OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

ADMINISTRATION AND
MANAGEMENT

JUL 31 2012

The Honorable Carl Levin
Chairman
Committee on Armed Services
United States Senate
228 Russell Senate Office Building
Washington, DC 20510

Dear Mr. Chairman,

Under the provisions of the Federal Advisory Committee Act of 1972 (5 United States Code, Appendix) and 41 Code of Federal Regulations § 102-3.50(d), the Secretary of Defense, on October 11, 2010, established the Army National Cemeteries Advisory Commission. This discretionary advisory committee was chartered to provide independent advice and recommendations on matters relating to the Army National Cemeteries Program.

On December 31, 2011, Public Law 112-81 § 4723, National Defense Authorization Act for Fiscal Year 2012, directed the Department of Defense to create an "advisory committee on Arlington National Cemetery," to advise the Department "with respect to the administration of Arlington National Cemetery, the erection of memorials at the cemetery, and master planning for the cemetery."

Based upon this the Department is disestablishing the Army National Cemeteries Advisory Commission and established the Advisory Committee on Arlington National Cemetery. Like the former Commission, the new Committee's charter authorizes the Secretary of Defense to appoint up to nine members who are preeminent authorities in their respective fields of interest or expertise.

Enclosed is a copy of the charter that establishes the Advisory Committee on Arlington National Cemetery, which is being filed with your office in accordance with the Federal Advisory Committee Act of 1972, as amended (5 U.S.C. Appendix). Copies of this charter are also being filed with the House and Senate Committees on Appropriations, the House Committee on Armed Services, and the Library of Congress.

Sincerely,

James D. Freeman II
Advisory Committee Management
Officer for the Department of Defense

Enclosure:
As stated

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 (hereafter referred to as "the Committee").

2. Authority: The Secretary of Defense, under the provision of Public Law 112-81 § 591, National Defense Authorization Act for Fiscal Year 2012 (enacting in part 10 U.S.C. § 4723); the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended); and, 41 CFR § 102-3.50(a) (required by statute), established the Committee.

3. Objectives and Scope of Activities: The Committee shall provide independent advice and recommendations on matters relating to Arlington National Cemetery, as set out in paragraph 4.

4. Description of Duties: The Committee shall provide the Secretary of Defense, through the Secretary of the Army, independent advice and recommendations, with respect to the administration of Arlington National Cemetery, the erection of memorials at the cemetery, and master planning for the cemetery.

   Additionally, the Committee shall make periodic reports and recommendations to the Secretary of the Army. Not later than 90 days after receiving a report or recommendations from the Committee, the Secretary of the Army shall submit the report or recommendations to the congressional defense committees and the Committees on Veterans' Affairs of the Senate and House of Representatives and include such comments and recommendations that the Secretary of the Army considers appropriate.

5. Agency or Official to Whom the Committee Reports: The Committee shall report to the Secretary of Defense through the Secretary of the Army. The Secretary of the Army may act upon the Committee's advice and recommendations.

6. Support: The Department of Defense (DoD), through the Secretary of the Army, shall provide support as deemed necessary for the Committee's performance and functions, and shall ensure compliance with the requirements of the FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b) (hereafter referred to as "the Government in the Sunshine Act"), governing Federal statutes and regulations, and governing DoD policies/procedures.

7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating costs, to include travel and meeting and contract support, are approximately $125,000.00. The estimated annual personnel costs to the DoD are 2.0 full-time equivalents.

8. Designated Federal Officer: The Designated Federal Officer, pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with governing DoD policies and procedures.

   In addition, the Designated Federal Officer is required to be in attendance at all Committee and subcommittee meetings for the entire duration of each and every meeting; however, in the absence of the Designated Federal Officer, a properly approved Alternate Designated Federal Officer shall attend the entire duration of the Committee or subcommittee meeting.

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    a. One member nominated by the Secretary of Veterans Affairs;
    b. One member nominated by the Secretary of the American Battle Monuments Commission; and
    c. No more than 7 members nominated by the Secretary of the Army.

    The Committee members shall be appointed by the Secretary of Army, and those members, who are not full-time or permanent part-time Federal officers or employees, shall be appointed as experts and consultants under the authority of 5 U.S.C. § 3109 and shall serve as special government employees.

