the dead and memorialize the place of interment.

In recent decades, the preference for some form of outer burial receptacle to encase and protect the casketed body in earth burial has expanded to include the aesthetic, functional and economic concerns of cemetery management as well as fulfilling the cultural values and traditions of our society.

Since 1968, the NCBVA has worked with the National Cemetery System and the House Committee on Veterans Affairs, Subcommittee on Housing and Memorial Affairs to develop and implement a graveliner program. In 1984, our Association submitted to the Subcommittee a study entitled "The Economic and Aesthetic Impact of Using Outer Burial Receptacles in National Cemeteries," which detailed the dynamics of earth interment and its subsequent effects upon the physical and fiscal condition of the National Cemetery System.

The NCBVA continues to support the fundamental position of requiring outer-burial receptacles for interments within the National Cemetery System which corresponds with the policies of over 90% of the nation's public, private and denominational cemeteries for the following reasons:

1. Fiscal;
2. Ongoing maintenance;
3. Perpetuity of cemetery aesthetics;
4. Safety;
5. Dignity (disinterments/relocations under public law 99-576); and
6. Health and environmental considerations (which applies to lined/sealed burial vaults).

With the enactment of Section 504 of Public Law 101-237 (103 STAT. 2094), effective January 1, 1990, the government must provide "a grave liner for each new grave in an open cemetery within the National Cemetery System in which remains are interred in a casket."

The proper maintenance of the National Cemetery System is enhanced by the use of outer burial receptacles, such as those manufactured by our association members and used in the national cemeteries, including Arlington National Cemetery. The NCBVA has

worked closely with the Department of Veterans Affairs to develop and implement minimum performance standards for outer burial receptacles, as further assurance of their quality and to promote the use of standard specifications on sizes, design and construction, workmanship and materials. Most importantly, the purpose of any outer burial receptacle is to eliminate both short and long term maintenance on the part of the cemetery.

The dynamics of earth burial can create myriad forces, pressures and conditions which necessitate a protective outer enclosure; for example:

1. Crushing/compression force of earth backfill and vehicle weight plus barometric and freeze-thaw conditions will exert several tons of pressure upon unenclosed caskets;

2. Water pressure and penetration;

3. Deteriorating effects of soil chemicals;

4. Potential damage due to opening of adjacent graves;

5. Pollution/health considerations;

6. Safety factors; and

7. Maintenance of monument and marker placement and alignment.

When a casket is interred without some form of outer burial receptacle, anywhere from five to eleven restorations of the grave site would be required in a twenty-five to fifty-year period. Restoration would include the costs of refilling, tamping, resodding/seeding and marker or monument realignment. The continued use of outer burial receptacles in our national cemeteries will prevent the sinking or collapsing of graves and the tipping or misalignment of headstones, significantly reducing long term maintenance costs.

In order to provide the highest quality product to the National Cemetery System, the membership of the NCBVA adopted performance standards at its annual meeting in June, 1991. The NCBVA promotes safety and training in its member plants and in the handling and delivery systems of concrete burial vaults and graveliners in the cemeteries through a vigorous, comprehensive

inspection and certification program for its members. The certification program includes facility and equipment inspections and comprehensive product testing to promote compliance with the adopted performance standards and to insure delivery of the highest level of product and service to the cemeteries.

Our World War II veterans are now in their late sixties and early seventies and by the end of the century will be in their late seventies/early eighties. Korean veterans are now in their late fifties and by the year 2000, Viet Nam veterans will be in their fifties. There are nine million living World War II veterans, five million Korean veterans and eight million Viet Nam era veterans. The strain on our national cemeteries to provide appropriate burial benefits to these veterans, along with the proper and continued maintenance of these national shrines, will be immense. The NCBVA strongly supports the efforts of the National Cemetery System in these areas and provides quality products and service which reduce the costs of long term maintenance.

Pearl Harbor Survivors Association
National President

LEE GOLDFARB
18 Bunker Road
East Hanover, N.J. 07936
(201) 887-4322

TESTIMONY ON H.J. RES 131

Thank you Mr. Chairman for allowing me to testify on behalf of H.J. Res. 131. My name is Lee Goldfarb and I am the National President of the Pearl Harbor Survivors Association. To our organization December 7 1941 is one of the most important days on the calendar. It brings to mind a day in which 2403 shipmates and comrades lost their lives in what can best be described as a sneak attack. This attack took place while the representatives of the Japanese Government were in Washington talking peace. We should never allow the events of that day to be forgotten or overlooked. That is why it is important that H.J. Res. 131 be passed. Mr. Chairman I believe i can explain our feelings if you will allow me to read the letter I wrote to the Honorable William Clay, Chairman Post Office and Civil Service Committee concerning H.J. Res. 131. It is the Committee Policy for Consideration of Commemorative Legislation for the 103rd Congress which provides the stumbling block and before I read the letter I would like to quote paragraph 2 line (e) which says:

The following types of proposals shall not be reported:

Any proposal providing for recurring annual commemoratives.

