

BARBARA A. MIKULSKI
MARYLAND

COMMITTEES:
APPROPRIATIONS

HEALTH, EDUCATION, LABOR,
AND PENSIONS

United States Senate

WASHINGTON, DC 20510-2003

October 6, 2015

Ms. Terry L. Harmon

Dear Ms. Harmon:

I have received a response from the agency that I contacted on your behalf in an effort to assist you in resolving your problem.

I am enclosing a copy of the reply. I am sorry that the response is not encouraging. I had hoped to resolve this matter to your satisfaction.

Sincerely,



Barbara A. Mikulski
United States Senator

BAM:rrj

IN REPLY PLEASE REFER TO
OFFICE INDICATED:

- 901 SOUTH BOND STREET, SUITE 310
BALTIMORE, MD 21231
(410) 962-4510
VOICE/TDD: (410) 962-4512
- 60 WEST STREET, SUITE 202
ANNAPOLIS, MD 21401-2448
(410) 263-1805
BALTIMORE: (410) 269-1650
- 6404 IVY LANE, SUITE 406
GREENBELT, MD 20770-1407
(301) 345-5517
- 32 WEST WASHINGTON STREET
ROOM 203
HAGERSTOWN, MD 21740-4804
(301) 797-2826
- THE PLAZA GALLERY BUILDING
212 MAIN STREET, SUITE 200
SALISBURY, MD 21801-2403
(410) 546-7711



DEPARTMENT OF THE ARMY
ARMY NATIONAL MILITARY CEMETERIES
ARLINGTON NATIONAL CEMETERY
ARLINGTON, VIRGINIA 22211-5003

SEP 28 2015

Office of the Executive Director

Ms. Terry L. Harmon

Dear Ms. Harmon:

Thank you for your recent inquiry to Senator Barbara A. Mikulski regarding the denial of burial rights at Arlington National Cemetery for your mother, Mrs. Elaine Harmon who served with the Women's Air Forces Service Pilots during World War II.

In accordance with public law, your mother was issued a DD214 to administratively qualify her for benefits administered by the Department of Veterans Affairs. This is not the same as active duty service as a member of the Department of Defense.

Unfortunately, in 2002 the Superintendent of Arlington National Cemetery was without authority to issue determination for members of the Women's Air Forces Service Pilots and others who were administratively provided a DD214 and considered Active Duty Designees, to authorize burial of their cremated remains in the Columbarium or Niche Wall at Arlington National Cemetery. Furthermore, the policy is not supported by current federal law. In accordance with Title 10 United States Code § 4722, the Secretary of the Army, with approval of the Secretary of Defense, has the authority to determine eligibility for interment or inurnment in Arlington National Cemetery. The current Code of Federal Regulation (32 C.F.R § 553.4) does not authorize the interment or inurnment of Active Duty Designees, which includes the Women's Air Force Service Pilots.

I regret the additional stress this issue has caused you and your family. If you have additional questions regarding this matter, please feel free to contact Ms. Renea Yates, Deputy Superintendent for Cemetery Administration at 877-907-8585.

Sincerely,

A handwritten signature in cursive script, reading "Patrick K. Hallinan".

Patrick K. Hallinan
Executive Director