    The Secretary of Defense may approve the appointment of Committee members for one-to-four year terms of service; however, no member, unless authorized by the Secretary of Defense, may serve more than two consecutive terms of service. This

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15. Filing Date: July 31, 2012.

OFFICE OF THE SECRETARY OF DEFENSE
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ADMINISTRATION AND
MANAGEMENT

JUL 31 2012

The Honorable Howard P. McKeon
Chairman
Committee on Armed Services
U.S. House of Representatives
2120 Rayburn House Office Building
Washington, DC 20515

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15. Filing Date: July 31, 2012.

OFFICE OF THE SECRETARY OF DEFENSE
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ADMINISTRATION AND
MANAGEMENT

JUL 31 2012

The Honorable Daniel K. Inouye
Chairman
Committee on Appropriations
United States Senate
Washington, DC 20510

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12. Membership and Designation: The Committee shall be comprised of no more than nine members who are preeminent authorities in their respective fields of interest or expertise, including:

    a. One member nominated by the Secretary of Veterans Affairs;
    b. One member nominated by the Secretary of the American Battle Monuments Commission; and
    c. No more than 7 members nominated by the Secretary of the Army.

    The Committee members shall be appointed by the Secretary of Army, and those members, who are not full-time or permanent part-time Federal officers or employees, shall be appointed as experts and consultants under the authority of 5 U.S.C. § 3109 and shall serve as special government employees.

    The Secretary of Defense may approve the appointment of Committee members for one-to-four year terms of service; however, no member, unless authorized by the Secretary of Defense, may serve more than two consecutive terms of service. This

same term of service limitation also applies to any DoD authorized subcommittees.

The Secretary of the Army shall designate the Co-Chairs from the total Committee membership.

With the exception of travel and per diem for official travel, Committee members appointed as special government employees shall serve without compensation.

Each Committee member is appointed to provide advice on behalf of the government on the basis of his or her best judgment without representing any particular point of view and in a manner that is free from conflict of interest.

13. Subcommittees: The Department, when necessary, and consistent with the Committeee's mission and DoD policies and procedures, may establish subcommittees to support the Committee. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the Committee's sponsor.

The Committee has three permanent subcommittees:

a. The Honor Subcommittee shall be comprised of no more than 9 members. The primary focus of this subcommittee is to review and provide recommendations to the parent Committee on extending the future of active burial gravesites, veteran eligibility criteria and master planning. The estimated number of subcommittee meetings is up to 12 times per year.

b. The Remember Subcommittee shall be comprised of no more than 9 members. The primary focus of this subcommittee is to review and provide recommendations to the parent Committee on efforts to preserve and care for the Tomb of the Unknown Soldier. The estimated number of subcommittee meetings is up to 12 times per year.

c. The Explore Subcommittee shall be comprised of no more than 9 members. The primary focus of this subcommittee is to review and provide recommendations to the parent Committee on efforts to preserve the historic essence of Arlington National Cemetery and development of an interactive means to share this unique history with the nation and the world. The estimated number of subcommittee meetings is up to 12 times per year.

Such subcommittees shall not work independently of the chartered Committee, and shall report all their recommendations and advice to the Committee for full deliberation and discussion. Subcommittees have no authority to make decisions on behalf of the chartered Committee; nor can any subcommittee or its members update or report directly to the DoD or any Federal officers or employees.

All subcommittee members shall be appointed in the same manner as the Committee members; that is, the Secretary of Defense shall appoint subcommittee members even if the member in question is already a Committee member. Subcommittee members, with the approval of the Secretary of Defense, may serve a term of service on the subcommittee of one to four years.

Subcommittee members, if not full-time or part-time government employees, shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. § 3109, and shall serve as special government employees, whose appointments must be renewed by the Secretary of Defense on an annual basis. With the exception of travel and per diem for official Committee related travel, subcommittee members shall serve without compensation.

All subcommittees operate under the provisions of FACA, the Government in the Sunshine Act, governing Federal statutes and regulations, and governing DoD policies/procedures.

14. Recordkeeping: The records of the Committee and its subcommittees shall be handled according to section 2, General Record Schedule 26 and appropriate Department of Defense policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).

15. Filing Date: July 31, 2012.