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**ARLINGTON NATIONAL CEMETERY—  
PRESERVING THE PROMISE**

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HEARING

BEFORE THE

SUBCOMMITTEE ON MILITARY PERSONNEL

OF THE

COMMITTEE ON ARMED SERVICES  
HOUSE OF REPRESENTATIVES

ONE HUNDRED FIFTEENTH CONGRESS

SECOND SESSION

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## CONTENTS

	Page
STATEMENTS PRESENTED BY MEMBERS OF CONGRESS	
Coffman, Hon. Mike, a Representative from Colorado, Chairman, Subcommittee on Military Personnel .....	1
WITNESSES	
Allen, Forrest, Associate Director, Government Relations, Military Officers Association of America .....	2
Avila, Gerardo, Deputy Director, Veterans Affairs and Rehabilitation Division, The American Legion .....	3
Durham-Aguilera, Karen, Executive Director, Army National Military Cemeteries, Department of the Army; and Katharine Kelley, Superintendent, Arlington National Cemetery .....	13
Towles, John, Deputy Director, National Legislative Service, Veterans of Foreign Wars .....	5
Zuegel, Col Keith W., USAF (Ret.), Senior Director, Government Relations, Air Force Association .....	7
APPENDIX	
PREPARED STATEMENTS:	
Allen, Forrest .....	26
Avila, Gerardo .....	37
Coffman, Hon. Mike .....	25
Durham-Aguilera, Karen .....	57
Towles, John .....	42
Zuegel, Col Keith W. ....	49
DOCUMENTS SUBMITTED FOR THE RECORD:	
[There were no Documents submitted.]	
WITNESS RESPONSES TO QUESTIONS ASKED DURING THE HEARING:	
[There were no Questions submitted during the hearing.]	
QUESTIONS SUBMITTED BY MEMBERS POST HEARING:	
[There were no Questions submitted post hearing.]	



## **ARLINGTON NATIONAL CEMETERY— PRESERVING THE PROMISE**

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HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
SUBCOMMITTEE ON MILITARY PERSONNEL,  
*Washington, DC, Thursday, March 8, 2018.*

The subcommittee met, pursuant to call, at 10:56 a.m., in room 2212, Rayburn House Office Building, Hon. Mike Coffman (chairman of the subcommittee) presiding.

### **OPENING STATEMENT OF HON. MIKE COFFMAN, A REPRESENTATIVE FROM COLORADO, CHAIRMAN, SUBCOMMITTEE ON MILITARY PERSONNEL**

Mr. COFFMAN. This hearing is called to order. I want to welcome everyone to this morning's Military Personnel Subcommittee hearing. The purpose of today's hearing is to receive testimony from stakeholders and Department officials on the future of Arlington National Cemetery. This iconic resting place for generations of brave men and women who have served their country is truly a national treasure. During its 153-year history, more than 400,000 people have been interred or inurned at the cemetery. Unfortunately, the cemetery is rapidly running out of space. If nothing is done, in a matter of 23 short years, the cemetery will be closed for new burials.

In response to a congressional mandate, last year, the Secretary of the Army provided a report on Arlington National Cemetery's capacity. The report makes clear that action is required if we hope to preserve Arlington as an active cemetery. I look forward to hearing from our two panels about the recommendations on how best to preserve Arlington National Cemetery. For our first panel, comprised of military and veteran organizations, I look forward to hearing the views of the veterans and Active Duty members who will be directly impacted by any decisions regarding changes of eligibility criteria. I also look forward to hearing your members' ideas on how best to preserve Arlington National Cemetery as an active cemetery well into the future.

For our second panel, consisting of the leadership of Arlington National Cemetery, I look forward to hearing what steps have been taken to exhaustively research the capacity issue and what options are available to maximize both eligibility and the life of the cemetery.

We will give each witness an opportunity to present his or her testimony and each member an opportunity to question the witnesses for 5 minutes. We would also respectively remind the witnesses to summarize, to the greatest extent possible, the high

points of your written testimony in 5 minutes or less. Your written comments and statements will be made part of the hearing record.

Let me welcome our first panel today. Mr. Forrest Allen, Associate Director of Government Relations, the Military Officers Association of America; Mr. Gerardo Avila, Deputy Director, the Medical/Physical Evaluation Boards and Department of Defense, The American Legion; Mr. John Towles, Deputy Director, National Legislative Service, Veterans of Foreign Wars; Colonel Keith Zuegel, United States Air Force (retired), Senior Director, Government Relations, Air Force Association.

With that, Mr. Allen, you may now make your opening statement.

[The prepared statement of Mr. Coffman can be found in the Appendix on page 25.]

**STATEMENT OF FORREST ALLEN, ASSOCIATE DIRECTOR, GOVERNMENT RELATIONS, MILITARY OFFICERS ASSOCIATION OF AMERICA**

Mr. ALLEN. Thank you, Chairman Coffman, Ranking Member Speier, and other distinguished members of the Military Personnel Subcommittee of the House Armed Services Committee. On behalf of the Military Officers Association of America [MOAA], I am grateful for the opportunity to present our position concerning the future of Arlington National Cemetery.

With finite years of capacity for new burials remaining at the cemetery, it is important to maintain the dignity of burial there, respect the end-of-life plans for the currently eligible population, and, if possible, take reasonable steps towards extending the life of the cemetery for future service members. MOAA commends the Secretary of the Army, congressional committees, the advisory committee on Arlington National Cemetery, and other cemetery officials for making significant efforts to include all stakeholders in this discussion. It is fitting that today's hearing is about preserving the promise.

To MOAA, preserving the promise of the cemetery is resolving to allow those in the currently eligible population with expectations of burial at Arlington to execute their end-of-life plans. No promise exists that the cemetery will remain open for new burials forever, nor is there a promise that future service members, even retirees, will be guaranteed an opportunity to be buried there. Either way, if a decision is made, it is going to be very important to address future expectations with expediency.

Preserving the promise also means preserving the dignified setting, the aesthetics, and the history of the cemetery. While many other national cemeteries across the Nation serve a similar purpose in honoring those who served and do so very well, Arlington, undoubtedly, has a special connotation of its own.

So many of the interested groups, many sitting with me here, have been talking about two primary options for extending the life of the cemetery: expansion and eligibility changes. Expansion of the cemetery grounds, contiguously or not, is a viable path forward and is the preferred method of extending the life of the cemetery. While it is costly and time-consuming, MOAA members have clearly indicated their preference for expansion over significantly re-

stricting eligibility. The advisory committee's first survey also revealed a strong desire to undertake expansion efforts first.

Opportunities for expansion to adjacent lands are few. However, Option 2C of the February 2017 advisory committee report to Congress suggested the establishment of a new DOD [Department of Defense] national cemetery at a separate location, which we believe could serve as the starting point for noncontiguous expansion of the cemetery. Locations like Gettysburg or Quantico could serve as dignified burial sites associated with the original Arlington Cemetery. And while such sites might not have the same feel at the outset, there is potential for that aura to develop over time. Recall, after all, that the Arlington Cemetery we know today did not develop its reputation overnight.

Eligibility restrictions are a tougher sell. MOAA does not oppose restricting a select number of gravesites for those who are killed in action, or who earn a particular award of high honor. However, the expectation and earned right to be laid to rest at Arlington for the currently eligible population should not be exchanged for an Active Duty member who serves in the future and dies from a non-combat-related incident.

So if at the end of your deliberations, eligibility restrictions are deemed desirable or necessary, MOAA suggests there should, at a minimum, be a reinstatement of the reservation system to allow those who have already made plans at Arlington to have a chance to have their wishes honored.

So MOAA surveyed its membership about a year and a half ago, and some of the significant results are listed in our written testimony. But the survey revealed that reaching maximum capacity is a widely accepted fate. So when the cemetery is full, it is going to be full. At the same time, respondents were evenly split for and against changing eligibility restrictions after all expansion options were exhausted. Also, about two-thirds of respondents suggested eligibility changes would be acceptable so long as retirees remained eligible.

Thus, to best honor the promise of Arlington, MOAA has several recommendations: One, Congress not take action restricting eligibility for the military retiree population, other than reserving a set number of plots for specific honorees; two, Congress appropriate funds to undertake acquisition and development of adjacent land, including the completion of the Southern Expansion Project currently underway; and three, Congress appropriate funds for the study and eventual acquisition of noncontiguous land to be used as an Arlington annex.

Thank you to the Subcommittee on Military Personnel for holding this hearing to examine the options forward. We eagerly look forward to any recommendations that come from the discussion. And I look forward to your questions. Thank you.

[The prepared statement of Mr. Allen can be found in the Appendix on page 26.]

Mr. COFFMAN. Mr. Avila, you are now recognized for 5 minutes.

**STATEMENT OF GERARDO AVILA, DEPUTY DIRECTOR, VETERANS AFFAIRS AND REHABILITATION DIVISION, THE AMERICAN LEGION**

Mr. AVILA. It is often said that taking a walk through Arlington National Cemetery is to take a walk through America's history with its most revered patriots. Laying our Nation's veterans, service members, and their eligible family members to rest with dignity, respect, and honor, is the foundation of the mission of this hallowed ground called Arlington National Cemetery. The hallowed grounds of Arlington, which has stood since the Civil War as the crown jewel of reverence for the fallen men and women who have served this Nation during peace and wartime, is at its crossroads in its long, proud history.

Chairman Coffman, Ranking Member Speier, and distinguished members of the Subcommittee on Military Personnel, on behalf of our National Commander, Denise H. Rohan, and the 2 million members of The American Legion, thank you for the opportunity to testify regarding the future of Arlington National Cemetery.

The likelihood that Arlington National Cemetery, with this 150-year history, could cease to operate within the next three decades is a real possibility. There are currently 71 living Medal of Honor recipients with 11 from our current conflicts. These 11, if they live to average life expectancy, will not have the option to be buried at Arlington due to lack of capacity. Extending the life of Arlington as an active cemetery will require difficult decisions to be made. And recognizing this reality, The American Legion adopted Resolution No. 93 during our national convention in 2016, urging Congress to codify eligibility criteria to be restricted to service members who die in Active Duty, and to our most decorated veterans to include recipients of the Purple Heart; former members of the Armed Forces, separated from the military before October 1, 1949, with a physical disability of 30 percent or greater; retirees; eligible spouses and children; former prisoners of war; and for the President or former Presidents as Commanders in Chief.

The American Legion also believes that there should be no waivers for unqualified persons, except under unique and compelling circumstances, in order to assure that the remaining spaces are used judiciously. The options of expansion and using new burial techniques have also been suggested as ideas to increase capacity. Each comes with its own sets of challenges. Expanding the current footprint will be difficult, due to Arlington's geographical location.

Other expansion challenges include money and time. The two current expansion projects underway have a combined budget of over \$350 million. The American Legion supports exploring the option of expansion within close proximity to the current footprint in the Capital Region. We support the proposal for exploring alternative ideas and maximizing the current and any future space with the use of new burial techniques that will allow for increased use of above-ground inurnments.

The American Legion shares with the U.S. Army its expressed concern in using new above-ground techniques, fearing it will alter the architectural design of the cemetery. However, we remain open to changes that do not detract from Arlington and would be beneficial in creating additional capacity. The American Legion's own



100-year history is intricately intertwined with endeavors to pursue the legacy of this Nation's veterans and current service members.

We would like to take this opportunity to acknowledge and say thank you to Arlington National Cemetery, the advisory committee, for beginning this very important conversation and for including The American Legion and the veteran service organizations. Our 2 million members, as well as all living veterans, deserve to have a voice when deciding the future of such hallowed place.

Thank you, again, Chairman Coffman, Ranking Member Speier, and distinguished members of the subcommittee. We appreciate the opportunity to present The American Legion's views and look forward to any questions that you and/or the subcommittee may have.

[The prepared statement of Mr. Avila can be found in the Appendix on page 37.]

Mr. COFFMAN. Thank you, Mr. Avila.

Mr. Towles, you are now recognized for 5 minutes.

**STATEMENT OF JOHN TOWLES, DEPUTY DIRECTOR, NATIONAL LEGISLATIVE SERVICE, VETERANS OF FOREIGN WARS**

Mr. TOWLES. Chairman Coffman, Ranking Member Speier, and members of this subcommittee, on behalf of the men and women of the Veterans of Foreign Wars [VFW] of the United States and its auxiliary, I would thank you for the opportunity to testify before this distinguished subcommittee this morning and to present our views concerning the future of Arlington National Cemetery.

As this Nation's oldest war veterans service organization, the VFW and its auxiliary proudly represent more than 1.7 million members, including 300 post-9/11 veterans, and more than 60,000 members of the Active Duty National Guard and Reserves. This is one of the many reasons that the future of our Nation's most hallowed ground has been, and will continue to be, a top priority for us.

