

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

1. DESIGNATED FEDERAL OFFICER'S REMARKS: Ms. Renea Yates, Designated Federal Officer (DFO) for the Advisory Committee on Arlington National Cemetery (ACANC), initiated the meeting at 0900, noting that present in person were MAJ Michael Shepard, of ANC G5, and Mr. Matthew Davis, Advisory Committee Analyst and Alternate Designated Federal Officer for the Advisory Committee on Arlington National Cemetery.

Ms. Yates stated for the record that the Subcommittee meeting is pursuant to the National Defense Authorization Act (NDAA) of 2012, codified in 10 U.S.C. § 7723. The Subcommittee operates under the authority and provisions of the Federal Advisory Committee Act of 1972, 5 U.S.C. Appendix 2, and 41 Code of Federal Regulation 102-3.50(d). Arlington National Cemetery is the agency that receives the benefit of the Committee's advice and recommendations, and ANC provides administrative support to the Committee. The DFO, nominated by the ANC Executive Director and appointed by the Administrative Assistant to the Secretary of the Army, is provided by ANC.

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 stated that the meeting was open to the public, and that attending members of the public were not allowed to present questions or speak to any issue under discussion by the Subcommittee without prior approval of the chairperson, Mr. Mark Farley. Any member of the public was eligible to file a written statement or request to make a verbal presentation in accordance with the published Federal Register notice, a copy of which can be found on the ANC website at www.arlingtoncemetery.mil. Ms. Yates also announced that the proceedings were being digitally recorded, and that a written summary of the meeting will be prepared and made available to the public on the ANC website.

Subcommittee members were asked to ensure that their cameras were active and their microphones muted. External agency presenters were asked to activate their cameras and microphones at the direction of the Subcommittee Chair (Mr. Mark Farley) and/or the Designated Federal Officer (Ms. Renea Yates). Members of the public were asked to ensure that their cameras stayed inactive and their microphones muted throughout the duration of the subcommittee meeting. Finally, it was noted that any disruption or disturbance to the Remember and Explore Subcommittee may result in removal.

The meeting was called to order at 0908.

2. ROLL CALL: Ms. Yates reported a quorum for the record, with the following members in attendance:

Secretary of the Army nominees: Mr. Mark Farley (Chair), Ms. Rose Duval, Ms. Ann Harrell, Mr. Robert Hess, Mr. Nick Miller.

Secretary of Veterans Affairs nominee: Mr. John Kelly.

Not Present: N/A

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

3. PRIOR MEETING MINUTES: Ms. Yates announced that the minutes from the December 10, 2019 meetings were available for review [on the ANC website](#).

4. CHAIRMAN'S OPENING REMARKS: Mr. Farley called the meeting to order and welcomed all members. He stated that today's agenda is very full, with several commemorative monument updates and briefings. He reminded members to use radio transmission protocols: to say "over" when finished, so that they can avoid speaking over one another.

5. COMMEMORATIVE WORKS PROPOSAL: APOLLO 1 MEMORIAL

Presentation: Dr. Lance Bush, Challenger Center

- **Overview:** Dr. Lance Bush, President and CEO of the Challenger Center, presented the proposal for a commemorative monument of the Apollo 1 crew to be placed at Arlington National Cemetery. The Challenger Center has worked closely with Ms. Yates and her team to identify a place in Section 3, near the gravesites of Gus Grissom and Roger Chaffee and other American astronauts. They have selected Kline Memorials as their vendor, based on the fact that they have deep experience working at Arlington National Cemetery. They also have deep and broad support for this commemorative monument, starting first and foremost with the families of Grissom, Chaffee and White. That includes spouses, siblings and children, who have been integrated into this effort from the very beginning. (Dr. Bush noted that Bonnie White, daughter of Ed White, is on the phone this morning.) The role of Challenger Center has been the coordinator: the Center is a living monument to the Challenger tragedy and a STEM organization carrying forward the mission of the Challenger crew. (Dr. Bush noted that there is also a memorial to Challenger and Columbia at ANC; the Challenger Center has a very close relationship with the Challenger and Columbia families, who helped start the organization and are on its board.) Joining the Challenger Center is the Aerospace Industries Association, which represents the industry in the U.S., with close to a trillion dollars in revenue each year and a large number of jobs. Mike French, from the AIA, is joining the meeting NASA is also in support of this, and this effort is being coordinated at the highest levels with the chief of staff and administrator of NASA.

Lastly, the Challenger Center has worked with Congress and there was a bill passed to support this—the National Defense Authorization Act (NDAA) for fiscal year 2018. Dr. Bush presented a slide containing the text from Section 1087 of the FY 2018 NDAA, which authorizes the construction of a memorial to the crew of the Apollo 1 launch test accident at Arlington National Cemetery. The 2018 NDAA may be found in its entirety at:

<https://www.congress.gov/115/plaws/publ91/PLAW-115publ91.pdf>.

- **Intent:** The intent of the monument is to honor the crew of Apollo 1, who lost their lives on January 27, 1967: Virgil "Gus" Grissom, Ed White and Roger Chaffee. During a launch test, a fire exacerbated by high oxygen levels and the pressure of flammable materials resulted in all three crew members losing their lives. The tragedy triggered a rigorous investigation resulting in a new Command Module design with added safety features, including a more easily opened hatch and the replacement of flammable materials with self-extinguishing components. Dr. Bush emphasized that even before this mission, the three were so accomplished—a well-respected crew

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

who unfortunately died in a tragic fire on the test pad. (Because Bonnie White was on the call, he paused to note that Ed White was the first astronaut to do an EVA, meaning a spacewalk.) This triggered a rigorous investigation resulting in some much-needed improvements in the program. That led to the base for all the subsequent successful Apollo missions (listed on a slide that Dr. Bush presented), resulting in the success of landing humans on the moon. Dr. Bush said that he knows many of the people involved in the Apollo program, including the crew of Apollo 11 who stepped on the moon, and they personally pay their deep respects to this Apollo 1 crew. Without the sacrifices of the Apollo 1 crew, none of these successes would have been possible.

- **Funding:** The estimated cost of the commemorative monument is \$29,000, working with Kline Memorials. The fundraising effort is being led by Aerospace Industries Association (AIA). They are well-equipped to find that level of funding and also keep some money in reserve for maintenance, and they already have a tax-exempt organization set up for that: the National Center of Advanced Technologies. There is a financial support letter signed by Mr. Eric Fanning, President and CEO of AIA, in the submission packet.
- **Design:** The design of the monument, approved by the Grissom, White, and Chaffee families, includes a custom bronze plaque (30" x 23.25"; concealed stud, surface mount on angled face of granite memorial; diamond shield protective coating) with a low relief dimensional image created from photograph art—the iconic image of the three astronauts. Dr. Bush noted that he was impressed by how well-aligned the families have been; they all liked this image, and also requested that the mission patch be included. An image of the Saturn 1 rocket is also included in the background. One of the key things that the families asked to be on the plaque is the motto associated with this crew, "Ad Astra per Aspera"—meaning, "It is a rough road to the stars." It is symbolic of this crew, who had part of the rough road. Dr. Bush also mentioned that while the families helped design the marker, the NASA historian also reviewed it. He presented an image of the monument as implemented by the guidelines at Arlington National Cemetery: an American black granite base with the plaque on top of it. The granite memorial face is 34" x 27.25" and 24" in height at its tallest point, 8 ¾" in height at its shortest point. It was designed to be similar to the USS Thresher monument (minus the base), which was provided by Arlington National Cemetery as a template.

Subcommittee Discussion: Mr. Farley thanked Dr. Bush for a great briefing and tribute to three astronauts and leaders of our country. He then opened the floor to other Subcommittee members for questions and comments.

- Mr. Kelly asked if many of ANC's monuments have photos in the imagery. Ms. Yates replied that a few have etchings, and we can have the historians go through and find what's in and around the cemetery, or you can look at the website. Dr. Bush also offered noted that the Challenger and Columbia memorials have images of the crew. The Apollo 1 families were aware of this, and they also wanted images of their families. They so much liked the team vision of the photo of them together that they decided to take the photo as it was, rather than a sculptor's image.

