

MINUTES

ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)

2016 HONOR SUB-COMMITTEE MEETING

August 23rd, 2016

ARLINGTON NATIONAL CEMETERY (ANC), ARLINGTON, VA

1. **DESIGNATED FEDERAL OFFICER'S REMARKS:** Ms. Renea Yates, Designated Federal Officer (DFO) for the Advisory Committee on Arlington National Cemetery (Committee), opened the August 2016 Honor Subcommittee Meeting. Ms. Yates noted that present in person were Major Shannon Way, ANC Strategic Planner and Mr. Timothy Keating, Alternate Designated Federal Officer, ACANC. Ms. Yates stated for the record that the Subcommittee meeting is pursuant to the National Defense Authorization Act of 2012, codified in 10 U.S.C. § 4723, the Committee still operates under authority and provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C.), the 5th US Code Appendix 2 and 41 Code of Federal Regulation 102-3.50(d). ANC is the agency that receives the benefit of the Committee's advice and recommendations. The DFO, nominated by ANC Executive Director and appointed by the Secretary of the Army, is provided by ANC. Additionally, ANC provides administrative support to the Committee.

Ms. Yates reminded Subcommittee members not to conduct any formal business by deliberating on any substantive matters which are before the Committee as a whole for vote. Additionally, the Subcommittee will report to the Committee any recommendations or information relevant as a result of the day's work. She also noted that the meeting was open to the public and reminded the attending public that they were not allowed to present questions from the floor or speak to any issue under discussion by the Committee without permission of the Chair. She noted that any member of the public was eligible to file a written statement with the Committee in accordance with the published Federal Register notice as provided in the binder at the entrance of the meeting room. Ms. Yates also noted that the proceedings were being recorded in written form, and that minutes of the meeting will be prepared.

The meeting was called to order at 9:00

2. **ROLL CALL:** Ms. Yates noted for the record, the following members in attendance:

Secretary of the Army Nominees

Mr. James Peake (Subcommittee Chair)

Mr. Russell Davis

Mr. Mark Farley

Mr. Robert Hess

Secretary of the American Battle Monuments nominee
Mr. Chet Edwards

Secretary of the Veterans Administration nominee
Mr. Thomas Kelley

The following member was not in attendance
Mrs. Debra Fix

3. **CHAIRMAN OPENING REMARKS:** Mr. James Peake, Chairman, ACANC Honor Subcommittee opened with welcoming remarks. Mr. Peake thanked the committee for their service on the committee and shared his thoughts regarding the extremely important issues for Congressional awareness. He noted specifically providing recommendations in support of the Secretary's upcoming report to Congress required by Public Law 114-158.

4. **PRIOR MEETING MINUTES:** The DFO announced that the minutes from the 6 July 2016 Honor subcommittee meeting were available for review in the members' folders at the table. The Chairman, noting no objections, signed the minutes which will be made available on the ANC public website.

5. **REPORTS AND UNFINISHED BUSINESS:** There were no reports for discussion. However, there was one unfinished action from previous subcommittee administrative work on 4 February 2016. To assist in the formulation of various courses of action, the subcommittee had proposed the following formal definition for Arlington National Cemetery:

"A unique and iconic place devoted to those individuals who made a significant life commitment of service to the defense of the Nation in the armed services."

Discussion. A formal vote is required for this administrative proposal in order to present a definition to the full committee for consideration. After various items concerning verbiage and terminology were discussed and subsequently revisited during several points in the meeting, the subcommittee ultimately voted and approved the following formal definition of Arlington National Cemetery to be presented to the next full Committee meeting:

"Our Nation's unique and iconic resting place devoted to those who have made a significant sacrifice and commitment to the defense of our country in the Armed Services."

6. **PUBLIC LAW 114-158 REPORT TO CONGRESS OVERVIEW:** To provide an update on previous work regarding eligibility and extending the life of our Nation's Shrine for active burials, the DFO introduced MAJ Shannon Way, ANC Strategic Planner, to provide an update on the Report to Congress in accordance with PL 114-158. The briefing provided the following salient points:

- The new law addresses eligibility for Active Duty Designees including groups such as the Merchant Marines and Women Airforce Service Pilots. Additionally, the law directs the Secretary of the Army to report to Congress on the estimated date ANC will reach full burial capacity and to provide recommendations on those legislative and non-legislative actions necessary to keep ANC open for active burials “well into the future” with language that refers to ANC as unique and iconic.