In 1967, President Lyndon Johnson requested that the Department of Veterans Affairs [VA] conduct a survey of all existing veterans benefits to include burial and cemetery programs administered by both the Department of the Army and the VA.

A year later, in consultation with the National Veterans Advisory Committee, which included VFW representation, they delivered a report to Congress that paved the way for the transfer of 82 of the Army's 84 cemeteries. The only two that remain under the care of the Army was the Soldiers Home National Cemetery and Arlington National Cemetery. Nineteen sixty-seven also saw a significant restriction placed on the eligibility at Arlington due to growing concerns that the number of American service members being killed in action during the Vietnam War and the rapidly aging World War II veteran population would soon fill Arlington to its capacity.

This new regulation restricted in-ground burials to military personnel who died on Active Duty, or career military retirees or recipients of this Nation's highest military awards. At that time, VFW vehemently opposed any eligibility restrictions. In fact, our membership was so outraged that we completely withdrew from Arlington's Veterans Day ceremony that year, sparking a national controversy, as you can imagine.

As a membership organization, the VFW is required to represent the views and preferences of our members. And in 1967, this meant opposing any eligibility restrictions. Much has changed since 1967.

After many meetings with top officials within the Office of the Secretary of Defense and the Department of the Army throughout the years, as well as surveys and roundtables conducted by Arlington National Cemetery leadership, many proposals to reform eligibility have been brought forward and submitted for our consideration.

At this time, there is only one eligibility restriction that has been brought forth that the VFW supports, and that is to restrict eligibility to 24 months of Active Duty service, not including those who were killed in action or die on Active Duty. Enacting this eligibility restriction would effectively make in-ground interment policy for Arlington commensurate with that of the cemeteries within the VA's National Cemetery Administration, and would reduce the workload at Arlington by approximately 200 burials per year.

While the VFW acknowledges that restricting eligibility to those who are killed in action or Medal of Honor recipients would ensure that Arlington remains open in perpetuity, the VFW has an obligation to advocate for, and preserve the integrity of, the option best suited to do the most good for the most number of veterans. Additionally, restricting eligibility to a very small category of veterans is simply not feasible at this time, not if the true goal is to provide those who are entitled to be laid to rest at one of America's most sacred cemeteries the ability to do so.

Furthermore, the VFW feels it is imperative that the way forward also include the acquisition of additional space in some form, as land is a finite resource. This is why the VFW fully supports the proposed Southern Expansion which would, according to Arlington officials, add an additional 30 to 40 acres to the cemetery and provide approximately 40- to 60,000 new gravesites. When combined with the proposed 24-month eligibility restriction, the life of the cemetery would be extended through 2074.

You may be asking yourself, what about after 2074? As previously stated, there is no easy answer given the current shortage of land in the area. However, there is one property that may offer a solution, and that is the Armed Forces Retirement Home.

For the past decade, VFW members have donated their time and resources to assist the residents in the Armed Forces Retirement Home by helping to maintain the property through various service projects. Every year we go out, we see unused space. We see a golf course that is struggling to remain open. We read articles in the local press concerning proposals to develop up to 80 acres of so-called excess space on the property for commercial use. And most of us have seen by now the most recent Army IG [Inspector General] report highlighting the failures of officials to conduct proper oversight of this property. The Cemetery at the Armed Forces Retirement Home is, aside from Arlington itself, arguably one of the most historic oldest cemeteries in this country.

Mr. Chairman, if 30 to 40 acres will provide an additional 40,000 to 60,000 gravesites, then simple math tells us that reclaiming the 80 acres of surplus land there would give us an additional 80,000 to 120,000 gravesites which would push us well beyond 2074. Aside

from that, we must continue to encourage VA to work with their other State and Federal partners in order to expand the National Cemetery Administration's current inventory, while also working with your colleagues on the House and Senate Veterans Affairs Appropriations Committee to provide them with the funding needed to do so.

In the end, the men and women who served this Nation honorably, as well as their family members, deserve to be laid at rest in hallowed ground. It may not have been a consideration while they were serving, but it is an honor that they have nonetheless earned through their blood, sweat, and tears. As a Nation, we have an obligation to ensure that they and their sacrifices are as honored as thoroughly as possible. This includes their final resting place.

Mr. Chairman, Ranking Member Speier, this concludes my testimony, and again, I want to sincerely thank you for the invitation to come and testify on this topic. And I look forward to any questions you may have.

[The prepared statement of Mr. Towles can be found in the Appendix on page 42.]

Mr. COFFMAN. Thank you, Mr. Towles.

Colonel Zuegel, you are now recognized for 5 minutes.

**STATEMENT OF COL KEITH W. ZUEGEL, USAF (RET.), SENIOR DIRECTOR, GOVERNMENT RELATIONS, AIR FORCE ASSOCIATION**

Colonel ZUEGEL. Thank you, Mr. Chairman.

Chairman Coffman, Ranking Member Speier, Congressman Wenstrup, Congressman Bacon, thank you for being here today, and the other members of the committee. On behalf of the Air Force Association's membership of 96,000, the nearly 700,000 airmen, civilians, and families that we represent, and the millions of veterans who have worn Air Force blue, I am honored to testify today on the importance of Arlington National Cemetery.

We have been involved in this issue for quite some time, and routinely participate in meetings with the Arlington National Cemetery's advisory committee. There are an estimated 22 million veterans alive today who serve—22 million veterans alive today who served honorably and understand the significance and the impact of Arlington National Cemetery. As the organization that led the financing and construction of the Air Force Memorial, which could potentially be encroached by cemetery expansion options, we at AFA [Air Force Association] realize that the surrounding land is finite. Space on this hallowed ground is projected to run out in the early 2040s, and a solution must be found soon.

Thank you for holding this hearing, for having this difficult discussion. We strongly believe that our Nation's decision makers should explore an all-of-the-above strategy to include land expansion and land optimization before reducing or curtailing eligibility. It is important to keep this cemetery viable as long as possible for future Medal of Honor recipients, those killed in combat, and top medal awardees. We should strive to obtain surrounding land to expand the present cemetery. Although the cemetery's majestic serenity should be largely preserved, there are avenues to increase burial locations without losing the cemetery's solemn presence.

In addition to exploring expansion possibilities, more above-ground inurnments should be considered. As military members age and consider their final resting place, it is paramount that the hearing today be followed up by quick and decisive action. From the Secretary of the Army, Secretary of Defense, and the President, we ask for your oversight in making sure this happens.

Thank you for the invitation to testify today. We thank you for bringing this issue before the public. And the Air Force Association is honored to be part of it. We are honored to present testimony to advocate for the continued viability of Arlington National Cemetery. We are entrusted with the solemn responsibility to care for those men and women that have sacrificed so much for our great Nation. And we are eager to work with the U.S. Congress and Department of Defense on the best way forward for Arlington National Cemetery.

Thank you. We stand ready for your questions.

[The prepared statement of Colonel Zuegel can be found in the Appendix on page 49.]

Mr. COFFMAN. Thank you, Colonel Zuegel.

Let me just start.

Mr. Allen, I have a question for you. The results from the first survey appear to favor restricting eligibility to POWs [prisoners of war], valor awards, the Purple Heart, Medal of Honor, killed in action, and Active Duty. Sixty-eight percent of the veterans in this survey favor this category, while only 47 percent favor keeping retirees eligible. And I am referring to a survey that was done, I believe, by the Department of the Army.

I am curious why your testimony is contradictory to the survey results. Can you elaborate on this?

Mr. ALLEN. Thank you, Mr. Chairman, for the question.

Yes. So our position is contrary to what that particular point in the Arlington National Cemetery advisory committee survey said, because I am here representing the members of the Military Officers Association. And our members explicitly stated that they prefer not to restrict eligibility to the military retiree population. And I think that is the distinguishing factor between the data point that you are bringing up from the advisory committee survey versus what our stance is.

So it is not that we are completely against reserving a certain number of plots for those categories which you mentioned are part of that data point, but our members certainly want to preserve a number of spaces for the retiree population.

Mr. COFFMAN. Let me ask this to the others, if they would like to comment on this. And, again, the results from the first survey conducted by the Arlington National Cemetery Foundation favors restricting eligibility to POWs, valor awards, the Purple Heart, Medal of Honor, those killed in action, and Active Duty. Would the rest of you comment on that?

Mr. Avila.

Mr. AVILA. I believe there were about 28,000 people that participated in the survey, not necessarily veterans. I think there were different categories where family members or people that have no association to the cemetery.

The American Legion has our Resolution 93; that is the current criteria that we support. But I think part of this leads to the difficult discussion that must be had, and we can bring back to our membership and educate them on the tough choices that might have to be made. We would like to continue to engage Arlington Cemetery and the advisory committee to shape any criteria down the future. But our current position is based on Resolution 93, Chairman.

Mr. COFFMAN. Okay. Mr. Towles.

Mr. TOWLES. Mr. Chairman, I echo my colleague's sentiment from MOAA. We are a membership-driven organization. And as a result, we have to consult with them when we make a stance such as this. Our stance is if you are going to restrict eligibility, it should be done as minutely as possible as to provide the most benefit to the most amount of veterans.

Mr. COFFMAN. Okay. Colonel Zuegel.

Colonel ZUEGEL. Mr. Chairman, pretty much along those lines. Again, expansion. But we also think we should consider the 24 months of Active Duty eligibility that—similar to what the VA has. And then the other categories you named, of course, what is left out of that affects most of our members, our retirees. And I think more of a discussion has to be for Active Duty retirees.

Mr. COFFMAN. Okay. Let me, if I can, throw out one more question to you.

A few of you have stated that your members understand that eligibility criteria changes need to be explored in order to keep Arlington National Cemetery an active cemetery, but that these changes should not be applied to those who have already made end-of-life plans that include burials at Arlington National Cemetery.

What is your recommended method for identifying and distinguishing those individuals who have made end-of-life plans and those who haven't?

Why don't we start—Mr. Allen, let's start with you.

Mr. ALLEN. Thank you, Mr. Chairman.

So we believe at MOAA that there is an opportunity to reinstate a reservation system. There was one in the past before we had the niceties of computers and the internet to hold a registration system. But we think a new reservation system might give people an opportunity to express their interest in being buried there.

Mr. COFFMAN. Mr. Avila.

Mr. AVILA. Our resolution does not state reservation system, so we have no position on that. We have the criteria that we feel should be met and able to be interred, buried in Arlington. But like I said, if it is a decision that must be made to expand Arlington's life, then I think that is a conversation that we can have with our membership.

Mr. COFFMAN. Mr. Towles.

Mr. TOWLES. Mr. Chairman, we have no thoughts concerning a reservation system.

Mr. COFFMAN. Colonel Zuegel.

Colonel ZUEGEL. Yes, sir. I believe the reservation system is a good idea, and we should explore that option as well.

Mr. COFFMAN. Very well.

Dr. Wenstrup, you are now recognized for 5 minutes.

Dr. WENSTRUP. Thank you, Mr. Chairman. I just have one quick question.

Colonel, you had mentioned other interment methods. Could you elaborate on that? I think you were referring to other ways of interring people maybe at Arlington.

Colonel ZUEGEL. Congressman, what I meant to portray is that, you know, we want to maintain the majesty of the iconic nature of the cemetery. And it is one of the—you know, it is a landmark, and it is that way for a reason. But there is ways, I think—as I drive into Rosslyn every day and I watch those—you know, all those that preceded us, it seems like there is still some space that could be had around that area. We could expand a little bit going closer to the fences. And there are some areas of the cemetery that I think we could, you know, use more land management as opposed to, you know, the way it is right now. You know, we could come a little closer to the boundaries. I also think we should look at more columbariums. We should look at the above-the-ground inurnments as well. And I think that would help and go a long way.

Dr. WENSTRUP. Okay. Thank you.

That is the only question I have. I will yield to General Bacon.

Mr. BACON. Thank you very much. And for one of the few committee hearings, I can say I have been a member—a proud member of all four of your organizations. And I appreciate all four of you and who you represent.

What I hear is—if I could summarize it. There is a reluctance to significantly change the criteria. But it is hard to buy more land. But that you all acknowledge we will eventually fill this up, and there will be no space for Medal of Honor winners and those killed in action. I am just sort of paraphrasing. Do I have that that about right?

So I am hearing yes on all four of you.

It just seems to me we, at least from my perspective, that we should put a higher priority in ensuring space for those killed in action, and those recognized for the courage, or, you know, Medal of Honor winners and Purple Heart winners. It seems like that place should be reserved for those who paid their ultimate sacrifice and who received the Medal of Honor. And if we don't make that action, I feel like it—doesn't do justice to those 10, 20, 30, 50 years from now. I just want to comment, but I welcome your feedback if—or you think I got that wrong.

