



DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF INSPECTOR GENERAL

Office of Audits and Evaluations

NATIONAL CEMETERY ADMINISTRATION

Review of Allegations of
Improper Maintenance at
VA's Houston National
Cemetery in Texas

REVIEW

REPORT #21-03325-86

MARCH 10, 2022



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Executive Summary

The Houston National Cemetery is one of the largest VA cemeteries in the country at over 419 acres with about 109,000 gravesites. The US Office of Special Counsel referred a whistleblower disclosure to VA on July 19, 2021. On that same day, VA referred the disclosure to the Office of Inspector General (OIG). The whistleblower alleged that the Houston National Cemetery's equipment, headstones, gravesites, and other cemetery features were not maintained as required.¹ The alleged issues were as follows:

- A front loader had significant defects including inoperable brakes, oil and fluid leaks, a misaligned gear shift, and ineffective windshield wipers.
- Three flatbed vehicles had inoperable emergency brakes and unsecured lift gates or tailgates.
- Cemetery managers were aware of the equipment issues but had not appropriately addressed them.
- Some headstones were damaged by the mowing contractor and cemetery employees.
- Some gravesites either lacked sod overlay or had sod that was mislaid or improperly maintained.
- Water features did not have working water pumps, which led to mosquito and nutria infestations.²
- A road was improperly repaved, which resulted in inconsistent thickness and color.

Maintenance of cemetery equipment and gravesites is essential to support the mission of the National Cemetery Administration (NCA), which is to honor veterans and their eligible family members with lasting tributes commemorating their service and sacrifice to the nation. The VA OIG conducted this review to assess the allegations detailed above.³

What the Review Found

Although the Houston National Cemetery was generally maintained well, the OIG substantiated some of the whistleblower's allegations. None of the substantiated allegations at the Houston National Cemetery were pervasive issues, and cemetery staff were working to fix all of them.

¹ NCA, *National Shrine Commitment: Operational Standards and Measures Guidebook*, February 2021.

² Nutria are large semiaquatic rodents indigenous to South America. They are now found in parts of the United States and are considered an invasive species.

³ Appendix A provides more information about the review's scope and methodology.

However, it is important for the cemetery (as with all VA cemeteries) to be properly maintained to appropriately honor veterans and their eligible family members with lasting tributes that commemorate their service and sacrifice.

After the review team inspected 20 pieces of motorized equipment, the OIG substantiated that four were not maintained in accordance with NCA standards. During the COVID-19 pandemic, NCA implemented restrictive schedules where staff worked alternate days and then mainly focused on promptly performing burials. As a result, inspections of motorized equipment (preventive maintenance checks) were not performed, which led to the improper care of the four pieces of equipment. Since these inspections or checks were not performed, cemetery leaders were unaware these four pieces of equipment needed repair. The lack of preventive maintenance increased the potential risk of work-related injuries and expensive repair or replacement costs. The OIG did not substantiate that cemetery managers were aware of deficiencies associated with these four pieces of motorized equipment.

The OIG did substantiate the allegation that some gravesites were improperly maintained. The team reviewed gravesites in 16 sections of the cemetery and verified that 65 gravesites were not maintained in accordance with NCA standards: 21 headstones were damaged, misaligned, sunken, or illegible, and 44 gravesites had dried-out or overgrown sod or standing water. The team could not determine whether contractors or cemetery employees damaged the 21 headstones as stated in the whistleblower's allegation. A contracting company had been responsible for gravesite maintenance. However, in April 2021, NCA changed the terms of the contract, transferring the contractor's responsibility to Houston National Cemetery staff. The team also found one water feature needed a pump. The OIG did not substantiate that water features were infested with mosquitoes and nutria, that the contractor improperly repaved a road, or that cemetery managers were previously aware of the issues with the gravesites.

What the OIG Recommended

The OIG made two recommendations to the cemetery director:

1. Revise the equipment policy to include provisions and timelines to resume routine activities, such as required preventive maintenance checks, which could be affected by natural disasters or emergencies, such as the COVID-19 pandemic.
2. Provide an action plan and timeline to repair the headstones and sod in the 65 gravesites the team identified.

