

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3653

To amend title 10, United States Code, to require that the Secretaries of the military departments provide honor guard details for the funerals of veterans, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 1998

Mr. EVANS (for himself and Mrs. KELLY) introduced the following bill; which was referred to the Committee on National Security

---

## A BILL

To amend title 10, United States Code, to require that the Secretaries of the military departments provide honor guard details for the funerals of veterans, and for other purposes.

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 Burial Rights  
5       Act of 1998”.

1 **SEC. 2. MILITARY HONOR GUARD DETAILS AT FUNERALS**  
2 **OF VETERANS.**

3 (a) IN GENERAL.—(1) Chapter 75 of title 10, United  
4 States Code, is amended by adding at the end the follow-  
5 ing new section:

6 **“§ 1491. Funeral honor guard details**

7 “(a) AVAILABILITY.—The Secretary of a military de-  
8 partment shall, upon request, provide an honor guard de-  
9 tail for the funeral of any veteran.

10 “(b) MINIMUM SIZE OF HONOR GUARD DETAILS.—

11 The Secretary of each military department shall ensure  
12 that an honor guard detail for the funeral of a veteran  
13 consists of not less than five members of the armed forces  
14 (one of whom shall be a bugler).

15 “(c) VETERAN DEFINED.—In this section, the term  
16 ‘veteran’ has the meaning given that term in section  
17 101(2) of title 38.”.

18 (2) The table of sections at the beginning of such  
19 chapter is amended by adding at the end the following  
20 new item:

“1491. Funeral honor guard details.”.

21 (b) TREATMENT OF PERFORMANCE OF HONOR  
22 GUARD FUNCTIONS BY RESERVES.—(1) Chapter 1215 of  
23 title 10, United States Code, is amended—

24 (1) by striking out the following:

1 “[No present sections]”; and

2 (2) inserting in lieu thereof the following:

“Sec.

“12551. Funeral honor guard functions: prohibition of treatment as drill or training.

3 **“§ 12551. Funeral honor guard functions: prohibition**  
 4 **of treatment as drill or training**

5 “Performance by a Reserve of honor guard functions  
 6 at the funeral of a veteran may not be considered to be  
 7 a period of drill or training otherwise required.”.

8 (2) The items relating to chapter 1215 in the tables  
 9 of chapters at the beginning of subtitle E, and at the be-  
 10 ginning of part II of such subtitle, are amended to read  
 11 as follows:

**“1215. Miscellaneous Prohibitions and Penalties .....12551”.**

12 (c) REPEAL OF LIMITATION ON AVAILABILITY OF  
 13 FUNDS FOR HONOR GUARD FUNCTIONS BY NATIONAL  
 14 GUARD.—Section 114 of title 32, United States Code, is  
 15 amended—

16 (1) by striking out “(a)”; and

17 (2) by striking out subsection (b).

18 (d) APPLICABILITY.—The amendments made by this  
 19 section shall apply to burials of veterans that occur on  
 20 or after the date that is 180 days after the date of the  
 21 enactment of this Act.

22 (e) REPORT ON IMPLEMENTATION.—Not later than  
 23 180 days after the date of the enactment of this Act, the

1 Secretary of Defense shall submit to Congress the direc-  
2 tives prescribed by the Secretary of the Army, the Sec-  
3 retary of the Navy, and the Secretary of the Air Force  
4 to carry out the requirements under the amendments  
5 made by this section.

○