

**Calendar No. 363**107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 1644**

To further the protection and recognition of veterans' memorials, and for other purposes.

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**IN THE SENATE OF THE UNITED STATES**

NOVEMBER 7, 2001

Mr. CAMPBELL (for himself, Mr. CRAIG, Mr. MILLER, Mr. CONRAD, Mr. McCONNELL, Mr. GRAHAM, Ms. LANDRIEU, Mr. MURKOWSKI, Mr. SMITH of New Hampshire, Mr. BURNS, Mr. INOUE, Mr. BINGAMAN, Mr. VOINOVICH, Mr. BUNNING, Mr. JOHNSON, Mr. BENNETT, Mr. COCHRAN, Mr. LEAHY, Mr. HATCH, Mr. THURMOND, and Mr. DOMENICI) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

APRIL 22, 2002

Committee discharged; referred to the Committee on the Judiciary

MAY 2, 2002

Reported by Mr. LEAHY, without amendment

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**A BILL**

To further the protection and recognition of veterans' memorials, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Veterans’ Memorial  
3 Preservation and Recognition Act of 2001”.

4 **SEC. 2. VETERANS’ MEMORIAL RESTORATION FUND.**

5 (a) ESTABLISHMENT.—Part VI of title 38, United  
6 States Code, is amended by adding at the end the fol-  
7 lowing new chapter:

8 **“CHAPTER 87—MISCELLANEOUS MATTERS**

“Sec.

“8701. Veterans’ Memorial Restoration Fund.

9 **“§ 8701. Veterans’ Memorial Restoration Fund**

10 “(a) There is established on the books of the Treas-  
11 ury a fund to be known as the ‘Veterans’ Memorial Res-  
12 toration Fund’ (in this section referred to as the ‘Fund’).

13 “(b) There shall be deposited in the Fund amounts  
14 as follows:

15 “(1) Amounts authorized to be appropriated to  
16 the Fund.

17 “(2) Amounts collected as civil penalties under  
18 section 1369(b) of title 18.

19 “(3) Amounts donated to the United States for  
20 purposes of deposit in the Fund.

21 “(4) Any other amounts transferred to the  
22 Fund by the Secretary under law.

23 “(c) Amounts in the Fund shall be available to the  
24 Secretary as follows:



1 **“§ 1369. Desecration of veterans’ memorials**

2       “(a) Whoever, in a circumstance described in sub-  
3 section (c), willfully injures or commits any depredation  
4 against any structure, plaque, statue, or other monument  
5 on public property commemorating the service of any per-  
6 son or persons in the armed forces of the United States,  
7 shall be fined under this title, imprisoned not more than  
8 10 years, or both, but if the damage or attempted damage  
9 does not exceed the sum of \$1,000, the defendant shall  
10 be fined under this title, imprisoned not more than one  
11 year, or both.

12       “(b)(1) Whoever commits an offense described by  
13 subsection (a) shall be subject to a civil penalty in an  
14 amount equal to the cost of repairing the injury or depre-  
15 dation upon which the offense is based.

16       “(2) A civil penalty for an offense under this sub-  
17 section is in addition to any fine or penalty for the offense  
18 under subsection (a) or any other provision of law.

19       “(3) Amounts collected under this subsection shall be  
20 deposited in the Veterans’ Memorial Restoration Fund  
21 under section 8701 of title 38, and available for use in  
22 accordance with the provisions of subsection (c) of that  
23 section.

24       “(c) The circumstance referred to in subsection (a)  
25 is that in committing the offense, the defendant travels  
26 or causes another to travel in interstate or foreign com-

1 merce, or uses the mail or an instrumentality of interstate  
2 or foreign commerce.”.

3 (b) CLERICAL AMENDMENT.—The table of sections  
4 at the beginning of chapter 65 of title 18, United States  
5 Code, is amended by adding at the end the following:

“1369. Desecration of veterans’ memorials.”.

6 **SEC. 4. HIGHWAY SIGNS RELATING TO VETERANS CEME-**  
7 **TERIES.**

8 (a) IN GENERAL.—Notwithstanding the terms of any  
9 agreement entered into by the Secretary of Transportation  
10 and a State under section 109(d) or 402(a) of title 23,  
11 United States Code, a veterans cemetery shall be treated  
12 as a site for which a supplemental guide sign may be  
13 placed on any Federal-aid highway.

14 (b) APPLICABILITY.—Subsection (a) shall apply to an  
15 agreement entered into before, on, or after the date of the  
16 enactment of this Act.

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