

108TH CONGRESS
1ST SESSION

H. R. 2076

To further the protection and recognition of veterans' memorials, to amend title 38, United States Code, to provide for grants to repair veterans memorials, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 13, 2003

Mr. JOHN introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committees on the Judiciary and Transportation and Infrastructure, 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 further the protection and recognition of veterans' memorials, to amend title 38, United States Code, to provide for grants to repair veterans memorials, 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. SHORT TITLE.**

4 This Act may be cited as the "Veterans' Memorial
5 Preservation and Recognition Act of 2003".

1 **SEC. 2. CRIMINAL PENALTIES FOR DESTRUCTION OF VET-**
2 **ERANS' MEMORIALS.**

3 (a) IN GENERAL.—Chapter 65 of title 18, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 1369. Destruction of veterans’ memorials**

7 “(a) Whoever, in a circumstance described in sub-
8 section (b), willfully injures or destroys, or attempts to in-
9 jure or destroy, any structure, plaque, statue, or other
10 monument on public property commemorating the service
11 of any person or persons in the armed forces of the United
12 States shall be fined under this title, imprisoned not more
13 than 10 years, or both.

14 “(b) A circumstance described in this subsection is
15 that—

16 “(1) in committing the offense described in sub-
17 section (a), the defendant travels or causes another
18 to travel in interstate or foreign commerce, or uses
19 the mail or an instrumentality of interstate or for-
20 eign commerce; or

21 “(2) the structure, plaque, statue, or other
22 monument described in subsection (a) is located on
23 property owned by, or under the jurisdiction of, the
24 Federal Government.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of chapter 65 of title 18, United States
3 Code, is amended by adding at the end the following:

“1369. Destruction of veterans’ memorials.”.

4 **SEC. 3. HIGHWAY SIGNS RELATING TO VETERANS CEME-**
5 **TERIES.**

6 (a) IN GENERAL.—Notwithstanding the terms of any
7 agreement entered into by the Secretary of Transportation
8 and a State under section 109(d) or 402(a) of title 23,
9 United States Code, a veterans cemetery shall be treated
10 as a site for which a supplemental guide sign may be
11 placed on any Federal-aid highway.

12 (b) APPLICABILITY.—Subsection (a) shall apply to an
13 agreement entered into before, on, or after the date of the
14 enactment of this Act.

15 **SEC. 4. GRANTS TO REPAIR VETERANS MEMORIALS.**

16 (a) ESTABLISHMENT OF GRANT PROGRAM.—Chapter
17 24 of title 38, United States Code, is amended by adding
18 at the end the following new section:

19 **“§ 2412. Grants to repair memorials**

20 “(a) ESTABLISHMENT OF GRANT PROGRAM.—Sub-
21 ject to the succeeding provisions of this section, the Sec-
22 retary may make grants to a State or a qualified organiza-
23 tion for the purpose of repairing or restoring a covered
24 memorial.

1 “(b) APPLICATION.—A grant under this section may
2 be made only upon submission of an application to the
3 Secretary in such form and manner, and containing such
4 information, as the Secretary may require.

5 “(c) AMOUNT OF GRANT.—(1) The amount of a
6 grant under this section may not exceed 50 percent of the
7 cost of the repair or restoration of the covered memorial,
8 as determined by the Secretary.

9 “(2) The recipient of the grant shall contribute the
10 excess of the aggregate costs of the repair of the covered
11 memorial over the grant.

12 “(3) If a recipient of a grant under this section uses
13 any part of the funds provided through such grant for a
14 purpose other than that for which the grant was made,
15 the United States shall be entitled to recover from such
16 recipient the total of all grants made under this section
17 to such recipient in connection with the repair or restora-
18 tion of the covered memorial.

19 “(d) USE OF GRANT FUNDS.—Sums received pursu-
20 ant to a grant in this section shall be used for the sole
21 purpose of repairing or restoring a covered memorial.

22 “(e) STANDARDS.—A repair or restoration of a cov-
23 ered memorial under a grant under this section shall con-
24 form to such standards and guidelines as the Secretary
25 may by regulation prescribe.

1 “(f) ADDITIONAL TERMS AND CONDITIONS.—The
2 Secretary may by regulation prescribe such additional
3 terms and conditions for grants under this section as the
4 Secretary considers appropriate.

5 “(g) DEFINITIONS.—In this section:

6 “(1) The term ‘qualified organization’ means
7 any organization described in section 5902(a) of this
8 title.

9 “(2) The term ‘covered memorial’ means a me-
10 morial or monument that the Secretary determines
11 commemorates the service in the Armed Forces of
12 an individual, or group of individuals, or a particular
13 military event, but does not include any memorial or
14 monument under the administrative jurisdiction of
15 the Secretary of the Interior.

16 “(h) AUTHORIZATION OF APPROPRIATIONS.—(1)
17 There is authorized to be appropriated such sums as may
18 be necessary for fiscal year 2004 and for each succeeding
19 fiscal year through fiscal year 2008 for the purpose of
20 making grants under subsection (a).

21 “(2) Sums appropriated under paragraph (1) of this
22 section shall remain available until expended. If all funds
23 from a grant under this section have not been utilized by
24 a recipient for the purpose for which the grant was made
25 within three years after such grant is made, the United

1 States shall be entitled to recover any such unused grant
2 funds from such recipient.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of chapter 24 of title 38, United States
5 Code, is amended by adding at the end the following:

“2412. Grants to repair memorials.”.

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