VA Comments and OIG Response

The Houston National Cemetery director provided general comments in response to this report. The director concurred with both recommendations and requested that they be closed. Standard operating procedures were updated to include provisions and timelines to resume routine

activities, such as required preventive maintenance checks, which could be affected by natural disasters or emergencies, such as the COVID-19 pandemic. The Houston National Cemetery director also stated that contractors were able to resod gravesites identified by the review team and determined that four headstones needed to be replaced. In addition, the cemetery director stated the OIG provided a list of 63 deficiencies that appeared to include six duplicate gravesites.⁴

The OIG acknowledges that changes made to three of the Houston National Cemetery's standard operating procedures address recommendation 1. Therefore, recommendation 1 will be closed as implemented. The OIG will close recommendation 2 when the Houston National Cemetery provides evidence that those damaged, misaligned, sunken, or illegible headstones have been fixed and that resodding and standing water issues have been addressed. The OIG will follow up on implementation of recommendation 2 until all actions are completed. The list of 63 deficiencies provided to NCA included 70 gravesites not properly maintained. One of these deficiencies was misaligned headstones and affected eight gravesites. Additionally, five gravesites were included twice on the list provided to NCA because the OIG's review included cemetery sections identified by the whistleblower as well as other judgmentally selected sections.



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⁴ Appendix B provides the VA management comments in full.

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Abbreviations

NCA	National Cemetery Administration
OIG	Office of Inspector General



Introduction

On July 19, 2021, the US Office of Special Counsel made an informal referral of a whistleblower disclosure to VA. On that same day, VA referred the disclosure to the Office of Inspector General (OIG). The disclosure alleged that the Houston National Cemetery's equipment and appearance were not maintained in accordance with the National Cemetery Administration's (NCA) *National Shrine Commitment: Operational Standards and Measures Guidebook*.⁵ The reference to equipment maintenance included the following claims:

- A front loader had inoperable brakes, oil and hydraulic fluid leaks, a misaligned gear shift held in place with a zip tie, and windshield wipers that did not provide visibility.
- Three flatbed vehicles used to transport tools and supplies had inoperable emergency brakes and lift gates/tailgates that did not latch securely unless held in an upright position with ratchet straps.
- Cemetery managers were aware of these issues and had not appropriately addressed the situation.

The whistleblower disclosure also alleged that the Houston National Cemetery's headstones, gravesites, and other cemetery features were not maintained in accordance with the *Operational Standards and Measures Guidebook*.⁶ This allegation included the following claims:

- Some headstones were damaged by the mowing contractor and cemetery employees.
- Some gravesites either lacked sod overlay, or sod was mislaid or improperly maintained.
- Water features did not have working water pumps, and because of the lack of water circulation, the features were infested with mosquitoes and nutria.⁷
- The contractor improperly repaved a road, resulting in inconsistent thickness and color.

The VA OIG conducted this review to assess the allegations. Maintenance of cemetery equipment and gravesites is essential to support NCA's mission to honor veterans and their

⁵ NCA, *National Shrine Commitment: Operational Standards and Measures Guidebook*, February 2021.

⁶ NCA, *National Shrine Commitment: Operational Standards and Measures Guidebook*.

⁷ Nutria are large semiaquatic rodents indigenous to South America. They are now found in parts of the United States and are considered an invasive species.

eligible family members with lasting tributes that commemorate their service and sacrifice to the nation.

Houston National Cemetery

The Houston National Cemetery is one of the largest VA cemeteries in the United States, covering over 419 acres, and includes approximately 109,000 gravesites (figure 1). The cemetery was dedicated on December 7, 1965, and was the only government cemetery constructed in the United States during the 1960s. It became a VA national cemetery in 1973 after the passage of the National Cemetery Act. In 2017, the Houston National Cemetery was listed in the National Register of Historic Places.



Figure 1. Hemicycle at Houston National Cemetery, 2016.

Source: <https://www.cem.va.gov/cems/nchp/houston.asp>.

As of August 31, 2021, the Houston National Cemetery had 34 full-time employees and four vacancies. The Houston National Cemetery's director is responsible for overseeing the operation and management of the cemetery, which includes directing the day-to-day operation and providing technical and administrative supervision to staff. These duties are shared with the assistant cemetery director. The remaining cemetery staff were divided among three operations: administrative (10 employees), interment/headstones (12 employees), and grounds/facilities (10 employees). Interment/headstones and grounds/facilities operations include the following key responsibilities:

- **Cemetery caretaker supervisors** establish, direct, and plan a maintenance program for existing gravesites, headstones, markers, niche covers, and all equipment and vehicles.

- **An automotive worker** (mechanic) performs maintenance and repairs on various automotive and mobile mechanical equipment and maintains records of operation and maintenance on each piece of equipment.
- **Caretakers** perform a wide variety of duties related to cemetery operations and grounds maintenance, including digging graves; setting, raising, aligning, and realigning headstones; repairing gravesites; laying sod; mowing; pruning; raking; fertilizing; and operating equipment.
- **Engineering equipment operators** use backhoes and excavators to prepare and dig gravesites, backfill gravesites, and level areas where excess subsoil was removed from gravesites.

