

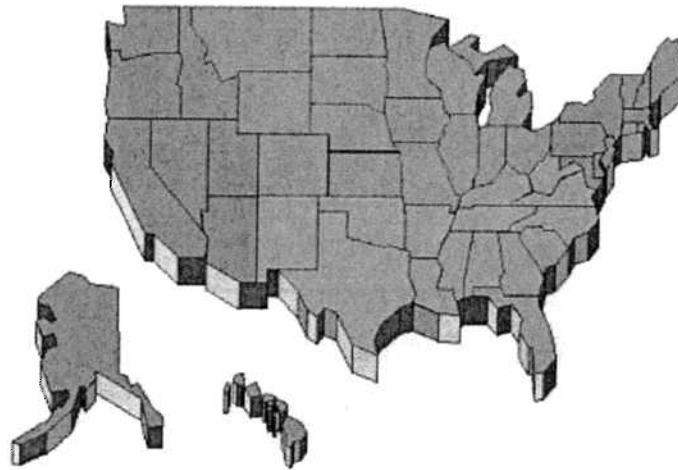


## UNITED STATES DEPARTMENT OF VETERANS AFFAIRS

### BURIAL & MEMORIALS

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#### State Cemetery Grants Program/Grant Information Kit



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#### Applicant Eligibility

1. State governments are eligible to receive grants to **establish, expand or improve** state veterans cemeteries. The term "state" means each of the several states, territories and possessions of the United States, including Guam, American Samoa, the Virgin Islands and the Commonwealth of the Northern Mariana Islands. The District of Columbia and the Commonwealth of Puerto Rico are also eligible to receive grants.
2. Counties, cities and other state subdivisions, including multi-agency organizations are not eligible for grants. Private organizations are not eligible to receive grants.
3. **Applicants must own the land** on which the cemetery is to be established. The state is responsible for the provision of land. Land may be purchased, transferred from another agency or donated.
4. Eligible applicants must provide assurance that they possess legislative authority and adequate appropriations to construct the project to be built with grant assistance.
5. Cemeteries must be operated solely for the interment of service members who die on active duty, veterans (as defined in Title 38, U.S. Code §101.(2 )), and their spouses and minor children. States may impose residency requirements for eligibility but are encouraged not to.
6. Grants may only be awarded to establish, expand or improve state-owned veterans cemeteries. Grants may not be awarded for maintenance or repairs.

7. New cemeteries must be capable of providing at least 20 years of service.

### **Program History and Background**

1. The federal government's system of national cemeteries was first established during the Civil War. The Army operated most of the cemeteries until 1973 when they were transferred to the U.S. Department of Veterans Affairs (VA). Arlington National Cemetery is still operated by the Department of the Army. The National Park Service operates several historical national cemeteries such as Gettysburg and Vicksburg. An independent agency, the American Battle Monuments Commission, maintains cemeteries overseas for the dead of World War I and World War II. States have operated veterans cemeteries since the War with Mexico.
2. The VA State Cemetery Grants Program was established in 1978 to complement VA's network of national cemeteries. Funds were first appropriated for the program in 1980. As originally authorized, VA provided 50 percent of the cost and states provided 50 percent. The value of the state land dedicated to the cemetery comprised up to half of the state's share.
3. The program assists states in providing gravesites in those areas where the National Cemetery Administration (NCA) cannot fully satisfy veterans' burial needs.
4. 4. Public Law 105-368, which went into effect in 1999, authorized VA to provide up to 100 percent of the development cost for an approved project. VA can now provide for operating equipment for establishment of new cemeteries. VA does not provide for acquisition of land.
5. The administration, operation and maintenance of a VA-supported state cemetery are solely the responsibility of the state.
6. VA is authorized to pay a "plot allowance" of \$300 to a state for expenses incurred in the burial of an eligible veteran without charge.
7. Federal statutes authorizing the program are codified at 38 U.S.C. § 2408. Regulations are at 38 C.F.R. Part 39.
8. The State Cemetery Grants Program is described in the *Catalog of Federal Domestic Assistance* under "State **Cemetery** Grants" at 64.203.