- ANC is a national shrine today with symbolism which goes beyond our borders given that nearly every foreign State visit includes a tribute at ANC to those who have given the ultimate sacrifice and what it represents for the United States.

- Changes in burial rates have occurred during the life span of ANC. Significant changes include the 1966 the decision by SecDef to significantly limit eligibility; the 1977 increase with the decision by SecArmy to include eligibility of the various Service Crosses, Silver Star and Purple Heart Recipients; and a decrease in first interments in 2011 as ANC instituted strict control measures to ensure eligibility. ANC has evolved from being not only the final resting place of our war dead, but now includes eligibility for those veterans who have served at least one day on Active Duty (not for Training) with an Honorable Discharge and their spouses.

- With current policies remaining in effect, todays Veterans of the Gulf War, Somalia, OEF and OIF era cannot expect to be buried at ANC ***even if awarded the Medal of Honor***. With approximately 100,000 burial spaces remaining available (*NOT including the Southern Expansion Project*) as compared to just over 21 Million Veterans alive today, ANC can only serve a small portion of those.

- Three basic categories of options to extend ANC service life “well in to the future”. These are to ***geographically expand***, to ***change eligibility requirements*** (thus reducing the number of annual burials), or a ***hybrid combination***. Millennium Project will add to the service life of ANC, as will Southern Expansion – if finalized - however unless some changes to eligibility are also considered, these two expansion projects alone will not meet the requirements for ANC to remain open “well in to the future”.

- Given the current the burial rate, expansion plans, and eligibility policy – without a major conflict – ANC will close for active burials before mid-century. Any delay in implementing a decision to extend the life of the cemetery will result in a time penalty. To illustrate the time penalty of a delayed decision, consider the four qualifying categories of eligibility in an arbitrary order of merit, with projected cemetery life spans as shown below. If those eligible are:

KIA or other Active Duty death only:

At about **200** burials / year, ANC will remain open for approximately 750 years (2766).

Delaying the decision to adopt this eligibility option has little impact in the service life of ANC “well in to the future”.

PLUS Qualified award of Medal of Honor, Defense Service Cross, Silver Star, or Purple Heart:

At about **480** burials / year, ANC will remain open for approximately 320 years (2336).
Delaying the decision to adopt this eligibility option will shorten the service life of ANC by up to 80 years.

PLUS Retirees:

At about **2750** burials / year, ANC will remain open for approximately 56 years (2072).
Delaying the decision to adopt this eligibility option will shorten the service life of ANC by 6 months for each year of delay.

PLUS Honorable Discharges with at least one day of Active Duty, not for Training:

At about **4260** burials / year, ANC will remain open for approximately 36 years, or 2052.
Status Quo.

Discussion / Comments

- ANC currently performs approximately 4000 new first interments annually.
- The interment rate declined slightly as a result of the 2010 IG inspection, ANC began answering all calls in December 2010 using a centralized call center. ANC became more stringent in identifying the eligibility requirements of those requesting burial at ANC.
- Data being discussed today does not include any significant increase in burial requirements as a result of a potential major conflict in the future.
- The timeline required for geographic expansion to keep ANC open for active burials “well into the future”, if that course of action is adopted, drives the need for resolution now.
- Any decision to close ANC to active burials should carefully consider honored veterans – Medal of Honor Recipients and possible future KIAs.
- There seems to be a lack of overall awareness that a veteran with one day of Active Duty service is qualified to be buried at ANC. However, changing that parameter will likely require VSO / MSO buy-in to avoid turmoil.
- The Chairman recognized a public participant, Mr. Justin Brown, House Committee on Veterans Affairs. Mr. Brown voiced that ANC is a fast depleting resource and stated that there should be engagement in broader dialogue to ensure greater awareness of the challenges that face ANC.

- An eligibility decision-model based on various award categories as a result of future conflict scenario would require arbitrary data input and would thus produce unreliable results.
- Eligibility based on paygrades of O-6 / W-4 / E-8 and above would extend the active life of the cemetery significantly since these paygrades constitute approximately only 4% of the total veteran population, however eligibility based on paygrade sends the wrong message, a Private can be as much a hero as a General.
- Currently, with nearly 30 burials a day (approximately 7000 annually), 4000 are new interments or new graves annually. This rate is not affected by the type of burial honors rendered. Therefore the type of burial honors has little if any impact on the current geographical space or service life of the cemetery.
- ANC does not serve the same purpose as VA National Cemeteries. VA cemeteries have closed and will continue to close, and new VA cemeteries will open. There should always be an ANC, near the Capitol, to honor and bury those eligible. It is important for American youth to be able to see first-hand what sacrifices have been made for the Country.

