

“(1) DEADLINE FOR CONVERSION AND USE.—Not later than June 1, 2012, all records related to interments and inurnments at Arlington National Cemetery shall be converted to a digitized format. Thereafter, use of the digitized format shall be the method by which all subsequent records related to interments and inurnments at Arlington National Cemetery are preserved and utilized.

“(2) DIGITIZED FORMAT DEFINED.—In this subsection, the term ‘digitized format’ refers to the use of an electronic database for recordkeeping and includes the full accounting of all records of each specific gravesite and niche location at Arlington National Cemetery and the identification of the individual interred or inurned at each specific gravesite and niche location.”

§ 7722. Interment and inurnment policy

(a) ELIGIBILITY DETERMINATIONS GENERALLY.—

(1) The Secretary of the Army, with the approval of the Secretary of Defense, shall determine eligibility for interment or inurnment in the Cemeteries.

(2) The Secretary of the Army, with the approval of the Secretary of Defense, shall establish policy and procedures for reviewing and determining requests for exceptions to interment and inurnment eligibility policy, which shall include a requirement, before granting the request for an exception, for notification of the Committees on Armed Services and the Committees on Veterans Affairs of the Senate and the House of Representatives.

(b) REMOVAL OF REMAINS.—Under such regulations as the Secretary of the Army may prescribe under section 7721(d) of this title, the Secretary of the Army may authorize the removal of the remains of a person described in subsection (c) from one of the Cemeteries for re-interment or re-inurnment if, upon the death of the primary person eligible for interment or inurnment in the Cemeteries, the deceased primary eligible person will not be buried in the same or an adjoining grave.

(c) COVERED PERSONS.—Except as provided in subsection (d), the persons whose remains may be removed pursuant to subsection (b) are the deceased spouse, a minor child, and, in the discretion of the Secretary of the Army, an unmarried adult child of a member eligible for interment or inurnment in the Cemeteries.

(d) EXCEPTIONS.—The remains of a person described in subsection (c) may not be removed from one of the Cemeteries under subsection (b) if the primary person eligible for burial in the Cemeteries is a person—

- (1) who is missing in action;
- (2) whose remains have not been recovered or identified;
- (3) whose remains were buried at sea, whether by the choice of the person or otherwise;
- (4) whose remains were donated to science; or
- (5) whose remains were cremated and whose ashes were scattered without interment of any portion of the ashes.

(Added Pub. L. 112–81, div. A, title V, §591(a)(1), Dec. 31, 2011, 125 Stat. 1439, §4722; renumbered §7722 and amended Pub. L. 115–232, div. A, title VIII, §§808(d), 809(a), Aug. 13, 2018, 132 Stat. 1839, 1840.)

PRIOR PROVISIONS

A prior section 7722 was renumbered section 8892 of this title.

AMENDMENTS

2018—Pub. L. 115–232, §808(d), renumbered section 4722 of this title as this section.

Subsec. (b). Pub. L. 115–232, §809(a), substituted “section 7721(d)” for “section 4721(d)”.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115–232, set out as a note preceding section 3001 of this title.

§ 7723. Advisory committee on Arlington National Cemetery

(a) APPOINTMENT.—The Secretary of the Army shall appoint an advisory committee on Arlington National Cemetery.

(b) ROLE.—The Secretary of the Army shall advise and consult with the advisory committee with respect to the administration of Arlington National Cemetery, the erection of memorials at the cemetery, and master planning for the cemetery.

(c) REPORTS AND RECOMMENDATIONS.—The advisory committee shall make periodic reports and recommendations to the Secretary of the Army.

(d) SUBMISSION TO CONGRESS.—Not later than 90 days after receiving a report or recommendations from the advisory committee under subsection (c), the Secretary of the Army shall submit the report or recommendations to the congressional defense committees and the Committees on Veterans’ Affairs of the Senate and House of Representatives and include such comments and recommendations of the Secretary as the Secretary considers appropriate.

(Added Pub. L. 112–81, div. A, title V, §591(a)(1), Dec. 31, 2011, 125 Stat. 1440, §4723; renumbered §7723, Pub. L. 115–232, div. A, title VIII, §808(d), Aug. 13, 2018, 132 Stat. 1839.)

PRIOR PROVISIONS

A prior section 7723 was renumbered section 8893 of this title.

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 4723 of this title as this section.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115–232, set out as a note preceding section 3001 of this title.

§ 7724. Executive Director

(a) APPOINTMENT AND QUALIFICATIONS.—(1) There shall be an Executive Director of the Army National Military Cemeteries who shall meet such professional qualifications as may be established by the Secretary of the Army.

(2) The Executive Director reports directly to the Secretary.

(b) RESPONSIBILITIES.—The Executive Director is responsible for the following:

- (1) Exercising authority, direction and control over all aspects of the Cemeteries.
- (2) Establishing and maintaining full accountability for all gravesites and inurnment niches in the Cemeteries.