Colonel ZUEGEL. Congressman, I think most of us had agreed, when we were talking earlier, that we should save a select number of sites for, you know, the future Medal of Honor recipients and Purple Hearts and, you know, valor awardees. I think we should continue to do that and continue keeping it viable, but not at the exclusion of the members we represent or those that are honorably serving today and that made plans to be honored by being laid to rest at Arlington Cemetery.

Mr. BACON. But the reality is if we don't change that, it will fill up pretty fast, and it will limit the future of those who have paid the ultimate sacrifice and who earned the Medal of Honor. So I just think we have to realize that there is a choice here if we want to preserve this for those who have given their all. And it is not an

easy choice. I am a near 30-year Air Force veteran too. If I take the criteria that is being recommended, I won't be allowed to be buried there either. But I think I would prefer keeping that spot open for a Medal of Honor winner and someone who paid the ultimate sacrifice. But it sounds like I am a minority view on that, though, from the feedback that you have been given. Is that correct?

Mr. AVILA. So, I think from our perspective with the resolution that was made 2 years ago, you are correct in that. But I think this is the honest conversation, the tough questions that we need to ask. I am here representing The American Legion. Me, for myself, I am a retiree. If I meet the criteria for interment burial at Arlington, but you are telling me that my slot could be used for a Medal of Honor recipient, or a KIA [killed in action], for Gerardo, I would give up my slot for one if it can be guaranteed to be saved. But that is me. But this is the conversation that I believe we need to have with our membership and everybody at this table.

Mr. BACON. I think you and I feel the same way. Maybe it just takes more time to have this discussion and sensitize folks. Here is the choice. It is not—if we don't change the criteria, we will fill up the cemetery, and it will limit the future heroes, their ability to get there. I think all who served can say they—you know, you say heroism. I think for those who paid the ultimate sacrifice and won the Medal of Honor, Arlington should be reserved for them if no one else.

I really appreciate getting your feedback, though. I think I expected to see more of that thinking. But, of course, we have had these discussions here. We know there is a fork in the road that we are going to have to take. So I think that I have been sensitized to it already.

But I think what I am hearing today, Chairman, that we are going to have to do some hard work in communicating this to the veterans.

And I yield back. And I thank you for your feedback from your members, which I am a one.

Mr. COFFMAN. Well, thank you, General Bacon. You have got four out of four of these organizations. I got three out of four, so you got me beat. The Air Force is the only one —

Mr. BACON. You get a C. I get an A.

Mr. COFFMAN. I will take that. I think the Air Force is the only one I am not in.

Colonel ZUEGEL. We are prepared to take care of that today, Mr. Chairman.

Mr. COFFMAN. I don't think my test scores were there. So I was Army and Marine Corps, but I won't go there.

Let me ask you all this question. If eligibility criteria change, what should be the timeline for phasing in those changes?

Mr. Allen, we will start with you.

Mr. ALLEN. Thank you, Mr. Chairman.

We have not really discussed a timeline among our membership. And I would be hesitant to give you a projection on that without having discussed that. You know, if there is a decision, and it is going to be made anywhere in the reasonably near future, the big challenge that we would want to make sure that is going to be han-

dled is the communication aspect of that. I know General Bacon just mentioned that. But, really, formulating a path forward to make sure all interested parties are aware of any changes coming will be an important factor.

Mr. COFFMAN. We are doing a second round at this time.

Mr. Avila, if you could answer—if eligibility criteria change, what should be the timeline for phasing in those changes?

Mr. AVILA. In accordance with the resolution, we know the criteria that American Legion supports. Approximately 67,000 spaces are used annually, based on ceremonies that happen at Arlington. The first question I believe we need to answer is do we want Arlington to be an active cemetery? And the question is yes, I believe the sooner, as far as changing the criteria, to ensure that Arlington continues to be an active cemetery.

Mr. COFFMAN. Mr. Towles.

Mr. TOWLES. Mr. Chairman, I think we would have to see more specifics in terms of what you mean by eligibility changes. I mean, one option is to do the 24-month option to be on par with VA. The other one is just to allow KIAs and Medal of Honor recipients. So I think we would have to be more specific.

I can state that currently, we have discussed a timeline of implementation for the option that we fully support. We are not prepared to make a comment about that currently, though.

Mr. COFFMAN. Okay. Colonel Zuegel.

Colonel ZUEGEL. Mr. Chairman, again, that is assuming that you have exhausted all methods for land expansion, all methods for a land management, and you have used all the above criteria and started invoking some—you know, and started looking at some selection. I think we could do it over the next decade. Obviously, if somebody hasn't entered yet, we should say, "This is the way the new system is," just like we did with the retirement. I think everybody would expect that, and that is very understandable. We can't wait 20 years because we are too close to the early 2040s, obviously. So we would have to do something within the next decade.

Mr. COFFMAN. Okay.

Colonel ZUEGEL. Just reasonably.

Mr. COFFMAN. Well, let me ask another question. Do you believe—and this is to the entire panel. Do you believe that if the government acquired noncontiguous acreage in the National Capital Region, and designated it as part of Arlington National Cemetery, that it would achieve the same iconic status as Arlington National Cemetery has over time, or would it forever be regarded as an annex?

Mr. Allen.

Mr. ALLEN. Thank you, Mr. Chairman.

We believe that such an acquisition of noncontiguous land would be a viable way of extending the life of the cemetery. I think that such a parcel of land would be able to develop the aura, the aesthetics that the current Arlington National Cemetery has, and that is in a great deal of thanks to the Department of Army for taking care of the grounds so well.

Mr. COFFMAN. Thank you.

Mr. Avila.



Mr. AVILA. We believe that it can reach the same status as Arlington currently does. And that has to do not just with the land location, but it goes with the honors that come with being interred at Arlington. And if those are continued to provide, we feel that it is a good viable option.

Mr. COFFMAN. Mr. Towles.

Mr. TOWLES. Resoundingly yes, especially as my colleagues have already stated, if those same benefits and honors were rendered and—I definitely believe so, so long as it is in the National Capital Region. It would be difficult to pitch that if it were in Texas, for instance. So yes.

Mr. COFFMAN. Colonel Zuegel.

Colonel ZUEGEL. It would be very difficult to match the iconic nature of Arlington National Cemetery whether we called it Arlington North or South, or whatever. So whether it is an annex or not—you know, I praise the Department of Defense and the Department of Veterans Affairs for what they do currently. You know, the cemeteries are all, you know, well-maintained and accessible to veterans, and they honor the veterans.

I have had this personal discussion in my home about—you know, I am eligible also for burial at the Air Force Academy. And my kid said, “Well, I would rather Dad be buried at Arlington National Cemetery, and—because we’d visit it more often.” But I don’t think you can match the iconic nature of Arlington Cemetery. But, you know, I think it is one of the all-the-above solution ideas that we have to come up with.

Mr. COFFMAN. Okay. Thank you, Colonel Zuegel.

We will now take a brief recess in order to set the witness table for the second panel. I want to thank everybody for your testimony today. I really appreciate it. Thank you.

[Recess.]

Mr. COFFMAN. I wish to now welcome our second panel.

We would like to respectfully remind the second panel to summarize, to the greatest extent possible, the high points of your written testimony in 5 minutes or less. Your written comments and statements will be made part of the hearing record.

Our second panel consists of Ms. Karen Durham-Aguilera, Executive Director of Army National Military Cemeteries; Ms. Kate Kelley, Superintendent, Arlington National Cemetery.

With that, Ms. Durham-Aguilera, you are now recognized to make your opening statement.

**STATEMENT OF KAREN DURHAM-AGUILERA, EXECUTIVE DIRECTOR, ARMY NATIONAL MILITARY CEMETERIES, DEPARTMENT OF THE ARMY; AND KATHARINE KELLEY, SUPERINTENDENT, ARLINGTON NATIONAL CEMETERY**

Ms. DURHAM-AGUILERA. So, Chairman Coffman and distinguished members of the subcommittee, thank you for the opportunity to provide a further update to the subcommittee.

Arlington National Cemetery is the premier national military cemetery in our Nation’s capital. It is an iconic place devoted to honoring our veterans’ and patriots’ service and sacrifice in the defense of our Nation. Each week, the cemetery faithfully conducts 150 funeral services on behalf of a grateful Nation.

In fiscal year 2017, we interred nearly 7,100 Active Duty service members, veterans, and their family members. We also annually host approximately 3.3 million guests, helping each visitor connect to the sacrifices of our military. On behalf of the cemetery and the Department of the Army, I express our deep appreciation for the support provided by Congress over these many years.

Arlington National Cemetery is proud to honor each generation of men and women who serve in the defense of our Nation. As the steward of this national shrine, the Army is committed to maintaining Arlington National Cemetery as an active cemetery and extending its legacy well into the future, currently defined as 150 years. Unfortunately, without changes to the eligibility requirements and the physical footprint, Arlington National Cemetery will not be a burial operation—an option for most who served in the Gulf War or any conflict since, regardless of their contributions, achievements, or valor. The Secretary of the Army's February 2017 report to Congress informs that the cemetery will reach maximum capacity in the early 2040s, and further discusses the difficult topics of eligibility and expansion.

Arlington National Cemetery's ability to remain open as an active burial site well into the future is a function of limited burial capacity in conflict with extraordinary demand. Capacity meaning available gravesites and niches, and demand meaning the volume of families' request for interment and inurnment of the currently eligible populations. We are addressing capacity through the Millennium Project, nearly completed, and planning for the future Southern Expansion Project. Based on changing conditions and revised estimates, the Army requires additional authority and funding to complete the land acquisition and the defense access roads project associated with Southern Expansion. We are working with the Army staff and other committees of Congress to address these shortfalls.

Beyond those efforts, there are no additional plans for increasing the available burial space through expansion. There are few adjacent Federal lands available to increase the cemetery's burial space. Even if these lands were made available, they would only extend the life of the cemetery by a few years, at a great cost. Expansion alone will not keep Arlington National Cemetery open to new interments past the 2040s to 2050s. We must address the demand for interment by restricting eligibility in addition to physical expansion.

We are very sensitive to the fact that many who have served or are currently serving would be impacted. We will evaluate ways to minimize these impacts, while also extending the life of Arlington National Cemetery. We will continue to champion, along with our partners of the Veterans Affairs National Cemeteries Administration, the 135 other beautiful national cemeteries our Nation provides to honor our veterans at over 100 State-run veteran cemeteries.

Our next phase will better inform stakeholders to the benefits and the risk of policy options and the reality of expanding the cemetery in the National Capital Region. It is our desire to give each stakeholder the information necessary for honest and thoughtful deliberation of any future changes. Further, it is our intent to ini-

tiate a second survey by the end of this month, March 2018, that will further provide public input and inform our future recommendations.

The Army anticipates continuing robust and candid public dialogue as we move forward. Enabled by the tremendous support of Congress and the diligent efforts of our great dedicated team at Arlington National Cemetery, the Army will continue to sustain the sacred trust of our citizens.

We look forward to working with Congress, the Advisory Committee on Arlington National Cemetery, the military service organizations, veterans service organizations, and the public on enabling the future of Arlington National Cemetery that continues its long tradition of honoring our Nation's heroes for generations to come.

Chairman Coffman, this concludes my testimony. Ms. Kelley and I will gladly respond to any questions that you or the subcommittee members may have. Thank you.

[The prepared statement of Ms. Durham-Aguilera can be found in the Appendix on page 57.]

Mr. COFFMAN. Ms. Kelley.

Ms. KELLEY. Yes, sir.

Mr. COFFMAN. Very good. Are you ready to answer questions?

Okay. Ms. Durham-Aguilera, do you feel confident that you have done everything you can to remain inclusive and to not turn deserving veterans away, while still keeping the cemetery open for, sadly, our inevitable future war dead?

Ms. DURHAM-AGUILERA. Thank you, Chairman Coffman. It is a tough reality. You know, the current veteran population is over 20 million. The retiree population is over 2 million. The total force, Active and Reserve, today is over 2 million. Right now, today, we have around 100,000 available burial spaces. We cannot serve that population in any event.

There are numerous other options for veterans, to include the wonderful cemeteries from the VANCA [Veterans Affairs National Cemeteries Administration] as well as the State-run cemeteries. We do believe that we are looking at every possibility in what we can do, but we also know that we cannot serve that entire population no matter what. So we are looking to see what can we do in the near future.

But one thing that we know, we are filling up every day. Within the next 3 to 4 years, Section 60 that a lot of people identify with, without any changes, it will be closed. So trying to get to that reality gives those hard choices is on our minds every single day as we go out and lay our veterans and patriots to rest.

Thank you.

Mr. COFFMAN. Ms. Kelley, do you have any additional comments on that?

Ms. KELLEY. I would only add that what we continue to do at the cemetery is efficiently and effectively manage space with what we have control over today and that all considerations are given to maximizing our ability to serve veterans and their families. And so we make decisions every single day in our planning processes and how we utilize the existing acreage that we have to effectively ensure we continue to provide that open and active experience that the public wants us to be.