7. **ELIGIBILITY AND EXPANSION OPTIONS:** MAJ Way presented a slide with multiple factors to weigh / prioritize regarding eligibility and capacity for the subcommittee to consider / discuss.

Discussion / Comments

- Maintaining the iconic nature of ANC versus capacity is not a new concept. The Southern Expansion project could be developed exclusively as Columbaria, but keeping the iconic nature is a priority. Maintaining the iconic nature of ANC is perhaps the most important consideration, even if it means ANC will close to future burials.
- Planning data discussed during the meeting does not include future conflict. However, a percentage of those buried at ANC across the eras of conflict could be determined to possibly use for extrapolation purposes. While future conflict may drive changes to what the subcommittee is doing today, there exists a compelling need to act now to meet the requirement to keep ANC open for active burials “well into the future”. However, regardless of subcommittee recommendations to the committee regarding eligibility changes, VSO buy-in will be required.
- Irrespective of eligibility requirements, seeing the ANC operations, the burials and iconic imagery, is what holds meaning for the public.
- Eligibility changes are critical to consider, however, geographic expansion in contiguous areas, beyond Southern Expansion plans, are still viable options for the government to consider.

The subcommittee then, by consensus, agreed to the weight of importance of eight considerations on a scale of 1 to 5 are:

- Creating new capacity for first interments (2)
- Ensuring burial for certain groups (KIA / MOH) for as long as possible (5)
- Avoiding disenfranchising certain Veteran groups (2)
- Maintaining the iconic look and feel of ANC (5)
- Maintaining ANC within its current space (1)
- Expanding ANC with contiguous space (3)
- Reducing time from decision to implementation (3)
- Other / Support of VSOs (5)

11:00 - Mr. Peake announced adjournment for lunch.

11:45 - Mr. Peake called the meeting to order.

8. **VSO ENGAGEMENT:** COL Simonelli presented a briefing to provide details on contiguous land surrounding ANC which could be made available for further expansion. He noted the Southern Expansion area (11 acres), the VDOT site (10 acres), Foxcroft Heights (11 acres), Henderson Hall (25 acres), Ft Myer Commissary / PX / Front Gate area (36 acres), the other land mass of Ft Myer (202 acres), Roslyn area next to the Iwo Jima Memorial (54 acres), and the Iwo Jima Memorial site (34 acres).

Discussion / Comments

- Land contiguous to ANC is desirable for expansion, however, availability is the key consideration to making a recommendation to pursue any of these areas for future expansion. While this may be a desirable option in the future, it is not plausible now and, given that fact that the Southern Expansion project has yet to be finalized, counting on an even bolder expansion is not prudent.

- For estimation purposes, burial density is approximately 1000 opportunities per acre when considering all categories (above ground, in-ground and cremation).

- Regarding family concerns about traffic and other noise in the cemetery, families are inclined to be away from roadways and traffic noise areas. However, ANC is a high density traffic area, especially those areas near Rte. 110. Until trees and other foliage in those areas mature, noise will continue to be a distraction from the iconic nature of ANC. Aircraft noise from Reagan National and military helicopters at the Pentagon add to the concern.

- The Chairman then emphasized the need to discuss, regardless of difficulty, those general concepts and principles that are sacrosanct and unyielding for the future of ANC. He identified the requirement to discuss the fundamental concept of ANC in order to present to the full Committee recommendations for the Secretary to consider. He stated that it is compelling that VSOs understand that the Committee is proposing

plausible solutions.

- Reaching out to the VSOs especially if some considerations of the subcommittee or committee are not supportable in their view, is critical to moving forward successfully.
- While there are many variables to consider when defining eligibility, consideration should be given to a hard line decision that ANC will always be available to certain categories such as those KIA and defined combat awards. Strong opposition was again voiced to any consideration of defining eligibility by paygrade.
- Since changes to the eligibility requirements are made in the context of the Federal rule making process, SecArmy may only have until January 2017 to make any change recommendations to Congress. The rule making process may be too time consuming to have any impact on change to be in effect before the new administration is in place.
- The Chairman then asked whether the subcommittee had reached any consensus. He noted that, from discussions there should be bold action; to make those recommendations which will allow ANC to be operational for the next 300 years to meet the language of the law definition of “well in to the future”. A comment was made in response that agreed, provided ANC remains an iconic active cemetery.
- The Chairman then recognized several a public participants:

Mr. John Gifford, Director of Government Affairs, Association of the United States Army (AUSA). Mr. Gifford acknowledged the challenges in determining criteria to use when considering changes to eligibility for interment or inurnment at ANC. He mentioned that he received an irate complaint that the time required between request and service is much too long. Mr. Gifford stated his awareness that the complainant had missed the point that “faster is not necessarily best”. He further mentioned that AUSA members are expressing a feeling that benefits are being eroded, that Congress is attempting to save money by cutting military and veteran benefits; that Congress is not keeping its promises to the military and to veterans. Mr. Edwards asked how AUSA would look at changing eligibility criteria. Mr. Gifford stated that it was unlikely that the organization would object to the decision of the Secretary of the Army. AUSA strives to stay at the strategic level with respect to issues. Mr. Edwards acknowledged that any decision will upset some segment of the organization. Mr. Gifford responded that he believed it necessary to bring VSO / MSO leadership in to show the statistics as to why extending the cemetery life “well into the future” is a challenge. He suggested receiving input from VSO leadership to help frame veteran perspective to possible change recommendations. He noted that a meeting of VSO and MSO representatives with the Secretary of the Army was set for 28 September 2016.

Ms. Trina Fitzgerald, a representative of MOAA, suggested that any changes that take choice away from individuals or families would have a significant emotional impact. Mr. Edwards then asked hypothetically what actions MOAA might take if five percent of its membership were vocal about any changes. Ms. Fitzgerald replied that how the

information was presented would be the most important factor.

Ms. Donna Eldridge, a Gold Star Wife and Arlington Lady, noted that successful communication strategy is key success. She suggested the ANC staff consider outreach and speaking to stakeholder organizations.

Discussion / Comments

- The subcommittee was reminded, regarding meeting with stakeholder organizations, that attending meeting could not be as a representative of the subcommittee or the full committee. Additionally, today's information is presented in a public forum, thus it is public information.

- Sharing information / educating stakeholder leadership plays well to an overall communication strategy. The ANC communication strategy, which involves meeting with and briefing VSOs, will be presented to the Committee.

- Regarding the impact of excluding retirees from eligibility, the immediate result would be to eliminate any wait time for burials.

Ms. Katharine Kelley, Acting Superintendent ANC, noted it is necessary to consider the synchronization and timing of publicizing the ANC strategic message. She noted that the October full Committee meeting efforts at synchronization is needed in time for the 15 November report deadline. Mr. Peake acknowledged that engaging personally, as part of a communication strategy, could be recommended and forwarded in a report to the Secretary.

- Acknowledging the need for a Committee report to the Secretary to recommend a communications strategy, the members were reminded that a new definition of ANC could be recommended as well. (Note: Further discussion of the definition occurred at this point in the meeting. Terms such as "national cemetery", "place of honor", "lifelong commitment", "final resting place", "devoted", and "reserved" were debated.) The subcommittee voted for the definition OF ANC as:

"Our Nation's unique and iconic resting place devoted to those who have made a significant sacrifice and commitment to the defense of our country in the Armed Services."

- It was noted, notionally, that the categories of KIA / Active Duty deaths plus qualifying awards yields a service life for ANC for another 300 years. The largest group with a qualifying award is those with a Purple Heart(s).

- The Chairman noted consensus that paygrade should not be considered as a determining factor when determining eligibility.

- Data presented today should be reconsidered without including the increase in size

afforded by Southern Expansion since the project is not a foregone conclusion. The DFO stated that data will be produced to reflect continued delay and loss of Southern Expansion as an option.

Regarding the overall public awareness that ANC has real limits in the foreseeable future, feedback from the public indicates nearly the first question asked is when the cemetery will be closed. It is truly important to tell the story about what the challenges of today mean to the next generation of Americans.

COMMITTEE REQUESTED INFORMATION AND BRIEFINGS:

- A question arose to the actual number of KIA interred at ANC. The DFO replied that data can be researched and made available at the next meeting.

The Chair then called for any other business. With none noted, he called for a motion to adjourn. Mr. Edwards made a motion to adjourn, Mr. Hess seconded. All members voted in favor.

13:45 Meeting Adjourned.

A handwritten signature in black ink, appearing to read "James Peake". The signature is written in a cursive style. To the right of the signature is a vertical yellow line.

JAMES PEAKE
Chairman
10/11/2016