

112TH CONGRESS
1ST SESSION

H. R. 1627

To amend title 38, United States Code, to provide for certain requirements for the placement of monuments in Arlington National Cemetery, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 2011

Mr. MILLER of Florida (for himself, Mr. ROE of Tennessee, Mr. LAMBORN, and Mr. JOHNSON of Ohio) introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 38, United States Code, to provide for certain requirements for the placement of monuments 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,*

3 **SECTION 1. REQUIREMENTS FOR THE PLACEMENT OF**
4 **MONUMENTS IN ARLINGTON NATIONAL CEM-**
5 **ETERY.**

6 Section 2409(b) of title 38, United States Code, is
7 amended—

1 (1) by striking “Under” and inserting “(1)
2 Under”;

3 (2) by inserting after “Secretary of the Army”
4 the following: “and subject to paragraph (2)”; and

5 (3) by adding at the end the following new
6 paragraphs:

7 “(2)(A) Except for a monument containing or mark-
8 ing interred remains, no monument (or similar structure
9 as determined by the Secretary of the Army in regula-
10 tions) may be placed in Arlington National Cemetery ex-
11 cept pursuant to the provisions of this subsection.

12 “(B) A monument may be placed in Arlington Na-
13 tional Cemetery if the monument commemorates—

14 “(i) the service in the Armed Forces of the indi-
15 vidual, or group of individuals, whose memory is to
16 be honored by the monument; or

17 “(ii) a particular military event.

18 “(C) No monument may be placed in Arlington Na-
19 tional Cemetery until the end of the 25-year period begin-
20 ning—

21 “(i) in the case of the commemoration of serv-
22 ice under subparagraph (B)(i), on the last day of the
23 period of service so commemorated; and

1 “(ii) in the case of the commemoration of a
2 particular military event under subparagraph (B)(ii),
3 on the last day of the period of the event.

4 “(D) A monument may be placed only in those sec-
5 tions of Arlington National Cemetery designated by the
6 Secretary of the Army for such placement and only on
7 land the Secretary determines is not suitable for burial.

8 “(E) A monument may only be placed in Arlington
9 National Cemetery if an appropriate non-governmental en-
10 tity has agreed to act as a sponsoring organization to co-
11 ordinate the placement of the monument and—

12 “(i) the construction and placement of the
13 monument are paid for only using funds from pri-
14 vate sources;

15 “(ii) the Secretary of the Army consults with
16 the Commission of Fine Arts before approving the
17 design of the monument; and

18 “(iii) the sponsoring organization provides for
19 an independent study on the availability and suit-
20 ability of alternative locations for the proposed
21 monument outside of Arlington National Cemetery.

22 “(3) The Secretary of the Army may waive the re-
23 quirement under paragraph (2)(C) in a case in which the
24 monument would commemorate a group of individuals who
25 the Secretary determines—

1 “(A) has made valuable contributions to the
2 Armed Forces that have been ongoing and perpetual
3 for longer than 25 years and are expected to con-
4 tinue on indefinitely; and

5 “(B) has provided service that is of such a
6 character that the failure to place a monument to
7 the group in Arlington National Cemetery would
8 present a manifest injustice.”.

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