Thank you, sir.

Mr. COFFMAN. We know that you have considerable aboveground space at Arlington National Cemetery. Is this still a good way to extend the life of Arlington National Cemetery, if more columbariums—did I say that right?—columbarium or niche wall space is developed to serve various populations?

Ms. DURHAM-AGUILERA. So thank you, Chairman Coffman. So today, in Arlington National Cemetery, we have about 64,000 available belowground spaces. We have around 37,000 spaces available in the columbariums or the niche walls. The trends that we have seen over the last 5 years are very similar to what the VANCA is seeing, is that of the people that are going to be laid at rest at Arlington National Cemetery, about a third of them want to be buried in a columbarium or the niche walls. Again, it depends on their eligibility. About a third choose to have their cremated remains buried below ground. And then the other third are the traditional casket.

So as we plan for the Millennium Expansion, which will be open later on this year, and as we are planning for the Southern Expansion, those were the trends that we are keeping in mind for our design.

Now, as far as expanding more columbariums or niche walls at Arlington National Cemetery, there is few spaces where we could do that today. One of the things, too, that the VA considers is keeping niche walls to a certain height so that people can reach them. People want to come and put their hands on the niche cover of their loved one. So you can't build them too high or people can't do that and make that connection. So that is another consideration. But we cannot do that as our solution, our only solution to be able to keep Arlington National Cemetery, you know, open well into the future.

Thank you.

Mr. COFFMAN. Ms. Kelley, do you have any additional comments on that?

Ms. KELLEY. I would also add that the look and feel of the cemetery. As, Chairman, you described it as iconic in your opening statement. And I think the executive director and I, and certainly the Army, feel very strongly the same way. And we would want to balance the amount of aboveground space that is created so that we don't lose that iconic look and feel of what Arlington is today.

Mr. COFFMAN. Okay. General Bacon, you are now recognized for 5 minutes.

Mr. BACON. Thank you very much.

And I appreciate you both coming back. You really educated me the last time you were here, so I really appreciated the information and the truth.

We've got to make a hard choice here. Before I ask you a question, I just want to say that I was a flagbearer 12 times at Arlington. It is a special place, and I think we have to preserve it for our future Medal of Honor winners and those killed in action. And I also want to just thank you for what you are doing for Nebraska. The Omaha National Cemetery will be the iconic place as far as Nebraska, and it has really come along very well. So that will be

where I will be buried eventually. Hopefully a long time from now. I will kick the can as long as I can here on that.

But I just want to say with clarity that I think it is an absolute necessity that we preserve Arlington National Cemetery for those killed in action or the line of duty. I could see there could be a difference there. And I think that is a good discussion point, or those who have earned the Medal of Honor or a like type of award. And if we don't do that, I think we have made a bad choice. I mean, this should be the ultimate place that we recognize those who have paid that ultimate sacrifice, and no other place is like Arlington for that.

And to make that decision means it is a decision. It is a decision to not let that happen 20 years from now, 40 years from now, whenever that may be. So I think we have to make that decision now, in my humble view. And one of the choices that we heard earlier was that we should block off a segment of Arlington for Medal of Honor winners and killed in action, but don't change the criteria or tweak the criteria a little bit. What is the reality of that decision if we went down that path?

Ms. DURHAM-AGUILERA. So thank you, Senator. It won't make any difference.

Mr. BACON. Don't call me a Senator. That is illegal.

[Laughter.]

Ms. DURHAM-AGUILERA. I am sorry.

Mr. BACON. Sorry. We have to push back on that.

Ms. DURHAM-AGUILERA. I will try to get over that embarrassment.

So, Congressman Bacon, thank you very much. It won't make any difference. It would be pretty hard to call off that segment. How big is that segment going to be, when we only have a certain number of spaces to make any meaningful difference but just still try to take care of our Medal of Honor, killed in action, those who perish in other tragedies, like the USS *Fitzgerald*, last year, or the C-130. You know, God willing, we won't have a large number of that population, but we have a large number of our currently eligible population right now. Twenty million right now.

So it really, realistically, would not make a meaningful difference to try to just hold just a small section, or however the case may be, for that category of people.

Thank you.

Mr. BACON. It would probably have a minor impact, so I am hearing.

Ms. DURHAM-AGUILERA. Yes, sir.

Mr. BACON. Right.

Ma'am, anything to add?

Ms. KELLEY. I think in our previous discussions and certainly in the documents that you have in front of you, you really see the difference that we are talking about. Holding space for those small populations is certainly doable, but does not fix the larger issue, which is the extraordinary demand of the other eligible populations. So, really, it is an untenable fix.

Mr. BACON. I am just thinking, last year, we lost 80 people in training accidents. So if we went with line of duty, I just feel like this is what Arlington was reserved for, for the highest levels of re-

spect and those who did that. And let's be honest, a no decision is a decision, and it is not the best decision.

Thank you very much.

Mr. COFFMAN. Thank you, General Bacon.

Can you walk us through—either one of you, could one of you walk us through the survey results that you did, just quickly, in terms of the different categories?

Ms. Kelley.

Ms. KELLEY. Mr. Chairman, I would be happy to. In front of you, the document speaks to three primary points that are germane to this discussion. The top left speaks to the challenge, and that is the graphic that shows you the—when we would close. And so if you look on the top left, we talk about the fact that, with no changes, we would be out of space in the early 2040s. If we were to get Southern Expansion, that can push us another 10-ish years. But therein lies the challenge, because that does not net us a significant gain. And so that is what we are illustrating.

We went out with our survey to explain that challenge to the public, to veteran service organizations, military service organizations, and anyone else who wanted to participate. And what you see in the top right is the themes that came as a result of that survey.

Now, in the survey, we asked open and honest questions about eligibility. We wanted feedback on whether people understood it, understood what it was today, and understood the challenge that the executive director and I are talking about, which is the fact that we can't serve the full population who is eligible today, we are closing down the available space. And so in the top right, you can see the preponderance of respondents felt very strongly about preserving Arlington open and active well into the future. And that is important for us because that tells us we have to think about changes that allow us to do that.

And the survey response centers on significant categories where people felt very strongly. Killed in action, Medal of Honor, high award recipients, former POW, or perish on Active Duty were clearly the categories that the respondents of our first survey felt very strongly about. And those have been consistent in our dialogue. It is very telling to see where those percentages laid out, sir.

Mr. COFFMAN. Well, thank you.

And let me just say as someone who—as a military retiree, I don't feel that—I want to preserve Arlington Cemetery, first and foremost, for those killed in action or those who are lost in Active Duty. I have, you know, known soldiers and Marines during my career who were lost in training accidents, and I honor their loss as much as I do those killed in action, for a number of reasons that I don't need to go into today.

I believe, to the American people, that when they associate the Arlington National Cemetery, they do so in thinking about our war dead. I mean, I think that that is the association. And so if we go beyond that to some degree, to Medal of Honor winners or significant valor awards, POWs, I would think, if we do family members—I can't remember where that is on the survey. But I think it has to be limited. And I do not think that opening a noncontiguous annex or noncontiguous cemetery will have the same value to

the American people as Arlington National Cemetery does. I just don't think, even if you do all the honors.

We do all the honors at Fort Logan National Cemetery in Colorado. And it is not Arlington. But my father, late father, a World War II, Korean war veteran, highly decorated, is interred there, buried there. And I think that that is highly appropriate. He was not killed in action. He lived a full life. And so that is where I sort of am right now.

Are there any other comments that you would like to make at this time in closing?

Ms. DURHAM-AGUILERA. So, Chairman Coffman, just a couple of comments. Now, first, our process going forward is to launch a second survey within the next few weeks. We will have it open a minimum of 60 days. We could adjust based on the feedback that we get.

After we are able to analyze the results of that next survey, we will put that all together, and then I intend to go to the Secretary of the Army and provide the results of that, plus recommendations. He intends to discuss any possible changes with his service colleagues from the other branches of the armed services and the Coast Guard, and then, of course, the Secretary of Defense. He also intends that, at that time, we also have further discussions with Congress. So that is the focus of our way ahead.

In the meantime, we will continue to do that great honor. We talk about it every day, about what an honor it is to serve at Arlington National Cemetery and take care of our veterans and patriots. Thank you.

Mr. COFFMAN. Ms. Kelley.

Ms. KELLEY. I would just like to thank you for the opportunity to talk about this challenge. And the executive director is exactly right, we need to continue the open dialogue and we will.

Mr. COFFMAN. Sure.

Ms. KELLEY. And we will continue to serve as best we can each day. Thank you.

Mr. COFFMAN. And I just want to say, if we are going to keep Arlington there for generations to come, those who have been lost or who have made the ultimate sacrifice in defense of our freedom, then we are going to have to make some tough decisions. And I am prepared to do that.

I wish to thank all of the witnesses for their testimony today on this important issue.

There being no further business, the subcommittee stands adjourned.

[Whereupon, at 11:58 a.m., the subcommittee was adjourned.]





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# **A P P E N D I X**

MARCH 8, 2018

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**PREPARED STATEMENTS SUBMITTED FOR THE RECORD**

MARCH 8, 2018

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**Opening Remarks – Chairman Mike Coffman**  
**Military Personnel Subcommittee Hearing**  
**Arlington National Cemetery**  
**March 8, 2018**

I want to welcome everyone to this morning's Military Personnel Subcommittee hearing. The purpose of today's hearing is to receive testimony from stakeholders and Department officials on the future of Arlington National Cemetery. This iconic resting place for generations of brave men and women who have served their country is truly a national treasure. During its 153 year history, more than 400,000 people have been interred or inurned at the cemetery. Unfortunately, the cemetery is rapidly running out of space. If nothing is done, in a matter of 23 short years, the cemetery will be closed to new burials.

In response to a congressional mandate, last year the Secretary of Army provided a report on Arlington National Cemetery's capacity. The report makes clear that action is required if we hope to preserve Arlington as an active cemetery.

I look forward to hearing from our two panels about their recommendations on how best to preserve Arlington National Cemetery. For our first panel, comprised of military and veteran service organizations, I look forward to hearing the views of the veterans and active service members who will be directly impacted by any decisions regarding changes to eligibility criteria. I also look forward to hearing your members' ideas on how best to preserve Arlington National Cemetery as an active cemetery well into the future. For our second panel, consisting of the leadership of Arlington National Cemetery, I look forward to hearing what steps have been taken to exhaustively research the capacity issue and what options are available to maximize both eligibility and the life of the cemetery.

Before I introduce our first panel, let me offer the Ranking Member, Ms. Speier, an opportunity to make her opening remarks.



STATEMENT

of the

MILITARY OFFICERS ASSOCIATION OF AMERICA

POLICY POSITION

on

The FUTURE of ARLINGTON NATIONAL CEMETERY

115<sup>th</sup> Congress

before the

MILITARY PERSONNEL SUBCOMMITTEE of the  
U.S. HOUSE COMMITTEE on ARMED SERVICES

March 8, 2018

Presented by

Mr. Forrest Allen

Associate Director of Government Relations

CHAIRMAN COFFMAN, RANKING MEMBER SPEIER, and other distinguished members of the Military Personnel Subcommittee of the House Armed Services Committee, on behalf of the Military Officers Association of America (MOAA), I am grateful for the opportunity to present MOAA's position concerning the future of Arlington National Cemetery.

With finite years of capacity for new burials remaining at Arlington National Cemetery, it is important to maintain the dignity of burial at the cemetery, respect end-of-life plans for the currently eligible veteran population, and, if possible, take reasonable steps toward extending the life of the cemetery for future servicemembers.

MOAA commends the secretary of the Army, Dr. Mark Esper; congressional committees; the Advisory Committee on Arlington National Cemetery (ACANC) members; and other cemetery officials for making significant efforts to include all stakeholders in the discussion about capacity concerns. Though not required, soliciting opinions from the military and veteran communities is greatly appreciated.

MOAA does not receive any grants or contracts from the federal government.

#### **PRESERVING THE PROMISE AND DIGNITY OF ARLINGTON NATIONAL CEMETERY (ANC)**

It is fitting the committee named today's hearing "Preserving the Promise." We believe that to be a common goal of all interested parties on this matter. To MOAA, preserving the promise of the cemetery is to resolve to allow those in the currently eligible population with expectations of interment or inurnment at those hallowed grounds to execute their end-of-life plans. No promise exists that the cemetery will remain open for new burials forever. Nor is there a promise that future servicemembers, even retirees, will have the option for burial there. While we may all wish for such longevity in burial opportunities, physical realities lead us to several conclusions about the future of ANC.

A formal, dignified setting exists at ANC, developed through many years of deliberate upkeep and through the virtue of those buried at the site. While many other cemeteries across the nation serve a similar purpose in honoring those who served, ANC has a special connotation. It is our desire to see such aura of reflection and remembrance preserved to the greatest extent possible.

