

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1759

To require the Secretary of the Army to remove the remains of Russell Wayne Wagner from Arlington National Cemetery.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 22, 2005

Mr. CRAIG introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To require the Secretary of the Army to remove the remains of Russell Wayne Wagner from 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. FINDINGS.**

4        Congress makes the following findings:

5                (1) Arlington National Cemetery is a National  
6        Shrine that memorializes the honorable service of  
7        men and women who have defended the freedoms  
8        that all Americans enjoy.

9                (2) The inclusion among the honored dead of  
10       persons who have committed particularly notorious,

1 heinous acts brings dishonor to the deceased and  
2 disrespect to their loved ones.

3 (3) The removal of persons who have committed  
4 heinous acts would not be an act of punishment  
5 against those persons, but rather an act that would  
6 preserve the sacredness of cemetery grounds.

7 **SEC. 2. REMOVAL OF REMAINS.**

8 (a) REMOVAL.—The Secretary of the Army shall re-  
9 move the remains of Russell Wayne Wagner from Arling-  
10 ton National Cemetery.

11 (b) NOTIFICATION OF NEXT-OF-KIN.—Upon removal  
12 of the remains of Russell Wayne Wagner, the Secretary  
13 of the Army shall—

14 (1) notify the next-of-kin of record for Russell  
15 Wayne Wagner of the removal of his remains; and

16 (2) arrange for the internment or inurnment of  
17 those remains in a public or private cemetery or, if  
18 requested, relinquish the remains to the next-of-kin  
19 of record.

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