

107TH CONGRESS
1ST SESSION

H. R. 3423

AN ACT

To amend title 38, United States Code, to enact into law eligibility of certain Reservists and their dependents for burial in Arlington National Cemetery, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. ELIGIBILITY OF CERTAIN PERSONS FOR BUR-**
2 **IAL IN ARLINGTON NATIONAL CEMETERY.**

3 (a) IN GENERAL.—(1) Chapter 24 of title 38, United
4 States Code, is amended by adding at the end the fol-
5 lowing new section:

6 **“§ 2412. Arlington National Cemetery: eligibility of**
7 **certain persons for burial**

8 “(a)(1) The remains of a member or former member
9 of a reserve component of the Armed Forces who at the
10 time of death was under 60 years of age and who, but
11 for age, would have been eligible at the time of death for
12 retired pay under chapter 1223 of title 10 may be buried
13 in Arlington National Cemetery on the same basis as the
14 remains of members of the Armed Forces entitled to re-
15 tired pay under that chapter.

16 “(2) The remains of the dependents of a member
17 whose remains are permitted under paragraph (1) to be
18 buried in Arlington National Cemetery may be buried in
19 that cemetery on the same basis as dependents of mem-
20 bers of the Armed Forces entitled to retired pay under
21 such chapter 1223.

22 “(b)(1) The remains of a member of a reserve compo-
23 nent of the Armed Forces who dies in the line of duty
24 while on active duty for training or inactive duty training
25 may be buried in Arlington National Cemetery on the

1 same basis as the remains of a member of the Armed
2 Forces who dies while on active duty.

3 “(2) The remains of the dependents of a member
4 whose remains are permitted under paragraph (1) to be
5 buried in Arlington National Cemetery may be buried in
6 that cemetery on the same basis as dependents of mem-
7 bers on active duty.”.

8 (2) The table of sections at the beginning of chapter
9 24 of title 38, United States Code, is amended by adding
10 at the end the following new item:

“2412. Arlington National Cemetery: eligibility of certain persons for burial.”.

11 (b) EFFECTIVE DATE.—Section 2412 of title 38,
12 United States Code, as added by subsection (a), shall
13 apply with respect to interments occurring on or after the
14 date of the enactment of this Act.

15 **SEC. 2. PLACEMENT OF MEMORIAL IN ARLINGTON NA-**
16 **TIONAL CEMETERY HONORING THE VICTIMS**
17 **OF THE ACTS OF TERRORISM PERPETRATED**
18 **AGAINST THE UNITED STATES ON SEP-**
19 **TEMBER 11, 2001.**

20 (a) AUTHORIZATION TO PLACE MEMORIAL.—The
21 Secretary of the Army is authorized to construct and place
22 in Arlington National Cemetery a memorial marker hon-
23 oring the victims of the acts of terrorism perpetrated
24 against the United States on September 11, 2001.

1 (b) CONSULTATION WITH FAMILIES OF VICTIMS BE-
2 FORE USE OF AUTHORITY.—The Secretary of the Army
3 shall consult with the families of victims of such acts of
4 terrorism prior to the exercise of the authority provided
5 for under subsection (a).

Passed the House of Representatives December 20,
2001.

Attest:

Clerk.

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