- Ms. Harrell asked: Since this is in the NDAA, we're not debating whether we're going to have the memorial or not, but we're talking about what it will look like. Is that correct? Ms. Yates: Yes, the NDAA

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

tasked the Secretary of the Army and the administrator of NASA to work together and comply with the law. They're going through the process and we're checking design, location for appropriateness, and the commemoration that's on the marker for appropriateness. The fact that there'll be a marker is not under debate.

- Mr. Kelly inquired about the Aerospace Industries Association's dedicated fund for the memorial, noting that the issue with memorials is the perpetuity ability. How does the AIA intend to guarantee or ensure that that's achieved? Dr. Bush replied that the Challenger Center has purposefully partnered with AIA since they are the organization within the space community that has the resources. Mr. Mike French, representing the AIA, added that the organization, which has been around since 1918, has a separate account which has been set up to fund other non-profit activities. They would plan to have this dedicated and kept there in perpetuity as long as the organization existed. Should something happen where that would not be the case, they would take whatever steps necessary to ensure that those funds served their purpose.

- Mr. Miller observed that with this monument, there is a really impactful story about the broader impact on the space program and the landing on the moon, as well as with the Thresher, the impact on the sub program. He posed two questions: One, how do we tell that story? Is the memorial appropriately communicating that story, and if not, should it? And two, what is the cemetery doing more broadly to ensure that we tell that story and the great narrative that's been put in the monument's purpose packet? Mr. Farley agreed with Mr. Miller's analysis, noting that these questions would tie in well with the Education update that the Subcommittee will receive later this morning. He suggested reserving these comments for that conversation.

- Ms. Yates reminded the Subcommittee that the proposed location of the Apollo 1 marker is in Section 3, appropriately near those buried at ANC (Gus Grissom and Roger Chaffee, and a few other astronauts). The team will be prepared to discuss that element of this marker and how it can tell a story related to space exploration and those buried at Arlington. Mr. Farley agreed that it all fits together for a great opportunity to tell the story that Mr. Miller is referring to.

- Mr. Farley asked if there is a link between this monument and any appropriated funds within NASA. Dr. Bush explained that there are no appropriated funds for this memorial with the legislation that was passed. That's why the Challenger Center and AIA are leading this; they coordinate and discuss with NASA, which is very supportive of the effort. While he had the floor, Dr. Bush also stated that he loved this discussion of helping the public with the history and significance of this; the Challenger Center and NASA historians would stand ready to support this and to provide as much background information as may be needed.

- Mr. Farley asked Dr. Bush to remind the Subcommittee if any or all of the three Apollo 1 astronauts had military connections. Dr. Bush replied that they all do, noting that Grissom and Chaffee are buried in Section 3; White is buried at West Point, due to his Army background. All three had military backgrounds, as was common in that era (and still today, with many NASA pilots and commanders). Ms. Harrell added that Grissom was an Air Force member.

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

6. COMMEMORATIVE WORKS PROPOSAL: OFFICE OF STRATEGIC SERVICES (OSS) MEMORIAL

Presentation by Mr. Charles Pinck, President of the OSS Society

Mr. Pinck began his presentation by noting the absence of Major General Victor Hugo, who served as the OSS Society's executive vice president for many years. General Hugo, who passed away recently, was the embodiment of Special Forces. He was a stalwart supporter of the OSS Society, and this project was very important to him.

- **Background.** Mr. Pinck then offered some background information on the OSS and the OSS Society's proposal for the memorial. The OSS was the World War II predecessor to the Central Intelligence Agency, the U.S. Special Operations Command, and the Department of State's Bureau of Intelligence and Research. Its personnel were drawn from every branch of the U.S. military. OSS played a critical role in America's victory in World War II. Some of its most highly decorated members—including OSS founder General William Donovan, a Medal of Honor recipient—are buried at Arlington. They included Colonel Peter Ortiz, a Marine and two-time recipient of the Navy Cross who jumped twice into Nazi-occupied France as a member of the OSS Jedburghs, the legendary predecessors to U.S. special forces; Captain Stephanie Czech Rader (WAAC), who received the Legion of Merit posthumously on the day she was buried at Arlington several years ago; Colonel David Bruce (USA), who served as chief of OSS operations in Europe; and two CIA directors, William Colby (USA) and Richard Helms (USNR). Also buried at Arlington is Captain René Joyeuse of the Free French Forces, one of the few foreign nationals at Arlington. The proposed OSS Memorial at Arlington will honor their service and that of OSS personnel killed or missing in action, including those whose remains were never recovered.

Mr. Pinck further explained that the OSS Society is a nonprofit organization that dates back to 1947, when Gen. Donovan founded its predecessor organization, Veterans of OSS. The charity honors the historic accomplishments of OSS, educates the American public about the importance of strategic intelligence and special operations to the preservation of freedom, and has led several important efforts in recent years to preserve the OSS's legacy and honor the service of its members.

In 2017, the OSS and the first CIA headquarters on Navy Hill in Washington, D.C. were added to the National Register of Historic Places. In 2018, OSS received the Congressional Gold Medal, Congress's highest civilian honor. On the front of the medal, behind the letters "OSS," are the silhouettes of a woman representing the 4500 women who served in OSS; a paratrooper representing members of the U.S. armed services who volunteered for hazardous duty behind enemy lines; and a man dressed non-descriptly. The names of the OSS missions in code words are inscribed on its reverse side, across the spearhead, its unofficial insignia. Gen. Donovan chose this symbol to represent his belief that OSS was at the tip of the spear.

The OSS Society is currently building the National Museum of Intelligence and Special Operations in Northern Virginia. The museum will honor Americans who have served at the tip

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

of the spear since World War II, and inspire future generations to serve as our nation's first line of defense.

- Proposed OSS Memorial at Arlington: In addition to those efforts to honor its legacy, Mr. Pinck continued, the proposed OSS Memorial at Arlington would be a lasting tribute to the heroic service and sacrifices made by its personnel. He read the proposed monument inscription aloud: "In June 1942, the Office of Strategic Services (OSS) was created to gather and analyze intelligence to advise the president, policymakers and military leaders, to conduct counter-espionage, wage psychological and unconventional warfare, and perform advanced research and development activities in support of its mission. The OSS was the first organized effort by the United States to implement a centralized system of strategic intelligence. It pioneered modern special operations. The OSS's approximately 13,000 members, one-third of whom were women, included representatives from all military service branches and civilians. 7500 served overseas in every theater of the war. They performed some of the most heroic acts of World War II behind enemy lines, supporting resistance movements, establishing intelligence networks, conducting sabotage, rescuing downed airmen and engaging the enemy in direct action. 116 members of the OSS were killed in action; 50 of its personnel are listed as missing in action. The OSS legacy reaches beyond its vital contribution to America's victory in World War II to its successor organizations, the Central Intelligence Agency, the U.S. Special Operations Command, and the U.S. Department of State's Bureau of Intelligence and Research. Its glorious amateurs have become today's quiet professionals."
- Endorsements: Mr. Pinck stated that the OSS Society has been honored by letters of support for their application from Senator Mark Warner of Virginia (vice-chair of the Senate Select Committee on Intelligence) and minority members of the House Permanent Select Committee on Intelligence, General Richard Clark (commander of the U.S. Special Operations Command) and Secretary Ellen McCarthy (director of the State Department's Bureau of Intelligence and Research).
- Independent Study/Remarks by Mr. Peter Sefton: The most important part of the application, Mr. Pinck said, is the independent study justifying its placement at Arlington. He introduced the author of that study, Mr. Peter Sefton, to present it. Mr. Sefton introduced himself as an architectural historian who had the pleasure of preparing the independent assessment required by 38 USC 2409. He noted that he was grateful for the ANC Staff's comments on the earlier draft, which have been incorporated into the current version. As required, they investigated potential sites for the OSS Memorial both in and beyond Washington, D.C. He briefly mentioned the alternatives that made their shortlist, but proved unavailable or unsuitable:
 - World War II Memorial, National Mall: This site does not include individual service or unit memorials. Further, it is subject to the Commemorative Works Act, which considers "monuments and memorials once dedicated to be completed."
 - United States Special Operations Command Headquarters, MacDill Air Force Base, Florida; Central Intelligence Agency Headquarters, Langley, Virginia; Navy Hill, Washington, D.C.: Although each of these locations has an association with the OSS, all

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

are highly secured sites which cannot be accessed by the general public, and which, even if available, would be unsuitable for a commemorative memorial such as this.

