

107TH CONGRESS
1ST SESSION

H. R. 3335

To further the protection and recognition of veterans' memorials, and for
other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 16, 2001

Mr. UDALL of Colorado 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, 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 2001".

1 **SEC. 2. VETERANS' MEMORIAL RESTORATION FUND.**

2 (a) ESTABLISHMENT.—Part VI of title 38, United
3 States Code, is amended by adding at the end the fol-
4 lowing new chapter:

5 **“CHAPTER 87—MISCELLANEOUS MATTERS**

“Sec.

“8701. Grants to provide for repair and upkeep of veterans memorials on public property.

6 **“§ 8701. Grants to provide for repair and upkeep of**
7 **veterans memorials on public property**

8 “(a) The Secretary may make grants for the fol-
9 lowing purposes:

10 “(1) To cover the costs of the repair or restora-
11 tion of any injury or depredation to a veterans’ me-
12 morial on public property.

13 “(2) To cover any other cost associated with
14 the repair, restoration, maintenance, or upkeep of
15 veterans’ memorials on public property.

16 “(b) A grant under subsection (a) with respect to a
17 veterans’ memorial shall be made to the individual or enti-
18 ty that has authority or responsibility for the upkeep and
19 maintenance of the memorial. Any such grant shall be in
20 such manner and in accordance with such criteria as the
21 Secretary may prescribe.

22 “(c) Except as otherwise provided by law, a grant
23 under this section shall be made from amounts in the fund
24 established under subsection (d).

1 “(d)(1) There is established on the books of the
2 Treasury a fund to be known as the ‘Veterans’ Memorial
3 Restoration Fund’ (in this subsection referred to as the
4 ‘Fund’).

5 “(2) There shall be deposited in the Fund amounts
6 as follows:

7 “(A) Amounts appropriated to the Fund.

8 “(B) Amounts collected as civil penalties under
9 section 1369(b) of title 18.

10 “(C) Amounts donated to the United States for
11 purposes of deposit in the Fund.

12 “(D) Any other amounts transferred to the
13 Fund under law.

14 “(3) Amounts in the Fund are available for the pur-
15 pose of making grants under this section. Such amounts
16 may not be used for any other purpose.

17 “(e) Amounts in the Fund are in addition to any
18 other amounts available to the Secretary for purposes of
19 the repair, restoration, maintenance, or upkeep of vet-
20 erans’ memorials.

21 “(f) In this section, the term ‘veterans’ memorial’
22 means a structure, plaque, statue, or other monument
23 commemorating the service of any person or persons in
24 the Armed Forces.”.

(b) CLERICAL AMENDMENTS.—The tables of chapters at the beginning of title 38, United States Code, and at the beginning of part VI of that title, are each amended by adding at the end the following new item:

“87. Miscellaneous Matters 8701”.

SEC. 3. CRIMINAL AND CIVIL PENALTIES FOR DESECRATION OF VETERANS’ MEMORIALS.

(a) IN GENERAL.—Chapter 65 of title 18, United States Code, is amended by adding at the end the following new section:

“§ 1369. Desecration of veterans’ memorials on public property

“(a) Whoever, in a circumstance described in subsection (c), willfully damages a veterans’ memorial on public property shall be punished—

“(1) if the cost of repairing the damage to such memorial exceeds the sum of \$1,000, by a fine under this title or imprisonment for not more than 10 years, or both; and

“(2) if the cost of repairing the damage to such memorial does not exceed the sum of \$1,000, by a fine under this title or imprisonment for not more than one year, or both.

“(b)(1) Whoever violates subsection (a) shall be subject to a civil penalty in an amount equal to the cost of repairing the damages upon which the violation is based.

1 “(2) A civil penalty for an offense under this sub-
 2 section is in addition to any fine or penalty for the offense
 3 under subsection (a) or any other provision of law.

4 “(3) Amounts collected under this subsection shall be
 5 deposited in the Veterans’ Memorial Restoration Fund
 6 under section 8701 of title 38.

7 “(c) The circumstance referred to in subsection (a)
 8 is that, in violating that subsection, the defendant—

9 “(1) travels or causes another to travel in inter-
 10 state or foreign commerce; or

11 “(2) uses the mail or an instrumentality of
 12 interstate or foreign commerce.

13 “(d) As used in this section, the term ‘veterans’ me-
 14 morial’ means a structure, plaque, statue, or other monu-
 15 ment commemorating the service of any person or persons
 16 in the Armed Forces of the United States.”.

17 (b) CLERICAL AMENDMENT.—The table of sections
 18 at the beginning of chapter 65 of title 18, United States
 19 Code, is amended by adding at the end the following new
 20 item:

“1369. Desecration of veterans’ memorials.”.

21 **SEC. 4. HIGHWAY SIGNS RELATING TO VETERANS CEME-**
 22 **TERIES.**

23 (a) IN GENERAL.—Notwithstanding the terms of any
 24 agreement entered into by the Secretary of Transportation
 25 and a State under section 109(d) or 402(a) of title 23,

1 United States Code, a veterans cemetery shall be treated
2 as a site for which a supplemental guide sign may be
3 placed on any Federal-aid highway.

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

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