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THE WHITE HOUSE

WASHINGTON

January 19, 1984

Honorable Harry N. Walters
Administrator
Veterans Administration
Washington, D.C. 20420

file

Dear Mr. Walters:

The Property Review Board has reviewed the disagreement between the Veterans Administration (VA) and the General Services Administration (GSA) regarding the disposal of a 147-acre parcel at the VA Houston National Cemetery, Texas. As the responsible agent under Executive Order 12348 for resolving similar conflicts, we have received the VA survey and written comments provided by VA and GSA.

The central issue in the dispute concerns the actual future use of the parcel. The Veterans Administration contends that it needs to retain the parcel because of its exchange potential to facilitate the acquisition of a National Cemetery, for real property exchange to establish or expand a medical facility, as a buffer area against residential/commercial/industrial development, and for relocation of a VA regional office.

I am informed that the Veterans Administration is in the process of developing a long range plan to handle the anticipated growth in demand for services as a result of the expansion of the veteran population which is anticipated at the end of this century. Although the VA has not currently established a future need for the 147-acre parcel which would justify its retention, I have concluded that it would be prudent to retain this parcel until the conclusion of the studies referred to above. Therefore, I have determined that the survey dispute should be resolved by the VA retaining ownership of the subject property.

I have sent a copy of this letter to the General Services Administration and have advised them to re-evaluate the program of the VA for the use of this property at the conclusion of the preparation of the Administration's budget request for Fiscal Year 1986. If the VA has not developed a use for the property which would justify its retention by that time, it may then be appropriate for the property to be declared excess to the agency's needs.

Sincerely,


John A. Svahn

Chairman, Property Review Board

cc: Gerald Carmen
Morton Blackwell ✓



PROPERTY REVIEW BOARD

17th & PENNSYLVANIA AVENUE, N.W.

WASHINGTON, D.C. 20500

December 13, 1983

MEMORANDUM FOR MORTON BLACKWELL

FROM: JOSHUA A. MUSS

SUBJECT: Veterans Administration Houston
National Cemetery

Attached please find the fact sheet and Property Review Board staff recommendation concerning the survey dispute of a 147-acre parcel at the Veterans Administration Houston National Cemetery. As we discussed, I would appreciate your conferring with representatives of the Veterans of Foreign Wars and the American Legion to ensure that they understand that the property can be disposed of without in any way adversely affecting the Veterans Administration's activities.

If you require any additional information, please let me know and I will be glad to provide it.

Attachment

FACT SHEET
ON
VETERANS ADMINISTRATION, HOUSTON NATIONAL
CEMETERY, HOUSTON, TEXAS

Issue:

Unused and unimproved 147-acre parcel.

Date of Survey:

July 1983.

Background:

Houston National Cemetery, established May 2, 1963, has 419.210 acres. It provides burial benefits for veterans as established by the 37th Congress in 1962 and the National Cemeteries Act of 1973. Currently, a master plan is being developed which will provide grave sites through the year 2050.

The cemetery has 147 acres unused and unimproved land located on its eastern border. Currently, this area is under lease for agricultural purposes.

Discussion:

The major interested parties in this case are: VA, GSA, and OMB. Their positions follow:

VA: Does not support the excess of 147 acres because:

- (1) The parcel must be retained in VA inventory because of its exchange potential to facilitate the acquisition of a possible future National Cemetery site in the state of Texas utilizing the exchange authority of the Administrator of Veterans Affairs as set out in 38 U.S. Code 5003. (Reviewed 38 U.S. Code 5003, Use of Armed Forces Facilities. Found that it did not include cemeteries as part of the VA Administrator's exchange authority. Only hospitals, domiciliary facilities, and related supplies, equipment, materials, et al., are discussed.)
- (2) The parcel must be retained for real property exchange to establish or expand a medical facility.
- (3) The parcel must be retained as a buffer area against further residential development and expected commercial/industrial development.

(4) It must be determined that the parcel is not needed as a possible site for the relocation of a VA regional office. The Administrator has been asked by the Chairman of the House Veterans' Affairs Committee to survey VA Medical Center (VAMCs) sites to determine the potential of relocating VA regional offices from leased space to VAMCs.

(5) No excess action may be taken until House and Senate Committees are notified of the proposed

OMB: Supports the excess of 147 acres because:

(1) This cemetery is not designated as one of the 10 Regional National Cemeteries.

(2) The relocation of a regional office at this cemetery is not supported by OMB. Currently, relocation of regional offices are under review by OMB, but this ongoing review is not a factor in this case.

(3) VA does not have an OMB approved master plan for any additional uses at this site.

GSA: They did not have a participant on the survey team nor did they know that VA planned to do the survey. GSA supports the excess of 147 acres because:

(1) The 147-acre parcel is not utilized.

(2) The report does not contain adequate justification for retention of this parcel.

(3) The report indicates the parcel would not be utilized for burial purposes but retained for "exchange potential" for possible future National Cemetery site. The justification, "exchange potential" is contrary to the designated mission of the cemetery.

(4) The justification for retention based on the need for a buffer area against further development does not include a description of any local requirements for buffer zones.

(5) The issues of exchange potential and buffer zones are mutually exclusive.

(6) The report omits any specific or firm implementation plans, justification, or authorization for future use of the parcel as a VA regional office or any other uses.

(7) The return of this valuable asset, located so close to a major metropolitan area, does not contribute to federal real property asset management.

Recommendation:

VA should report the 147-acre parcel excess. The documentation provided by VA does not demonstrate a need to retain it.