

§ 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.)

Editorial Notes

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.

Statutory Notes and Related Subsidiaries

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.

(3) Oversight of the construction, operation and maintenance, and repair of the buildings, structures, and utilities of the Cemeteries.

(4) Acquisition and maintenance of real property and interests in real property for the Cemeteries.

(5) Planning and conducting private ceremonies at the Cemeteries, including funeral

and memorial services for interment and inurnment, and planning and conducting public ceremonies, as directed by the Secretary of the Army.

(6) Formulating, promulgating, administering, and overseeing policies and addressing proposals for the placement of memorials and monuments in the Cemeteries.

(7) Formulating and implementing a master plan for Arlington National Cemetery that, at a minimum, addresses interment and inurnment capacity, visitor accommodation, operation and maintenance, capital requirements, preservation of the cemetery's special features, and other matters the Executive Director considers appropriate.

(8) Overseeing the programming, planning, budgeting, and execution of funds authorized and appropriated for the Cemeteries.

(9) Providing recommendations regarding any request for an exception to interment and inurnment eligibility policy.

(10) Supervising the superintendents of the Cemeteries.

(Added Pub. L. 112–81, div. A, title V, § 591(a)(1), Dec. 31, 2011, 125 Stat. 1440, § 4724; renumbered § 7724, Pub. L. 115–232, div. A, title VIII, § 808(d), Aug. 13, 2018, 132 Stat. 1839.)

Editorial Notes

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Statutory Notes and Related Subsidiaries

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.

§ 7725. Superintendents

(a) APPOINTMENT AND QUALIFICATIONS.—An individual serving as the superintendent of one of the Cemeteries should have, as determined by the Secretary of the Army—

(1) experience in the administration, management, and operation of cemeteries under the jurisdiction of the National Cemeteries System administered by the Department of Veterans Affairs; or

(2) experience in the administration, management, and operation of large civilian cemeteries equivalent to the experience described in paragraph (1).

(b) DUTIES.—The superintendents of the Cemeteries report directly to the Executive Director and performs such duties and responsibilities as the Executive Director prescribes.

(Added Pub. L. 112–81, div. A, title V, § 591(a)(1), Dec. 31, 2011, 125 Stat. 1441, § 4725; renumbered § 7725, Pub. L. 115–232, div. A, title VIII, § 808(d), Aug. 13, 2018, 132 Stat. 1839.)

Editorial Notes**PRIOR PROVISIONS**

A prior section 7725 was renumbered section 8895 of this title.

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 4725 of this title as this section.

Statutory Notes and Related Subsidiaries**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.

§ 7726. Oversight and inspections

(a) **INSPECTIONS REQUIRED.**—The Secretary of the Army shall provide for the oversight of the Cemeteries to ensure the highest quality standards are maintained by providing for the periodic inspection of the administration, operation and maintenance, and construction elements applicable to the Cemeteries. The inspections shall be conducted by personnel of the Department of the Army with the assistance, as the Secretary considers appropriate, of personnel from other Federal agencies and civilian experts.

(b) **SUBMISSION OF RESULTS.**—Not later than 120 days after the completion of an inspection conducted under subsection (a), the Secretary of the Army shall submit to the congressional defense committees a report containing the results of the inspection and recommendations and a plan for corrective actions to be taken in response to the inspection.

(Added Pub. L. 112–81, div. A, title V, § 591(a)(1), Dec. 31, 2011, 125 Stat. 1441, § 4726; renumbered § 7726, Pub. L. 115–232, div. A, title VIII, § 808(d), Aug. 13, 2018, 132 Stat. 1839.)

Editorial Notes**PRIOR PROVISIONS**

A prior section 7726 was renumbered section 8896 of this title.

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 4726 of this title as this section.

Statutory Notes and Related Subsidiaries**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.

§ 7727. Cemetery concessions contracts

(a) **CONTRACTS AUTHORIZED.**—The Secretary of the Army may enter into a contract with an appropriate entity for the provision of transportation, interpretative, or other necessary or appropriate concession services to visitors at the Army National Military Cemeteries.

(b) **SPECIAL REQUIREMENTS.**—(1) The Secretary of the Army shall establish and include in each

concession contract such requirements as the Secretary determines are necessary to ensure the protection, dignity, and solemnity of the cemetery at which services are provided under the contract.

(2) A concession contract shall not include operation of the gift shop at Arlington National Cemetery without the specific prior authorization by an Act of Congress.

(c) **FRANCHISE FEES.**—A concession contract shall provide for payment to the United States of a franchise fee or such other monetary consideration as determined by the Secretary of the Army. The Secretary shall ensure that the objective of generating revenue for the United States is subordinate to the objectives of honoring the service and sacrifices of the deceased members of the armed forces and of providing necessary and appropriate services for visitors to the Cemeteries at reasonable rates.

(d) **SPECIAL ACCOUNT.**—All franchise fees (and other monetary consideration) collected by the United States under subsection (c) shall be deposited into a special account established in the Treasury of the United States. The funds deposited in such account shall be available for expenditure by the Secretary of the Army, to the extent authorized and in such amounts as are provided in advance in appropriations Acts, to support activities at the Cemeteries. The funds deposited into the account shall remain available until expended.

(e) **CONCESSION CONTRACT DEFINED.**—In this section, the term “concession contract” means a contract authorized and entered into under this section.

(Added Pub. L. 113–66, div. A, title V, § 585(a), Dec. 26, 2013, 127 Stat. 777, § 4727; renumbered § 7727, Pub. L. 115–232, div. A, title VIII, § 808(d), Aug. 13, 2018, 132 Stat. 1839.)

Editorial Notes**PRIOR PROVISIONS**

Prior sections 7727 to 7730 were renumbered sections 8897 to 8900 of this title, respectively.

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 4727 of this title as this section.

Statutory Notes and Related Subsidiaries**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.

CHAPTER 777—TRANSPORTATION**Sec.**

7749. Property: for United States surveys.

Editorial Notes**AMENDMENTS**

2018—Pub. L. 115–232, div. A, title VIII, § 808(e)(4), (f)(1), Aug. 13, 2018, 132 Stat. 1839, redesignated chapter 447 of this title as this chapter and item 4749 as 7749.

2004—Pub. L. 108–375, div. A, title X, § 1072(d)(2), Oct. 28, 2004, 118 Stat. 2058, struck out items 4741 “Control