NCA cemeteries are divided into five districts in the United States. The Houston National Cemetery falls under the Continental District.⁸ The NCA Continental District personnel conducted their annual site visit on June 10 and 11, 2021—one month before the OIG received the allegation (July 19, 2021) and three months before the OIG site visit (August 31 to September 2, 2021). The purpose of the district's site visit was to evaluate cemetery operational requirements and list operational opportunities for improvement. Some of the deficiencies found included sod in poor condition and grounds checklists not used consistently.

⁸ The Continental District comprises Arkansas, Colorado, Louisiana, Mississippi, Montana, Oklahoma, Texas, Utah, and Wyoming.

Results and Recommendations

Finding: Overall the Houston National Cemetery Was Well Maintained, but the Cemetery Did Not Meet NCA Standards for Certain Equipment and Some Gravesites

The OIG substantiated some of the whistleblower's allegations but found that the Houston National Cemetery was generally well maintained. After inspecting 20 pieces of motorized equipment, the review team substantiated that four were not maintained in accordance with NCA standards. Because of COVID-19 precautions, NCA implemented restrictive schedules where staff worked alternate days and then mainly focused on promptly performing burials. As a result, motorized equipment inspections (preventive maintenance checks) were not performed during the pandemic, which contributed to the improper maintenance of these four pieces of motorized equipment and increased the potential risk of work-related injuries and repair or replacement costs. Because these inspections or checks were not performed, cemetery leaders were unaware of the need to repair the four pieces of equipment.

After reviewing gravesites in 16 sections of the cemetery, the team substantiated that 65 gravesites were not maintained in accordance with NCA standards: 21 headstones were damaged, misaligned, sunken, or illegible, and 44 gravesites had dried-out or overgrown sod or standing water. The team could not determine whether contractors or cemetery employees damaged the 21 headstones as stated in the whistleblower's allegation. A contracting company had been responsible for gravesite maintenance; however, in April 2021, the NCA Continental District changed the terms of the contract, making Houston National Cemetery staff responsible for raising, aligning, fine-tuning, and inspecting headstones. The team also found one of the 29 water features (fountains) needed a water pump. The team did not substantiate that the water features were infested with mosquitoes and nutria or that the contractor improperly repaved a road. In addition, the team did not substantiate that cemetery managers were previously aware of the issues with the equipment and gravesites identified by the review team. The site visit conducted by the Continental District did not report any issues associated with equipment maintenance or damaged headstones.

The issues with the condition of equipment and gravesites appeared to be isolated incidences and not pervasive. For example, the 21 headstones and 46 gravesites that the team identified as improperly maintained collectively represent about 0.06 percent of the cemetery's approximately 109,000 gravesites. However, it is important for the Houston National Cemetery (and other VA cemeteries) to be carefully maintained to properly honor veterans and their eligible family members with lasting tributes that commemorate their service and sacrifice.

What the OIG Did

The team conducted a site visit from August 31, 2021, to September 2, 2021. The team observed, took pictures or videos, and inventoried a judgmental sample of 20 motorized pieces of equipment, such as front loaders and flatbeds (gators), used to prepare, dig, and fill gravesites. The team also reviewed gravesites located in 12 of 66 cemetery sections identified by the whistleblower's documentation (the allegation included pictures of 43 gravesites that were not properly maintained) and gravesites located in four additional cemetery sections. These 16 sections included a total of about 37,600 gravesites with headstones (including flat markers and niche covers). The team observed and took pictures or videos of headstones, flat markers, and niche covers; gravesites, sod, and weeds; and the general condition of the cemetery grounds, such as roads and water features.

The team interviewed the whistleblower and several Houston National Cemetery employees, including the director, assistant director, two foremen, a mechanic, a gardener, and five caretakers. The team also reviewed and analyzed Houston National Cemetery policies and procedures.

The Maintenance of the Cemetery's Motorized Equipment Needs Improvement

The OIG substantiated the allegation and determined that some pieces of motorized equipment were not maintained according to NCA standards. Although these were a relatively small number of instances, the team also determined equipment inspections or maintenance checks were not being completed according to NCA standards. The team did not substantiate that the cemetery managers were aware of deficiencies associated with these four pieces of motorized equipment before the OIG site visit.

The Houston National Cemetery's equipment inventory list includes a total of 43 pieces of motorized equipment. Only two standards in the *Operational Standards and Measures Guidebook* relate to maintaining the types of motorized equipment listed in the allegation (for more information, see appendix A):

- Standard 1.4: Equipment inspections and preparations are conducted according to manufacturers' recommendations at the start and end of the workday.
- Standard 2.1: Equipment is functional, in good condition, and visibly marked as national cemetery or federal property.⁹

Using these two standards, the team found that four of the 20 inspected pieces of motorized equipment in the OIG's sample (one front loader and three flatbed vehicles) were not properly

⁹ NCA, *National Shrine Commitment: Operational Standards and Measures Guidebook*.

maintained.¹⁰ For example, cemetery staff wedged a piece of wood into the front loader's emergency brake; the front loader also had fluid leaks and windshield wipers that did not provide visibility. Figure 2 shows the defective emergency brake in the front loader.