The sacred history of ANC must not be tarnished by burial practices inconsistent with the current honors. Trends in burial preferences have changed in recent years; with more individuals preferring inurnment, the establishment of endless niche walls — though an option for maximizing burial opportunities — would detract from the aesthetics and aura of the grounds. Further, inurnment does not necessarily mean significantly less space is

consumed, as the ACANC has indicated a majority of inurnments are still in-ground burials. As burial preferences change, we expect ANC to accommodate those wishes within reason.

## **EXTENDING THE LIFE OF THE CEMETERY**

### *Expansion*

MOAA is pleased with the efforts to analyze contiguous parcels of land for potential expansion opportunities. Several parcels of land seem like logical and reasonable options for further investigation, namely properties adjacent to the cemetery owned by the National Park Service, Joint Base Myer-Henderson Hall, and the Department of Defense (DoD). Option 2B of the February 2017 ACANC report to Congress (Public Law 114-158) supports the transfer of additional adjacent federal lands to ANC. With every four acres of land adding roughly one year of life to the cemetery, this could realistically delay reaching capacity for another decade or more, which is an estimated one-third of the current lifespan.

Nonetheless, we recognize the fiscal and temporal limits of pursuing such an option. And, in the end, expansion to the available contiguous land would provide only marginal extension of the cemetery's lifespan in terms of new burials when looking out well into the future, which the ACANC has taken to mean more than 100 years.

Noncontiguous land acquisition and development merits further discussion and consideration as well. Locations such as Gettysburg, Pa., or Quantico, Va., easily could serve as dignified burial sites with the same degree of repute bestowed upon the original ANC. While such a cemetery admittedly would not possess the same feel as ANC proper at the outset, there is potential to develop such an aura over time. After all, the ANC we know today did not develop overnight. Option 2C of the February 2017 ACANC report to Congress (Public Law 114-158) suggests the establishment of a new DoD national cemetery at a new location. This could serve as the starting point for noncontiguous expansion.

As shown in the initial ACANC and MOAA survey results, there is no single dominant reason why individuals choose to be buried at ANC compared to other veteran cemeteries. This is significant because it illustrates the difficulty in creating an analogous cemetery option if Congress decides to restrict eligibility.

Other national cemeteries run by the Department of Veterans Affairs clearly satisfy the needs of a significant portion of the veteran population, and MOAA is pleased to see the continued development of those cemeteries as well. Yet these alternative resting places for retirees, veterans, and those killed in action do not necessarily hold the same



connotation as ANC, whether because of the rites and ceremonies performed at ANC or the special nature of the location. Thus, any acquisition of noncontiguous land would need a thorough rubric to come close to matching the aesthetic appeal and historical meaning of the original cemetery.

Expansion of the cemetery grounds, contiguously or not, is a viable path forward and is the preferred method of extending the life of ANC. While a costly and time-consuming undertaking, this clearly is preferable to significantly restricting eligibility, as indicated by MOAA members. There is urgency in deciding and acting on any option that will extend the life of the cemetery by means of adding land. With the current burial plots expected to run out in roughly two to three decades, the land acquisition and development process must begin in the very near future.

#### *Eligibility Restrictions*

MOAA does not oppose reserving a select number of gravesites for those who are killed in action or earn a particular award of high honor. However, the expectation and earned right to be laid to rest at ANC for the currently eligible population should not be exchanged for an active duty servicemember who dies from a noncombat-related incident 80 years in the future.

The ACANC's plan to carry out a second survey in spring of 2018 is of great interest to MOAA. The targeted survey will provide fantastic perspective on what a broad segment of the military and veteran community perceive to be an appropriate cut-off point, if any, in terms of eligibility.

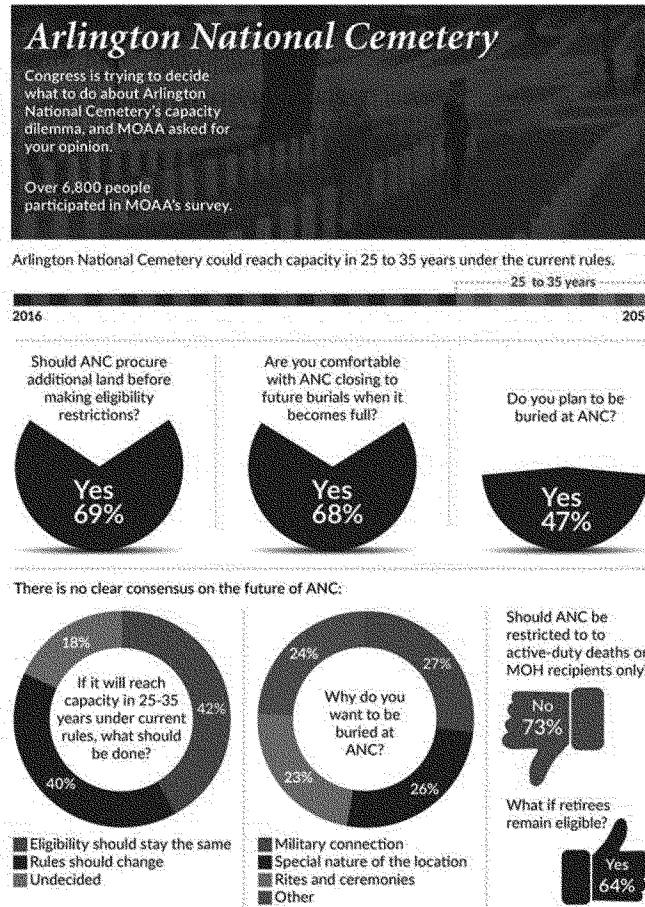
MOAA believes that if the survey results show eligibility restrictions are desirable, there should at a minimum be a reinstatement of a reservation system for plots and columbarium spaces to allow those who already have made plans to have their wishes honored.

**POLICY RECOMMENDATIONS**

MOAA's position on the future of ANC is informed by engagement with our membership on the issue. We conducted a survey of our membership in 2016 to better understand our members' preferences on the topics of restricting eligibility and the eventual unavailability of space for new burials.

The results provide good perspective on the difficulty policymakers have in deciding how to go forward. The variance in preferences underscores the divisiveness of the topic, particularly when it comes to eligibility.

The survey, summarized in the following graphic, provided data reflective of MOAA's position on how best to handle the future lack of new burial sites at ANC. Participants overwhelmingly rejected the idea of restricting military retirees, with the significant majority preferring expansion options as the initial course of action. Further, most participants favored continued current eligibility, at least in the near term, even if that means closing ANC to future burials once it reaches capacity.



While the ACANC is tasked with exploring ways to extend the life of ANC well into the future, we believe there exists a certain level of comfort and understanding that, whether changes are made or not, space for new burials will run out at some point.

Although ACANC members made valuable and necessary evaluative forecasts about the life of the cemetery with different eligibility standards, there is reason to doubt any projection many decades into the future. To assume there will be no major escalating conflict in the next century, while we may wish it to be true, would disagree with our nation's military history. Further, the nature of warfare is likely to change over the duration of these projections. Therefore, we cannot summarily conclude that any particular option will guarantee an extension well into the future.

*To best honor the promise of ANC, MOAA recommends:*

- *Congress not take action restricting eligibility for the military retiree population, other than reserving a set number of plots for specific honorees, such as those killed in action or those who receive a Medal of Honor;*
- *Congress appropriate funds to undertake acquisition and development of adjacent land, including funding of the Southern Expansion project currently underway; and*
- *Congress appropriate funds for the study and eventual acquisition of noncontiguous land to be used as an Arlington annex.*

## CONCLUSION

MOAA appreciates the Subcommittee on Military Personnel for holding this hearing to examine the options for extending the promise and meaning of ANC. We are grateful for the full commitment to exploring all potential courses of action on this issue and eagerly await the advisory committee and secretary of the Army's final recommendation to Congress thereafter. Similarly, we look forward to seeing the results of a second survey, which will more clearly delineate burial eligibility preferences for a broad, interested population. Thank you for the opportunity to submit testimony on behalf of our membership.

**Forrest Allen**

Forrest Allen joined the Military Officers Association of America in 2013 after graduating from Hampden-Sydney College in Virginia with a Bachelor of Arts in Foreign Affairs. He also earned a master's degree in public policy, focusing on national security, from George Mason University.

Forrest supports MOAA's mission by focusing on health care and veterans' legislative issues. Additionally, he plays a key role in legislative research and analysis for MOAA's Government Relations team. Forrest also serves as Co-Chair of the Military Coalition Tax Committee.

*Positions Held at MOAA:*

Associate Director, Government Relations

Manager, Member Service Center

Member Service Representative

**DISCLOSURE FORM FOR WITNESSES  
COMMITTEE ON ARMED SERVICES  
U.S. HOUSE OF REPRESENTATIVES**

**INSTRUCTION TO WITNESSES:** Rule 11, clause 2(g)(5), of the Rules of the U.S. House of Representatives for the 115<sup>th</sup> Congress requires nongovernmental witnesses appearing before House committees to include in their written statements a curriculum vitae and a disclosure of the amount and source of any federal contracts or grants (including subcontracts and subgrants), or contracts or payments originating with a foreign government, received during the current and two previous calendar years either by the witness or by an entity represented by the witness and related to the subject matter of the hearing. This form is intended to assist witnesses appearing before the House Committee on Armed Services in complying with the House rule. Please note that a copy of these statements, with appropriate redactions to protect the witness's personal privacy (including home address and phone number) will be made publicly available in electronic form not later than one day after the witness's appearance before the committee. Witnesses may list additional grants, contracts, or payments on additional sheets, if necessary.

**Witness name:** George Forrest Allen

**Capacity in which appearing:** (check one)

☐ Individual

☒ Representative

**If appearing in a representative capacity, name of the company, association or other entity being represented:** Military Officers Association of America (MOAA)

**Federal Contract or Grant Information:** If you or the entity you represent before the Committee on Armed Services has contracts (including subcontracts) or grants (including subgrants) with the federal government, please provide the following information:

**2018**

Federal grant/ contract	Federal agency	Dollar value	Subject of contract or grant

2017

Federal grant/ contract	Federal agency	Dollar value	Subject of contract or grant

2016

Federal grant/ contract	Federal agency	Dollar value	Subject of contract or grant

**Foreign Government Contract or Payment Information:** If you or the entity you represent before the Committee on Armed Services has contracts or payments originating from a foreign government, please provide the following information:

2018

Foreign contract/ payment	Foreign government	Dollar value	Subject of contract or payment

2017

Foreign contract/ payment	Foreign government	Dollar value	Subject of contract or payment

2016

Foreign contract/ payment	Foreign government	Dollar value	Subject of contract or payment





STATEMENT OF  
GERARDO AVILA, DEPUTY DIRECTOR  
VETERANS AFFAIRS AND REHABILITATION DIVISION  
THE AMERICAN LEGION

BEFORE THE

SUBCOMMITTEE ON MILITARY PERSONNEL  
ARMED SERVICES COMMITTEE  
UNITED STATES HOUSE OF REPRESENTATIVES

ON

"ARLINGTON NATIONAL CEMETERY"

MARCH 8, 2018

STATEMENT OF  
GERARDO AVILA, DEPUTY DIRECTOR,  
VETERANS AFFAIRS AND REHABILITATION DIVISION  
THE AMERICAN LEGION  
BEFORE THE  
SUBCOMMITTEE ON MILITARY PERSONNEL  
ARMED SERVICES COMMITTEE  
UNITED STATES HOUSE OF REPRESENTATIVES  
ON  
“ARLINGTON NATIONAL CEMETERY”

MARCH 8, 2018

*“It is for us, the living, rather, to be dedicated here to the unfinished work which they who fought here, have, thus far, so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us that from these honored dead we take increased devotion to that cause for which they here gave the last full measure of devotion - that we here highly resolve that these dead shall not have died in vain - that this nation, under God, shall have a new birth of freedom - and that government of the people, by the people, for the people, shall not perish from the earth.” - Abraham Lincoln’s Gettysburg Address*

Chairman Coffman, Ranking Member Speier and distinguished members of the Subcommittee on Military Personnel; on behalf of National Commander Denise H. Rohan and the 2 million members of The American Legion, the largest patriotic service organization for veterans serving every man and woman who has worn the uniform for this country, thank you for the opportunity to testify regarding the future of Arlington National Cemetery.

President Lincoln’s epochal words dedicating the cemetery at Gettysburg in the wake of that battle should be remembered by all as we turn our attention to preserving Arlington National Cemetery (ANC). Today, ANC has become the national symbol most reflective and embodying of the intent President Lincoln expressed on the field at Gettysburg that day.

