

105TH CONGRESS
1ST SESSION

H. R. 1532

IN THE SENATE OF THE UNITED STATES

JUNE 24, 1997

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To direct the United States Sentencing Commission to provide sentencing enhancement for offenses against property at national cemeteries.

1 *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Veterans’ Cemetery
3 Protection Act of 1997”.

4 **SEC. 2. SENTENCING FOR VANDALISM AT NATIONAL CEME-
5 TERIES.**

6 (a) **GENERAL RULE.**—Pursuant to its authority
7 under section 994 of title 28, United States Code, the
8 United States Sentencing Commission shall review and
9 amend the sentencing guidelines to provide a sentencing
10 enhancement for any offense against any property of a na-
11 tional cemetery—

12 (1) by at least 4 levels if the offense involves
13 the willful injury to or depredation against such
14 property, and

15 (2) by at least 6 levels if the offense involves
16 the knowing theft, conversion, or unlawful sale or
17 disposition of such property.

18 (b) **COMMISSION DUTY.**—In carrying out subsection
19 (a), the Sentencing Commission shall ensure that the sen-
20 tences, guidelines, and policy statements for offenders con-
21 victed of offenses described in subsection (a) are appro-
22 priately severe and reasonably consistent with other rel-
23 evant directives and with other guidelines.

24 (c) **DEFINITION.**—For the purposes of this section,
25 the term “national cemetery” means a cemetery in the Na-
26 tional Cemetery System established under section 2400 of

1 title 38 and a cemetery under the jurisdiction of the Sec-
2 retary of the Army, the Secretary of the Navy, the Sec-
3 retary of the Air Force, or the Secretary of the Interior.

Passed the House of Representatives June 23, 1997.

Attest:

ROBIN H. CARLE,

Clerk.

By JULIE PERRIER,

Assistant to the Clerk.