

105TH CONGRESS
1ST SESSION

S. 813

AN ACT

To amend chapter 91 of title 18, United States Code, to provide criminal penalties for theft and willful 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 1997”.

1 **SEC. 2. SENTENCING FOR OFFENSES AGAINST PROPERTY**
2 **AT NATIONAL CEMETERIES.**

3 (a) **IN GENERAL.**—Pursuant to its authority under
4 section 994 of title 28, United States Code, the United
5 States Sentencing Commission shall review and amend the
6 Federal sentencing guidelines to provide a sentencing en-
7 hancement of not less than 2 levels for any offense against
8 the property of a national cemetery.

9 (b) **COMMISSION DUTIES.**—In carrying out sub-
10 section (a), the Sentencing Commission shall ensure that
11 the sentences, guidelines, and policy statements for offend-
12 ers convicted of an offense described in that subsection
13 are—

14 (1) appropriately severe; and

15 (2) reasonably consistent with other relevant di-
16 rectives and with other Federal sentencing guide-
17 lines.

18 (c) **DEFINITION OF NATIONAL CEMETERY.**—In this
19 section, the term “national cemetery” means a cemetery—

20 (1) in the National Cemetery System estab-
21 lished under section 2400 of title 38, United States
22 Code; or

1 (2) under the jurisdiction of the Secretary of
2 the Army, the Secretary of the Navy, the Secretary
3 of the Air Force, or the Secretary of the Interior.

Passed the Senate November 4, 1997.

Attest:

Secretary.

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