Mr. Sefton then explained the reasons why Arlington National Cemetery is the most suitable and appropriate site for the OSS Memorial. He said that 38 USC 2409 states: “The Secretary of the Army may set aside a suitable area or areas at Arlington National Cemetery to honor the memory of members of the armed forces who are missing in action, or whose remains have not been recovered or identified as members of a group.” The OSS Memorial will commemorate the heroic achievements of OSS personnel, and especially those who were killed or missing in action. In 1982, a CIA report enumerated more than 100 OSS members as killed in action and 50 as missing, approximately 95% of whom were military personnel. While many of those killed in action are buried in American military cemeteries, a significant number of OSS casualties’ remains have never been recovered. Mr. Sefton noted that rather than a complete enumeration, their written analysis presented examples that reflect how the OSS missing represent every branch of the armed services in every theater of the war. It should also be recognized, he stated, that a significant number of the OSS casualties were first- and second-generation Americans whose language skills uniquely equipped them for hazardous duty behind enemy lines.

As an example, Mr. Sefton briefly described the background of a photograph taken aboard the submarine USS Burrfish in August 1944. A month earlier, the Burrfish had sailed from Pearl Harbor under top-secret orders to reconnoiter highly fortified islands for upcoming landings. The Burrfish carried a crew of highly trained “frogmen,” as they were called then, who had volunteered for special hazardous beach reconnaissance missions. Along with regular Navy personnel, the frogmen included OSS Maritime Unit and Naval Reserve members Specialist First Class John MacMahon and Quartermaster Robert Black Jr. Just after 9:00 P.M. on the night of August 18, 1944, the five-member team in the photo—wearing swimming trunks, two knives each and black camouflage paint—anchored their inflatable rubber boat off Yap Island, and two two-man teams swam to the beach. About 20 minutes later, Robert Black helped a teammate who had been exhausted by the rough surf back to the inflatable boat, and swam back to the beach alone. Neither Black nor the team of John MacMahon and Chief Petty Officer Howard Roeder rendezvoused with the boat at 10:30 P.M. After hours of searching, the Burrfish was forced to submerge to avoid Japanese radar, and the next night was stormy with high seas. Intelligence intercepts later revealed that Black, MacMahon and Roeder were being interrogated on a nearby island, but then there was silence that lasted for months. Despite their captors’ postwar testimony that the prisoners had been transported to the Philippines, the three frogmen were not among the prisoners liberated at the war’s end. Investigations suggested they were executed, probably by drowning, when their captors feared that a landing would ultimately free them. However, their remains were not found in a mass grave that included those of numerous captured American flyers. To this day, the Defense Prisoner of War and Missing in Action Accounting Agency (DPAA) and volunteer groups continue the search for the three. Noting the Congressional Gold Medal awarded to the OSS, Mr. Sefton stated that placing the OSS Memorial at Arlington National Cemetery would honor these accomplishments and the supreme sacrifice required of many OSS members, with special emphasis on those whose remains have never been recovered. Their analysis recommends that the proposed OSS Memorial meets the requirements of the

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

United States code and achieves the high level of significance required for placement in Arlington National Cemetery.

Subcommittee Discussion:

- Mr. Kelly asked: Of the 50 missing in action, how many were members of the armed forces? Mr. Sefton replied there is not a complete enumeration, but in general it appears that 95% of those killed or missing in action were members of the armed forces. He did not see many civilians when he worked with the casualty cards; in fact, he believes that he only found one. He said that he would be glad to do a more precise census, but the research on some is difficult.

- Mr. Kelly also requested clarification about the reasons for not having the memorial at CIA or USSOCOM headquarters, or the Navy Annex at State. The reason stated was that these sites are not open to the public, yet the memorials to the missing or dead of USSOCOM or the Agency are at those properties, not open to the public. Mr. Pinck said that there is a monument at the CIA headquarters, which is not generally viewable to the public; the Navy Hill site is the province of the Department of State and is a very secure facility. The OSS Society considered it a priority that the monument should be viewable by the general public, to keep the memory of the OSS alive for future generations.

- Mr. Kelly then asked how many OSS members are buried at Arlington. They did not have exact numbers, but there are many members buried there; Mr. Pinck said that he has attended many funerals over the past 20 years.

- Mr. Miller asked if the Society has contemplated where in the cemetery they would place the memorial. Mr. Pinck replied that it would be placed along Roosevelt Drive, noting that President Roosevelt created the OSS when he signed an order on June 13, 1942, so his connection to the OSS is an important one.

- Ms. Harrell asked if the OSS Society has considered placing their memorial at or near the new museum that is being planned. Mr. Pinck replied that the museum will be located at the intersection of Routes 28 and 7 in Ashburn, Virginia. There will be a memorial there, but the memorial planned for the museum is to all the fallen from the intelligence and special operations communities, not just the OSS, since it's the National Museum of Special Intelligence and Operations.

- Mr. Farley agreed that there is certainly a link between the OSS, the military and Arlington, and asked how many military personnel served in the OSS at its height. Mr. Pinck replied: approximately 13,000. Mr. Farley stated that he was okay with 95% killed and missing in action being military, and noted that it is a very unique situation with the consideration of other locations—the security limitations and constraints—and the direct link to the military and Arlington.

- Mr. Miller, noting that Memorial Drive includes memorials to the 101st Airborne, the Seabees, etc., asked if those locations are considered part of this process. Ms. Yates reminded the group that Memorial Avenue, the leading entrance into Arlington National Cemetery, was recently transferred to the Army from the Department of the Interior, so ANC has just now assumed custody. However, the monuments out there still fall under the Commemorative Works Act, which also drives what's on the National Mall. So ANC is currently navigating through what will drive the criteria for placement of those. Memorial Avenue is an extension of the National Mall, so there are some different rules for monuments out there.

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

- While speaking of policies and rules, Ms. Yates wanted to ensure that the committee was aware of the law mentioned by Mr. Sefton. 38 USC 2409 has two paragraphs: Paragraph A, which was what was read to you, regarding missing in action and remains that have not been recovered or identified—that applies to memorial sections within the cemetery, for memorial markers identifying individual and commemorating individual loss. So it's an individual government upright headstone dedicated to an individual who is missing in action or has not been recovered. That's where the Secretary is directed to set aside, when available, suitable areas at Arlington National Cemetery to honor the memory of members of the armed forces and veterans. Paragraph B is what covers commemorative works that are not to an individual, but are to a group of individuals or an event.

- Mr. Miller asked if there other monuments to the Joint Special Operations Command or the CIA within the cemetery. Ms. Yates replied that that will be a question for LTC Massey and the working group when they make their presentation.

- Mr. Kelly asked if the OSS Society has ever explored putting the memorial in an external area to Navy Hill, since that was the original OSS headquarters and the original Agency headquarters. He noted that there are external areas that are not secure, in and around main State; the general public walking by would see it. Mr. Sefton commented that the area around Navy Hill is quite separate from Navy Hill itself. There is a high security wall and other buildings around the periphery. So that would isolate such a memorial far from the parts of Navy Hill that were significant to the OSS. It would be at quite a remove from the original OSS headquarters, and visually it exists in a whole different zone. There would not much of a linkage; it would just sort of seem like a random monument on the street.

- Mr. Farley thanked the presenters for a very informative briefing.