The letter reads as follows:

Thank you Mr. Chairman and I would be delighted to answer any questions

Pearl Harbor Survivors Association
National President

LEE GOLDFARB
16 Benkor Road
East Hanover, N.J. 07936
(201) 887-4922

Honorable William Clay
Chairman Post Office and Civil Service Committee
309 Cannon Office Building
Washington DC 20515

Dear Chairman Clay:

It is with more sadness then anger that I write this letter. It is inconceivable that with in excess of 200 hundred co-sponsors who have signed on in support of H.J. Resolution 131 you would not permit this bill to be released. I understand the reason behind your reticence but I find it difficult to understand. The thought that many frivolous organizations would seek in one form or another a "Day of Remembrance" leaves you with the conclusion not to have any. On behalf of the 2403 who were killed that Sunday morning December 7 1941 I find it unconscionable that you would equate the Pearl Harbor Survivors Association with the "Pickle Growers Association" or the "42nd Street Ballet Dancers", AD Nauseam. Perhaps my language is slightly strong but perhaps it will help make my point.

The reason we are determined to pursue the matter at this time because it is now evident that we are in the final stages of our allotted time on this mortal coil and we see no one in the foreseeable future who will labor annually for a National Pearl Harbor Remembrance Day. Let the last of us depart and the slogan "Remember Pearl Harbor" will depart with us. Mr. Chairman, please understand our concern - please understand our fear, and please understand you are our only hope.

Mr. Chairman, please join us in our crusade and please be our ally. Perhaps it is not fitting but I subscribe to the adage that "for every rule there is an exception.

With much gratitude

Lee Goldfarb
National President PHSA

Remember Pearl Harbor — Keep America Alert

Pearl Harbor Day

Richard Foltynowicz

Getting our Congress to recognize December 7 as National Pearl Harbor Remembrance Day is a tough task.

Although the Japanese attack there on December 7, 1941, is one of the most significant events of this century, the bill to establish an annual commemoration on that date is stalled in a subcommittee with little chance of release because of Federal rules governing commemorative days.

HJR 131 has 11 more co-sponsors than the 218 signatures needed to bring the bill to a floor vote. Even so, Rep. William Clay, chairman of the House Post Office and Civil Service Committee, has not authorized the bill's release from the Population and Census Subcommittee.

It should be noted that HJR 131 designates December 7 as a working holiday, similar to Flag Day on June 14. It also requests the President to issue an annual proclamation calling upon citizens to observe the day with appropriate ceremonies and activities.

The United States flag would be flown at half staff that day by all Federal agencies and interested groups in honor of those Americans who died in the attack.

Rep. George Sangmeister (D-Mokenam IL), who is retiring this year from Congress, said that in the 1970's the sub-committee established rules which prohibit commemorative days in the belief that eventually every day would become a commemorative day.

"However," Sangmeister added, "this is not just another event we are talking about. This is an event which changed the course of history for America and the world."

Interestingly, since the sub-committee's rules were adopted there have been days set aside for perpetual commemorations. This was accomplished by tacking them onto legislatives bills.

Included among the commemorations are: Federal Lands Cleanup Day; National Disability Awareness Month, and National Forest Products Week.

Thus, tacking HJR 131 onto a piece of must-pass legislation as a rider could be an alternative course to get the bill out of the subcommittee and onto the House floor for a vote.

The idea to officially commemorate December 7 came to be during my sister's birthday party in March 1990. The next day I contacted Rep. Dennis Hastert (R-St. Charles, IL) with the suggestion. He sponsored the resolution that named December 7, 1991 as Pearl Harbor Remembrance Day.

Since then, I have formed the Foundation for a National Pearl Harbor Day to push for the commemoration. I also set up the Pennies for Pearl Fund which raised funds for a bronze plaque, which I presented to the Pearl Harbor's Survivors Association at Pearl Harbor on December 7, 1991.

Why is this legislation so important? Well, I was 15 years old when the Japanese bombed Pearl Harbor. That event left an indelible impression on me and 18 months later I joined the Marines to serve in the Pacific Theater.

This commemoration will enable future generations of Americans to recognize the significance of the date, and be reminded of what can happen if our country is unprepared to protect our cherished freedom.

Congressman Sangmeister recently said: "As a result of the attack, 16½ million Americans rallied to fight World War II, with 460,000 eventually losing their lives. As a military veteran, it saddens me to think that the significance of this event may be lost to future generations."

