

111TH CONGRESS
1ST SESSION

H. R. 4044

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to restore plot allowance eligibility for veterans of any war and to restore the headstone or marker allowance for eligible persons.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 6, 2009

Ms. BERKLEY (for herself, Mr. FILNER, Ms. CORRINE BROWN of Florida, Mr. HALL of New York, Mr. MICHAUD, Mr. COURTNEY, Mr. NYE, Mr. HARE, Mr. TEAGUE, Mr. RODRIGUEZ, Ms. SCHAKOWSKY, Mr. ELLSWORTH, Mr. MOORE of Kansas, Mr. CROWLEY, Mr. ENGEL, Mr. SPACE, Mr. GRAYSON, Mr. WU, Mr. DRIEHAUS, Ms. TITUS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WATSON, Mr. SERRANO, Mr. ADLER of New Jersey, Mr. SCHAUER, Mr. MURPHY of New York, Ms. LORETTA SANCHEZ of California, Ms. HERSETH SANDLIN, Mr. ALTMIRE, Mr. HIGGINS, Mr. MCNERNEY, Mr. CARDOZA, Mrs. KIRKPATRICK of Arizona, Ms. KILPATRICK of Michigan, and Mr. SARBANES) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to restore plot allowance eligibility for veterans of any war and to restore the headstone or marker allowance for eligible persons.

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. RESTORATION OF VETERAN PLOT ALLOWANCE**
2 **ELIGIBILITY AND HEADSTONE OR MARKER**
3 **ALLOWANCE.**

4 (a) RESTORATION OF PLOT ALLOWANCE ELIGI-
5 BILITY FOR VETERANS OF ANY WAR.—Section 2303(b)
6 of title 38, United States Code, is amended—

7 (1) in the matter preceding paragraph (1), by
8 striking “subsection (a) of this section” and all that
9 follows through “and who” and inserting the fol-
10 lowing: “subsection (a), in the case of a veteran who
11 is eligible for a burial allowance under such sub-
12 section or under section 2302 of this title, who was
13 discharged from the active military, naval, or air
14 service for a disability incurred or aggravated in the
15 line of duty, or who is a veteran of any war and”;
16 and

17 (2) in paragraph (2)—

18 (A) by striking “is eligible for a burial al-
19 lowance under section 2302 of this title or
20 under subsection (a) of this section, or was dis-
21 charged from the active military, naval, or air
22 service for a disability incurred or aggravated in
23 line of duty, and such veteran”; and

24 (B) by striking “clause (1) of this sub-
25 section” and inserting “paragraph (1)”.

1 (b) RESTORATION OF HEADSTONE OR MARKER AL-
2 LOWANCE.—

3 (1) ALLOWANCE.—Section 2306 of title 38,
4 United States Code, is amended by adding at the
5 end the following new subsection:

6 “(h) In lieu of furnishing a headstone or marker
7 under subsection (a)(2) or (b), the Secretary, in the Sec-
8 retary’s discretion, having due regard for the cir-
9 cumstances in each case, may reimburse the person enti-
10 tled to request such headstone or marker for the cost of
11 acquiring a non-Government headstone or marker for
12 placement in any cemetery other than a national cemetery
13 in connection with the burial or memorialization of the de-
14 ceased individual.”.

15 (2) CONFORMING AMENDMENT.—Subsection (g)
16 of such section is amended by adding at the end the
17 following new paragraph:

18 “(4) Reimbursement may not be provided under sub-
19 section (h) for the cost of acquiring a non-Government
20 headstone or marker in connection with the burial or me-
21 morialization of a person described in section 2411(b) of
22 this title.”.

23 (3) CLERICAL AMENDMENT.—Subsection (a) of
24 such section is amended by moving the margin of

1 each of paragraphs (1) through (5) by two ems to
2 the right.

3 (4) EFFECTIVE DATE.—The amendments made
4 by this subsection shall apply with respect to deaths
5 occurring on or after the date of the enactment of
6 this Act.