7. COMMEMORATIVE WORKS PROPOSAL: CHANGES TO THE PROTESTANT CHAPLAINS MONUMENT

Presentation: RDML Harold Robinson, National Council on Ministry to the Armed Forces (NCMAF)

- **Background:** RDML Robinson began his presentation by noting that the United States Army Chaplain Corps, and thus the U.S. military chaplaincy, was founded 245 years ago today. He described it as a unique American institution: chaplains representing over 140 denominations and faiths, provide the rites and rituals of their own distinct traditions, but learn to ensure the meaningful, free exercise of religion by service members and their families from all possible traditions. They also support the spiritual and emotional needs of every member of the military community, even those of no faith. Chaplains support everyone from recent recruits to the commanding officer, at home and abroad, sharing hardships and even mortal peril of those with whom they serve. Indeed, he said, “at this fraught moment of our national discord, we could do worse than celebrate those who serve our nation as armed forces chaplains, creating this only-in-America institution of fraternity, brotherhood and cooperation.” The effort to memorialize these individuals is also an “only in America” sort of enterprise, he added, initiated by a graduate of Providence College researching fellow alumni who perished as military chaplains (Roman Catholic priests); his project was adopted by the National Council on Ministry to the Armed Forces, the successor organization to the General Board on Protestant Chaplaincy, by its then-chair,

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

a rabbi; and it is now managed by its executive director, Chaplain Jack Lea, Chaplains Corps/U.S. Navy Retired, a Protestant.

- There are 134 names on the existing Protestant plaque: killed in action, died in the line of duty or perished while simply serving on active service. They have used that identical criteria in their proposal to replace the existing concrete memorial, which requires ongoing maintenance, with a more durable granite monument, which will also have benefit of matching neighboring memorials to Roman Catholic and Jewish chaplains. They propose to retain the original plaque with the 134 names listed and add to it a smaller plaque with the names of an additional 25 chaplains who have perished since 1945: during Korea, Vietnam, Cold War, Gulf War and post-9/11 conflicts. The packet, submitted over a year ago, presents the photographs and biographies of those chaplains. These changes would come at no cost to the government and would consume no additional space at Arlington, he said.
- Remarks by Chaplain Jack Lea: Chaplain Lea described Chaplains Hill as a unique place amongst an extraordinary cemetery. He told a “sea story” that reflected his personal connection to it. His military instructor when he joined the Navy, Gunny Crawford, was crazy about two things: the Marine Corps and physical fitness. He liked to run his men on most challenging runs he could find, including to the top of Brett Hill. There, he told a story about a chaplain named Robert Brett and his chaplain assistant, a Marine, PFC Alexander Chin, who spent three months ministering tirelessly throughout the battle of Khe Sanh. When it came time for them to be evacuated out by a helicopter, they refused to take their seat to safety and gave it up to somebody else. As they were moving out from the landing strip, they were killed by a North Vietnamese rocket attack. According to Chaplain Lea, Gunny Crawford told his men: “Don’t you ever let down Chaplain Brett and PFC Chin’s legacy.” Chaplain Brett would later be buried at Arlington Cemetery, and at the Brett family’s request, and with the concurrence and in an exception to policy at Arlington National Cemetery, PFC Alexander Chin was interred with Chaplain Brett. Chaplain Lea recalled that he was at Arlington on May 25, 1999, when PFC Chin was honored to be buried next to Chaplain Brett.
- “Chaplains Hill is an exceptional place where exceptions are common and often made by Arlington Cemetery,” Chaplain Lea stated. The NCMAF has done extensive research for the last seven years. The packet submitted in July of last year, 82 pages, has a complete story of each person whose name, in their view, ought to be on the list. He emphasized two points: 1) The research of the existing names indicates there were chaplains who died of drowning while stateside, killed in plane crashes in the United States, died of natural causes, and in one extraordinary incident, the chaplain and his wife were killed in an automobile by a train. Those names are on the existing monument. All of the names that they are putting forward are people who died during training or in action. 2) The Roman Catholic and Jewish monuments both have names after World War II—Korea, Vietnam, etc.—and both have already added names to their monuments. They are asking for the Protestant monument to have the same equity of treatment as the Roman Catholic and Jewish monuments. 3) The NCMAF has received broad support for this effort: a letter from the Association of the United States Army, letters from four members of

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

Congress, a letter from the Foundation for the Four Chaplains Society in Philadelphia, letters from faith groups (the Southern Baptists, the United Methodist Church, the Lutheran Church Missouri Synod, the Church of the Nazarene, the National Baptist Church, the Episcopal Church USA). Chaplains Hill, with the example of the four chaplains, is a place to celebrate and remember how what unites us is far more important than anything that could divide us. He also emphasized that this comes at no cost to the government. NCMAF has raised the funds; Kline Memorials has agreed to do the stone donation, the removal and the installation of the new stone.

- Remarks by Brett Reistad, American Legion (past national commander) and Army veteran: Mr. Reistad informed the Subcommittee that this past June, the Northern Virginia American Legion post approved a resolution in support of this initiative; a copy is included in the packet. In early July, the resolution went before the American Legion's state convention and was unanimously adopted; it is now on its way to the national organization for their consideration. The Legion establishes its policy through such resolutions, he explained. It has been suggested that the proposal conflicts with the criteria of killed in action, Mr. Reistad noted. He stated, however, that his team's research on the memorials of all three faiths has demonstrated that they include the names of chaplains who were killed in action, died in the line of duty, and died while on active service. Updating these memorial plaques with the names of chaplains who have more recently given their lives in service to their country, consistent with those whose names are already enshrined on those memorial plaques, is the right thing to do, he said. The nation's military chaplains, perhaps more than anyone else, gave comfort to our heroes who occupy this hallowed ground and, later, their families. The changes requested will have minimal impact on the footprints of the memorials as they presently exist. On behalf of the American Legion's membership, Mr. Reistad humbly requested favorable consideration of the request.
- RDML Robinson concluded the presentation by stating that the NCMAF is proud to bear the heritage of U.S. military chaplains. He noted that a number of other chaplains were on the call today, as well as people from a variety of religious denominations. He hopes that since the proposal is for a modification, it can be accomplished, following their seven years of effort.

Subcommittee Discussion:

- Mr. Miller asked why the terms "Cold War" and "Post-9/11" were chosen for the plaque, versus another kind of inscription for those eras. RDML Robinson responded that they had chosen those terms to match the existing Jewish memorial. It's not always clear what the time frames are. "Post-9/11" was chosen specifically to include Operating Enduring Freedom (OEF) and Operation Iraqi Freedom (OIF) under their various designations; the designation for operations in the Central Command area of responsibility has changed a number of times, and there is not one name for all of those operations. For the Cold War, it would be terribly difficult to list everything from the Bay of Pigs to the Cuban Missile Crisis to Grenada, to etc. etc. etc., and they were looking for a term that would include all of those different eras.

- Mr. Farley asked: What prevents us from having to do this again in 25 years? Have you looked at this as a long-term project, where we acknowledge the service and sacrifice of chaplains but don't have to keep coming back every 25-30 years and adding new names? RDML Robinson appreciated the question and stated that they have considered this issue, which was also discussed with the Fine Arts Commission

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

when the monument to the rabbis was established. With the Protestant monument, their intention is to bring all three faith group memorials up to even. He noted that the Chaplains Corps now represents a chaplaincy that is not limited to Protestant, Catholic and Jewish faiths—it includes Muslims, Hindus, Buddhists, and Sikhs. If, going forward, additional chaplains will need to be memorialized, they will go through the struggle to create an “all chaplains” memorial representing the nature of the Chaplains Corps as it is now. He noted that NCMAF does not have records of its minutes from the early 1980s, when the Protestant monument was created. He said that they may one day need to commemorate a Chaplains Corps memorial that reflects the diversity that is uniquely American—a separate and distinct monument. Mr. Farley stated that this gets to the non-denominational aspects of chaplaincy and recognizing service and sacrifice.

- Mr. Kelly explained that the headstone system now looks toward not symbols of faith, but symbols of belief; there are symbols for Wiccans, for example. There are a large number of recognized religious organizations that minister within the military. At this juncture, would the exploration of an all-faiths type of singular memorial, non-specific to a certain type of ministry being performed, would be the more appropriate step to take in the 21st century? RDML Robinson replied that he distinctly does not believe that this is that juncture, because the neighboring two memorials are already distinguished as Catholic and Jewish and take us through today. A Roman Catholic memorial lists WWII-Vietnam; the rabbinic memorial carries through to 7, March 1974. The proposal would simply bring those three memorials to equal. The nation has not yet lost an imam or a Buddhist priest. The proposal would therefore bring us to a close of the Chaplains Corps’ history as a tripartite Chaplains Corps. The question, he said, is how do we close the book on the Chaplains Corps’ history from 1775, with General Washington and the Continental Army, until today? This is really to sew up those loose ends and close that book.