The Foundation for a National Pearl Harbor Day

920 Chestnut Street Ottawa, IL 61350 (815) 433-4429

More than 50 years ago, thousands of our loved ones; Mothers, Fathers, Sisters, Brothers and Spouses offered the "ULTIMATE SACRIFICE", giving their lives for our freedom.

Our goal is single minded. It is our intention to petition for the setting aside a PERMANENT DAY OF REMEMBRANCE to bestow rightful honor to those who gave their lives so that we and future generations of Americans might live free! We simply ask that our President and Congresspersons join together to designate this PERMANENT DAY OF REMEMBRANCE. Is this too much to ask?

You and I have a choice! The brave heroes of Pearl Harbor did not!! We can choose to do nothing, or we can choose to write our President, our Congressperson and our Representative letting each know how strongly we feel regarding this issue, and instructing each, as your Elected Representative to support H.J. Res 131 designating December 7th, of each year as "National Pearl Harbor Remembrance Day."

Please, let your voice be heard today!!! Please help pass House Joint Resolution Bill #131 Please be aware that there is no financial obligation here; it will not cost the taxpayer nor will it increase the deficit. It will, however, put a warm glow within you to know that you did what you could to honor the military men and women who offered the ULTIMATE SACRIFICE on that INFAMOUS Sunday Morning, December 7th, 1941 in Hawaii, by establishing for them a "PERMANENT DAY OF REMEMBRANCE."

Thanking you in advance for your interest and cooperation in this matter, I remain.

Sincerely,

Richard Foltynewicz

Richard Foltynewicz,
Foundation Chairman
World War II
Marine Corps Veteran

Editorial

Congress Should Be Gung Ho -- No So So

There is no other event like the bombing of Pearl Harbor in American history. It's occurrence shaped our success in World War II and our ambivalence in the wars of the fifties and sixties.

We hope -- we pray -- there will never be another day like it. And therefore, Congress should immediately blast through the regulations prohibiting recurring days of remembrance and name December 7, "Pearl Harbor Day."

It won't cost us any money. It may save us a part of our history which should never be forgotten.

The rationale that "if we do it for you we'll have to do it for everyone else" is a so-so, bureaucratic cover. Rest assured, in the years to come Congress will do it for everyone else -- as Earth Day will no doubt be added to the calendar and Columbus Day taken off.

It's a matter of being politically correct. Right now, Richard Holtynewicz's cause is not politically correct. But in our estimation it's morally, historically and vitally correct.

Thank you, Richard, for being gung ho for a cause Congress should be falling over itself to champion. Keep it up. Now's the time and you're not alone.

SENIOR LIFESTYLES ©

Susan Lennox
President and Publisher
Joseph F. Reagan
Vice President and

"A NATION THAT FORGETS ITS VETERANS IS A NATION THAT, ITSELF, WILL SOON BE FORGOTTEN

FREEDOM IS NOT FREE

I watched the flag pass by one day,
It fluttered in the breeze,
A young Marine saluted it,
And then, he stood at ease.

I looked at him in uniform,
So young, so tall, so proud,
With hair cut square and eyes alert,
He'd stand out in any crowd.

I thought how many men like him
Had fallen through the years.
How many died on foreign soil?
How many mother's tears?

How many pilots planes shot down?
How many died ar sea?
How many foxholes were soldiers' graves?
No, freedom is not free.

I heard the sound of taps one night,
When everything was still,
I listened to the bugler play,
And felt a sudden chill.

I wondered just how many times,
That taps had meant "Amen",
When a flag had covered a coffin,
Of a brother or a friend.

I thought of all the children,
Of the mothers and the wives,
Of fathers, sons, and husbands,
With interrupted lives.

I thought about a graveyard,
At the bottom of the sea,
Of unmarked graves in Arlington,
No, freedom is not free.

Cadet Major Kelly Strong
Air Force Junior Rotc
Homestead Senior High School
Homestead, Florida

August 26, 1981

The Daily Times

Ottawa, Illinois | Thursday, June 11, 1992 | 146th Year—138th Day

LOCAL/AREA

Sangmeister pushing Pearl Harbor bill

By JoANN HUSTIS
Staff Writer

Rep. George Sangmeister, D-Mokena, says it's a tough battle to get Dec. 7 recognized as National Pearl Harbor Day.

He said today the bill to establish the annual commemoration is lodged in a subcommittee with little chance of release because of its rules governing commemorative days.

The Population and Census Subcommittee of the Post Office and Civil Service Committee has the legislation. The subcommittee also established rules in the 1970s that prohibit commemorative days on the belief that every day eventually would become a commemorative day, said Sangmeister aide David Wilke.

"It's a very stubborn opponent we're up against," he said. "The subcommittee is not willing to budge on this. But there are other tactics we can use."

Alternatives could include tacking the bill onto a piece of must-pass legislation as a rider, said Wilke.

