

## NEW “RULES” FOR ARLINGTON CEMETARY BURIALS PROCESS DELAYED

May 24, 2020

As it stands today, there are more than 42,000 servicemembers buried there and about 7,000 more are added each year. Based on that rate, officials estimated that available space at Arlington Cemetery would not be available by 2055 if steps were not taken to expand the cemetery and change the eligibility requirements. As most should be aware by now, a couple of years ago, Congress directed the Department of the Army to review the situation, pursue additional land, and revise “eligibility” criteria for burial at Arlington Cemetery. Officials there were successful in obtaining about 37 additional acres as part of a “southern expansion” which will provide 60,000 more spaces. In addition, they modified existing burial “rules” and directed that spouses and / or dependents would be buried in a “stack” instead of side-by-side.

For the last couple of years, The U.S. Army’s Office of Army Cemeteries, the agency of managing Arlington National Cemetery has been reviewing existing criteria for burial there and this past year formally developed proposed revisions – referred to as “Draft Rules.” Proposing a “Draft Rule” is the first step in the Federal “rule-making” process, which normally takes about nine months. The “Draft Rule” must be published in the “Federal Register” and be open to public comment for 60 days. The U.S. Army is then required to respond to “significant” comments and consider changes to the “Draft Rules” based on those comments. The “public comment” period for the proposed revision of the Arlington Cemetery “Draft Rules” was expected to begin this past April. However, because of the COVID-19 epidemic, it has been postponed indefinitely.

Here is a summary of the most significant changes that the U.S. Army is recommending:

1. Preference for *Below Ground* internment will go to servicemembers killed in action, Medal of Honor recipients, and World War II veterans.
2. Other eligibility for *Below Ground* internment:
  - Award recipients of the Silver Star and above who also served in combat
  - Recipients of the Purple Heart
  - Combat-related service deaths while conducting uniquely military activities
  - Former Prisoners of War
  - Presidents and Vice Presidents
  - Veterans with combat service who also served out of uniform as a government official and made significant contributions to the nation’s security at the highest levels of public service
3. *Above Ground* internment criteria:
  - World War II-era veterans to include legislated active duty designees
  - Retirees from the Armed Forces who are eligible to receive retired pay but are not otherwise eligible for internment
  - Veterans who have served a minimum of two years on active duty and who have served in combat
  - Veterans without combat service who also served out of uniform as a government official and made significant contributions to the nation’s security at the highest levels of public service.