- Mr. Kelly asked for the dates the Catholic and the Protestant memorial go to? Ms. Yates clarified for the group that the first monument was placed in 1926, to chaplains of all faiths who died in World War I. That was the first one placed at the cemetery; it’s the second monument when you look at the four of them on Chaplains Hill. In 1981, the Protestant chaplains’ Monument was placed, to the World War I-World War II era. In 1989, the Catholic monument was placed, and it only has names through Vietnam. In 2011, the Jewish monument was placed, and it has names of rabbis up until that time. So what is important for the Committee to understand and know is that there have been no additions to any of these monuments since 2010, under the new laws guiding commemorative works at the cemetery. It’s important to note that the 2011 Jewish chaplains’ monument was placed after a concurrent resolution of Congress, and that was the law at the time. Since all of those occurred, Arlington was added to National Register of Historic Places, and now must comply with the requirements of Section 106 Historic Preservation Office; no changes have been made to any of those monuments since 2010. There have been no Cold War, post-9/11 names added to the Catholic monument itself.

- Mr. Kelly noted that he has wrestled with this issue at the National Cemetery Administration, relating to symbols of belief on headstones. He wondered how this does not become a continuum of religious or faith-based entities. RDML Robinson reiterated that no new faith tradition is being represented in the proposal. No new symbol is being represented. The existing plaque represents the Protestant community; it has specifically Protestant symbols, but no symbols will be added to Chaplain’s Hill that are not already there. The NCMAF is not in any way asking for or recommending that, he emphasized. They started their project in 2009 and submitted this proposal in 2019 exclusively to bring the Protestant chaplain memorial

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

up to date, and to have it analogous to the Catholic memorial. They are not expanding the number of memorials; they are not expanding the number of symbols; they are not changing the visual of Chaplain's Hill. He stated that he thinks it is significant that the Protestant probably represents over 100 denominations; where in the world are memorials such as that, outside of our nation, he asked. He quoted Roland Gittelsohn's eulogy at Iwo Jima: "Here lie Protestants, Catholics, and Jews. Men of all faiths. Here lie black men and white men, men of all colors. Amongst them there is no discrimination; there is the purest and highest democracy." The NCMAF is simply trying to represent that, he said.

- Mr. Miller asked if the NCMAF is the association that was involved in the original dedication. RDML Robinson replied that yes, the General Board on Protestant Chaplaincy goes back to World War I. It was founded 1917-1918 to endorse Protestant chaplains. In 1981, the General Board on Protestant Chaplaincy wanted to widen its aperture to include priests and rabbis, and so it was rebranded and renamed the National Conference on Ministry to the Armed Forces. RDML Robinson noted that he became the first non-Protestant chair of the organization six years ago, and the organization very proudly represents Protestants, Catholics, Jews, imams, Buddhist priests, Sikhs, and people of a dizzying array of faith groups and beliefs.

- Mr. Miller noted that the other presenters have had to show a financial commitment to maintain their monuments. He did not see such a statement in this packet, and asked if it should be included before the packet is fully considered. RDML Robinson said that his organization was not instructed to include that, but they would be glad to include it. Right now, the Protestant memorial made out of concrete has required some maintenance on the part of Arlington, at government expense, which he thanked Arlington for providing. They believe that the granite will be virtually without need of maintenance, but would be glad to provide a fund to ensure its ongoing maintenance. They already have the cut stone, the funding for the bronze plaque ready to be cast, the contribution by Dignity and Kline of work to install in lieu of the existing concrete plaque, and they have funds beyond that. The NCMAF has enough funds, he stated, noting that it dates to 1918 and has a significant endowment. They would be glad to create, under whatever mechanism ANC requires, the funding for ongoing maintenance.

- Ms. Harrell asked about the difference between this request, re: financial responsibility for maintenance, and others the Subcommittee has had this morning. Is there a special dispensation for the chaplains as far as financial support? Ms. Yates replied that there is not. First of all, the proposed change needs to be approved, and then the organization would have to maintain the monument from then on out. It is one of the existing structures in the cemetery, so barring anybody claiming the monument, they are now establishing a claim on that monument and we would be able to follow the new rules that we have with having them maintain it in the future. Ms. Harrell asked if they would be required to go back and provide the proof of source of funding. Ms. Yates said that they would be if the monument is considered and approved. Individual packets will be discussed in the next session; this one does have to navigate the Section 106 requirements, she noted, which will be discussed in the next briefing.

- Mr. Farley, hearing no other questions, yielded back to Ms. Yates, who explained that the next briefing would include an overview of the process required to place a commemorative monument at Arlington National Cemetery under the current law. Mr. Farley then made a motion for a brief break. Ms. Yates noted the time as 1038 and called for members to return at 1045. The meeting reconvened at 1045.

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

8. COMMEMORATIVE MONUMENT WORKING GROUP: LTC MASSEY BRIEFING

- LTC Adrian Massey explained that the intent of his briefing was to express and summarize the collective recommendations of the ANC Working Group on Commemorative Works. He wished to remind the Subcommittee of the process, and then to go through all three proposals and to give a brief summary of the collective thoughts of the working group.

- LTC Massey presented a slide containing the text of 38 USC 2409(b), the framework that the working group uses to assess each of the packets. Ms. Yates noted, in response to Ms. Harrell's question, that the law does not necessarily require the funding requirement for a change to a monument that's already in the cemetery. For new monuments, the agency must demonstrate how the monument will be maintained well into perpetuity.

- The working group, LTC Massey explained, has six participants: the Chief of Staff at ANC; the Director of Engineering; Mr. Bob Quackenbush, the Deputy Chief of Staff; Ms. Renea Yates; a representative from the Historians' Directorate, Dr. Steve Carney, and usually Dr. Allison Finkelstein; and a Cultural Resources specialist, Ms. Rebecca Stevens. LTC Massey also noted that he has worked closely with each of the three sponsor organizations after receiving their individual packets. He then distills each packet down to charts and passes out the complete packets, for full context, to each of the working group members. Once they all have a collective understanding of the purpose and intent, the group focuses on the suitability and feasibility factors that are laid out in the law—what Ms. Yates described earlier, in both Paragraph A and Paragraph B. After the working group has met, they proceed to the step we are at now—the packet goes before the Committee. The working group has summarized each of the packets and has provided a recommendation for each. They will then take the Committee's recommendation, presented today, to the Executive Director, who will then provide a recommendation to the Secretary of the Army.

- Ms. Yates reminded the Subcommittee members that packets are presented in a two-step process, based on the terms of reference: 1) the Remember and Explore Subcommittee reviews everything first, and then, 2) if and when it is ready to make a recommendation to the full Committee, it would be brought before their agenda for their decision. It is the full Committee's recommendation for the Secretary that is forwarded in conjunction with the Executive Director's recommendation—which is separate, but those go simultaneously to the Secretary of the Army for final decision. If he denies the monument, there is no action, other than the sponsor agency being notified. If it is approved, in accordance with Federal Advisory Committee laws and our law, Congress has to be notified with 90 days of that decision.

- LTC Massey then presented a summary of the working group's review of each packet.

A. Apollo 1

- LTC Massey explained that, as mentioned earlier, this monument has been requested to be placed in Section 3, near the two astronauts currently buried at ANC—as codified in NDAA FY 2018 with the provision to construct a memorial to the crew of Apollo 1. The working group received the complete packet for Apollo 1. The working group had no outstanding issues. The only issue that they discussed was the monument's base, as they had used the example of the USS Thresher monument; however, the USS Thresher was provided with a base that was not authorized. But the working group was okay with the

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

dimensions of the physical structure of this particular memorial. As indicated on the slide, the working group also determined that the proposed monument meets all criteria for compliance with 38 USC 2409.