"We're certainly considering it, although Sangmeister is not really thrilled about doing it that way because he believes the proposal will stand on its own and does not need to be done in the dead of night," he said.

More than 2,000 Americans were killed and another 1,000 injured in the attack on Pearl Harbor. The battle precipitated the United States' entry into World War II.

Sangmeister introduced the legislation in March.

"I offered it in recognition of the men and women who served so faithfully and, in particular, to honor the 2,400 who died on that 'day of infamy,'" he said.

The bill resulted from efforts by former World War II Marine Richard Foltynewicz of Ottawa to commemorate the day.

The usual procedure is for a bill to automatically come to the House floor for vote if there are 218 signatures.

But in this case, Wilke said the subcommittee will not release the bill because of the perpetual commemoration provision.

"This is not just another event we are talking about. This is an event that changed the course of history for Americans and the world," Sangmeister said.

He now is asking his colleagues on Capitol Hill to co-sponsor the legislation in a show of strength because numbers would make for a better case before the subcommittee, said Wilke.

"The subcommittee's rules can be justified. But Pearl Harbor is a significant event in our nation's history, not a frivolous or trivial day. That's why Sangmeister is sort of going against the grain here to see how his colleagues feel," he said.

"The World War II guys are the biggest chunk of veterans out there. And they're the first to tell you Pearl Harbor needs to be commemorated in some way."

Wilke said the subcommittee has no provisions for exceptions. Also, there is a cost associated with passing commemorative bills.

"It's interesting to note that since the subcommittee's rules have been in place, there have been perpetual commemorations. But they were set aside in a sneaky way by tacking them onto bills as riders," he said.

For instance, Federal Lands Cleanup Day became a perpetual commemorative day as a rider in August 1986. The day is commemorated the first Saturday after Labor Day in September. National Disability Awareness Month was perpetually commemorated in 1988. It is commemorated each October.

"Each year, our country commemorates National Forest Products Week. I believe we can do no less for Dec. 7, 1941," said Sangmeister.

"Pearl Harbor had an extraordinary effect in unifying our country and I want that to be remembered. As a result of this attack, 16.5 million Americans rallied to fight World War II — 406,000 eventually lost their lives. As a veteran, it saddens me to think the significance of this event may be lost to future generations."

Sangmeister is a member of the House's Veterans Affairs Committee.

Remember Pearl Harbor
December 7

Richard Foltynewicz Chairman
The Foundation for National Pearl Harbor Day
920 Chestnut St.
Ottawa, Il 61350

World War II
Marine Corps Veteran

APPROVED

Resolution No. 311

DESIGNATING DECEMBER 7 OF EACH YEAR AS

"NATIONAL PEARL HARBOR REMEMBRANCE DAY"

WHEREAS, on December 7, 1941, the Imperial Japanese Navy and Air Force attacked units of the Armed Forces of the United States stationed at Pearl Harbor, Hawaii; and

WHEREAS, more than 2,000 citizens of the United States were killed and more than 1,000 citizens of the United States were wounded in the attack on Pearl Harbor; and

WHEREAS, the attack on Pearl Harbor marked the entry of the United States into World War II; and

WHEREAS, the Veterans of World War II and all other people of the United States commemorate December 7 in remembrance of the attack on Pearl Harbor; and

WHEREAS, commemoration of the attack on Pearl Harbor will instill in all people of the United States a greater understanding and appreciation of the selfless sacrifice of the individuals who served in the Armed Forces of the United States during World War II; now, therefore

BE IT RESOLVED, by the 93rd National Convention of the Veterans of Foreign Wars of the United States, that we support legislation to designate December 7th of each year as "National Pearl Harbor Remembrance Day."

VETERANS OF FOREIGN WARS
OF THE UNITED STATES

NATIONAL HEADQUARTERS
VFW BUILDING • KANSAS CITY, MO. 64111

Submitted by Department of Illinois

To Committee on GENERAL RESOLUTIONS

Resolution No. 311

The Foundation for a National Pearl Harbor Day
920 Chestnut Street Ottawa, IL 61350 (815) 433-4429

REMEMBER PEARL HARBOR AS WE GO TO MEET THE FOE;

REMEMBER PEARL HARBOR AS WE DID THE ALAMO;

WE WILL ALWAYS REMEMBER THAT THEY DIED FOR LIBERTY;

REMEMBER PEARL HARBOR AND GO ON TO VICTORY.

OUR DEAD

A story comes to my mind that fits, that 'TITLE....OUR DEAD!!

A soldier comes to his Commanding Officer... "My friend isn't back from the battlefield, sir. Request permission to go and get him."

"Permission refused," said the officer. "I don't want you to risk your life for a man who is probably dead."

The soldier went, all the same, and, an hour later, came back mortally wounded, carrying the corpse of his friend.

