

Charter
Advisory Committee on Arlington National Cemetery

1. Committee's Official Designation: The committee shall be known as the Advisory Committee on Arlington National Cemetery (ACANC).
2. Authority: The Secretary of Defense, pursuant to 10 U.S.C. § 7723 and in accordance with the Federal Advisory Committee Act (FACA) (5 U.S.C., Appendix) and 41 C.F.R. § 102-3.50(a), established this non-discretionary advisory committee.
3. Objectives and Scope of Activities: Pursuant to 10 U.S.C. § 7723(b) and (c), the ACANC provides independent advice and recommendations on matters relating to Arlington National Cemetery, as set forth in Section 4 below.
4. Description of Duties: The ACANC shall make periodic reports and recommendations to the Secretary of the Army with respect to the administration of Arlington National Cemetery, the erection of memorials at the cemetery, and master planning for the cemetery. Pursuant to 38 U.S.C. § 2409(b)(2)(E)(ii), the Secretary of the Army shall consult with the ACANC before approving the design of any monument placed within Arlington National Cemetery.
5. Agency or Official to Whom the Committee Reports: The ACANC reports to the Secretary of Defense, through the Secretary of the Army, who may act upon the ACANC's advice and recommendations in accordance with Department of Defense (DoD) policy and procedures. All advice and recommendations shall also be forwarded to the Secretary of Defense or the Deputy Secretary of Defense ("the DoD Appointing Authority").
6. Support: The DoD, through the Office of Secretary of the Army, provides the necessary support for the ACANC and ensures compliance with the requirements of the FACA, the Government in the Sunshine Act ("the Sunshine Act") (5 U.S.C. § 552b), governing Federal statutes and regulations, and DoD policy and procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meetings, and contract support, is approximately \$250,000.00. The estimated personnel cost to the DoD is 1.2 full-time equivalents.
8. Designated Federal Officer: The ACANC's Designated Federal Officer (DFO) shall be a full-time or permanent part-time DoD civilian officer or employee, or active duty member of the Armed Forces, designated in accordance with DoD policy and procedures.

The ACANC's DFO is required to attend all ACANC and subcommittee meetings for the entirety of each meeting. However, in the absence of the ACANC's DFO, a properly approved Alternate DFO, duly designated to the ACANC in accordance with DoD policy and procedures, shall attend the entire duration of all ACANC and subcommittee meetings.

The DFO, or the Alternate DFO, calls all ACANC and subcommittee meetings; prepares and approves all meeting agendas; and adjourns any meeting when the DFO, or the Alternate DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policy and procedures.

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9. Estimated Number and Frequency of Meetings: The ACANC shall meet at the call of its DFO, in consultation with both its Secretary of the Army and its Co-Chairs. The estimated number of ACANC meetings is four per year.
10. Duration: The need for this advisory function is on a continuing basis; however, the ACANC is subject to renewal every two years when the charter is filed again.
11. Termination: The ACANC shall terminate upon rescission of 10 U.S.C. § 7723.
12. Membership and Designation: The ACANC shall be composed of no more than 9 members, appointed in accordance with DoD policy and procedures. Membership will consist of those individuals with expertise in one or more of the following disciplines: expertise with bereavement practices and administrative oversight; organizational management; veterans' services; memorial erection, and master planning for extending the life of a cemetery. The Secretary of the Army, in consultation with the Special Assistant to the Secretary of Defense for White House Liaison, may request that the Secretary of Veterans Affairs and the Secretary of the American Battle Monuments Commission each nominate one individual for appointment to the ACANC to be considered by the DoD Appointing Authority.

The appointment of ACANC members will be approved by the DoD Appointing Authority for a term of service of one-to-four years, with annual renewals, in accordance with DoD policy and procedures. No member, unless approved by the DoD Appointing Authority, may serve more than two consecutive terms of service on the ACANC, to include its subcommittees, or serve on more than two DoD Federal advisory committees at one time. The DoD Appointing Authority shall appoint the ACANC's leadership from among the membership previously approved to serve on the ACANC in accordance with DoD policy and procedures for a leadership term of service of one-to-two years, with annual renewal, not to exceed the member's approved appointment.

ACANC members who are not full-time nor permanent part-time Federal civilian officers or employees, nor active duty members of the Uniformed Services, shall be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as special government employee (SGE) members. ACANC members who are full-time or permanent part-time Federal civilian officers or employees, or active duty members of the Uniformed Services shall be designated pursuant to 41 C.F.R. § 102-3.130(a) to serve as regular government employee (RGE) members. All members of the ACANC are appointed to exercise their own best judgment on behalf of the DoD, without representing any particular point of view, and to discuss and deliberate in a manner that is free from conflicts of interest. Except for reimbursement of official ACANC-related travel and per diem, ACANC members serve without compensation

13. Subcommittees: The DoD, as necessary and consistent with the ACANC's mission and DoD policy and procedures, may establish subcommittees, task groups, task forces, or working groups ("subcommittees") to support the ACANC. Establishment of subcommittees shall be based upon a written determination, such as a terms of reference (ToR), by the DoD Appointing Authority or the Secretary of the Army, as the ACANC's Sponsor. All subcommittees operate in accordance with the FACA, the Sunshine Act, governing Federal statutes and regulations, and DoD policy and procedures. Subcommittees terminate when the ACANC does.

