

116TH CONGRESS
2D SESSION

S. 3935

To amend title 10, United States Code, to prohibit the burial in Arlington National Cemetery, Virginia, of any President or Vice President who is not a member or veteran of the Armed Forces.

IN THE SENATE OF THE UNITED STATES

JUNE 10, 2020

Ms. DUCKWORTH introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 10, United States Code, to prohibit the burial in Arlington National Cemetery, Virginia, of any President or Vice President who is not a member or veteran of the Armed Forces.

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. PROHIBITION ON BURIAL IN ARLINGTON NA-**
2 **TIONAL CEMETERY, VIRGINIA, OF ANY PRESI-**
3 **DENT OR VICE PRESIDENT WHO IS NOT A**
4 **MEMBER OR VETERAN OF THE ARMED**
5 **FORCES.**

6 Section 7722(a) of title 10, United States Code, is
7 amended by adding at the end the following new para-
8 graph:

9 “(3)(A) In carrying out paragraphs (1) and (2), the
10 Secretary of Defense shall not approve a determination of
11 eligibility for interment or inurnment in Arlington Na-
12 tional Cemetery made by the Secretary of the Army that
13 permits the interment or inurnment in Arlington National
14 Cemetery of an individual who is not a member of the
15 armed forces or a veteran (as that term is defined in sec-
16 tion 101(2) of title 38), but served as President of the
17 United States or Vice President of the United States.

18 “(B) For purposes of subparagraph (A), a President
19 shall not be considered a member of the armed forces or
20 a veteran by virtue of service under the Constitution as
21 the Commander-in-Chief, and a Vice President shall not
22 be considered a member of the armed forces or a veteran
23 by virtue of service under the Constitution as Vice Presi-
24 dent.”.

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