The officer was furious. "I told you he was dead. Now I've lost both of you. Tell me, was it worth going out there to bring in a corpse?"

The dying man replied, "Oh, it was sir. When I got to him, he was still alive. And he said to me, " Jack, I was sure you'd come."

It is in thousands of stories such as this that we say Our dead are not unknown soldiers.

We know who they are and where they seek to go.

Their passage through this life often was accompanied by great pain, sacrifice and suffering.

We love our dead.

Let us pray for them upon their graves.

A daily garland of prayers last longer than an armful of roses.

As we approach the Golden Memorial hour of the War Veterans, eleven o'clock. Let us stand for a moment of silence------and let there rise from your heart a prayer beseeching Almighty God, the Father of us all, to grant to the souls of our departed comrades, a peace and glory, be theirs because of the sacrifice they made so other men might live.

Semper Fidelis,

Richard Foltynewicz

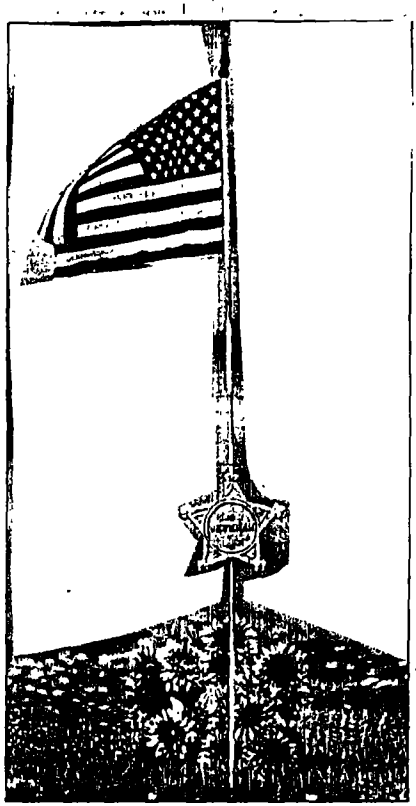
Richard A. Foltynewicz,
WW II Marine Corps Veteran

USMC

"Once a Marine, always a Marine"

ttawa, Illinois Saturday, May 29, 1993 149th Year—127th Day

Come Visit My Grave



The Daily Times/TOM SISTAK

SOURCE: Thanks to Marge Rowney of Ottawa for sharing this poem with us.

by Jim Rolfes, Commander,
Plymouth County American Legion
Wasmer Post No. 241, LeMars, Iowa
Date unknown

I am a veteran laid under the sod,
  I'm in good company, I'm up here with God.
Come to my grave and visit with me,
  I gave my life so you could be free,
Today is Memorial Day throughout this great land,
  There's Avenue of Flags, parades and bands.
I can hear music, the firing squad and taps,
  Here come my comrades, the Legionnaires, the Blueceps.
One of them just put a flag by my stone,
  Some day he'll have one by his own.
They say they have plans, other things to do,
  Don't put us aside as you would an old shoe.
Come visit my grave in this cemetery so clean,
  This is what Memorial Day means.
There are many of us lying in wakeless sleep,
  In cemeteries of green and oceans of deep.
It's sad that for many who fought so brave,
  Now no one comes to visit their grave.
They died so you could have one whole year free,
  Now can't you save this one day for me?
There are soldiers, sailors, airmen up here,
  Who went into battle despite of their fear.
I've been talking up here to all of those men,
  If they had to do it over, they'd do it again.
Look, someone is coming to my grave,
  It's my family, for them my life I gave.
My wife, I remember our last embrace,
  As I left the tears streamed down your face.
I think you knew the day I shipped out,
  I wouldn't return, your life'd be turned about.
There's my daughter that I used to hold,
  Can it be that you're nearly twenty years old?
Next month is to be your wedding day,
  I wish I could be there to give you away.
My son's here too, Dad's little man,
  Always love your county, do for it what you can.
There is one thing that really did bother,
  Seeing you grow up without the aid of a father.
I wish you could all hear me from up above,
  That a father's best gift to his children is love.
And what better way to prove my love to the end,
  Is that a man lay down his life for his friends.
I see it's time for you to go home,
  Your visit made it easier to remain here alone.
Don't cry honey, you look so sad,
  Our children are free, you should be so glad.
Daughter, thanks for the bouquet so cute,
  Thank you son, for the sharp salute.
Come again, I forgot, you can't hear me from up here,
  But I know you'll come visit me next year.
I hope all veterans are treated this way,
  On this day to remember, Memorial Day.