ANC did not start out as the iconic symbol that it is today; rather, the cemetery has evolved over its 150-year history. ANC began as one of over 60 cemeteries created for those who died in the Civil War. A practical necessity to manage the unprecedented number of casualties during the war, the cemeteries were created to ensure proper burial for servicemembers whose families could not afford to bring the remains of their fallen loved ones home. Since that time, ANC has grown to become unique among our national cemeteries and landmarks. Its iconic landscape of neatly lined white markers stretching across the rolling hillsides serves as a tribute to the service and sacrifice of every individual laid to rest within the hallowed grounds.

The American Legion’s members recognized this at our Ninety-Eighth National Convention in Cincinnati, Ohio. The American Legion approved Resolution No. 93: *Codify Burial Eligibility for Arlington National Cemetery*, “urges Congress to codify eligibility criteria for burial at Arlington National Cemetery and that such burial be restricted to service members who die on active-duty;

to our most decorated veterans to include recipients of the Purple Heart; former members of the armed forces separated from the military with a physical disability of 30 percent or more before October 1, 1949; and to veterans who spent full careers in uniform, and to their spouses and eligible children; to former prisoners of war; and for the President or former Presidents as Commanders in Chief of the Armed Forces.”

In adopting Resolution 93, The American Legion recognized the reality that ANC is running out of space. In its annual report to Congress, *The Future of Arlington National Cemetery: Report on the Cemetery's Interment and Inurnment Capacity 2017*; ANC is projected to reach capacity in the early 2040s. This projection is based on the average ceremonies conducted annually, maintaining the current eligibility criteria, and the cemetery's current footprint. At the current rate, if no action is taken, most veterans from the recent wars in Iraq and Afghanistan, to include 11 living Medal of Honor recipients, will more than likely not have the option to be buried at ANC. If we do nothing, the reality is ANC will cease to operate as it has throughout its 150-year history as a final resting place for servicemembers and veterans.

To extend the life of ANC as a cemetery capable of memorializing our nation's heroes into the future, it will require difficult decisions to be made and a conscious effort toward compromise from all concerned stakeholders. The American Legion has recognized this sobering reality and continues to evolve its stance to ensure ANC will be preserved for generations of not only veterans having served their country, but for all Americans. The American Legion understands the eligibility criteria for ANC, as our nation's most sacred shrine, needs to be codified in order to assure compliance and fairness to guarantee remaining spaces are used prudently and distributed judiciously. In addition to changes to eligibility criteria for interment and inurnment, we must also look to other avenues including: pursuing expansion opportunities where available, and alternative options for maximizing the current space.

First, restricting the eligibility criteria will have the greatest impact and immediate results in ensuring the cemetery is capable of accomplishing its mission well in the future. This option is the most controversial and potentially impacts millions of veterans who have wished to make ANC their final resting place. ANC already has narrowed criteria for eligibility when compared to other cemeteries operated by the National Cemetery Administration (NCA). In addition to narrowed eligibility, ANC differentiates criteria for in-ground and aboveground eligibility. Only those killed in action, died on active duty, retirees, and those with qualifying valor awards may be placed in-ground.

Historical data shows approximately one percent of all retirees final resting place is ANC; with the current veteran population estimated around twenty million, we can easily anticipate capacity is not there to meet the future demand. The removal of retirees from the current eligibility criteria is a sensitive subject for members of The American Legion and one ANC is well aware of. While The American Legion recognizes the necessity of restricting eligibility criteria in accordance with our resolution, we must emphasize retirees and veterans will need to be educated on ANC's challenges and options for their final resting place in other veteran cemeteries operated by NCA across the nation.

Secondarily, the option of expanding comes with its own set of challenges, namely: available real estate, time, and money. Due to its geographical location, there is very little room for ANC to expand its current footprint. The Millennium Project expansion, which will provide an additional 27 acres with an estimated 27,282 spaces, is the cemetery's first expansion since 1976 with a budget of \$81.7 million. Currently, another expansion project is under consideration with a proposed budget of \$274 million. We support these expansion projects to increase the overall capacity of ANC.

Finally, in addition to tailoring eligibility in accordance with our resolution and increasing capacity, we support the proposal for exploring alternative ideas for maximizing the current space with the use of new burial techniques and increase use of aboveground inurnments. The American Legion shares with the U.S. Army, its expressed concern in using new and aboveground burial techniques fearing it will alter the architectural design of the cemetery and make it less aesthetically pleasing. However, we remain open to changes that do not detract from ANC and would add beneficial use to veterans and the nation.

All of these options present tough and unique challenges, but we must all now come to the realization that something must be done. We must now take action. We must also understand that failure to take action is making a decision, the decision to allow Arlington National Cemetery to reach capacity and cease operating as it has since its inception.

The American Legion supports immediate action to ensure the future legacy of Arlington National Cemetery is protected for future generations. We believe in order to make a significant impact all three proposed options should be considered. Changing the eligibility criteria will require extensive outreach in order to educate those veterans, servicemembers and their eligible dependents that may be impacted on the tough challenges with regards to capacity. Expansion projects should be explored and pursued, even considerations that would exist independent of the current footprint at another location within close proximity to our nation's capital.

The American Legion's own 100 year history is integrally intertwined with endeavors to preserve the legacy of this nation's servicemembers. With the creation of the Graves Registration and Memorial Affairs Committee in 1962 to the current National Cemetery Committee, The American Legion has maintained professional staff dedicated to formulate and recommend to The American Legion's National Executive Committee, through the Veterans Affairs & Rehabilitation Commission, policies, plans and programs as they relate to Department of Veterans Affairs' national cemeteries, and the interment of veterans, military and their dependents. This includes Arlington National Cemetery administered by the Department of the Army.

We would like to take this opportunity to acknowledge and say thank you to Arlington National Cemetery and the Advisory Committee for including The American Legion and the Veteran Service Organization (VSO) community in this delicate and extremely important discussion.

As always, The American Legion thanks this subcommittee for the opportunity to elucidate the position of the 2 million veteran members of this organization. For additional information regarding this testimony, please contact Mr. Larry Lohmann, Assistant Director of The American Legion's Legislative Division at (202) 861-2700 or [llohmann@legion.org](mailto:llohmann@legion.org).

**BIOGRAPHY OF GERARDO AVILA  
DEPUTY DIRECTOR, MEB, PEB & DOD BOARDS  
THE AMERICAN LEGION  
VETERANS AFFAIRS AND REHABILITATION DIVISION**

Gerardo Avila joined The American Legion in March of 2013. Currently, Gerardo serves as the Deputy Director for Medical Evaluation Board (MEB), Physical Evaluation Board (PEB) and Department of Defense (DoD) Boards.

Gerardo enlisted into the Army in October 1991. He completed Basic Combat Training and Advanced Individual Training at Fort Benning, GA and was awarded the military occupational specialty of 11B, Infantry.

Gerardo has held leadership positions from team leader to Platoon Sergeant. His first duty assignment was as M60 machine gunner and scout team leader with the 25<sup>th</sup> Infantry Division Light, Schofield Barracks, HI. He was then assigned to the 101st Airborne Division, Fort Campbell, KY where he served as infantry and pathfinder team leader. His next assignment was with the 1<sup>st</sup> Bn 5<sup>th</sup> Infantry Regiment, Schofield Barracks, HI as squad leader. He was then assigned as Platoon Sergeant in the 1<sup>st</sup> Brigade 25<sup>th</sup> Infantry Division "Stryker", Fort Lewis, WA where he deployed in support of Operation Iraqi freedom in 2004. His final assignment was as senior enlisted advisor at the United States Military Academy Preparatory School, Fort Monmouth, NJ and West Point, NY. Gerardo retired in December 2012.

Gerardo's military awards include The Legion of Merit, Purple Heart, Meritorious Service Medal 2<sup>nd</sup> Award, Army Commendation Medal 5<sup>th</sup> Award, Army Achievement Medal 4<sup>th</sup> Award, The Expert Infantryman's Badge, Senior Parachutes Badge, Air Assault Badge, Ranger Tab, and The Pathfinder Badge.

Gerardo's military education includes the Primary Leadership Development Course, Basic Non-Commissioned Officers Course, Advanced Non-Commissioned Officers Course, Battle Staff Course, Airborne School, Ranger School, Air Assault School, Pathfinder School, and Jumpmaster School.

Gerardo resides in Triangle, Virginia with his wife Jaime and is a member of The American Legion George Washington Post 1 in Washington DC.

STATEMENT OF  
JOHN TOWLES, DEPUTY DIRECTOR  
NATIONAL LEGISLATIVE SERVICE  
VETERANS OF FOREIGN WARS OF THE UNITED STATES  
BEFORE  
SUBCOMMITTEE ON MILITARY PERSONNEL  
COMMITTEE ON ARMED SERVICES  
UNITED STATES HOUSE OF REPRESENTATIVES  
WITH RESPECT TO  
**“Arlington National Cemetery – Preserving the Promise”**

WASHINGTON, D.C.

March 8, 2018

Chairman Coffman, Ranking Member Speier, and members of the subcommittee, on behalf of the 1.7 million men and women of the Veterans of Foreign Wars of the United States (VFW) and its Auxiliary, I would like to thank you for the opportunity to testify before this distinguished subcommittee to present our views concerning the future of Arlington National Cemetery.

As the nation’s largest war veterans service organization, the VFW proudly represents more than 300,000 Post-9/11 veterans, and more than 60,000 members of the active duty, National Guard, and Reserves. This is why the future of our nation’s most hallowed ground is a top priority for us.

In 1967, President Lyndon Johnson requested that the Department of Veterans Affairs (VA) conduct a survey of all existing veterans programs, to include veterans’ burial and cemetery programs administered by both the Department of the Army and VA. A year later, along with the National Veterans Advisory Committee which included VFW representation, they delivered a report to Congress that paved the way for the transfer of 82 of the Army’s 84 cemeteries to VA. The only two that remained under the care of the Army were the Soldier’s Home National Cemetery and Arlington National Cemetery (ANC).

1967 also saw a significant restriction placed on eligibility due to growing concerns that the number of American service members being killed in action during the Vietnam War and rapidly aging WWI veterans would fill ANC to capacity. This new regulation restricted in-ground burials to military personnel who died on active duty, career military retirees, or recipients of the highest military awards, such as the Medal of Honor, the Silver Star or the Purple Heart.

Initially, the VFW vehemently opposed the new eligibility restrictions. In fact, our membership was so outraged that we withdrew from the ANC’s annual Veterans’ Day ceremony that year.

As a membership organization, the VFW is required to represent the views and preferences of our members. In 1967, this meant opposing all proposed eligibility changes.

Today, however, the VFW is able to consider several options to ensure the longevity of ANC. After many meetings with top officials within the Office of the Secretary of Defense and the Department of the Army, as well as surveys and roundtables conducted by ANC, there is only one eligibility restriction proposal the VFW supports — restricting eligibility to 24 months of active-duty service. This does not include those killed in action or the dependents of active-duty service members with more than 24 months of service, who must continue to be eligible. Enacting this eligibility restriction would make the in-ground interment policy at ANC commensurate with that of cemeteries within VA's National Cemetery Administration (NCA) and would reduce workload at ANC by approximately 200 burials per year.

While the VFW acknowledges that restricting eligibility to those killed-in-action or Medal of Honor recipients would ensure that ANC remains open in perpetuity, the VFW has an obligation to advocate for and preserve the integrity of the option best suited to do the most good for the most number of veterans. Restricting eligibility to a very small category of veterans is not feasible if the true goal is to provide those who deserve to be laid to rest in America's most hallowed grounds the ability to do so, specifically those who are already making end-of-life plans based on their current eligibility.

To the VFW, it is imperative that the way forward include the acquisition of additional space in some form or another, as land is a finite resource, especially in the Washington, D.C., metro area. This is why the VFW fully supports the proposed southern expansion, which would add an additional 37 to 40 acres to the cemetery and provide approximately 40,000-60,000 new gravesites. When combined with the proposed 24-month eligibility restriction, the life of the ANC would be extended through 2074.

As previously stated, there is no easy answer in terms of what happens after 2074 given the current land shortage in the area. However, there is one property in the area that may offer a solution — The Armed Forces Retirement Home. For the past decade, VFW members have donated time and manpower to assist the residents of the Armed Forces Retirement Home by helping to maintain the property through various service projects. Every year we go out and we see unused space. We see a golf course that is struggling to remain open. We read articles in the local press concerning proposals to develop up to 80 acres of excess space on the property for commercial use, but have seen such requests go unnoticed.

The cemetery at the Armed Forces Retirement Home is arguably one of the most historic and oldest cemeteries in this country, aside from ANC. From 1861 to 1864, the cemetery accepted thousands of soldiers' remains from the Union states, which quickly filled the grounds to capacity. An 1874 report on the cemetery chronicled more than 5,600 interments, including 278 unknown, 125 Confederate prisoners of war, and 117 civilian relatives of the deceased and employees of the retirement home. In 1883, more than nine additional acres were added to the grounds, bringing the cemetery's total size to nearly sixteen acres. Additionally, the cemetery is the final resting place of 21 Medal of Honor recipients.

