

104TH CONGRESS  
2D SESSION

# H. R. 3901

To amend title 18, United States Code, to create criminal penalties for theft and malicious vandalism at national cemeteries.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 25, 1996

Mr. CALVERT (for himself, Mr. BOEHNER, Mr. SOLOMON, Mr. STUMP, Mr. MONTGOMERY, Mr. MCCOLLUM, Mr. LEWIS of California, Mr. WALKER, Mr. MOORHEAD, Mr. HOKE, Mr. BUYER, Mr. MORAN, Mr. SAM JOHNSON of Texas, Mr. CHRISTENSEN, Mr. COX of California, Mr. HUNTER, Mr. MCKEON, Mr. BREWSTER, Mr. CHAMBLISS, Mr. ACKERMAN, Mr. SAXTON, Mr. KIM, Mr. ENGLISH of Pennsylvania, Mr. WATTS of Oklahoma, Mr. EWING, Mr. HORN, Mr. BONILLA, Mr. BILBRAY, Mr. HAYWORTH, Mr. LIGHTFOOT, Mr. ROEMER, Mr. BROWN of California, Mr. GILCHREST, Mr. CUNNINGHAM, Mr. RAMSTAD, Mrs. SEASTRAND, Mr. FALEOMAVAEGA, and Mr. TORRICELLI) introduced the following bill; which was referred to the Committee on the Judiciary

---

## A BILL

To amend title 18, United States Code, to create criminal penalties for theft and malicious vandalism at national cemeteries.

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’ Cemetery  
5 Protection Act of 1996”.

1 **SEC. 2. VANDALISM AT NATIONAL CEMETERIES.**

2 (a) IN GENERAL.—Chapter 91 of title 18, United  
3 States Code, is amended by adding at the end the follow-  
4 ing new section:

5 **“§ 1865. Vandalism and theft at national cemeteries**

6 “(a) Whoever maliciously injures or commits any dep-  
7 redation against any property of a national cemetery, or  
8 attempts to commit any of the foregoing offenses, shall  
9 be punished as follows:

10 “(1) If the damage or attempted damage to  
11 such property exceeds the sum of \$100, by a fine  
12 under this title or imprisonment for not more than  
13 ten years, or both.

14 “(2) If the damage or attempted damage to  
15 such property does not exceed the sum of \$100, by  
16 a fine under this title or by imprisonment for not  
17 more than one year, or both.

18 “(b) Whoever—

19 “(1) steals or knowingly converts to his use or  
20 the use of another any property of a national ceme-  
21 tery,

22 “(2) without authority, sells, conveys, or dis-  
23 poses of any property of a national cemetery, or

24 “(3) receives, conceals, or retains any property  
25 of a national cemetery with intent to convert such

1 property to his use or gain, knowing such property  
2 to have been stolen or converted,  
3 shall be punished by a fine under this title or by imprison-  
4 ment for not more than 15 years, or both.

5 “(c) For the purposes of this section, the term ‘na-  
6 tional cemetery’ means a cemetery in the National Ceme-  
7 tery System established under section 2400 of title 38 and  
8 a cemetery under the jurisdiction of the Secretary of the  
9 Army, the Secretary of the Navy, the Secretary of the Air  
10 Force, or the Secretary of the Interior.”.

11 (b) CLERICAL AMENDMENT.—The table of sections  
12 at the beginning of chapter 91 of title 18, United States  
13 Code, is amended by inserting after the item relating to  
14 section 1864 the following new item:

“1865. Vandalism and theft at national cemeteries.”.

○