STATEMENT OF

MICHAEL P. CLINE
MASTER SERGEANT (RET)
EXECUTIVE DIRECTOR

BEFORE THE

SUBCOMMITTEE ON HOUSING AND
MEMORIAL AFFAIRS
COMMITTEE ON VETERANS' AFFAIRS
ON
VA NATIONAL CEMETERY SYSTEM..
ARLINGTON NATIONAL CEMETERY AND
THE AMERICAN BATTLE MONUMENTS COMMISSION

24 MAY 1994

Introduction

The Enlisted Association of the National Guard of the United States (EANGUS) appreciates the opportunity to present its views on oversight of the National Cemetery System (NCS), American Battle Monuments Commission (ABMC), and to comment on H J Res 131

Burial Benefits for National Guard and Reserve members with twenty years of service

EANGUS would like to express its graditude and appreciation to the Subcommittee for the recognition recently extended to members of the National Guard and Reserve EANGUS is extremely grateful for the action taken, in 1992, to provide burial Flags and grave markers, as well as for the recent passage of HR821 by Congress The action in 1992, in company with the enactment of HR821, to extend burial in National Cemeteries, now provides full recognition of Reserve component members for their valuable service

These recent accomplishments would not have occurred were it not for the persistent efforts of the distinguished Chairman and members of this Subcommittee. The Association's 67,000 members commends your efforts to recognize, with dignity and respect, as members of the Total Force

The National Cemetery System

Burial in one of our national cemeteries is the final tribute, of a grateful nation, honoring the memory and sacrifice of those who served in our Armed Forces This memorialization is everlasting through the provision of perpetual care of our national cemeteries It is a benefit available to all veterans and National Guard and Reserve members who contributed 20 years or more of faithful service, without regard to gender, race, religious affiliation or economic circumstances A total of 114 national cemeteries comprise the NCS In September 1992, 53 of the 114 national cemeteries were closed to full-casket remains NCS is projecting that in six years an additional eleven sites will close bringing the total to 64 by the year 2000 Nine other cemeteries are projected to close between the period 2000 and 2010 In other words, if the NCS remains on its present course, 65% of the national cemeteries will be considered closed in the next sixteen years

Nationally, the number of interments for veterans or eligible individuals will continue to increase Another annual record of interments, 73,000 is expected in Fiscal Year 1995 - a 55% increase in the last ten years Similarly, the number of gravesites maintained is estimated to reach 2 1 million by 1995, a 35% increase in ten years Since the System's establishment in the Department of Veterans' Affairs in 1973, approximately 1,014,000 decedents have been interred in national cemeteries and 5 6 million headstones and markers have been furnished to mark gravesites A total of 330,000 gravemarker applications are projected for Fiscal Year 1995

VA estimates that staffing shortages of 244 wage grade employees and 41 general-schedule employees will exist in Fiscal Year 1995 During the period 1984 to 1995, full-time wage grade employees of the NCS have risen from 830 in 1984 to 847 projected for 1995 - 3% increase VA estimates that staffing shortages of 244 wage grade employees and 41 general schedule employees will exist in Fiscal Year 1995

These staffing shortages require that VA prioritize its efforts First priority is given to timely burial Second in priority is the enhancement of cemetery appearance and infrastructure, such as maintenance and repair of the NCS's approximately 400 buildings and 100 miles of road

The backlog for essential operating equipment remains a critical issue Although VA has pursued an aggressive service life extension and maintenance program, inevitably, there are eventual limits With available funding in 1994, the equipment backlog increased to $6 7 million and VA projects an additional $2 7 million in equipment due for replacement in 1995 Funding requested in 1995 to reduce the backlog of equipment replacement is $1 6 million It is noted, with gratitude, that the House Veterans Affairs Committee recommended the addition of $7 8 million for equipment replacement

In recognition of the fact that demand for burial in a national cemetery will continue to increase until well into the next century, the NCS has developed a strategy to carefully manage existing resources and identify future opportunities to acquire additional burial space The strategy includes· (1) establishing new national cemeteries, (2) acquiring additional land through purchase or donation to extend the service of existing cemeteries, and (3) encouraging States to provide additional gravesites through participation in the State Cemetery Grant Program

The first part of the NCS strategy involves opening new cemeteries Since 1987, only one new national cemetery has been constructed - the San Joaquin Valley National Cemetery in Northern California, which was opened in June 1992 Funding has been provided for land acquisition and master planning at five other sites Albany, Chicago, Cleveland, Dallas and Seattle Construction funds for the Seattle cemetery are contained in the FY 1995 budget request

