



# TEXAS STATE VETERANS CEMETERY COMMITTEE

## GUIDELINE 1

June 25, 2024

### GUIDELINES FOR TEXAS STATE VETERANS CEMETERIES

1. REASON FOR ISSUE: These Guidelines provide for the determination of the location and size of Texas State Veterans Cemeteries (Cemeteries) and the eligibility for burial in them. These Guidelines supersede any previous guidelines pertaining to these duties of the Texas State Veterans Cemetery Committee (Committee).
2. SUMMARY OF CONTENTS:
  - a. Guidelines for determining the location and size of Cemeteries.
  - b. Guidelines for determining the eligibility for burial in a Cemetery.
3. PURPOSE/AUTHORITY:
  - a. These Guidelines are established in accordance with the Texas Natural Resources Code (Code) §164.005(f)(1).
4. BACKGROUND:
  - a. The Code, §164.005 (f) (1), states that the Committee shall, “establish the guidelines for determining: (A) the location and size of a veterans cemetery; and (B) the eligibility for burial in a veterans cemetery.”
5. GUIDELINES:
  - a. Guidelines for determining the location and size of the Cemeteries.
    - i. The Veterans Land Board (VLB) shall follow state law regarding solicitation and acceptance of donations of land for the purpose of establishing and expanding the Cemeteries.
    - ii. The VLB shall determine if any potential donation of land is in the best interest of the Texas State Veterans Cemetery Program. Factors here may include, but are not limited to:
      - a. Potential eligibility of the location and size to receive federal grants from the National Cemetery Administration (NCA).
      - b. Any relevant guidance provided by the NCA.
      - c. Environmental considerations.
      - d. Zoning designations.



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- e. The ability of the VLB to fund maintenance and operations and perpetual care based upon projected expenses and available funds; and
    - f. Community support.
  - iii. The Committee reserves the authority to select the location of seven Cemeteries across the state.
- b. Guidelines for determining the eligibility for burial in a Cemetery.
  - i. The VLB shall ensure that individuals eligible for burial under the NCA are eligible for burial in Cemeteries.
  - ii. The VLB may vote to extend burial eligibility to individuals not provided for in NCA laws and regulations if such eligibility does not violate state law or NCA laws and regulations, or if such eligibility does not jeopardize future NCA grant funding or burial allowances from the NCA.
  - iii. The VLB is responsible for conducting all rule making and publication of proposed and final rules in the Texas Register.

## 5. REFERENCES:

- a. Texas Natural Resource Code, Title 7 - Resources Programs, Chapter 164 - Veterans' Financial Assistance Program, Section 164.005. Rights and Powers of Board<sup>1</sup>
- b. National Cemetery Directive 3211, Eligibility Authorities and Administration of Memorialization Benefits<sup>2</sup>
- c. National Cemetery Directive 3001, Department of Veterans Affairs National Cemetery Establishment, Expansion, and Replacement<sup>3</sup>

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<sup>1</sup> State of Texas, Texas Natural Resources Code, accessed May 30, 2024, <https://statutes.capitol.texas.gov/docs/NR/htm/NR.164.htm>

<sup>2</sup> Department Veterans Affairs, NCA Directive 3211, accessed May 30, 2024, <https://www.cem.va.gov/docs/wcag/policies/directives/Directive-3211.pdf>

<sup>3</sup> Department of Veterans Affairs, NCA Directive 3001, accessed May 30, 2024, <https://www.cem.va.gov/docs/wcag/policies/directives/Directive-3001.pdf>