Defense Primer: Arlington National Cemetery

Arlington National Cemetery (ANC) is a military cemetery administered by the Department of the Army. On June 15, 1864, the War Department appropriated the burial site as a military cemetery. Located in Arlington County, Virginia, the cemetery was created in 1864 during the Civil War from 200 acres of plantation land that once belonged to George Washington Parke Custis, step-grandson of the first U.S. President. Custis bequeathed his estate to his daughter who had married U.S. Army 2nd Lt. Robert E. Lee in 1831. At the start of the Civil War in 1861, the Custis Lee family fled the property. The Union Army then occupied and fortified the estate to help defend the nation’s capital. In 1863, the Freedman’s Village was established on the southern portion of the property to assist former slaves transitioning to freedom by providing shelter, medical care, education and training. The first military burial took place on May 13, 1864, for Private William Henry Christman, 20, a Union soldier from Pocono Lake, Pennsylvania. Two Unknown Union Soldiers were later interred on May 15, 1864, the first of nearly 5,000 Unknowns now resting in ANC. By the end of the Civil War, the grounds contained the graves of 6,000 Union soldiers. On March 3, 1883, the U.S. government purchased the property for $150,000 after years of legal wrangling with the Custis Lee family. Currently, there are approximately 400,000 veterans and their eligible dependents buried at Arlington Cemetery.

Current Eligibility
Eligibility criteria for burial at Arlington is in accordance with the Code of Federal Regulations (CFR), Title 32, Part 553, Sections 12 and 13. See Table 1.

Table 1. Current Eligibility Requirements for Burial and Inurnment at Arlington National Cemetery

<table>
<thead>
<tr>
<th>Servicemember with Honorable Discharge</th>
<th>Inurnment in Columbarium Court or Niche Wall</th>
<th>In-ground burial (Casket or Urn)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dies on Title 10 Federal Active Duty (other than for training)</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Dies on Active Duty for training only under Title 10</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Veteran – Retired from active duty; reserve retirees receiving retirement pay</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Veteran – At least one day active duty other than for training</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Veteran – Received Medal of Honor (MoH), Distinguished Service Cross (Air Force Cross, or Navy Cross), Distinguished Service Medal, Silver Star, or Purple Heart.</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Any member of a Reserve component of the Armed Forces, and any member of the Army National Guard or the Air National Guard, whose death occurs under honorable conditions while on active duty for training or performing full-time service.</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Any former prisoner of war who, while a prisoner of war, served honorably in the active military, naval, or air service; whose last period of service terminated honorably; and who died on or after November 30, 1993.</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>


Proposed Changes to Eligibility
On September 25, 2019, the Army recommended changes to the eligibility for in-ground burial and above-ground inurnment at Arlington Cemetery, limiting it to certain groups as required in Section 598 of P.L. 115-232, the John S. McCain National Defense Authorization Act (NDAA) for FY2019. The announcement indicated that the changes will allow the cemetery to continue to function as an active burial ground “well into the future,” defined as 150 years. Without the new eligibility restrictions, Arlington would reach capacity for new interment by 2050. Fewer than 95,000 burial spaces remain within the current cemetery.

Proposed Eligibility for In-Ground Interment:
- Servicemembers killed in action, to include repatriated remains;
- Current and future MoH recipients (ANC to preserve 1,000 gravesites);
- Recipients of the Silver Star;
- Recipients of the Purple Heart;

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Most veterans receive a flag and military funeral honors at no cost to the family. Eligibility for these benefits is broad, including those who served in the armed forces, those who were honorably discharged, and those who died in service, even if not in combat. There are specific conditions for veterans serving in the armed forces before September 7, 1981, and those serving from that date forward. In general, military personnel who served during a war or conflict are eligible for burial at Arlington National Cemetery, regardless of rank or the type of discharge.

Veterans who are eligible for burial at Arlington National Cemetery include:
- Active-duty service members of any branch of the armed forces, including the National Guard and the Reserves, who were killed in action.
- Veterans who served in the armed forces in a war or conflict.
- Veterans who are in active service at the time of their death.
- Veterans who died in service or died of wounds incurred in service.
- Veterans who died of wounds or diseases incurred in service.
- Veterans who are in service at the time of their death.
- Veterans who have served in the armed forces and are in service at the time of their death.
- Veterans who are in service at the time of their death.

The Army Department published a proposed rule on September 15, 2020, in the Federal Register for public comment that closed on November 16, 2020. The Army plans to consider the public comments and publish the final rule. According to the Army, revised eligibility at ANC will not affect previously scheduled burials. In addition, the proposed revisions will not affect veterans’ burial benefits or veteran eligibility at Department of Veterans Affairs (VA) national cemeteries or state veterans cemeteries.

**Millennium Project**

The latest expansion has been termed the Millennium Project. Conceived in 1990s, the $81.7 million undertaking was the first geographic expansion of the cemetery in four decades. The 27 additional acres in the northwestern part of the cemetery were allocated from a construction staging area for the cemetery, and recreation land from nearby Fort Myer and National Park Service woodland. The U.S. Army Corps of Engineers and several contractors started construction in 2013, and the completed project was dedicated on September 7, 2018. Two unknown soldiers from the Civil War were buried to mark the first in-ground burial at the site. According to ANC, Millennium provides 27,282 new interment spaces that are located either above or below ground and the columbarium offers 16,400 above-ground niches for cremated remains.

**Southern Expansion**


**Tomb of the Unknown Soldier (TUS)**

On November 11, 2021, Arlington will mark the centennial commemoration of the TUS which was dedicated on November 11, 1921, to mark the grave of an American unknown soldier from WWI. In August 1956, President Eisenhower approved the selection and interment of Unknowns from both World War II and Korea, and in May 1984 President Reagan interred a Vietnam War Unknown. In 1998, DNA testing confirmed that the Unknown Soldier from the Vietnam War was Air Force 1st Lt. Michael Joseph Blassie, who was later reinterred at the National Cemetery in St. Louis, Missouri. On September 17, 1999, National POW/MIA Recognition Day, the Vietnam tomb was rededicated to honor all missing U.S. service members from the Vietnam War. See the Centennial Commemoration Program at https://arlingtoncemetery.mil/TUS-100.

ANC occupies almost 625 acres of land in Arlington County, Virginia, and is the final resting place of more than 400,000 servicemembers and their eligible family members. Since its inception, ANC has expanded to meet the demand for more burial space. The latest expansions are the recently completed Millennium Project and the planned Southern Expansion project.

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