Given that the southern expansion would reclaim 40 acres at ANC which would provide an additional 40,000-60,000 gravesites, then it follows that reclaiming the 80 acres of surplus land at the Armed Forces Retirement Home would give us an additional 80,000-120,000 gravesites, which would push us well beyond 2074.

Barring that, the other option is to encourage VA to work with other state and federal partners in order to expand the burial space within the NCA's current inventory, along with this committee working with your colleagues on the House and Senate Veterans' Affairs and Appropriations Committees to provide VA with the funding needed to expand their efforts. Given NCA's reluctance to take hold of low-hanging fruit such as the discarded Mare Island Naval Cemetery in the San Francisco Bay area, it seems as though it will take more than just giving them additional funding in order for them to commit to expanding their current inventory.

In the end, the men and women who served this nation honorably, as well as their family members, deserve to be laid to rest in hallowed ground. It may not have been a consideration while they were serving, but it is an honor that they have earned through their blood, sweat, and tears. As a nation, we have an obligation to ensure that they, and their sacrifices, are honored as thoroughly as possible.

Chairman Coffman, Ranking Member Speier, this concludes my testimony. Again, I want to sincerely thank you and the other members of this subcommittee for the opportunity to testify on this important issue, and I look forward to answering any questions that you may have.



**Information Required by Rule XI2(g)(4) of the House of Representatives**

Pursuant to Rule XI2(g)(4) of the House of Representatives, the VFW has not received any federal grants in Fiscal Year 2018, nor has it received any federal grants in the two previous Fiscal Years.

The VFW has not received payments or contracts from any foreign governments in the current year or preceding two calendar years.

**John N. Towles**  
**Deputy Director**  
**National Legislative Service**  
**Veterans of Foreign Wars of the United States**

John Towles is the Deputy Director of the National Legislative Service for the Veterans of Foreign Wars of the United States. Under the direction and guidance of the National Legislative Director, it is his responsibility to plan, coordinate, and implement the VFW's national legislative agenda with members of Congress, their staff and committees, and with other federal departments, agencies and organizations.

John was born at Millington Naval Air Station, Tennessee to a family whose service to this nation spans over 240 years. Although John lived in nine states and two countries before the age of fifteen, he considers North Carolina home.

John entered the United States Army in 2004, and served as a 68W - Healthcare Specialist for eight years. He is a Veteran of two combat deployments; one in support of Operation Iraqi Freedom in 2005 to Mosul, Iraq, and one in support of Operation Enduring Freedom in 2009 to Regional Command South, Afghanistan. As a result of combat injuries sustained in Southern Afghanistan, he was medically retired from Active Duty in 2012 as a Staff Sergeant.

Prior to joining the VFW legislative team, John participated in the U.S. House of Representatives Wounded Warrior Fellowship program and served from 2013-2015 in the District Office of Representative Tulsi Gabbard, in Honolulu, Hawaii.

Following the completion of the fellowship, John served as the National Director for Veterans Outreach on the Bernie Sanders 2016 Presidential Campaign, and returned to the Washington D.C. office of Representative Gabbard where he served as the Military and Foreign Affairs Legislative Assistant.

Along with assisting in the overall functions of the National Legislative Service, John's primary areas of concentration, with regards to Congressional subcommittees, are the Disability Assistance and Memorial Affairs subcommittee; and the Military Readiness, and Military Personnel subcommittees.

March 14, 2017

**Witness name:** John Towles

☐ Individual☒ Representative

**Federal Contract or Grant Information:** If you or the entity you represent before the Committee on Armed Services has contracts (including subcontracts) or grants (including subgrants) with the federal government, please provide the following information:

Federal grant/ contract	Federal agency	Dollar value	Subject of contract or <u>grant</u>

2017 N/A

[illegible]

2016 N/A

[illegible]



**Testimony Before the  
House Armed Services Committee,  
Military Personnel Subcommittee**

**by**

**Colonel (Ret.) Keith W. Zuegel, USAF  
Senior Director, Government Relations  
Air Force Association (AFA)**

**8 March 2018**

Chairman Coffman, Ranking Member Speier, Members of the Committee,

On behalf of the Air Force Association's leadership and our 96,000 members, the nearly 700,000 Airmen, civilians, and families that we represent, and the millions of veterans who have worn Air Force Blue, I am honored to testify today on the importance of Arlington National Cemetery.

We have been involved in this issue for quite some time and routinely participate in meetings with the Arlington National Cemetery's Advisory Committee for the Secretary of the Army.

There are an estimated 22 million veterans alive today who served honorably and understand the significance of Arlington National Cemetery. As the organization that led the financing and construction of the Air Force Memorial, which could potentially be encroached by cemetery expansion options, we at AFA realize that the surrounding land is finite. Space in this hallowed ground is projected to run out in the early 2040s, and a solution must be found soon.

Thank you for holding this hearing and for having this difficult discussion.

**We strongly believe that our nation's decision makers should explore an 'all of the above' strategy, to include land expansion and land optimization before reducing or curtailing eligibility.** It is important to keep the cemetery viable as long as possible for future Medal of Honor recipients, those killed in combat, and top medal awardees.

We should strive to obtain surrounding land to expand the present cemetery. Although the cemetery's majestic serenity should be largely preserved, there are avenues to increase burial locations without losing the cemetery's solemn presence. In addition to exploring expansion possibilities, more above ground inurnments should be considered.

As military members age and consider their final resting place, it is paramount that this hearing today be followed by quick and decisive action from the Secretary of the Army, the Secretary of Defense, and the President. We ask for your oversight in making sure this happens.

Thank you for the invitation to testify today. We thank you for bringing this issue before the public, and the Air Force Association is honored and

privileged to present testimony to advocate for the continued viability of Arlington National Cemetery. We are entrusted with the solemn responsibility to care for those men and women that sacrificed so much for our great nation, and we are eager to work with the US Congress and the Department of Defense on the best way forward for Arlington National Cemetery.

I look forward to your questions.



**Keith W. Zuegel, Colonel (Ret), USAF**  
**Air Force Association (AFA)**  
**Senior Director, Government Relations**

Keith Zuegel serves as the Senior Director, Government Relations for the Air Force Association (AFA) where he develops and executes the Association's aerospace advocacy and promotes a dominant United States Air Force on Capitol Hill with the U.S. Congress, Air Force Headquarters, Department of Defense (DOD), Department of Veterans Affairs (VA) and with other Federal agencies. He collaborates with the Association's Councils, Executive Committee, Board of Directors and Convention Delegates to develop, coordinate, and implement, the Association's annual Statement of Policy, Issue Papers and Resolutions. He also is a member on the Army and Air Force Exchange Retiree Advisory Council (ERAC).

Prior to joining AFA, Keith served as Senior Vice President at McKeon Group, Inc., a consulting firm providing strategic analysis and government relations for defense clients. Upon retiring from the Air Force, Keith was the Managing Director, Government Relations for Accenture, a global management and technology consulting company, where he was responsible for their Defense, Intelligence, Veterans Affairs, and Appropriations.

Keith Zuegel retired as a Colonel from the U.S. Air Force in June 2010. He served more than 28 years and was awarded a Silver Star in the Gulf War. His first 12 years, he flew in fighter aircraft and logged combat hours. Then, Colonel Zuegel served 11 years in legislative positions in 4 different influential Department of Defense (DOD) congressional offices. From 2007 until June 2010, he served as the Director, Congressional Budget and Appropriations Liaison (SAF/FML), where he was the Air Force's lead in executing Hill strategy to secure their \$170.9 billion annual budgets and key programs. He was the principal advisor to the Secretary of the Air Force and Chief of Staff of the Air Force on all congressional budget and appropriations matters. From 2005 to 2007, he was Director, Legislative Affairs, U.S. Joint Forces Command (JFCOM) and led their \$800 million annual budgets on Capitol Hill and advised the commander on all congressional issues. From 2001-2003, he served as the Deputy Legislative Assistant to two successive Chairmen, Joint Chiefs of Staff (CJCS), advising the Chairmen and Vice Chairmen on Joint congressional issues. From 1998 to 2001, as Deputy Division Chief, Secretary of the Air Force Legislative Liaison (SAF/LL), Keith prepared the Secretary and Chief of Staff of the Air Force for hearing testimony and office calls. While in his legislative assignments, Colonel Zuegel authored and coordinated numerous legislative strategies, congressional engagements, testimony, briefings, and Capitol Hill Messages. Colonel Zuegel was a Joint Specialty Officer (JSO) who served in three Joint Commands and led strategies in the U.S., Europe, Asia Pacific, and Middle East.

Keith is a 1982 graduate of the United States Air Force Academy in Colorado Springs, CO with a Bachelor of Science degree in Management. He has a Masters degree in Business Administration from Central Michigan University and a Masters in International Studies Science from Deakin University, Australia. He completed the Certificate Program in Legislative Studies, Government Affairs Institute (GAI), Georgetown University.

Keith is a member of the Aircraft Owners' and Pilots' Association (AOPA); Air Force Association (AFA); Air Force Sergeants Association (AFSA); American Legion; Boy Scouts of America (BSA); Civil Air Patrol (CAP); Military Officers Association of America (MOAA); and the U.S. Air Force Academy (USAFA) Graduates Association.

Keith is married with three children and lives with his wife, Eva, and their children in Springfield, VA.

**DISCLOSURE FORM FOR WITNESSES  
COMMITTEE ON ARMED SERVICES  
U.S. HOUSE OF REPRESENTATIVES**

**INSTRUCTION TO WITNESSES:** Rule 11, clause 2(g)(5), of the Rules of the U.S. House of Representatives for the 115<sup>th</sup> Congress requires nongovernmental witnesses appearing before House committees to include in their written statements a curriculum vitae and a disclosure of the amount and source of any federal contracts or grants (including subcontracts and subgrants), or contracts or payments originating with a foreign government, received during the current and two previous calendar years either by the witness or by an entity represented by the witness and related to the subject matter of the hearing. This form is intended to assist witnesses appearing before the House Committee on Armed Services in complying with the House rule. Please note that a copy of these statements, with appropriate redactions to protect the witness's personal privacy (including home address and phone number) will be made publicly available in electronic form not later than one day after the witness's appearance before the committee. Witnesses may list additional grants, contracts, or payments on additional sheets, if necessary.

**Witness name:** Keith Wayne Zuegel

**Capacity in which appearing:** (check one)

☐ Individual

☒ Representative

**If appearing in a representative capacity, name of the company, association or other entity being represented:** Air Force Association (AFA)

**Federal Contract or Grant Information:** If you or the entity you represent before the Committee on Armed Services has contracts (including subcontracts) or grants (including subgrants) with the federal government, please provide the following information:

**2018**

Federal grant/ contract	Federal agency	Dollar value	Subject of contract or grant

**2017**

<b>Federal grant/ contract</b>	<b>Federal agency</b>	<b>Dollar value</b>	<b>Subject of contract or grant</b>
HQ0034-16-P-0146	Office of Secretary of Defense	\$111,494	
HQ0034-16-P-0145	Office of Secretary of Defense	\$52,999.96	
HSHQDC-16-X-00127	Dept of Homeland Security	\$126,218.27	
	Air Force STEM	\$161,183.74	

**2016**

<b>Federal grant/ contract</b>	<b>Federal agency</b>	<b>Dollar value</b>	<b>Subject of contract or grant</b>
HSHQOC-16-X-00127	Dept of Homeland Security	\$132,000	
	Office of Secretary of Defense	\$82,000	
	Air Force STEM	\$49,000	

**Foreign Government Contract or Payment Information:** If you or the entity you represent before the Committee on Armed Services has contracts or payments originating from a foreign government, please provide the following information:

**2018**

<b>Foreign contract/ payment</b>	<b>Foreign government</b>	<b>Dollar value</b>	<b>Subject of contract or payment</b>

2017

Foreign contract/ payment	Foreign government	Dollar value	Subject of contract or payment

2016

Foreign contract/ payment	Foreign government	Dollar value	Subject of contract or payment

**RECORD VERSION**

**STATEMENT BY**

**MS. KAREN DURHAM-AGUILERA  
EXECUTIVE DIRECTOR, ARMY NATIONAL MILITARY CEMETERIES**

**BEFORE THE**

**SUBCOMMITTEE ON MILITARY PERSONNEL  
COMMITTEE ON ARMED SERVICES  
UNITED STATES HOUSE OF REPRESENTATIVES**

**SECOND SESSION, 115TH CONGRESS**

**ON ARLINGTON NATIONAL CEMETERY:  
CURRENT OPERATIONS AND FUTURE PLANS TO HONOR THE FALLEN**

**MARCH 8, 2018**

**NOT FOR PUBLICATION UNTIL RELEASED BY THE  
COMMITTEE ON ARMED SERVICES**

**STATEMENT BY MS. KAREN DURHAM-AGUILERA****INTRODUCTION**

Chairman Coffman, Ranking Member Speier and distinguished members of the Subcommittee, thank you for the opportunity to provide a further update to the subcommittee. Arlington National Cemetery – as one of this nation's hallowed national cemeteries - is an iconic place devoted to honoring the memory of individuals in the armed services who made a significant commitment of service to the defense of our nation. Each week the cemetery faithfully conducts approximately 150 funeral services on behalf of a grateful nation. In fiscal year 2017, Arlington National Cemetery interred nearly 7,100 active duty service members, veterans and their family members. Arlington National Cemetery also annually hosts approximately 3.3 million guests, helping each visitor connect to the sacrifices of our military. On behalf of the Cemetery and the Department of the Army, I express our deep appreciation for the support provided by Congress over these many years.