*Figure 2. Defective emergency brake in a front loader at the Houston National Cemetery.
Source: VA OIG staff.*

Additionally, one flatbed vehicle had an emergency brake that did not consistently operate, and two had lift gates (tailgates) that did not stay latched. The other 16 pieces of motorized equipment were operational.

The review team brought the condition of the front loader and flatbeds to the attention of the mechanic during their site visit. In response to the inquiry, the front loader was moved to the maintenance area for repair. The mechanic was able to repair the windshield wipers but was unable to repair the emergency brake and the fluid leak. After receiving funding and approval, the front loader was sent to the dealer for repair on October 4, 2021.

On September 30, 2021, the mechanic replaced the tailgates on two of the flatbeds. These repairs were delayed for four weeks after the OIG team visit because the tailgates had to be ordered and because the mechanic was on leave. The mechanic also inspected the third flatbed but was unable to get the parts needed to repair the brakes. As a result, this flatbed was taken out of service on October 21, 2021.

There was no evidence that the cemetery caretaker supervisor for grounds/facility and the mechanic were previously aware of the deficient conditions of these four pieces of equipment. From March 16, 2020, to September 13, 2021, there were no records to show that any of the motorized equipment received inspections (hereafter referred to as preventive maintenance checks) by each operator, as required by NCA standards and policy. Preventive maintenance

¹⁰ These 20 were judgmentally selected from the 43 motorized items in inventory. For more information on the OIG's scope and methodology, see appendix A.

checks document fuel usage and inform the mechanic about deficiencies before equipment becomes inoperable. The last preventive maintenance checks completed for the four pieces of motorized equipment were between March 10 and March 16, 2020, and indicated no issues or repairs were needed. The mechanic did not have documentation to show that he was informed of the equipment issues. The mechanic stated employees only provided verbal maintenance reports via the radio or in person. The Houston National Cemetery director and cemetery caretaker supervisor for grounds/facility also relied on verbal maintenance reports from the mechanic. The cemetery caretaker supervisor stated that he was unaware of the deficiencies associated with the front loader and the flatbeds.

Without preventive maintenance checks, equipment can become unsafe and increase the risk of work-related injuries. Lack of proper maintenance not only increases risk for employees but also decreases the life span of the equipment, which could cause the cemetery to purchase equipment earlier than otherwise necessary or to make extensive, costly repairs.

The COVID-19 Pandemic and Restrictions Changed Work Conditions at the Houston National Cemetery

Four pieces of equipment did not meet NCA maintenance standards because the Houston National Cemetery's director and caretaker supervisor did not enforce NCA standards to have equipment operators perform and document preventive maintenance checks due to the COVID-19 pandemic. Starting March 23, 2020, NCA limited burial services to direct interments/inurnments at all national cemeteries as result of the COVID-19 pandemic.¹¹ In addition, NCA suspended work to raise, realign, and clean headstones. According to the email communication "COVID-19 Instructions from CND [Continental District] 3/20 [March 2020]":

To safeguard the health and safety of NCA employees and contractors at the cemeteries and restrict the transmission of COVID-19, the following actions will be taken as of Monday, March 23. ... Cemeteries will continue to perform interment operations, grounds maintenance, and headstone setting activities whether by NCA team members or contractors. However, raise and re-alignments, headstone cleaning, general beautification projects, etc., will be suspended until further notice.

NCA encouraged cemetery directors to implement alternate and/or staggered work schedules or scheduling restrictions to promote social distancing in work areas and to safeguard the health and safety of NCA employees and contractors at VA cemeteries and restrict the transmission of COVID-19.

¹¹ Direct interments/inurnments involve taking the casket or urn from the funeral home directly to the grave or burial site.

The Houston National Cemetery director implemented an alternate work schedule (one day on and one day off). According to the mechanic, to ensure interments/inurnments were performed promptly during the pandemic while being attentive to scheduling restrictions, some employees who were not under interment/headstone operations assisted with burials. For example, the mechanic stated that from the end of March through June 2020, he was pulled from his duties to perform burials. NCA officially ended the work restrictions on June 15, 2020. From March 23, 2020, to June 15, 2020, Houston National Cemetery employees performed limited maintenance duties and worked every other day on interments only.