### **Scope of the Program**

1. The State Cemetery Grants Program is intended to complement the service provided by the VA's system of veterans cemeteries operated by the National Cemetery Administration.
2. VA seeks to provide the service of a veterans cemetery within 75 miles of 90 percent of the veterans across the country. Data shows that a 75-mile radius defines the effective "service area" of a veterans cemetery.
3. Since 1973, VA has opened many new cemeteries, primarily in large metropolitan areas where veterans previously had no effective service. VA also works to expand existing national cemeteries to maintain current service. VA has more than doubled the acreage available in federal veterans cemeteries since 1973 and the burial rate at these cemeteries has also increased by more than 100 percent.
4. Smaller cities and rural areas located beyond the 75-mile service areas of these existing national cemeteries are ideal locations for state veterans cemeteries.

### **Availability of Funds**

1. Federal funds are appropriated each year for the State Cemetery Grants Program. VA requested \$37

million in funding for FY 2008 (October 1, 2007 through September 30, 2008).

2. Appropriated funds are available until expended.
3. If a state that has received a grant under this program ceases to operate the cemetery as a veterans cemetery, the federal government is entitled to recover the total of all grants made under this program to that state.
4. Funds must be expended in accordance with applicable guidelines, including Office of Management and Budget (OMB) Circular A-87, "Cost Principles for State, Local and Indian Tribal Governments."
5. All grant costs must be "necessary, reasonable" and allocable to the project for which funds have been requested.
6. When all requirements for Federal funding have been met, VA will award grants providing sufficient funds are available.
7. If sufficient funds are not available, VA will award funds according to the priority established (see "**Selection Criteria**").

### Application Guidelines

1. A state seeking grant funding for a veterans cemetery project must apply to the U.S. Department of Veterans Affairs in accordance with 38 CFR (Code of Federal Regulations) Part 39. The applicant must also conform with the Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, 38 CFR Part 43, known as the "Common Grants Management Rule."
2. The applicant must have clear legislative authority from the state to apply for the grant.
3. The applicant must have the funds necessary to begin design and planning work. Federal funds are awarded on the basis of the bids received for construction. **State funds are needed to prepare plans** and specifications prior to bidding. Once the successful bidder has been determined and VA has awarded the grant, the state may be reimbursed for allowable costs already incurred.
4. The applicant must provide written assurance that any cemetery established, expanded, or improved through a grant will be maintained and operated in accordance with the operational standards and measures of the National Cemetery Administration.
5. VA provides **no monetary assistance to operate, maintain, or repair state veterans cemeteries**. States must be aware of the commitment to operate the cemetery.
6. VA must receive applications by July 1 for projects to be funded in the next Federal fiscal year (October 1 through September 30).
7. Applications must be reviewed by the State "Single Point of Contact" under the Executive Order 12372 process.
8. Applications must be signed and dated by the authorized state representative, normally the director of the state veterans affairs agency.
9. Cemeteries established under the grant program must conform to VA-prescribed standards and guidelines for site selection, planning and construction.

### Application Content

1. Standard forms approved by the U.S. Office of Management and Budget (OMB) must be used to apply for grants. Standard Forms are available on the [OMB Grants Management](#) website.

- The basic application form is SF (Standard Form) 424, titled "Application for Federal Assistance," and known as the "face sheet."
- The application must also include SF 424C, "Budget Information—Construction Programs."
- The applicant must also submit SF 424D, "Assurances—Construction Programs."
- The "Certificate of Compliance" with Federal drug-free workplace and debarment and suspension requirements is required.
- In addition, the applicant must submit the "Certification for Contracts, Grants, Loan and Cooperative Agreements," which certifies that the applicant will not use grant funds for lobbying. If grant funds are to be used for lobbying, they must be disclosed on the "Disclosure" form.

The applicant must submit written assurance that it possesses authority to establish and operate a state veterans cemetery and that it will maintain the cemetery in accordance with VA standards.

2. For all projects expected to cost \$100,000 or more, the applicant must submit a pre-application. The pre-application is intended to:

- Establish communication between the grantor agency (VA) and the applicant;
- Determine the applicant's eligibility;
- Determine how well the proposed project can compete with applications from others;
- Discourage proposals that have little or no chance of being funded.

