

111TH CONGRESS  
1ST SESSION

# H. R. 430

To amend title 18, United States Code, to provide criminal penalties for the destruction of memorials, headstones, markers, and graves commemorating persons serving in the Armed Forces on private property.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2009

Mr. POE of Texas (for himself, Mr. BROWN of South Carolina, Mr. BURTON of Indiana, Mr. HALL of Texas, Mr. EDWARDS of Texas, Mr. McCOTTER, Mr. SENSENBRENNER, Mr. McHENRY, Mr. LOBIONDO, Ms. FALLIN, Mr. CARTER, Mr. RYAN of Wisconsin, Mr. JONES, Mr. BRADY of Pennsylvania, Mr. PUTNAM, Mr. MARCHANT, Mr. MARIO DIAZ-BALART of Florida, Mr. BUCHANAN, Mr. PITTS, Mrs. MILLER of Michigan, and Mr. GALLEGLY) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to provide criminal penalties for the destruction of memorials, headstones, markers, and graves commemorating persons serving in the Armed Forces on private property.

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 “Lance Corporal Jer-

5       emy Burris Act”.

1 **SEC. 2. CRIMINAL PENALTIES FOR THE DESTRUCTION OF**  
2 **MEMORIALS, HEADSTONES, MARKERS, AND**  
3 **GRAVES COMMEMORATING PERSONS SERV-**  
4 **ING IN THE ARMED FORCES ON PRIVATE**  
5 **PROPERTY.**

6 Section 1369 of title 18, United States Code, is  
7 amended—

8 (1) in the heading by inserting “,  
9 **HEADSTONES, AND GRAVES**” after “**MEMO-**  
10 **RIALS**”;

11 (2) in subsection (a)—

12 (A) by striking “willfully” and inserting  
13 “knowingly”;

14 (B) by striking “on public property”;

15 (C) by striking “armed forces” and insert-  
16 ing “Armed Forces”; and

17 (D) by inserting “, or any grave or head-  
18 stone or marker marking the grave of any such  
19 person,” after “United States”;

20 (3) in subsection (b)(2) by inserting “grave,  
21 headstone, marker,” after “statue,”; and

22 (4) by adding at the end the following new sub-  
23 section:

24 “(c) For the purposes of this section, the term ‘grave’  
25 includes any object placed on such grave to commemorate

- 1 the veteran or member of the Armed Forces of the United
- 2 States buried in such grave.”.