- Mr. Farley asked for clarification re: the issue with the USS Thresher's base. Ms. Yates explained that the Thresher was approved, but the monument that the Committee approved was just the actual monument; it did not include a base. When the monument company brought it into the cemetery, they added a base to it. ANC is working with the Thresher organization and that monument company to remove that base. This is not an uncommon event, she said, since building the monument is an independent action between the sponsor agency and the monument company. ANC is working through that with the Thresher, and did not want to hold up their commemorative event when they unveiled it. Ms. Yates reminded the Committee members that the monument needs to be something that can be lifted up and moved; it cannot have a base or a footer that takes up construction space in the cemetery.

- Mr. Hess observed that the slides seem to indicate that the working group concluded that the Apollo 1 monument honors a particular military event, but that the OSS monument does not. He asked how "a particular military event" is being defined. Ms. Yates stated that the particular event for Apollo is the January 27, 1967 explosion of Apollo 1 and the deaths of those three astronauts simultaneously. Mr. Hess stated that that was not a military operation, but a NASA event. Ms. Yates explained that the three astronauts were military members at the time. Mr. Hess expressed satisfaction with this clarification.

B. Office of Strategic Services

- LTC Massey answered a question brought up earlier about whether there are any similar memorials at ANC, to CIA or USSOCOM: there is one memorial tree, Tree #82 in Section 46, which is a memorial dedicated to American special operations.

- LTC Massey stated that the working group received the complete packet from the OSS Society and worked closely with them. The piece that stood out, he said, is that their stated purpose did not specifically honor the fallen. To speak to that, he read some of the collective comments from the working group. "The monument's purpose and design does not mention honoring the fallen. The design and wording appears to recognize the group for brave acts.

- Mr. Kelly reiterated that he is extremely sensitive to this memorial because of its lineage to Special Forces, but stated that the questions he posed during the presentation were not sufficiently answered. They really did not know the number of MIA individuals who were military members. They relied upon a general 95% of OSS. He then asked: If, at a future date, they were able to confirm this memorial as a memorial to the fallen or missing in action, with specificity towards that, versus the organization, do you think that that would overcome the hurdle that it does not meet criteria? LTC Massey replied that that is correct. He noted that the working group worked closely with General Hugo and tried to express the need for specificity. The inscription was modified; however, it is still very general. LTC Massey referred to a slide with the inscription text, stating that it does not offer the recommended specificity. He affirmed Mr. Kelly's understanding that, at a future date, the OSS Society would have the ability to conform this to an area more appropriate to honoring the fallen. Mr. Kelly emphasized that this is a very worthwhile issue; like today, members of the military are attached to non-military agencies and die in the course of action.

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

- Ms. Yates recognized Mr. Charles Pinck and allowed him to ask a question related to the topic currently at hand.

- Mr. Pinck stated that he and General Hugo had worked very closely with LTC Massey. This is the first time he has heard that their text is not in accordance with these guidelines. They revised the text when they were asked to do so, and removed the military seals. He stated that he knows nothing about this, which it is not in compliance. He expressed surprise that they were getting this reaction today, stating that everything he had been informed to date has suggested that they are in compliance, and all of a sudden they were being told that they are not.

- Mr. Farley asked LTC Massey to clarify, stating that he believes he heard LTC Massey say that the working group's recommendation indicated the monument did not clearly honor those killed or missing in action, yet the purpose of the monument on the slide being projected says, "to honor OSS personnel, especially those killed or missing in action during their heroic service in World War II." Can you clarify that for us?

- LTC Massey explained that this is twofold. The monument inscription mentions that; however, it's extremely general and doesn't have specificity. He then addressed Mr. Pinck's comments, stating that the working group worked closely with General Hugo directly. ANC's Chief of Staff, COL Farnsworth, called him directly and gave him that detail. He said that Mr. Pinck was not involved in that part, and apologized for that, but explained that the conversation had happened between General Hugo and COL Farnsworth. That detail was presented: everything mentioned, from the modification of the inscription to the specificity that was required.

- Mr. Pinck stated that he and LTC Massey had spoken about that when they were revising the text. LTC Massey replied that the updated guidance was offered when COL Farnsworth reached out to General Hugo and spoke to him in detail; neither Mr. Pinck nor LTC Massey was part of that conversation. Ms. Yates then interceded, noting that this is a Federal Advisory Committee meeting and we cannot allow a debate between Mr. Pinck and LTC Massey. She asked Mr. Pinck to address his questions to the Committee only.

- Ms. Harrell acknowledged Mr. Pinck's frustration, and asked if it would be possible to gain the specificity with the names of those in the military who were killed or missing in action, if that kind of record is available. Ms. Yates stated that the cemetery does not have that information, and reminded the members of the Committee and the public that the cemetery staff is not the staff that gets the monument approved. The independent sponsor agency has to prepare the packet, provide it to the cemetery, and the cemetery allows it to be processed. She stated that they did work with OSS—they work with sponsor organizations to help them make the best packet they can present. At any time, the Committee can ask for more information, and that will go to the sponsor agency as a summary of this meeting. They will have the opportunity to either amend or address their proposed packet at that time.

- Ms. Harrell stated that this answers her question. She expressed her belief that the Subcommittee members are very sympathetic to this request. The proposal might not meet the specificity at this time, but if it could meet the specificity, and focused on the military members of the OSS (although she acknowledged that the civilian members were as heroic as the military members)—if those names are available, it would be very beneficial for the OSS Society to provide them.

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

- Mr. Pinck stated that his organization would be happy to provide the names, but had not been asked to provide them. He then began to ask a question.

- Mr. Farley stepped in to offer a reminder that members of the public must have permission from the chairman to address the committee. He recognized the hand raised, but suggested that everyone take a pause to allow the Subcommittee to have some internal dialogue before addressing questions from the public.

- Mr. Kelly concurred with Ms. Harrell that the Subcommittee is sympathetic, and he asked that the OSS Society bear with them in their internal debate, because they are trying to be helpful. He reiterated Ms. Yates' point that it is not the role of ANC to do the packet; they are being generous, he said, and LTC Massey is trying to help find a road map. Mr. Kelly stated his personal opinion that he does not think it is in the best interests of OSS, and the memory of the fallen, to proffer this forward and to be possibly rejected or denied, and create a record that it was rejected or denied, when it seems that through some work, it might be able to find an avenue to suitably memorialize fallen service members who gave their lives in this station. The percentage of the fallen or missing in action who were military service members, and even their names, could be determined through research. We are here to honor the military, he stated, and let's do that in a way that reflects what we are trying to maintain at Arlington. He stated that they are not being dismissive, but trying to find an avenue for a successful proposal.

- Mr. Farley invited LTC Massey to continue, and asked him to address Mr. Hess's question concerning the requirement that the monument honor a particular military event. If the 95% number quoted in the submission is valid (which, he stated, he trusts that it is), these are active duty military members in the 166, including 116 killed in action and 50 missing in action. The submission stated that 95% of those numbers were active duty military members. He asked to understand the difference, from the working group's perspective, between active-duty military Apollo 1 astronauts and active-duty military OSS members. LTC Massey responded that the working group believed that the Apollo 1 packet was very specific on the number of service members: where they served, when they served. That was not provided or mentioned in the OSS packet. Without that specificity, the working group was unable to make those assumptions [about how many active-duty military members were involved].

- Ms. Yates reminded the audience that the table shown on the slide contains an "either": as codified in 38 USC 2409, the monument must meet the criteria specified in either the top part or the bottom part of that table.

- Mr. Kelly asked if the issue is fundamentally about the inscription—whether it honors the fallen versus honoring the organization. If the OSS Society was able to come up with an inscription that was more focused on honoring the fallen and the military, and in light of the green check marks in the "either" category of Section B, would that be sufficient to warrant approval? LTC Massey stated that Mr. Kelly's statement is consistent with the collective summary and sentiment of the working group.

- Mr. Kelly then asked if the Subcommittee could make a recommendation that if the OSS Society makes corrections to the inscription suitable to the agency, that it would warrant inclusion. Ms. Yates replied that the Committee can make any recommendation that it chooses to make. That could include asking the cemetery to reconsider an amended proposal, to recommend approval with changed inscription, etc.

