JOSEPH I. LIEBERMAN, CONNECTICUT, CHAIRMAN

CARL LEVIN, MICHIGAN
DANIEL K. AKAKA, HAWAII
THOMAS R. CARPER, DELAWARE
MARK L. PRYOR, ARKANSAS
MARY L. LANDRIEU, LOUISIANA
CLAIRE McCASKILL, MISSOURI
JON TESTER, MONTANA
MARK BEGICH, ALASKA

SUSAN M. COLLINS, MAINE
TOM COBURN, OKLAHOMA
SCOTT P. BROWN, MASSACHUSETTS
JOHN McCAIN, ARIZONA
RON JOHNSON, WISCONSIN
JOHN ENSIGN, NEVADA
ROB PORTMAN, OHIO
RAND PAUL, KENTUCKY

MICHAEL L. ALEXANDER, STAFF DIRECTOR
NICHOLAS A. ROSSI, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510–6250

March 31, 2011

The Honorable John McHugh
Secretary of the Army
1400 Defense Pentagon
Washington, DC 20301

Dear Mr. Secretary:

I write to express serious concerns regarding recent reports of errors in burial records and at gravesites at Arlington National Cemetery.

On July 29, 2010, the Subcommittee on Contracting Oversight, which I chair, held a hearing on the mismanagement of contracts at Arlington National Cemetery. At the hearing, the Subcommittee found that a series of errors and improper actions by Army and Cemetery officials wasted millions of dollars and delayed implementation of a functioning burial management system by years. The Subcommittee also reviewed information suggesting that 4,900 to 6,600 graves at Arlington may be unmarked, improperly marked, or mislabeled on the Cemetery's maps.[1]

On September 28, 2010, I introduced legislation, originally co-sponsored by Senator Scott Brown, Senator Lieberman, Senator Collins, and Senator Burr, to remedy problems identified by the Subcommittee's investigation of Arlington National Cemetery. On December 22, 2010, the President signed this legislation into law. Under the legislation, you are required to provide to Congress by the end of this year an accounting of the gravesites at Arlington, including whether gravesites are correctly identified, labeled and occupied. You are also required to set forth a plan of action to address the deficiencies identified in the accounting.[2]

According to recent reports in the *Washington Post* and *Time*, the Army is continuing to struggle with the management and oversight of burials at Arlington. According to the *Washington Post,* the Army may not be able to comply with the law's mandate to locate,

---

[1] U.S. Senate Committee on Homeland Security and Governmental Affairs, Subcommittee on Contracting Oversight hearing on *Mismanagement of Contracts at Arlington National Cemetery* (July 29, 2010).

[2] Pub. L. 111-339, *An Act to Require Reports on the Management of Arlington National Cemetery* (Dec. 22, 2010).

identify, and account for remains at the Cemetery.[3] *Time* reported new, previously unacknowledged mistakes with burial records and gravesites and also questioned whether the Army is capable of accounting for the extent of mismarked or previously unidentified remains at the Cemetery.[4]

I appreciate the extraordinary efforts made by Kathryn Condon, the Executive Director of the Army National Cemeteries Program, Patrick Hallinan, the Superintendent of Arlington National Cemetery, and the Cemetery staff to address the legacy of decades of mismanagement at Arlington in just a few short months. However, the recent reports regarding problems at Arlington raise questions regarding the Army's ability to meet the requirements of the legislation signed into law in December. Therefore, I request that you provide information on an interim basis regarding the Army's progress, including the following:

(1) The number of gravesites examined;

(2) The number of gravesites determined to be incorrectly identified, labeled, or occupied and the methodology used to make that determination;

(3) The number of families contacted regarding problems with gravesites and the number who have requested that the gravesites be physically examined;

(4) The procedures for contacting family members regarding actual or potential problems with gravesites and how these procedures have been implemented and/or changed since July 2010;

(5) The extent to which the Army will be able to correctly identify all gravesites by the end of the year and the estimated costs and time required to complete an examination of all gravesites.

I request that you provide this information as soon as possible but in no case later than **April 8, 2011**. If you determine that you will be unable to make a complete production by this date, please contact Subcommittee staff to discuss possible modifications to this schedule.

The jurisdiction of the Subcommittee on Contracting Oversight is set forth in Senate Rule XXV clause 1(k); Senate Resolution 445 section 101 (108th Congress); and Senate Resolution 73 (111th Congress).

---

[3] *For First Time in Decades, Arlington National Cemetery Must Bury Multiple 'Unknowns'*, Washington Post (March 7, 2011).

[4] *Arlington's Grave Mix-Ups: Will the Army Ever Fix the Problem?* Time (March 30, 2011).

Please have your staff contact Margaret Daum at (202) 224-8316 with any questions. Please send any official correspondence relating to this request to kelsey_stroud@hsgac.senate.gov.

Sincerely,

Claire McCaskill
Chairman
Subcommittee on Contracting Oversight

cc: Kathryn Condon,
Executive Director, Army National Cemeteries Program

Rob Portman
Ranking Member
Subcommittee on Contracting Oversight