

Union Calendar No. 636

114TH CONGRESS
2^D SESSION

H. R. 4757

[Report No. 114–812]

To amend title 38, United States Code, to expand the eligibility for headstones, markers, and medallions furnished by the Secretary of Veterans Affairs for deceased individuals who were awarded the Medal of Honor and are buried in private cemeteries.

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2016

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

NOVEMBER 14, 2016

Reported with amendments, 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 *italie*]

[For text of introduced bill, see copy of bill as introduced on March 16, 2016]

A BILL

To amend title 38, United States Code, to expand the eligibility for headstones, markers, and medallions furnished by the Secretary of Veterans Affairs for deceased individuals who were awarded the Medal of Honor and are buried in private cemeteries.

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. EXPANSION OF ELIGIBILITY FOR HEADSTONES,**
4 **MARKERS, AND MEDALLIONS FOR MEDAL OF**
5 **HONOR RECIPIENTS.**

6 *Section 2306(d) of title 38, United States Code, is*
7 *amended by adding at the end the following new paragraph:*

8 “(5)(A) *In carrying out this subsection with respect*
9 *to a deceased individual described in subparagraph (C), the*
10 *Secretary shall furnish, upon request, a headstone or mark-*
11 *er under paragraph (1) or a medallion under paragraph*
12 *(4) that signifies the deceased’s status as a Medal of Honor*
13 *recipient.*

14 “(B) *If the Secretary furnished a headstone, marker,*
15 *or medallion under paragraph (1) or (4) for a deceased in-*
16 *dividual described in subparagraph (C) that does not sig-*
17 *nify the deceased’s status as a Medal of Honor recipient,*
18 *the Secretary shall, upon request, replace such headstone,*
19 *marker, or medallion with a headstone, marker, or medal-*
20 *lion, as the case may be, that so signifies the deceased’s sta-*
21 *tus as a Medal of Honor recipient.*

22 “(C) *A deceased individual described in this subpara-*
23 *graph is a deceased individual who—*

24 “(i) *served in the Armed Forces on or after April*
25 6, 1917;

1 “(ii) is eligible for a headstone or marker fur-
 2 nished under paragraph (1) or a medallion furnished
 3 under paragraph (4) (or would be so eligible for such
 4 headstone, marker, or medallion but for the date of
 5 the death of the individual); and

6 “(iii) was awarded the Medal of Honor (includ-
 7 ing posthumously).”.

8 **SEC. 2. EXPANSION OF PRESIDENTIAL MEMORIAL CERTIFI-**
 9 **CATE PROGRAM.**

10 (a) *IN GENERAL.*—Section 112(a) of title 38, United
 11 States Code, is amended by inserting after “conditions,” the
 12 following: “persons eligible for burial in a national ceme-
 13 tery by reason of paragraph (2), (3), or (7) of section
 14 2402(a) of this title,”.

15 (b) *APPLICATION.*—The amendment made by sub-
 16 section (a) shall apply with respect to the death of a person
 17 eligible for burial in a national cemetery by reason of para-
 18 graph (2), (3), or (7) of section 2402(a) of title 38, United
 19 States Code, occurring before, on, or after the date of the
 20 enactment of this Act.

21 **SEC. 3. TRANSPORTATION OF DECEASED VETERANS TO**
 22 **VETERANS’ CEMETERIES.**

23 (a) *IN GENERAL.*—Subsection (a) of section 2308 of
 24 title 38, United States Code, is amended to read as follows:

1 “(a) *IN GENERAL.*—(1) *The Secretary may pay, in*
2 *addition to any amount paid pursuant to section 2302 or*
3 *2307 of this title, the cost of transportation of the deceased*
4 *veteran described in paragraph (1) or (2) of subsection (b)*
5 *for burial in a national cemetery or a covered veterans’*
6 *cemetery. Such payment shall not exceed the cost of trans-*
7 *portation to the national cemetery nearest the veteran’s last*
8 *place of residence in which burial space is available.*

9 “(2) *The Secretary may pay, in addition to any*
10 *amount paid pursuant to section 2302 or 2307 of this title,*
11 *the cost of transportation of the deceased veteran described*
12 *in subsection (b)(3) for burial in a national cemetery. Such*
13 *payment shall not exceed the cost of transportation to the*
14 *national cemetery nearest the veteran’s last place of resi-*
15 *dence in which burial space is available.”.*

16 (b) *COVERED VETERANS’ CEMETERY DEFINED.*—Sec-
17 *tion 2308 of such title is amended by adding at the end*
18 *the following new subsection:*

19 “(c) *COVERED VETERANS’ CEMETERY DEFINED.*—In
20 *this section, the term ‘covered veterans’ cemetery’ means,*
21 *with respect to a deceased veteran described in subsection*
22 *(b), a veterans’ cemetery owned by a State or a tribal orga-*
23 *nization (as defined in section 3765(4) of this title) in*
24 *which the deceased veteran is eligible to be buried.”.*

1 (c) *CONFORMING AMENDMENT.*—*Section 2308 of such*
 2 *title is amended in the section heading by adding at the*
 3 *end the following: “**or a veterans’ cemetery**”.*

4 (d) *CLERICAL AMENDMENT.*—*The table of sections at*
 5 *the beginning of chapter 23 of such title is amended by*
 6 *striking the item relating to section 2308 and inserting the*
 7 *following new item:*

*“2308. Transportation of deceased veteran to a national cemetery or a veterans’
 cemetery.”.*

Amend the title so as to read: “A bill to amend title
 38, United States Code, to expand certain benefits re-
 lated to the burial of deceased veterans, and for other
 purposes.”.

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