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

- Mr. Pinck then expressed frustration that the issues raised today had not been communicated to him, and that he did not expect there would be any problems with his organization's application. LTC Massey apologized for the miscommunication. Mr. Pinck reminded the Subcommittee of General Donovan's belief that members of the OSS performed some of the bravest acts of World War II. He believes that their application meets all three criteria in the first section of the table [pertaining to Section A of 38 USC 2409]. He stated that he finds it troubling that Arlington would not approve a memorial to some of the greatest heroes of World War II, many of whom are buried at Arlington. LTC Massey offered a reminder that the working group only provides a recommendation. Mr. Pinck continued to express frustration, saying that after working closely with the cemetery, he had hoped that the application would meet with their approval without any problems.

- Mr. Farley acknowledged Mr. Pinck's comment and concern. He emphasized that they are not saying that the proposal does not meet the criteria, but that it is not specific enough at this time.

- Mr. Justin Buller, U.S. Army Office of General Counsel, offered some remarks to focus the discussion from a legal perspective. First, the focus here has to be solely on Part B of the law, he stated. Part A of the law is not applicable to this discussion. Second, the actual language of the statute is focused on "armed forces actions": specific military events by the armed forces. He suggested that that may be helpful to the OSS Society as they try to frame their proposed monument in terms that comply with that statute.

- Mr. Miller asked to confirm if the Subcommittee or the cemetery views the OSS as a military organization.

- Mr. Farley stated that his personal opinion is that the OSS was a military organization. He did not know if that is an official answer, noting that many organizations have military personnel but are a civilian-military mix.

- Mr. Miller concurred that in his opinion, OSS was a military organization. They were assigned to the Joint Chiefs of Staff; it was also done by military order.

- Mr. Kelly referred to the slide with the text of 38 USC 2408(b): "A monument may only be placed in ANC if the monument commemorates the service in the Armed Forces of the individual, or group of individuals, whose memory is to be honored by the monument or a particular military event." These members that served in OSS were service members in the armed forces and were individuals; they were also a group of individuals. He said that it seems, going back what LTC Massey had raised, that the challenge is that the narrative of the memorial clearly and concisely does not commemorate the service of an individual or group of individuals. Does the group have to specify their names? Or could that narrative be accomplished by referencing branches of service, types of people, or is that overcome by listing the 40 or 50 names?

- Mr. Buller stated that he does not believe that names have to be specifically listed. Rather, he said, he would actually suggest that it could be problematic to start down the path of creating monuments with names on them, as that raises the issues that will be discussed with the chaplains' monument. There is the potential to omit names inappropriately, or to place names on a monument inappropriately. The statute is very clear: the service in the armed forces of the individual or group of individuals whose memory is honored. The monument has to honor persons serving in the armed forces. Mr. Kelly then asked, so we

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

need to demonstrate that they were members of the armed forces at the time? Mr. Buller stated that that is correct.

- Mr. Farley stated that he believed there was agreement that the one thing that is missing is the armed forces connection. He proposed to the Subcommittee members that the last sentence of paragraph two of the inscription highlight the number of armed forces personnel included in those numbers [116 OSS members killed in action, 50 listed as mission in action]. That would provide the specificity needed on the inscription, which would now indicate that the memorial relates to a military event with military members in the performance of service and sacrifice. Other members indicated their agreement.

- Mr. Hess returned to his question about Apollo 1, noting that the space launch was not a military action. How is the proposed OSS Memorial different, when the presentation acknowledged that military service members were killed? Mr. Kelly reiterated that the monument does not have to honor a particular military event, and suggested that solves the problem of the distinction.

- Mr. Miller asked who determines the inscription, and whether or not it is appropriate. How much latitude do we give the sponsoring organization, or weigh in as a Committee? Who “owns” the inscription, and how should the Committee come down on that?

- Mr. Farley replied that he is looking at a way to get to “yes.” If the checklist is accomplished, and the sticking point is that they’re not specific enough in addressing the linkage between the event and the sacrifice, the simple solution is: of the 116 OSS members who were killed in action, provide the number that were active duty military. That, to him, establishes the link that meets the law.

- Ms. Yates reminded the Subcommittee that there are two different paths: the Committee asks the cemetery to provide their thoughts on the memorial itself that is being proposed; it would never come to the Committee if it did not meet the initial criteria. The working group balances the criteria with the proposed object that will sit in the cemetery. This is not about the OSS, the organization, and their actions; it is about the monument that will be forever set at Arlington National Cemetery and become protected in this historic district. Does it meet what the cemetery believes is the intent of the law? She also emphasized that the cemetery’s recommendation is just the working group’s recommendation to ANC leadership; it is not even ANC leadership’s position. It is independent of what the Subcommittee recommends. This packet would not have been presented to the Subcommittee if it did not have all the elements in it; LTC Massey was attempting to describe where the working group had friction with the proposed monument, and not just the justification, but the actual inscription. The Subcommittee is supposed to be looking at the entire packet, but most importantly, what will sit in the cemetery for the future, and whether it is indicative of what they believe should be at Arlington National Cemetery.

- Mr. Buller noted that due to Arlington’s limited space, Congress provided a minimum standard of what we have to do to legally place a monument at ANC. There are thousands of great organizations within the armed forces that deserve recognition and deserve honor, he stated. However, the challenge here, and the charge from Congress as well as Army leadership, is to carefully consider whether Arlington is really the best place to engage in that act of honoring, recognition and the like—and to that end, as we move forward with this new rubric that has been in place for a few years, that we make sure that whatever’s on that monument, there is a strong tie to the mission of Arlington National Cemetery, not merely the fact that this group did amazing things for our country and deserves recognition and honor. To the question

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

from Mr. Kelly regarding who owns the inscription: Ultimately, the Secretary of the Army gets to decide what is inscribed on the monument that's approved. He or she does have the final say on that. It would be within bounds for the Subcommittee to make recommendations on what that inscription should look like. If you have concerns, or if you endorse what's inscribed there, it would be appropriate for you to opine.

- Mr. Farley next acknowledged Mr. Pinck.

- Mr. Pinck thanked the members of the Subcommittee for their input. In response to Mr. Buller's comment, he stated that he could not think of a group who is more deserving to be honored at Arlington with a memorial than the OSS, given the fact that, as its founders said, they performed some of bravest acts of World War II, and they were drawn from every branch of the military. He cannot think of a more appropriate place to honor those who served in the OSS than Arlington National Cemetery. If this involves adjusting the text, the OSS Society would be happy to do that.

- Ms. Harrell agreed with Mr. Farley's suggestion of altering the last two sentences in paragraph two of the inscription. She also recommended that the sentence begin with words rather than numerals, and that it delineating who was military among the 116 members who were killed and the 50 members who were MIA.

- Mr. Farley made a motion to recommend that that inscription be changed, and that the Subcommittee recommend that to the full Committee. The motion was seconded. Ms. Yates reminded members that the packet will not go to the full Committee until the Subcommittee recommends approval or disapproval of the whole packet. Mr. Farley stated that a vote will be taken on all three packets at the end of the meeting.

C. Change: WWI and WWII Protestant Chaplain Memorial

- LTC Massey reported that in the working group's discussion of the Protestant Chaplains Memorial, the major sticking point—and why the working group did not believe that the proposal met the criteria—was that, as is laid out in the packet, the original intent of the existing monument was to honor Protestant chaplains in both World War I and World War II. The change being proposed would basically change it from a static World War I/World War II to a living monument. In addition, the 25 names that they propose to add did not all die on active duty or in combat. (Some died in accidents while serving; there were many reasons why they died.) Adding those 25 names would take away from the original intent and purpose of the existing monument. The slide notes that the change would alter a contributing element to the ANC historic district.

- Mr. Kelly commented on the “slippery slope” problem of continually adding more names. When do we stop expanding Chaplains' Hill? Would it be better to go to an overall monument that encapsulates all of the chaplaincies? LTC Massey stated that these comments are consistent with the working group's view. Ms. Harrell concurred.

- Mr. Miller asked if there is any precedent of updating monuments with names. Ms. Yates said that there has not been such a precedent, since the 2010 establishment of the ANC Executive Director position and the laws that have followed with regard to management of the cemetery.