Despite returning to a more routine work schedule on June 15, 2020, Houston National Cemetery staff did not restart preventive maintenance checks; this contributed to the four pieces of equipment not meeting NCA maintenance standards. According to the caretaker supervisor, the cemetery reinitiated preventive maintenance checks of equipment after the review team's site visit on September 2, 2021.

Maintenance of the Cemetery's Gravesites and Grounds Need Improvement

The OIG substantiated the allegation that some gravesites were inadequately maintained and that one water fountain's pump was not working. The team could not substantiate whether the employees or contractors damaged the headstones due to lack of sufficient evidence and, based on observations, did not substantiate that the water features were infested with mosquitoes and nutria or that the contractor improperly repaved the road. The issues with the condition of headstones, gravesites, and water features were not pervasive, but it is important for the Houston National Cemetery to be maintained to honor veterans and their eligible family members with lasting tributes that commemorate their service and sacrifice. The Houston National Cemetery is working to fix the issues identified by the Continental District site visit in June 2021 and by the OIG review team in September 2021.

Gravesites and Headstones

During the review team's limited inspection of the cemetery grounds, the team also found some headstones and gravesites that were not properly maintained. After reviewing gravesites in 16 of 66 cemetery sections, the team determined that 65 gravesites or headstones (including flat markers and niche covers) were not maintained in accordance with NCA standards (37 were from the whistleblower's allegation, and 30 were from the additional observed areas).¹²

The team used two standards to substantiate the headstones and gravesites allegations (see appendix A):

¹² No deficiencies were found with six gravesites the whistleblower reported. Deficiencies noted by the whistleblower included headstones, sod, and weed issues.

- Standard 1.1: Gravesites and the appropriate headstone, marker, or niche cover are maintained within the guidelines and limits required to allow for a visually pleasing experience.¹³ Guidelines include that headstones should range from 24 to 26 inches in height and do not appear to be sunken, tilted, or fallen. Markers are parallel to the ground and no more than one inch above ground level. Headstones and markers are aligned.¹⁴
- Standard 1.2: Proper height, alignment, and plumb of each headstone and marker are maintained.¹⁵

The team used three standards to substantiate the cemetery grounds allegations pertaining to sod/turf (also included in appendix A):

- Standard 2.3: All sand, mineral, or turf areas are graded to ensure proper drainage and prevent standing or pooling water.
- Standard 2.7: Avoid damage and ensure continuation of a well-established, healthy stand of turf during grounds maintenance operations.
- Standard 2.8: The grade of every gravesite blends in with adjacent grade levels.

The review team observed the gravesites in 12 of 66 cemetery sections mentioned in the allegation. Using pictures provided by the whistleblower, the review team identified 43 gravesites that appeared not to be properly maintained. After inspecting these 43 gravesites, the review team verified that 37 were not properly maintained:

- Six headstones were damaged (chipped, broken, stained, or soiled).
- Eight headstones were not aligned.
- 23 gravesites had dried-out sod or were overgrown with weeds.

Figure 3 shows a damaged headstone, and figure 4 shows a gravesite with dried-out sod.

¹³ NCA, *National Shrine Commitment: Operational Standards and Measures Guidebook*.

¹⁴ NCA, "Amended Instructions for Conducting the Gravesites Assessment Review," October 4, 2014.

¹⁵ NCA, *National Shrine Commitment: Operational Standards and Measures Guidebook*.



Figure 3. Chipped headstone (the blue circle shows the damaged area).
Source: VA OIG staff.



Figure 4. Gravesite with dried-out sod and weeds. The veteran was buried on May 11, 2021, and the photograph was taken on September 2, 2021.
Source: VA OIG staff.

In addition to the cemetery sections the whistleblower reported, the review team observed gravesites in four additional cemetery sections to determine if gravesites, headstones, markers, and niche covers were maintained according to NCA policy. The team found that 28 additional gravesites were not properly maintained:

- Nineteen gravesites were overgrown with weeds in three of four sections.
- Two gravesites had pooling water in one section.

- Four headstones were sunken.
- One headstone inscription was not legible.
- One headstone was not aligned.
- One headstone was damaged.

Because of the Continental District site visit in June 2021, cemetery staff were aware that some gravesites had sod issues but were not aware of the damaged or improperly maintained gravesites that the review team identified in September 2021. In response to the Continental District site visit, the cemetery managers were working with the district agronomist to develop a method to prevent the sod from drying out and the gravesites being overgrown by weeds. The areas that needed new sod had been identified.

Previously, a contract company was responsible for gravesite maintenance, including inspecting headstones to find and correct damage. However, in April 2021, the Continental District changed the terms of this contract, making Houston National Cemetery staff responsible for raising sunken graves and realigning, fine-tuning, and inspecting headstones. The Houston National Cemetery assistant director requested that these responsibilities remain in the contract, but her request was denied because the district stated she had enough staff to complete the work.

