

108TH CONGRESS
1ST SESSION

H. R. 3659

To amend title 38, United States Code, to enact into law eligibility of certain Reservists and their dependents for burial in Arlington National Cemetery.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 8, 2003

Mr. SMITH of New Jersey (for himself, Mr. EVANS, Mr. BROWN of South Carolina, Mr. MICHAUD, Mr. MILLER of Florida, Ms. CARSON of Indiana, Ms. BERKLEY, Mr. BROWN of Ohio, and Mr. SHIMKUS) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to enact into law eligibility of certain Reservists and their dependents for burial in Arlington National Cemetery.

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 “Reservists Burial Equity
5 Act of 2003”.

1 **SEC. 2. ELIGIBILITY OF CERTAIN PERSONS FOR BURIAL IN**
2 **ARLINGTON NATIONAL CEMETERY.**

3 (a) IN GENERAL.—(1) Chapter 24 of title 38, United
4 States Code, is amended by adding at the end the fol-
5 lowing new section:

6 **“§ 2412. Arlington National Cemetery: eligibility of**
7 **certain persons for burial**

8 “(a)(1) The remains of a member or former member
9 of a reserve component of the Armed Forces who at the
10 time of death was under 60 years of age and who, but
11 for age, would have been eligible at the time of death for
12 retired pay under chapter 1223 of title 10 may be buried
13 in Arlington National Cemetery on the same basis as the
14 remains of members of the Armed Forces entitled to re-
15 tired pay under that chapter.

16 “(2) The remains of the dependents of a member
17 whose remains are permitted under paragraph (1) to be
18 buried in Arlington National Cemetery may be buried in
19 that cemetery on the same basis as dependents of mem-
20 bers of the Armed Forces entitled to retired pay under
21 such chapter 1223.

22 “(b)(1) The remains of a member of a reserve compo-
23 nent of the Armed Forces who dies in the line of duty
24 while performing active duty for training or inactive duty
25 training may be buried in Arlington National Cemetery

1 on the same basis as the remains of a member of the
2 Armed Forces who dies while on active duty.

3 “(2) The remains of the dependents of a member
4 whose remains are permitted under paragraph (1) to be
5 buried in Arlington National Cemetery may be buried in
6 that cemetery on the same basis as dependents of mem-
7 bers on active duty.”.

8 (2) The table of sections at the beginning of chapter
9 24 of title 38, United States Code, is amended by adding
10 at the end the following new item:

“2412. Arlington National Cemetery: eligibility of certain persons for burial.”.

11 (b) EFFECTIVE DATE.—Section 2412 of title 38,
12 United States Code, as added by subsection (a), shall
13 apply with respect to interments occurring on or after the
14 date of the enactment of this Act.

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