**THE STATE OF ARLINGTON NATIONAL CEMETERY**

The dedicated staff are honored to conduct Arlington National Cemetery's primary mission, to provide a dignified and honorable final resting place for active duty service members, eligible veterans, and their families. Our daily mission is threefold: to lay to rest – on behalf of a grateful nation - those who have served along with their eligible family members; to connect our guests to the cemetery's rich history; and to maintain the hallowed grounds in a manner befitting the sacrifice of those who rest in quiet repose. We envision a future Arlington National Cemetery that continues well beyond the next few decades to honor those who served our great nation. The Army recognizes that the cemetery is at a critical point in its history. The cemetery cannot achieve that future with physical expansion alone; changes to eligibility combined with expansion will ensure Arlington continues to be an active cemetery well into the future, or for the next 150 years.

Current projections indicate Arlington National Cemetery will be closed for first interments by the early 2040s. This means that a veteran from the 1991 Gulf War who lives to his or her normal life expectancy will not be able to be interred at Arlington.

Eligibility for Arlington National Cemetery is a difficult and emotional topic. It is also not a new topic. On several occasions during the life of the cemetery, difficult decisions have been made to both expand burial space and to restrict eligibility for burial in order to extend the life of the cemetery. The last significant change to eligibility was in the late 1960s. For decades, the Army has continued to create the means for any veteran, with honorable active duty service, to be laid to rest amongst its rolling hills and columbaria. The cemetery has expanded its boundaries when possible and incorporated modern burial practices in order to accommodate the high demand. Today, we again face the reality of the cemetery closing to new burials if we do not further restrict eligibility. Beyond Southern Expansion, we do not have the benefit of adjacent land into which we can expand and must consider – as others have before us – the difficult task of limiting eligibility at Arlington National Cemetery so that our inevitable future war dead may be laid to rest alongside their fellow warfighters.

#### **LEADERSHIP FOCUS AREAS**

As we work to remain an iconic symbol of our nation, we are focused on our day to day mission and ensuring that we can remain an active cemetery for as long as possible. To do this, for our dedicated team at Arlington National Cemetery, I have established three priorities: Readiness, our People, and the Future.

Readiness is achieved when we set the conditions to have the resources we need, when we need them, so that our sacred mission can be accomplished achieving as many as 30 services a day. Our management practices must assure confidence and credibility to ensure the peace of mind of our veterans and of the taxpayers. We cannot allow ourselves to fail those who have given everything for our way of life. Part of the way to

achieve improved readiness is through our budget. The Congressional Marks to Arlington National Cemetery's fiscal year 2018 budget recognized and supported the increased requirements associated with civilian pay increases, contract inflation and security.

We are acutely aware of our people, both our employees and our guests. Arlington National Cemetery operates at a pace that puts pressure on our employees to be near-perfect every day. Over 400,000 are laid to rest at Arlington National Cemetery; of those, in the past decade alone, it has been our honor to lay to rest nearly 70,000 of our nation's finest individuals. This intense operational tempo must be tempered with time to sustain the best training practices and time to take care of our employees – our most valuable resource. Additionally, we look to improve the experience for our visitors – by keeping them safe and continually developing enhancements to enrich the time they spend with us at the Cemetery.

The Army remains committed to maintaining Arlington National Cemetery as the nation's premier military cemetery and national shrine in perpetuity. We are also committed to actively serving and honoring our nation's service member, veterans, and their families for as long as possible. The Secretary of the Army's February 2017 report to Congress explains how spatial constraints limit the life of Arlington as an active cemetery and discusses the difficult topics of eligibility and expansion. Key options to consider include redefining eligibility criteria for interment and inurnment, considerations for additional expansion opportunities beyond current boundaries, and evaluating alternative ideas for maximizing the current space within the Cemetery's geographic footprint.

#### **FUTURE OF THE CEMETERY**

The future of Arlington National Cemetery is a challenging and emotional subject that requires engagement with the American public to set the proper course. To ensure we hear as many voices as possible, the Army joined together with more than a dozen



military and veteran service organizations to hear from interested citizens and to understand how they view the strategic challenge facing Arlington National Cemetery. In addition to in-person outreach with these groups, in mid-November 2017, we conducted an initial public survey with input from more than 28,000 respondents. The results show that the overwhelming majority – 94% of respondents desired that the cemetery remain active well into the future. The respondents also recognized that keeping the cemetery open well into the future would be a challenging task involving difficult policy choices and costly expansions. Of those who favored keeping the cemetery active, survey results reflected that 50% of those in favor of expansion recognize the need to modify the eligibility policy at the same time. Survey respondents also recognized that further expansion might not be possible; of those, 70% of the respondents support restricting eligibility in some manner to extend the life of the cemetery as an active burial ground for our most deserving veterans.

As discussed in the 2017 Report to Congress, it is not possible to keep Arlington National Cemetery open for generations to come without a candid dialogue on meaningful changes to eligibility. Today any Armed Forces veteran with one day of active duty service is eligible for above ground placement, and any retiree receiving pay is eligible for below ground placement. These two groups are also the majority of those interred or inurned each year at Arlington National Cemetery and represent the extraordinary demand that far outweighs available space. Trends show that approximately 1% of the 20 million eligible veterans and 2 million of the eligible retirees desire to come to Arlington for their final resting place. Their population sizes and their current demand for a place at Arlington will result in the cemetery closing for first interments within the first half of this century if nothing is done to restrict their eligibility in some way.

This fact was most evident during a round table discussion held on January 30, 2018, by the Honor Subcommittee to the Advisory Committee on Arlington National Cemetery. At this round table, representatives from 23 various veteran's service organizations, military service organizations, and interested members from the public

engaged one another in a candid discussion on the realities of limited expansion and restricting eligibility. The open dialogue included the realization that eliminating eligibility for those veterans who have not retired from service; not received a Silver Star or above; were not wounded or killed in action or died while serving on active duty, is necessary in some way. Further, to realize any significant change in prolonging the life of active burials, action must be taken to address the eligible retiree population as well.

Arlington National Cemetery intends to continue this critical national dialogue by conducting a second survey with more refined options. We will continue to inform stakeholders on the limited viability of expanding the cemetery in the National Capitol Region to solve our challenges. The benefits and risks of policy options must be addressed openly and it is our desire to give each stakeholder the information necessary for an honest and thoughtful deliberation of any future changes. The Army anticipates a robust and candid dialogue with stakeholders as we move forward, and will work to achieve a long future that continues to honor our nation's cherished heroes.

In addition to looking at eligibility, we are making near-term efforts to increase the capacity through completion of the Millennium Project and planning for the future Southern Expansion Project. Based on changing conditions and revised estimates, the Army will review future resource requirements to complete the land acquisition, planning, and design efforts for the Defense Access Roads project associated with Southern Expansion.

## **CONCLUSION**

Enabled by the tremendous support of Congress and the diligent efforts of the great employees at Arlington National Cemetery, the Army will continue to sustain the sacred trust of our citizens. We look forward to working with Congress, the Advisory Committee on Arlington National Cemetery, Military Service Organizations,

Veteran Service Organizations, and the public on enabling a future of Arlington National Cemetery that continues its long tradition of honoring our nation's heroes for generations to come.

**Karen Durham-Aguilera**  
**Executive Director**  
**Army National Military Cemeteries**

Ms. Karen Durham-Aguilera is the Executive Director of Army National Military Cemeteries. As the Executive Director, Ms. Durham-Aguilera reports directly to the secretary of the Army and is dual-hatted as Headquarters, Department of the Army (HQDA) Staff Principal and Executive Director of the Direct Reporting Unit, U.S. Army Element Arlington National Cemetery.

Ms. Durham-Aguilera most recently served as the Director of Contingency Operations and Office of Homeland Security, Headquarters, U. S. Army Corps of Engineers. As Director, she was responsible for the USACE Homeland Security mission support of the Department of Homeland Security, the Department of the Army, and the Department of Defense. She served as the Agency Principal for all USACE efforts to assist Federal, state and local emergency management and response organizations to prepare, respond and recover to any emergency or disaster, for natural or manmade hazards. Ms. Durham-Aguilera's portfolio included leading USACE efforts in flood risk management and critical water resources infrastructure resilience, and supporting Combatant Commands with forward field engineering assets for overseas contingency operations.

**CAREER CHRONOLOGY:**

2007-2011, SES Director of Task Force Hope, New Orleans, LA, U.S. Army Corps of Engineers  
 2003-2007, SES Director of Programs, U.S. Army Corps of Engineers Northwest Division  
 2005, SES Director, Reconstruction Programs, U.S. Army Project and Contracting Office, Baghdad, Iraq  
 1985- 2003, Numerous positions home and abroad, construction, operations, and engineering, U.S. Army Corps of Engineers

**EDUCATION**

University of Louisville, Louisville, KY, MEng, Civil (Geotechnical) Engineering  
 University of Louisville, Louisville, KY, BS, Civil Engineering  
 Harvard Kennedy School of Government, National Preparedness Leadership Institute

**SIGNIFICANT TRAINING AND LICENSES**

Harvard Kennedy School of Government, National and International Security for Senior Executives  
 Army Senior Executive Advanced Course, University of Virginia  
 Army Senior Executive Intermediate Course, University of Notre Dame  
 Department of Defense, APEX for Senior Executives  
 Registered Professional Engineers (Civil), State of Louisiana

**AWARDS AND HONORS:**

American Society of Civil Engineers (ASCE) 2016 Government Civil Engineer of the Year  
 Presidential Rank Award for Distinguished Service  
 Presidential Rank Award for Meritorious Service  
 Silver Order and Bronze Order of the DeFleury Medal  
 Secretary of Defense Medal for the Global War on Terrorism

**PROFESSIONAL MEMBERSHIPS AND ASSOCIATIONS:**

Society of American Military Engineers  
 American Society of Civil Engineers  
 Army Engineers Association  
 Senior Executive Association (Board of Directors)

**Katharine Kelley**  
**Superintendent**  
**Arlington National Cemetery**

Ms. Katharine Kelley is the 24th and first female Superintendent of Arlington National Cemetery. She is responsible for the strategic vision for the cemetery; directs with full authority all operational support to the burial and visitation missions; which encompasses 624 acres, nearly 4 million annual visitors, 180 primary staff, more than 7,000 annual burials, \$25 million in construction and a \$71 million operating budget. She represents the Army and DoD with various foreign dignitaries, key national leaders and international heads of state.

She reports directly to the Executive Director of Army National Military Cemeteries and the Secretary of the Army for all issues related to Arlington and in this role, serves as the Army liaison to the Department of Veterans Affairs, the American Battle Monuments Commission, and the National Park Service to develop strategic partnerships, improve support to veterans and their families and enhance the visitor experience at Arlington.

**CAREER CHRONOLOGY:**

2016-Present, Superintendent, Arlington National Cemetery  
 2013-2016, Chief of Staff, Headquarters Services, Office of Administrative Assistant to the Secretary of the Army  
 2012-2013, Chief, Standards and Evaluation, Arlington National Cemetery  
 2008-2011, Chief, BRAC Division, Army Materiel Command  
 2007-2008, Strategic Planner, Army Materiel Command  
 2004-2007, Business Process Associate, Booz Allen Hamilton  
 1999-2003, Logistics Officer, European Command, J4 & 1st Infantry Division

**COLLEGE:**

U.S. Naval War College, Newport, RI, 2012, MA, National Security and Strategic Studies  
 University of Oklahoma, Heidelberg, GE, 2003, MA, International Relations  
 Villanova University, Villanova, PA, 1999, BA, Political Science

**SIGNIFICANT TRAINING:**

Defense Senior Leader Development Program  
 Civilian Education System Graduate

**AWARDS AND HONORS:**

U.S. Naval War College's James D. Forrestal Award for Excellence in Force Planning  
 Meritorious Service Medal  
 Superior Civilian Service medal  
 Army Commendation Medal  
 Army Achievement Medal  
 Joint Service Medal