Cemetery Maintenance

The team substantiated that one of 29 water features (fountains) was not maintained in accordance with NCA facility maintenance standards.¹⁶ The team did not substantiate that the contractor improperly repaved a road. However, the Continental District supervisory general engineer stated the road showed premature fading, and he was discussing this issue with the contractor to improve the road.

The team used two standards to substantiate the facility maintenance allegations pertaining to roads and water features:

- Standard 1.2: Access (roads, parking lots, curb, walk, paths, entry features, perimeter walls/fences, bridges, overpasses, and sidewalks) features are well-maintained and are acceptable for their functional use.
- Standard 1.3: Approved water features are functional and maintained according to their intended purpose.

The team confirmed the water pump for one water fountain had not been repaired at the time of the OIG team visit. The cemetery caretaker supervisor for grounds/facilities was aware of the

¹⁶ The Houston National Cemetery has 19 ponds with 29 fountains.

issue and had ordered a water pump for this fountain. He explained that the Houston National Cemetery had been experiencing an ongoing problem with nutria chewing the wires in water pumps, causing burn out. However, he also explained that the pond with nutria is located on protected wetlands managed by the county, which also protects the wildlife, including the nutria. The OIG team found that the water features were not infested with mosquitoes or nutria, as stated in the allegation. The nutria problem is an ongoing issue that the Houston National Cemetery is trying to resolve. A new water pump for the water fountain was installed the week following the team's site visit.

Conclusion

Although the team found isolated examples of improper maintenance that substantiated some of the allegations, the team found that, overall, the cemetery was well maintained. The team did identify some issues with motorized equipment, preventive maintenance checks for equipment, and with individual gravesites, but these issues were not pervasive.

During periods of the COVID-19 pandemic, the cemetery director and caretaker supervisor stopped the required preventive maintenance checks for equipment before and after each use but did not reimplement these standard operating procedures after NCA lifted the COVID-19 work schedule restriction. This contributed to the improper maintenance of the four pieces of motorized equipment identified by the review team. However, as of September 2, 2021, these maintenance standard operating procedures were being implemented again, and cemetery staff were working to address the issues identified by the review team. No recommendation is needed for equipment repairs because the dealer is repairing the front loader, two of the flatbeds were repaired, and one flatbed was not repairable and was taken out of service.

Recommendations 1–2

The OIG recommended that the Houston National Cemetery director take the following actions:

1. Revise the equipment policy to include provisions and timelines to resume routine activities, such as required preventive maintenance checks, which could be affected by natural disasters or emergencies, such as the COVID-19 pandemic.
2. Provide an action plan and timeline to repair the headstones or sod in the 65 gravesites the team identified.

VA Management Comments

The Houston National Cemetery director concurred with both recommendations and requested they be closed.

To address recommendation 1, three Houston National Cemetery standard operating procedures were updated and implemented on October 29, 2021: 1) Cemetery Equipment Maintenance

Program, 2) Daily Cleanup, and 3) Equipment Sign-in/out. The Cemetery Equipment Maintenance Program procedures were revised to include provisions and timelines to resume routine activities, such as required preventive maintenance checks, which could be affected by natural disasters or emergencies, such as the COVID-19 pandemic. All employees responsible for equipment maintenance were trained on their roles and responsibilities.

To address recommendation 2, the Houston National Cemetery director stated that as of October 25, 2021, contractors were able to resod gravesites identified by the OIG review team. The director addressed headstone issues and determined that four headstones needed to be replaced. In addition, the cemetery director stated the OIG provided a list of 63 deficiencies that appeared to include six duplicate gravesites.

Appendix B includes the full text of the Houston National Cemetery director's comments.

OIG Response

The Houston National Cemetery director's comments and actions are responsive to the recommendations. The OIG acknowledges that changes made to three of the Houston National Cemetery standard operating procedures mentioned above addressed recommendation 1. Therefore, recommendation 1 will be closed as implemented.

The OIG will close recommendation 2 when Houston National Cemetery officials provide documented evidence that those damaged, misaligned, sunken, or illegible headstones have been fixed and that resodding and standing water issues have been addressed. The OIG will follow up on implementation of recommendation 2 until all actions are completed. The list of 63 deficiencies provided to NCA included 70 gravesites not properly maintained. One of these deficiencies was misaligned headstones, which affected eight gravesites. Additionally, five gravesites were included twice on the list provided to NCA because the OIG's review included cemetery sections identified by the whistleblower as well as other judgmentally selected sections.

Appendix A: Scope and Methodology

Scope

The review focused on substantiating the whistleblower allegations submitted to the Office of Special Counsel, which were then referred to the VA OIG. The review team conducted its work from August 2021 through January 2022.