- Mr. Farley separated the two issues: replacing the current cement with a granite marker is probably the right thing to do, he said, for the reasons of deterioration, maintenance and consistency. If you are going

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

to do that, he said, you might as well update it. That is why he'd previously raised the question about what to do in 25 years or so when there are more names to be added. He stated that he would lean toward replacing the monument as it is now, as the first step, and then let's have a discussion of the other things that occur while they do the update.

- Ms. Harrell asked Mr. Farley to clarify: did he mean that he favored changing it to a better material and to go ahead and add the names, and create one single chaplaincy monument later; or did he think that it ought to be just updated with the current names and not add the 25 names? Mr. Farley said that he thinks it was the former: let's agree that it needs to be switched, because of the granite issue and maintenance, and changing the names may be more of an administrative update. And then let's talk about what the future is, from that non-denominational perspective.

- Ms. Yates reminded the group about Section 106 and why this particular packet did not require independent study or the financial perpetual care evidence. She asked that Mr. Buller speak to Section 106 and this particular monument in general.

- Mr. Buller explained that part of his portfolio in the Army General Counsel's Office, beyond the cemetery, is that he is the lead counsel for historic preservation for the United States Army. Within that portfolio, he looks at the National Historic Preservation Act—colloquially, Section 106. What the law requires is: any time there's an undertaking (government action), we have to consider and do an assessment of the adverse effects to the historic element. This monument is a contributing element to the historic district that is Arlington National Cemetery. Thus, we move forward and do this assessment. Mr. Buller stated that he personally agrees with Mr. Farley that concrete is not an ideal material for constructing a monument, and that granite generally holds up vastly better over time. However, replacing the concrete is an adverse effect, as it is a material change to the monument. Additionally, adding names—there is nothing in the record that indicates this was intended to be a living memorial. So since it was not designed with that effect, or with that intent, adding additional names, changing plaques, etc. is an adverse effect. At that point, we would have to engage in mitigation of those adverse effects. This illustrates the concern about listing names that Mr. Buller previously expressed, because they become nearly impossible to keep track of and maintain over time. Possibly better ways to do that would be maintaining monuments as they were originally constructed and virtually adding names, via a website listing additional names, or through interpretive signage. That would be a way to accomplish this without going down the route of engaging in an adverse effect to the monument. Additionally, Mr. Buller called attention to another potential issue: adding the names of persons who have died more recently than 25 years on any monument, if it is not their personal or group burial site or memorial marker, would violate the memorial statute we have been discussing throughout the day [38 USC 2409].

- RDML Robinson strongly emphasized that the proposed changes do not represent new criteria [for determining whose names can be included on the monument]. The names listed on the existing monument, he said, include those of chaplains who died in accidents, etc., while in the period of active service but not in the line of duty. They have not changed the criteria, but have maintained consistency with it. As to the dizzying array of faith groups, symbols and the like: nothing in the proposal changes what is on Chaplains Hill, he argued. Leaving the World War I monument aside, there are three monuments: two of those are up to date and contain faith-specific emblems. The Protestant memorial would contain exactly the same emblem that it has now; the current bronze plaque would simply be

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

removed, undamaged, and reapplied to a granite backing, with the same emblem it has now and the same 134 names. While doing that, they would like to place 25 names underneath it, and then conclude their efforts on Chaplains Hill. The footprints of memorials on Chaplains Hill, and the emblems on memorials on Chaplains Hill, would not be in any way changed. Finally, the sense that this would be “adverse” to the historic nature: no one has the records from 1981 when the monument was established, so to say that it was not the original intent to make this an ongoing memorial—we don’t know what the intent was. We cannot make a definitive statement that it was not the intent of those who established the memorial. He concluded by stating his belief that it would be a real shame to have the Protestant memorial the only one that is out of date.

- Ms. Harrell asked if any of the names that they are proposing to add those of people who died less than 25 years ago. RDML Robinson replied yes, noting that names are being added from Korea, Vietnam, Cold War, and post-9/11. Ms. Harrell asked if the proposal is therefore requesting an exception to the not less than 25 year rule. RDML Robinson affirmed that they would be requesting an exception from the Secretary of the Army to waive that requirement.

- Mr. Buller commented that there is no criteria that would allow for the Secretary of the Army to waive the 25-year requirement that would be met here. He suggested to the Subcommittee that he does not see a compelling legal reason to do that in this particular case.

- Mr. Farley asked if the post-9/11 names would have to come off of the list if the proposal is approved, but those from the Cold War would be within the 25-year threshold. Mr. Buller stated that this is correct. Korea, Vietnam, and the Cold War are well outside the threshold. He noted that we are approaching the time when those who died after 9/11 would also fall outside the 25-year limit, so there may be other opportunities to address that.

- Mr. Miller noted that with the wars in Iraq and Afghanistan still ongoing, there is still a possibility that we would need to add names into the future. The broader question is how to get to parity with the other monuments, if that is appropriate, or to make sure that this isn’t a living monument.

- RDML Robinson stated that he would be glad to discuss with the group the removal of the post-9/11 names. He believes that without those names, there would be a pre-21st-century end of mission on all of the names on all three monuments. That would create the level playing field among all three monuments. He would be willing to speak to the group about updating through the Cold War if that would get this moving forward.

- Mr. Farley stated that the Subcommittee could ask the chaplains to come back to their next meeting with a way forward on compliance with the names and to make it a non-living monument. Others concurred.

9. DISCUSSION AND VOTES, COMMEMORATIVE WORKS PROPOSALS: Ms. Yates noted that the Subcommittee has exceeded its meeting time and still has three items on its agenda: an update on the Tomb of the Unknown Soldier (TUS) preservation work, an update on the centennial commemoration plan for the TUS, and some detailed updates on the Education and Outreach program. She stated that the meeting could either proceed with one of those briefings, or pass all three to the next meeting (likely in September). She noted that the group has a hard stop prior to 1300, in order to prepare for the full Committee meeting at 1400.

MINUTES
ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY (ACANC)
REMEMBER AND EXPLORE SUBCOMMITTEE MEETING

July 29, 2020

- Mr. Miller made a motion to move the three aforementioned briefings to September. Mr. Kelly seconded the motion, and all members agreed.
- Mr. Farley then offered a brief review on today's three briefings. He saw no issues with Apollo 1. The OSS Society will probably need to come back, based on revising the language of the inscription. The Chaplains would also come back in September based on some legal requirements including Section 106 mitigation and dates relating to 25-year criteria. He asked if members would like to follow up, clarify or push for a vote with recommendations to the whole Committee. Ms. Yates reminded members that they can treat the three proposals as separate actions, which do not have to all be handled the same way.
- Ms. Duval agreed that Apollo can go forward, but that OSS and Chaplains still have issues that need to be addressed before moving forward. Mr. Kelly agreed. He recommended that the Subcommittee move forward with Apollo and OSS with a corrected narrative. He asked if the chaplains' proposal is capable of getting to that point, since there seemed to be very significant issues in relation to Section 106.
- Mr. Farley agreed, and proposed voting on each proposal separately.
- Mr. Farley made a motion that the Subcommittee recommend to the Full Committee that the proposal for the Apollo 1 monument be approved. The motion was seconded. All members voted in favor.
- Mr. Kelly made a motion to go forward with the OSS Society proposal, with corrected language that would address the concerns raised in the ANC staff recommendation. The motion was seconded. All voted in favor.
- Mr. Farley made a motion that the chaplaincy proposal be reconsidered in September with changes. All voted in favor.
- Mrs. Yates stated, as a formality, that the OSS Society will likely present to the Subcommittee their revised language in September; their packet will not be going forward to the Full Committee today. This vote can be reported to the Committee, but the packet presentation for the Full Committee consideration will not occur until the next meeting. OSS could present their corrected language, so the Subcommittee can have an official approval of the new monument proposal. The chaplains may come back in September as well.
- In concluding remarks, Mr. Farley observed that this was probably the most contentious meeting that the Subcommittee has had, at least since he has been associated with it. He thanked the Subcommittee and commended members on working through it, with all the right questions.

10. MEETING ADJOURNED. Hearing no further business, the Chair called for a motion to adjourn. The motion was made and seconded. All members voted in favor.

The meeting adjourned at 1205.

Mark L. Farley
Chairman