The second part of the NCS strategy involves acquiring adjacent land, thereby ensuring that existing national cemeteries can remain open In March 1994, the VA announced the purchase of 16 acres of land adjacent to Ft Gibson National Cemetery in Oklahoma The land, purchased from a private owner, will yield approximately 10,000 gravesites and allow Ft Gibson to remain open beyond 2030 In Fort Scott, Kansas, the veteran community banded together to purchase and then donate ten acres of land This will allow the Ft Scott National Cemetery to give full service to veterans and their families beyond the year 2030 And, in Port Hudson, Louisiana, the VA has been negotiating with the Georgia-Pacific Corporation to acquire nearly 12 acres adjacent to the Port Hudson National Cemetery, which closed in 1992 Alexandria National Cemetery, the only open national cemetery in Louisiana, is scheduled to close later this year, therefore, the re-opening of Port Hudson will permit continuing service to Louisiana veterans and families Weare pursuing other efforts to acquire land for other national cemeteries wherever it is feasible and cost effective to do so

The third part of the stragedy is to utilize the State Cemetery Grants Program to complement the NCS This program has been very successful to date Some State officials appear to be taking a "wait and see" approach on the viability of passage of legislation changing the Federal/State share from 50/50 to 65/35% funding, as provided for in HR949 Recent requests from States have involved improvements to existing cemeteries rather than applications for new state cemeteries This program remains an integral and important part of the NCS strategy to meet the increasing need for burial space We must continue to pursue ways to increase the participation of States in this worthwhile program

Information System

NCS's information system (computers) needs are critical to its overall operations The computer system for the Office of Memorial Programs (OMP) is antiquated and often unreliable According to the IB, OMP's workload is projected to increase at a rate of 2 to 3 percent per year. For FY 1993, OMP provided 330,345 headstones and markers The FY 1993 total for Presidential Memorial Certificates (PMC) was 269,489 The procurement of an updated computer support system could provide an FTEE savings to the system It is estimated that 3 0 FTEE savings could be achieved in the PMC program and that a 3 5 FTEE savings could be realized in the headstone and marker program A new computer system is also necessary to interface with the Burial Operation's Support System (BOSS)

American Battlefield Monuments Commission (ABMC)

The principle functions of ABMC are to commemorate the achievements and sacrifices of the United States Armed Forces where they have served since April 6, 1917, through the erection and maintenance of suitable memorial shrines, to design, construct, operate and maintain permanent American military cemeteries in foreign countries, to control the design and construction on foreign soil of U S military monuments and markers by other U S citizens and organizations both public and private, and to encourage these organizations and individuals to maintain, adequately, the monuments and markers they have erected

The ABMC administers, operates and maintains 24 permanent American military burial grounds, 49 memorial structures in twelve foreign countries, the Commonwealth of the Northern Mariana Islands and four memorials in the United States

Interred in ABMC's cemeteries are 124,912 U S War Dead -- 30,921 of World War I, 93,241 of World War II, and 750 of the Mexican War Additionally, 6,573 American veterans and others are interred in its Mexico City and Corozal American Cemeteries The World War cemeteries and the Mexico City Cemetery are closed to further burials except for the remains of American War Dead, still found in the battle areas In addition to their burials, the World War I and II cemeteries, together with 3 memorials on United States soil, commemorate, individually by name, the 94,100 U S service personnel Missing in Action or lost or buried at sea during the two World Wars, the Korean War and the Vietnam War

The care of these shrines to our War Dead requires a large annual program of maintenance and repair of structures, facilities, vehicles, equipment and grounds maintenance This care includes upkeep of 131,000 graves and headstones; 53 memorial structures, 41 quarters, utilities and maintenance facilities, 67 miles of roads and paths, 911 acres of flowering plants, fine lawns and meadows, 3 million square feet of shrubs and hedges, and 11 thousand ornamental shrubs and trees. The estimated replacement cost of these structures by AMBC is about three hundred million dollars Much of this maintenance and care must be performed by casual labor as the cemetery staffs are not large enough to provide it adequately on a daily basis

ABMC's budget authority for the current year is $20,211,000 Its appropriation request and budget authority for fiscal 1995 is $20,265,000, $54,000 more than the current year The expenses of the AMBC fall into two categories. commemoration of the Armed Forces where they have served, and care and maintenance of the shrines for which ABMC is responsible Last year, over 75% of ABMC's Budget Authority went to defray personnel salaries and benefits. The foreign governments where our installations are located annually decree cost of living increases for our foreign national employees of at least $400,000

Arlington National Cemetery

Arlington National Cemetery, the best known of our national cemeteries, is under the jurisdiction of the Department of the Army The cemetery grounds are on 612 acres of land Nearly 235,000 service members and family rest at Arlington. There are an average of 16 new burials daily Including those on 50 undeveloped remaining acres, there are approximately 76,000 available gravesites. Without further expansion, these available gravesites will only allow Arlington to remain open until the year 2025 Cemetery officials are therefore considering a new master plan for expansion

The Cemetery currently employs a staff of 135, with some services performed by outside contractors A new complex is under construction This will house maintenance and other support services Approximately 4 million people visit the Cemetery annually

We have been informed that Arlington, like the NCS has been able to cope with budget restraints The aging veteran population can be expected to increase demands, as is expected with the NCS This will be an important factor in Congress' consideration of future needs

H.J. Res 131

This Joint Resolution would designate December 7, of each year, as National Pearl Harbor Remembrance Day President Franklin D Roosevelt characterized the attack on Pearl Harbor as " a day that will live in infamy " EANGUS believes it is essential that we keep the memory of December 7, 1941, alive for the reasons so eloquently stated by the President on that fateful day

Mr Chairman, on behalf of the entire membership of the Enlisted Association National Guard of the United States (EANGUS), I wish to thank you for inviting us to provide testimony for the record.

