

105TH CONGRESS  
1ST SESSION

# H. R. 1532

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IN THE SENATE OF THE UNITED STATES

JUNE 24, 1997

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

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## 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 Representa-*  
2       *tives 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.*