

109TH CONGRESS
1ST SESSION

H. R. 3965

To amend title 38, United States Code, to prohibit the interment or memorialization in national cemeteries of persons convicted of committing State capital crimes regardless of whether their sentences included parole.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2005

Mr. TIAHRT introduced the following bill; which was referred to the
Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to prohibit the interment or memorialization in national cemeteries of persons convicted of committing State capital crimes regardless of whether their sentences included parole.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Preserving the Sacred-
5 ness of our National Cemeteries Act”.

1 **SEC. 2. PROHIBITION OF INTERMENT OR MEMORIALIZA-**
 2 **TION IN NATIONAL CEMETERIES OF PERSONS**
 3 **CONVICTED OF COMMITTING CAPITAL**
 4 **CRIMES AND SENTENCED TO LIFE IMPRISON-**
 5 **MENT WITH PAROLE.**

6 (a) PROHIBITION TO INCLUDE ALL PERSONS SEN-
 7 TENCED TO LIFE IMPRISONMENT.—

8 (1) COVERED SENTENCES.—Subsection (b)(2)
 9 of section 2411 of title 38, United States Code, is
 10 amended by striking “without parole”.

11 (2) COVERED CRIMES.—Subsection (d)(2) of
 12 such section is amended by striking “without pa-
 13 role”.

14 (b) CERTIFICATION REQUIRED.—Such section is fur-
 15 ther amended—

16 (1) by redesignating subsection (d), as amended
 17 by subsection (a)(2), as subsection (e); and

18 (2) by inserting after subsection (c) the fol-
 19 lowing new subsection (d):

20 “(d) As part of an application for interment or memo-
 21 rialization of any person in a national cemetery, the Sec-
 22 retary shall require the person submitting the application
 23 to certify whether or not the person to be interred or me-
 24 morialized has been convicted of a capital crime.”.