WRITTEN COMMITTEE QUESTIONS AND THEIR RESPONSES

QUESTIONS SUBMITTED BY
HONORABLE GEORGE E. SANGMEISTER, CHAIRMAN
SUBCOMMITTEE ON HOUSING AND MEMORIAL AFFAIRS
COMMITTEE ON VETERANS' AFFAIRS
ON BEHALF OF
RANKING MINORITY MEMBER DAN BURTON

MAY 24, 1994
HEARING ON THE OPERATION OF VA NATIONAL CEMETERIES

Question 1: In your statement you indicate your intention to reintroduce the upright granite headstone. Would you give some background on that decision and tell us why VA would make them available only in private or State veterans' cemeteries?

Answer: On January 19, 1994, Secretary Brown authorized the reintroduction of upright granite headstones to expand the available headstone and grave marker options for veterans buried in private or State veterans' cemeteries. This decision was customer-driven; VA/National Cemetery System (NCS) responding to a need identified by the Vermont State Veterans' Cemetery in Randolph, Vermont. The reintroduction of upright granite headstones was initially limited to private and State veterans' cemeteries, representing 70% of our volume, so that NCS could evaluate the acceptance of upright granite headstones by the veteran community at a later date.

Upright granite headstones have not been previously used in national cemeteries. Upright granite headstones were provided, however, from 1941 through 1947 to mark and honor the graves of America's veterans buried in private cemeteries. They were discontinued in 1947 by the War Department due to low demand which led to high individual cost. During this entire period only 1,895 upright granite headstones were provided.

Since the authorization of upright granite headstones in January 1994, of the 120,000 headstones and grave markers provided, 11 upright granite headstones were ordered as of June 17, 1994; eight for the Vermont State Veterans' Cemetery, the remaining three for private cemeteries. Demand is low at this time, as upright granite headstones are not depicted as available on our application form. The new edition of the application form contains upright granite headstones as an available option. As the new form is circulated and applicants learn of this option, we expect demand to increase.

Upright granite headstones are identical to upright marble headstones in dimension, weight and inscription. The type and color of granite stock for upright granite headstones is the same as that specified for flat granite markers, light gray.

Question 2: As discussed during the panel's hearing, just as in civilian cemeteries, increasing numbers of families are choosing cremation. With a system as large as VA's, major items like the construction of columbaria offer the possibility of cost saving through single design, modular purchases for system wide use. Central purchasing of this type of columbarium design and placement would achieve bulk purchasing economies and, therefore, allow placement of columbaria in national cemeteries at reasonable cost. Has NCS undertaken a review of its design and purchasing system for the purpose of identifying potential cost-effective methods of providing columbaria at national cemeteries? If columbaria can be constructed at reasonable costs, wouldn't national cemeteries be able to serve veterans' burial needs for periods beyond their current closing dates?

Answer: Yes, NCS has undertaken a review of costs associated with columbaria and in-ground plots. In a comparison of costs, columbarium niches are many times more expensive than the in-ground plots.

The cost of Columbaria is usually approximately $300-400 per niche. The cost in many cases cannot be lowered by buying pre-made, bulk purchased columbaria. The pre-cast honeycomb unit without marble cover is estimated at $50 a niche, yet when the marble

cover is added and the entire columbaria unit is adapted to existing terrain features (i.e. sloping hillside, retaining wall, etc.) the cost rises to $300-$400 per niche. Further, since procurements costing more than $25,000 must be competitive, we cannot buy "sole source" pre-made columbaria unless they are very small yield (48-96 niches). Small yield columbaria are not feasible at most cemeteries with large cremation demand.

The cost of developing an acre of land for burial purposes is generally between $55,000 and $75,000, including roads, curbs, irrigation, landscaping, and site grading. Thus, when the land is used for 3'X3' in-ground plots, the cost would be less than $40 per plot, using a yield of 2,000 plots per acre.

Most of our cemeteries that have high demand for cremated interment are also our largest, most active cemeteries which also have available acreage capable of providing in-ground cremain plots. In weighing the cost option, we attempt to use in-ground space before considering columbaria.