

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4336

---

IN THE SENATE OF THE UNITED STATES

APRIL 4, 2016

Received; read twice and referred to the Committee on Veterans' Affairs

---

## AN ACT

To amend title 38, United States Code, to provide for the burial in Arlington National Cemetery of the cremated remains of certain persons whose service has been determined to be active service.

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. BURIAL OF CREMATED REMAINS IN ARLING-**  
2 **TON NATIONAL CEMETERY OF CERTAIN PER-**  
3 **SONS WHOSE SERVICE IS DEEMED TO BE AC-**  
4 **TIVE SERVICE.**

5 (a) IN GENERAL.—Section 2410 of title 38, United  
6 States Code, is amended by adding at the end the fol-  
7 lowing new subsection:

8 “(c)(1) The Secretary of the Army shall ensure that  
9 under such regulations as the Secretary may prescribe, the  
10 cremated remains of any person described in paragraph  
11 (2) are eligible for inurnment in Arlington National Ceme-  
12 tery with military honors in accordance with section 1491  
13 of title 10.

14 “(2) A person described in this paragraph is a person  
15 whose service has been determined to be active duty serv-  
16 ice pursuant to section 401 of the GI Bill Improvement  
17 Act of 1977 (Public Law 95–202; 38 U.S.C. 106 note)  
18 as of the date of the enactment of this paragraph.”.

19 (b) APPLICABILITY.—

20 (1) IN GENERAL.—The amendment made by  
21 subsection (a) shall apply with respect to—

22 (A) the remains of a person that are not  
23 formally interred or inurned as of the date of  
24 the enactment of this Act; and

25 (B) a person who dies on or after the date  
26 of the enactment of this Act.

1           (2) FORMALLY INTERRED OR INURNED DE-  
2           FINED.—In this subsection, the term “formally in-  
3           terred or inurned” means interred or inurned in a  
4           cemetery, crypt, mausoleum, columbarium, niche, or  
5           other similar formal location.

6   **SEC. 2. REPORT ON CAPACITY OF ARLINGTON NATIONAL**  
7                           **CEMETERY.**

8           Not later than 180 days after the date of the enact-  
9           ment of this Act, the Secretary of the Army shall submit  
10          to the Committees on Veterans’ Affairs and the Commit-  
11          tees on Armed Services of the House of Representatives  
12          and the Senate a report on the interment and inurnment  
13          capacity of Arlington National Cemetery, including—

14               (1) the estimated date that the Secretary deter-  
15               mines the cemetery will reach maximum interment  
16               and inurnment capacity; and

17               (2) in light of the unique and iconic meaning of  
18               the cemetery to the United States, recommendations  
19               for legislative actions and nonlegislative options that  
20               the Secretary determines necessary to ensure that  
21               the maximum interment and inurnment capacity of  
22               the cemetery is not reached until well into the fu-  
23               ture, including such actions and options with respect  
24               to—

1           (A) redefining eligibility criteria for inter-  
2           ment and inurnment in the cemetery; and

3           (B) considerations for additional expansion  
4           opportunities beyond the current boundaries of  
5           the cemetery.

Passed the House of Representatives March 22,  
2016.

Attest:

KAREN L. HAAS,  
*Clerk.*