Methodology

The team reviewed applicable regulations, policies, procedures, and guidelines. It identified the standards from the NCA *National Shrine Commitment: Operational Standards and Measures Guidebook* that were most relevant for the claims listed in the whistleblower's allegation.¹⁷ A site visit was conducted from August 31, 2021, to September 2, 2021, to inspect the equipment and gravesites at the Houston National Cemetery.

Maintenance Standards

Equipment maintenance standards are divided into two subcategories. Subcategory 1 comprises four standards related to records and documentation, and Subcategory 2 comprises two standards related to the condition of equipment and tools. Of the six equipment maintenance standards, only two standards are relevant to assess the claims about the lack of maintenance of the types of motorized equipment listed in the allegation:

- Standard 1.4: Equipment inspections and preparations are conducted according to manufacturers' recommendations at the start and end of the workday.
- Standard 2.1: Equipment is functional, in good condition, and visibly marked as national cemetery or federal property.

The team used two standards to substantiate the headstones and gravesites allegations:

- Standard 1.1: Gravesites and the appropriate headstone, marker, or niche cover are maintained within the guidelines and limits required to allow for a visually pleasing experience.
- Standard 1.2: Proper height, alignment, and plumb of each headstone and marker are maintained.¹⁸

¹⁷ NCA, *National Shrine Commitment: Operational Standards and Measures Guidebook*.

¹⁸ NCA, *National Shrine Commitment: Operational Standards and Measures Guidebook*.

Grounds maintenance standards are divided into five subcategories and 16 standards. Subcategory 2 comprises 10 standards related to turf/mineral base. The team used three standards to substantiate the grounds maintenance allegations pertaining to sod/turf:

- Standard 2.3: All sand, mineral, or turf areas are graded to ensure proper drainage and prevent standing or pooling water.
- Standard 2.7: Avoid damage and ensure continuation of a well-established, healthy stand of turf during grounds maintenance operations.
- Standard 2.8: The grade of every gravesite blends in with adjacent grade levels.

Facility maintenance standards are divided into four subcategories and 10 standards. Subcategory 1 comprises six standards related to facility management. The team used two standards to substantiate the facility maintenance allegations pertaining to roads and water features:

- Standard 1.2: Access (roads, parking lots, curb, walk, paths, entry features, perimeter walls/fences, bridges, overpasses, and sidewalks) features are well maintained and are acceptable for their functional use.
- Standard 1.3: Approved water features are functional and maintained according to their intended purpose.

Site Visit

During the site visit, the team selected a judgmental sample of 20 pieces of motorized equipment (including one front loader and three flatbeds/gators) used to prepare, dig, and fill gravesites. After obtaining an inventory, the team physically inspected these 20 pieces of equipment to determine whether they were operable or inoperable and whether they were maintained according to NCA policies, such as category 2 of the *Operational Standards and Measures Guidebook* (“Equipment Maintenance”). The team used government-issued smartphones to photograph the equipment. The team reviewed equipment maintenance history, including invoices and work orders.

Using pictures from the allegation, the team identified and inspected 43 gravesites located in 12 of 66 sections of the cemetery mentioned in the allegation to determine if Houston National Cemetery staff maintained headstones, gravesites, markers, and niche covers in accordance with category 4 of the *Operational Standards and Measures Guidebook* (“Grounds Maintenance”). The team also judgmentally selected and observed gravesites in four additional sections of the cemetery. The team observed approximately 37,600 gravesites and used government-issued smartphones to photograph the gravesites.

The team physically observed and photographed the general condition of the cemetery grounds and features, such as the roads and all water features (29 water fountains) to ensure compliance

with NCA policies, such as category 3 (“Facilities Maintenance”) and category 5 (“Grounds Maintenance”) of the *Operational Standards and Measures Guidebook*.

The team also interviewed the whistleblower and several Houston National Cemetery employees, including the director, assistant director, two foremen, mechanic, gardener, and five caretakers. The team interviewed staff on topics related to proper maintenance and operations of equipment, grounds, headstones, gravesites, markers, niche covers, the road, and cemetery water features.

Fraud Assessment

The review team assessed the risk that fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements, significant within the context of the review objective, could occur during this review. The team exercised due diligence in staying alert to any fraud indicators by examining previous audits reported by the VA OIG regarding NCA, completing the fraud indicators and assessment checklist, and requesting relevant OIG Hotline complaints.

The OIG did not identify any instances of fraud or potential fraud during this review.

