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Union Calendar No. 408

110TH CONGRESS
2D SESSION

H. R. 3480

[Report No. 110–647]

To direct the United States Sentencing Commission to assure appropriate enhancements of those involved in receiving stolen property where that property consists of grave markers of veterans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 6, 2007

Mr. CARNEY (for himself, Mr. PETERSON of Pennsylvania, and Mr. MCDERMOTT) introduced the following bill; which was referred to the Committee on the Judiciary

MAY 15, 2008

Additional sponsors: Mr. MARSHALL, Mr. GORDON of Tennessee, Ms. JACKSON-LEE of Texas, Mr. WOLF, Mr. LAMPSON, Mr. BRADY of Pennsylvania, Ms. BORDALLO, Mr. ROHRABACHER, Mr. CARTER, Ms. SUTTON, Mr. SESTAK, Mr. STEARNS, Mr. BURTON of Indiana, Mr. MILLER of Florida, Mr. ENGLISH of Pennsylvania, Mr. PETERSON of Minnesota, Mr. CALVERT, Mr. GONZALEZ, Mr. FORTENBERRY, Mrs. MUSGRAVE, Ms. SHEA-PORTER, Mr. BARROW, Mr. SHULER, Mr. TANNER, Mr. ALEXANDER, Mr. BISHOP of Georgia, Mr. FARR, Mrs. TAUSCHER, Mr. MAHONEY of Florida, Mrs. MYRICK, Mr. LATTA, Mr. WITTMAN of Virginia, Mr. HOLDEN, Mr. POE, Mr. PLATTS, Mr. BOREN, Mrs. LOWEY, Mr. CARSON, Mr. HILL, Mr. KLEIN of Florida, and Mr. LOBIONDO

MAY 15, 2008

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To direct the United States Sentencing Commission to assure appropriate enhancements of those involved in receiving stolen property where that property consists of grave markers of veterans, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

~~**SECTION 1. SHORT TITLE.**~~

~~This Act may be cited as the "Let Our Veterans Rest in Peace Act of 2007".~~

~~**SEC. 2. FINDINGS AND DECLARATION.**~~

~~The Congress finds and declares that—~~

~~(1) every cemetery should do all it can to protect grave markers, headstones, monument or any other object intended to permanently mark a grave;~~

~~(2) every citizen of the United States should be watchful and mindful of these crimes and report any suspicious behavior to their local or state police; and~~

~~(3) all citizens, especially veterans, have earned the right to rest in peace.~~

~~**SEC. 3. DIRECTION TO THE SENTENCING COMMISSION.**~~

~~(a) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, the United~~

~~States Sentencing Commission shall review and amend the Federal sentencing guideline to provide a sentencing enhancement for any offense involving the desecration, theft, or trafficking in, a grave marker, monument, headstone or any other object intended to permanently mark a veteran's grave.~~

~~(b) COMMISSION DUTIES.—In carrying out this section, the Sentencing Commission shall ensure that the sentences, guidelines, and policy statements relating to offenders convicted of these offenses are—~~

~~(1) appropriately severe; and~~

~~(2) reasonably consistent with other relevant directives and other Federal sentencing guidelines.~~

SECTION 1. SHORT TITLE.

This Act may be cited as the "Let Our Veterans Rest in Peace Act of 2008".

SEC. 2. FINDINGS AND DECLARATION.

The Congress finds and declares that—

(1) every cemetery should do all it can to protect each grave marker, headstone, monument, or other object, intended to permanently mark a grave;

(2) every citizen of the United States should be watchful and mindful of desecrations of any gravesite and report any such suspected behavior to local, State, or Federal law enforcement authorities; and

(3) all citizens, including veterans, have earned the right to rest in peace.

SEC. 3. DIRECTION TO THE SENTENCING COMMISSION.

(a) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements to ensure the guidelines and policy statements provide adequate sentencing enhancements for any offense involving the desecration, theft, or trafficking in, a grave marker, headstone, monument, or other object, intended to permanently mark a veteran's grave.

(b) COMMISSION DUTIES.—In carrying out this section, the Sentencing Commission shall—

(1) ensure that the sentences, guidelines, and policy statements relating to offenders convicted of these offenses are appropriately severe and reasonably consistent with other relevant directives and other Federal sentencing guidelines and policy statements;

(2) make any necessary conforming changes to the Federal sentencing guidelines; and

(3) assure that the guidelines adequately meet the purposes of sentencing as set forth in section 3553(a)(2) of title 18, United States Code.

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