



Advisory Committee on Arlington National Cemetery

Arlington National Cemetery
Arlington, VA 22211

October 24, 2019

The Honorable Ryan D. McCarthy
Secretary of the Army
100 Army Pentagon, Room 3E700
Washington DC, 20310

Dear Mr. Secretary,

The Advisory Committee on Arlington National Cemetery (ACANC) is a congressionally mandated non-discretionary advisory committee established under Title 10 United States Code § 4723. The ACANC is chartered to make periodic reports and recommendations with respect to the administration of Arlington National Cemetery (ANC), the erection of memorials at the cemetery, and master planning for the cemetery. These recommendations compliment, not supplant, Army command and staff actions with respect to ANC. The Department of the Army provides support through Arlington National Cemetery.

The DoD, consistent with the Committee's mission and DoD policies and procedures, has authorized two subcommittees:

The Honor Subcommittee. The primary mission of this Subcommittee is to accomplish an independent assessment of methods to address the long-term future of the Army national cemeteries, including how best to extend the active burials and what ANC should focus on once all available space is used. Specifically, to assess current eligibility requirements for interment and inurnment at ANC as they affect the available space and life of active burials and ensure that recommendations serve and protect the interests of all service members and veterans, surviving family members, and the American public. The Subcommittee's review of the Southern Expansion Project focuses on the qualitative and quantitative benefits of the options to best honor our veterans, their families, and the Nation while maintaining the iconic nature of ANC.

The Remember and Explore Subcommittee. The primary focus of this Subcommittee is to review issues and provide recommendations to the Committee to best maintain the Tomb of the Unknown Soldier Monument, accomplish an independent assessment of requests to place commemorative monuments, identify means to capture and convey the history of Arlington National Cemetery, and to improve the quality of visitors' experiences now and for generations to come.

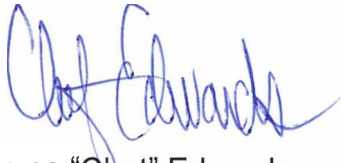
The Committee takes seriously its mandate to provide independent advice and is excited and pleased with the significant progress that continues at Arlington National Cemetery.

October 2019 Report of the Advisory Committee on Arlington National Cemetery

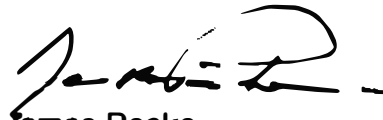
The Committee, after thorough review and deliberation, voted unanimously on September 26th, 2019 to:

- Provide a Response Statement to the Secretary of the Army regarding the proposed rule changes to eligibility criteria for burial at Arlington National Cemetery announced September 25, 2019.

Very Respectfully Yours,



Thomas "Chet" Edwards
Co-Chair
Advisory Committee on
Arlington National Cemetery



James Peake
Co-Chair
Advisory Committee on
Arlington National Cemetery

Enclosure

October 2019 Report of the Advisory Committee on Arlington National Cemetery

The estimated cost of this report or study for the Department of Defense is approximately \$1,660 in Fiscal Years 2019 - 2020. This includes \$0 in expenses and \$1,660 in DoD labor.

References

- (a) Federal Advisory Committee Act of 1972, Title 5, United States Code, Appendix 2.
- (b) The Government in the Sunshine Act of 1976 (5 U.S.C. § 552b)
- (c) National Defense Authorization Act (NDAA) of 2012, Advisory committee on Arlington National Cemetery (10 U.S.C. § 4723)
- (d) Department of Defense Instruction 5105.04.
- (e) Advisory Committee on Arlington National Cemetery Charter, July 31, 2018.

Background

Title 10 U.S.C. § 4723 stipulates that “not later than 90 days after receiving a report or recommendations from the advisory committee, the Secretary of the Army shall submit the report or recommendations to the congressional defense committees and the Committees on Veterans’ Affairs of the Senate and House of Representatives and include such comments and recommendations of the Secretary as the Secretary considers appropriate.”

Report

On September 26, 2019, the Advisory Committee on Arlington National Cemetery (ACANC) met at Arlington National Cemetery following the September 25, 2019 meetings of the Remember and Explore Subcommittee and the Honor Subcommittee meetings. Each meeting was convened with a quorum of members. The Designated Federal Officer, Ms. Renea Yates, was present for all meetings which were open to the public. Formal minutes were produced and are available to the public on the Arlington National Cemetery public website.

The Advisory Committee on Arlington National Cemetery convened to consider reports from the subcommittees; discuss the Secretary of the Army’s Proposed Changes to the Eligibility Criteria for burial at Arlington National Cemetery; the Federal Rulemaking Process; and deliberate potential recommendations for consideration by the Secretary of the Army.

Six of the seven appointed ACANC members (a quorum) were present:

- Dr. James Peake (LTG USA, Retired), Co-Chair
- Mr. Chet Edwards, Co-Chair
- Mr. Gene Castagnetti (COL USMC, Retired)
- Ms. Ann Harrell (Maj Gen, Retired)
- Mr. Thomas Kelley (CAPT USN Retired), Medal of Honor Recipient
- Mr. Jack Kelly (MAJ USA, Retired)

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The Advisory Committee of Arlington National Cemetery reviewed the Secretary of the Army's proposed changes to eligibility criteria for burial at Arlington National Cemetery and received a briefing from the Office of General Counsel regarding the federal rulemaking process. After lengthy and robust discussion, the Committee voted on the following statement in response to the Secretary of the Army's proposed revised eligibility criteria:

The Advisory Committee on Arlington National Cemetery appreciates the Secretary of the Army's consideration of our prior recommendations and commends him for proposing a way to extend the active life of ANC well into the future. We support the variance from our recommendations and support his approach of including the first five criteria for in-ground interment and the first three criteria for above-ground inurnment.

The Committee notes that under the criteria proposed by the Secretary on 25 September 2019, above-ground space will be exhausted by approximately 2045. That will effectively eliminate eligibility for retirees and traditional veterans who have served a minimum of two years on active duty with combat experience, unless otherwise qualified. The committee is concerned with criteria that allows both above and below ground eligibility for service "out of uniform as a government official".

The Committee recognizes the importance of the *Service* imperative as defined by the Secretary and realizes that, upon exhaustion of above-ground space, a veteran with a lifetime of service in uniform would be denied space while another veteran whose eligibility is based solely on service out of the military would remain eligible.

The Committee is cognizant of the survey results of 250,000 respondents where high public office was ranked next to last as a consideration for eligibility.

The Committee strongly recommends that honorable uniformed service in the Armed Forces of the United States be the minimum burial requirement at ANC for all primary eligible persons.

The Committee voted unanimously to recommend approval of this statement and it's forwarding to the Secretary of the Army prior to December 1, 2019.

Actions Pending Further Review

The Committee takes seriously its mandate to advise the Secretary of the Army on Arlington National Cemetery. Continued study of the progress of expansion plans along with further proposals for education plans for ANC can be expected in due course.

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