Data Reliability

To locate the 43 gravesites identified by the whistleblower, the review team used computer-processed data from NCA's Burial Operations Support System. To test for reliability, the team determined whether any data were missing from key data fields, such as veterans' last names. The team also assessed whether the data contained obvious duplication of records, alphabetic or numeric characters in incorrect fields, or illogical relationships among data elements. The data obtained was sufficient and reliable for the review objective.

Government Standards

The OIG conducted this review in accordance with the Council of the Inspectors General on Integrity and Efficiency's *Quality Standards for Inspection and Evaluation*.

Appendix B: VA Management Comments

Department of Veterans Affairs Memorandum

Date: February 15, 2022

From: Executive Director, NCA Continental District

Subj: OIG Referral Response from Houston National Cemetery

To: Executive Director, Cemetery Operations (41)

The Office of Inspector General (OIG) made two documented recommendations to the Cemetery Director at Houston National Cemetery (HNC) in the report provided to NCA on February 2, 2022. The Houston National Cemetery leadership is providing the following information addressing the recommendations:

Revise the equipment policy to include provisions and timelines to resume routine activities, such as required preventive maintenance checks, which could be affected by natural disasters or emergencies, such as the COVID-19 pandemic.

Manager Plus (MP) has been updated with the equipment maintenance information that the maintenance worker was tracking on his newly issued laptop computer while IT worked to transfer Manager Plus from his old desktop computer to the new computer. After Manager Plus was updated, an Administrative Review of Manager Plus data entry was completed 9/7/2021. All maintenance information was updated. All employees with equipment maintenance as part of their Position Description (PD) now have full access to MP. Supervisors have access and regularly check MP for updated maintenance schedules and information on the last Friday of every month. Three cemetery Standard Operating Procedures SOP(s) were updated and implemented during the mandatory annual review on 10/29/2021: 1) Cemetery Equipment Maintenance Program 2) Daily Cleanup and 3) Equipment Sign-in/out. Additionally, the Cemetery Equipment Maintenance Program SOP was updated to include one of the OIG investigator's recommendations. "Revise the equipment policy to include provisions and timelines to resume routine activities, such as required preventive maintenance checks, which could be affected by natural disasters or emergencies, such as the COVID-19 pandemic." Cemetery Director reviewed the PDs with employees responsible for equipment maintenance in a special training with open discussion on duties and all are aware of their individual roles and responsibilities. The tailgates that were referenced in the OIG investigation were on backorder and arrived 9/7/2021. Tailgates have been replaced on utility vehicles and the dealer is currently repairing the Front-end loader. Cemetery Director concurs with OIG recommendation and requests recommendation be closed.

2. Provide an action plan and timeline to repair the headstones or sod in the 67 gravesites the team identified.

According to the HNC Grounds Maintenance Contractor, and validated by the Cemetery's Contracting Officer Representative, mowing and weed spraying of the entire cemetery was not completed due to the water drenched cemetery ground. Local sod growers could not cut/deliver sod due to the flooded sod fields. The warm days and amount of rain during the last weeks in August and the first week of September made for ideal conditions for turf/weeds to grow. The rain continued during the OIG investigators' site visit. Thunderstorms cut short one of the days that the investigators spent at the cemetery. When the rains finally stopped and the ground dried, mowing contractors were able to enter all sections of the cemetery and mow the entire cemetery beginning the week of 09/06/2021. Consequently, the contracted herbicide applicator was able to spray the cemetery for weeds on 09/07/2021. Upon the Cemetery Director's request, the new OIG Project Manager provided the list of gravesite discrepancies to

the HNC on 10/07/2022. There were 63 deficiencies on the list the OIG investigators identified (six of which appeared to be duplicates). At the time we received the discrepancy list, the Grounds Maintenance Contractor had cut the overgrown turf and weeds had been sprayed. Cemetery caretakers completed gravesite renovation for gravesites requiring sod. The sod company could not cut until mid-October. Contractors were finally able to re-sod all gravesites to include the gravesites identified on the OIG investigator's discrepancy list on 10/25/2022. The Cemetery Director was able to address headstone issues and has determined that four headstones need to be replaced. Administrative personnel will contact Next of Kin (NOK) before replacing damaged headstones. As NOK make requests to replace damaged headstones, the Cemetery Director will make replacement decisions and notify District when necessary. Cemetery Director concurs with OIG recommendation. All OIG investigator discrepancy list items have been addressed and Cemetery requests recommendation be closed.

The CND leadership worked with the Houston National Cemetery leadership team to address observations and recommendations from the OIG. CND recommends the OIG report be closed at this time.

Thank you for your consideration,

(Original signed by)

Executive Director, NCA Continental District

The OIG removed identifying contact information prior to publication.

For accessibility, the original format of this appendix has been modified to comply with Section 508 of the Rehabilitation Act of 1973, as amended.

OIG Contact and Staff Acknowledgments

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