

105TH CONGRESS
2D SESSION

H. R. 3252

To amend title 38, United States Code, to establish an advisory board to review requests for waivers of eligibility requirements for burial in Arlington National Cemetery submitted to the Secretary of the Army.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 1998

Mrs. JOHNSON of Connecticut introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to establish an advisory board to review requests for waivers of eligibility requirements for burial in Arlington National Cemetery submitted to the Secretary of the Army.

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. ESTABLISHMENT OF ARLINGTON NATIONAL**
4 **CEMETERY ADVISORY BOARD.**

5 (a) IN GENERAL.—Chapter 24 of title 38, United
6 States Code, is amended by adding at the end the follow-
7 ing new section:

1 **“§ 2412. Arlington National Cemetery Burial Advisory**
2 **Board**

3 “(a) ESTABLISHMENT.—There is established the Ar-
4 lington National Cemetery Burial Advisory Board (herein-
5 after in this section referred to as the ‘Advisory Board’).

6 “(b) DUTIES.—The Advisory Board shall—

7 “(1) review and evaluate an application for bur-
8 ial in Arlington National Cemetery of an individual
9 who, in the opinion of the Superintendent of Arling-
10 ton National Cemetery, does not meet eligibility re-
11 quirements for such burial; and

12 “(2) recommend to the Secretary of the Army
13 that such application be granted or denied.

14 “(c) MEMBERSHIP.—The Advisory Board shall be
15 composed of seven members appointed by the Secretary
16 of the Army, in consultation with veterans service organi-
17 zations, as follows:

18 “(1) Four members shall be appointed from
19 among individuals—

20 “(A) who are veterans, and

21 “(B) who are members of a veterans serv-
22 ice organization the entire membership of which
23 is eligible for burial in Arlington National Cem-
24 etery by reason of the requirements for mem-
25 bership in the organization.

1 “(2) Three members shall be appointed from
2 among individuals—

3 “(A) who are veterans, and

4 “(B) who are members of a veterans serv-
5 ice organization a significant portion of the
6 membership of which is eligible for burial in Ar-
7 lington National Cemetery.

8 “(3) Not more than four members of the Advi-
9 sory Board may be members of the same political
10 party.

11 “(d) COMPENSATION.—Members shall serve without
12 pay, but may receive travel expenses, including per diem
13 in lieu of subsistence, in accordance with sections 5702
14 and 5703 of title 5.

15 “(e) TERM; VACANCY.—(1) The term of a member
16 of the Advisory Board is three years.

17 “(2) Any member appointed to fill a vacancy for an
18 unexpired term shall be appointed for the remainder of
19 such term. A member may serve after the expiration of
20 that member’s term until a successor has been appointed.
21 A vacancy in the Advisory Board shall be filled not later
22 than 90 days after the date the vacancy occurred.

23 “(f) CHAIRPERSON.—The members of the Advisory
24 Board shall select a chairperson from among their mem-
25 bers.

1 “(g) DIRECTOR AND STAFF.—The Secretary of the
2 Army, after consultation with the Advisory Board, shall
3 provide the Advisory Board with an executive director and
4 such additional personnel as the Secretary determines nec-
5 essary for the Advisory Board to carry out its functions.
6 The Secretary of the Army, after consultation with the
7 National Purple Heart Museum, shall provide for a profes-
8 sional staff member to coordinate research for the Advi-
9 sory Board.

10 “(h) MEETINGS.—The Advisory Board shall meet at
11 the call of the chairperson or a majority of its members.

12 “(i) PUBLICATION OF RECOMMENDATION.—(1)
13 Whenever the Advisory Board submits a recommendation
14 to the Secretary of the Army with respect to an application
15 for interment of remains of an individual in Arlington Na-
16 tional Cemetery under subsection (b)(2), the Advisory
17 Board shall make public its recommendation to grant or
18 deny such application on the first day that follows the day
19 on which the Advisory Board submitted such recommenda-
20 tion.

21 “(2) Not later than 30 days after submitting the rec-
22 ommendation to the Secretary of the Army under para-
23 graph (1), the Advisory Board shall submit to Congress
24 a report that explains the reasons for the recommenda-
25 tion.”.

1 (b) CONFORMING AMENDMENT.—The table of sec-
2 tions at the beginning of chapter 24 of title 38, United
3 States Code, is amended by adding at the end the follow-
4 ing new item:

“2412. Arlington National Cemetery Burial Advisory Board.”.

5 (c) EFFECTIVE DATE.—Section 2412 of title 38,
6 United States Code, as added by subsection (a), shall
7 apply with respect to applications for interment in Arling-
8 ton National Cemetery submitted on or after the date that
9 is 60 days after the date of the enactment of this Act.

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