3. Pre-applications must include the following:

- The location of the cemetery. A specific site may be designated during the review phase of the application, but the pre-application must designate the area to be served and the preferred location of the cemetery;
- A design concept that describes the primary features to be included in the project and the number of gravesites to be provided. Standard features include items such as the entrance gate, administration building, maintenance building, committal service facility, flag plaza and assembly area;
- A needs assessment that explains the need for the project to establish, expand or improve the veterans cemetery. This should be concise and quantitative to the degree possible.

### **Selection Criteria**

1. Preapplications received by July 1, will be prioritized for funding in the following fiscal year.
2. Only preapplications which have met the requirements noted in the "Application Guidelines" and the "Application Content" sections will be prioritized. That is, applications must be properly completed on the appropriate forms. They must include the proper attachments and the applicant must have clear authority and adequate funding to begin the design process, as indicated by Department of Veterans' Affairs approved Costing Estimate for Architectural and Engineering Fees (Ref SF 424c, lines 4 and 5).
3. Preapplications meeting these basic requirements will be prioritized according to published criteria in 38 CFR 39.
4. VA will rank the preapplications and announce priorities by August 15. VA will rank applications according to priority and the date on which the application was received.

5. Prioritization follows these rules:

- PRIORITY I – Projects needed to avoid disruption in burial service that would otherwise occur at existing veterans' cemeteries within 4 years of the date of the preapplication. Such projects would include phased expansion projects as well as improvement projects that are needed to continue interment operations.
- PRIORITY II – Projects for the establishment of new veterans' cemeteries.
- PRIORITY III – Planned phased developments prior to need.
- PRIORITY IV – Other improvement projects.

Within priority groups 1, 2 and 3, highest priority will be given to projects in geographical locations that would provide **service to the largest number** of unserved veterans as determined by VA. Within priority group 4, projects will be ranked in order based upon VA's determination of the relative importance and necessity to operate.

### Review Process

1. In addition to the required forms, assurances, certifications and attachments, all projects must comply with the National Environmental Policy Act and the National Historic Preservation Act. In many cases, especially with new cemeteries, the applicant will be required to perform an Environmental Assessment (EA) to determine whether a more in-depth Environmental Impact Study (EIS) is required. The EA should progress toward a Finding of No Significant Impact (FONSI). The FONSI should be made available for public review and comment.
2. The National Historic Preservation Act requires VA to determine whether proposed projects will have any impact on historic or cultural resources. When a new cemetery is being established, it is normally necessary to perform an investigation of the site to determine whether any historic or cultural resources would be affected and, if so, what mitigation or protection may be afforded. The applicant then confers with the State Historic Preservation Office (SHPO), which renders an opinion of the project's impact. Depending on the opinion of the SHPO, VA may be able to approve the project.
3. Most states hire architect/engineer (A/E) firms to design major projects. In the case of major projects, including all establishment grants, VA requires a "pre-design conference" in which VA, state and A/E representatives meet to familiarize themselves with the site and VA design requirements.
4. VA requires a "master plan" for establishment of new cemeteries. The master plan should analyze the major factors affecting design of the cemetery—including climate, soil, hydrology, site constraints, views, and activity level. The plan should analyze alternative designs and address the ultimate "build-out" of the site and planned phases of development.
5. The design process then proceeds to "design development" or partial plans, sometimes called 40 percent or 50 percent drawings. Again VA must review these submissions and approve them.
6. The final design submission comprises the construction drawings and specifications. VA is required to approve these documents before the state advertises for bids. Cemetery plans must be complete, comprehensive and professional.
7. Based on construction bids, the state submits a new form 424 and 424C that reflects the actual construction amount rather than the estimated amount provided in the preapplication. Along with the forms, the state must submit a tabulation of bids and designate the contractor to whom the contract will be awarded. VA reviews these materials and then awards the grant. Once the state receives the Notification of Grant Award, they may request reimbursement for costs they have already incurred such as design costs.

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