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Subcommittees shall not work independently of the ACANC and shall report all their recommendations and advice solely to the ACANC for its thorough deliberation and discussion at a properly noticed and open ACANC meeting, subject to the Sunshine Act exemptions. Subcommittees have no authority to make decisions and recommendations, orally or in writing, on behalf of the ACANC. Neither the subcommittee nor any of its members may provide updates or reports directly to the DoD or to any Federal officer or employee, whether orally or in writing, on behalf of the ACANC. If a majority of ACANC members are appointed to a particular subcommittee, then that subcommittee may be required to operate pursuant to the same FACA notice and openness requirements governing the ACANC's operations.

Individual appointments to serve on ACANC subcommittees, which are separate and distinct from appointments to the ACANC itself, shall be approved by the DoD Appointing Authority for a term of service of one-to-four years, with annual renewals, in accordance with DoD policy and procedures. No member shall serve more than two consecutive terms of service on the subcommittee, unless approved by the DoD Appointing Authority. The DoD Appointing Authority shall appoint subcommittee leadership from among the membership previously approved to serve on the subcommittee in accordance with DoD policy and procedures, for a term of service of one-to-two years, with annual renewal, not to exceed the member's approved appointment.

Subcommittee members who are not full-time nor permanent part-time Federal civilian officers or employees, nor active duty members of the Uniformed Services, shall be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as SGE members. Subcommittee members who are full-time or permanent part-time Federal civilian officers or employees, or active duty members of the Uniformed Services, shall be appointed pursuant to 41 C.F.R. §102-3.130(a) to serve as RGE members. Each subcommittee member is appointed to exercise his or her own best judgment on behalf of the DoD, without representing any particular point of view, and to discuss and deliberate in a manner that is free from conflicts of interest. Except for reimbursement of official ACANC- and subcommittee-related travel and per diem, subcommittee members serve without compensation.

The Secretary of the Army has established two permanent subcommittees. While the number of individuals appointed to each subcommittee may vary, as determined by the DoD Appointing Authority, no individual subcommittee shall have more than 15 members. The two subcommittees are:

- a. The Honor Subcommittee: This subcommittee, when tasked in accordance with DoD policy and procedures, shall provide advice for the ACANC's consideration on matters pertaining to how Arlington National Cemetery can best prepare for the future. Individuals appointed to this subcommittee shall be talented, innovative private and public sector leaders in at least one of the following disciplines: expertise in bereavement practices and administrative oversight, and organizational management and/or master planning for extending the life of a cemetery. The estimated number of subcommittee meetings is four per year. Two primary focuses of this subcommittee are examining ways to extend the life of active burials and continuing to honor our veterans and their eligible family members, after all available space at Arlington National Cemetery is filled. The subcommittee will address the following specific objectives:

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- (i) Assess Arlington National Cemetery oversight requirements for interment and inurnment at Arlington National Cemetery, including review of exception to policy request process for interment and inurnment at Arlington National Cemetery, as they affect the available space and life of active burials, while ensuring that the recommendations serve and protect the interests of all service members and veterans, surviving family members, and the American public;
 - (ii) Review the existing designs of Millennium Project to ensure that the selected option best advances Arlington National Cemetery's efforts to achieve its vision; and
 - (iii) Examine how to optimize the newly acquired land that had been used as the Navy Annex, including for burials and any additional Arlington National Cemetery purposes; and
 - (iv) Examine what Arlington National Cemetery should focus on once its burial space is exhausted. This analysis should also help inform the design of the Navy Annex land and should assess the policy implications and what the priorities should be for future Arlington National Cemetery leadership after burials are no longer occurring. This information will help inform current and future land use designs, investments, policies, and procedures, including within the ongoing Master Plan and Southern Expansion design.
- b. The Remember and Explore Subcommittee: This subcommittee, when tasked in accordance with DoD policy and procedures, shall provide advice for the ACANC's consideration on matters pertaining to how the Arlington National Cemetery can best maintain the precious cultural resource of the Tomb of the Unknown Soldier Monument, judiciously monitor all requests for the placement of commemorative monuments in accordance with Public Law, and convey the history of Arlington National Cemetery while improving the quality of visitors' experiences now and for generations to come. Individuals appointed to this subcommittee shall be talented, innovative private and public sector leaders in at least one of the following disciplines: commemoration, monument erection and design; visitor and customer service and/or veteran services. The estimated number of subcommittee meetings is four per year. More specifically, this subcommittee will address the following objectives:
- (i) Continue to assess Arlington National Cemetery's current policy and practices of repairing cracks in the large marble sarcophagus sitting atop the tomb of the World War I Unknown Soldier, to include:
 - Examine the issue of repairing versus replacing the adjacent marble Tomb slabs, including from structural, aesthetic, historical, and memorial standards perspectives; and
 - Examine what the Army can and should do with the gifted marble stone that was intended to replace the Tomb sarcophagus;
 - (ii) Review all requests for commemorative monuments for their memorial significance and national historic impact making them worthy of placement at Arlington National Cemetery and the potential displacement of burial space for eligible veterans; and

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(iii) Investigate what Arlington National Cemetery should focus on to improve the quality of visitors' experiences now and for generations to come, including through an interpretive center and continued use of enhanced and updated technology.

14. Recordkeeping: The records of the ACANC and its subcommittees shall be managed in accordance with General Records Schedule 6.2, Federal Advisory Committee Records, or other approved agency records disposition schedule, and the appropriate DoD policy and procedures. These records will be available for public inspection and copying, subject to the Freedom of Information Act (5 U.S.C. § 552).

15. Filing Date: August 8, 2022