

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1627
OFFERED BY MR. RUNYAN OF NEW JERSEY**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Honoring American
3 Veterans Act of 2011”.

**4 SEC. 2. REQUIREMENTS FOR THE PLACEMENT OF MONU-
5 MENTS IN ARLINGTON NATIONAL CEMETERY.**

6 Section 2409(b) of title 38, United States Code, is
7 amended—

8 (1) by striking “Under” and inserting “(1)
9 Under”;

10 (2) by inserting after “Secretary of the Army”
11 the following: “and subject to paragraph (2)”; and

12 (3) by adding at the end the following new
13 paragraphs:

14 “(2)(A) Except for a monument containing or mark-
15 ing interred remains, no monument (or similar structure,
16 as determined by the Secretary of the Army in regula-
17 tions) may be placed in Arlington National Cemetery ex-
18 cept pursuant to the provisions of this subsection.

1 “(B) A monument may be placed in Arlington Na-
2 tional Cemetery if the monument commemorates—

3 “(i) the service in the Armed Forces of the indi-
4 vidual, or group of individuals, whose memory is to
5 be honored by the monument; or

6 “(ii) a particular military event.

7 “(C) No monument may be placed in Arlington Na-
8 tional Cemetery until the end of the 25-year period begin-
9 ning—

10 “(i) in the case of the commemoration of serv-
11 ice under subparagraph (B)(i), on the last day of the
12 period of service so commemorated; and

13 “(ii) in the case of the commemoration of a
14 particular military event under subparagraph (B)(ii),
15 on the last day of the period of the event.

16 “(D) A monument may be placed only in those sec-
17 tions of Arlington National Cemetery designated by the
18 Secretary of the Army for such placement and only on
19 land the Secretary determines is not suitable for burial.

20 “(E) A monument may only be placed in Arlington
21 National Cemetery if an appropriate non-governmental en-
22 tity has agreed to act as a sponsoring organization to co-
23 ordinate the placement of the monument and—

1 “(i) the construction and placement of the
2 monument are paid for only using funds from pri-
3 vate sources;

4 “(ii) the Secretary of the Army consults with
5 the Commission of Fine Arts before approving the
6 design of the monument; and

7 “(iii) the sponsoring organization provides for
8 an independent study on the availability and suit-
9 ability of alternative locations for the proposed
10 monument outside of Arlington National Cemetery.

11 “(3)(A) The Secretary of the Army may waive the
12 requirement under paragraph (2)(C) in a case in which
13 the monument would commemorate a group of individuals
14 who the Secretary determines—

15 “(i) has made valuable contributions to the
16 Armed Forces that have been ongoing and perpetual
17 for longer than 25 years and are expected to con-
18 tinue on indefinitely; and

19 “(ii) has provided service that is of such a char-
20 acter that the failure to place a monument to the
21 group in Arlington National Cemetery would present
22 a manifest injustice.

23 “(B) If the Secretary waives such requirement under
24 subparagraph (A), the Secretary shall—

1 “(i) make available on an Internet website noti-
2 fication of the waiver and the rationale for the waiv-
3 er; and

4 “(ii) submit to the Committee on Veterans’ Af-
5 fairs and the Committee on Armed Services of the
6 Senate and the Committee on Veterans’ Affairs and
7 the Committee on Armed Services of the House of
8 Representatives written notice of the waiver and the
9 rationale for the waiver.

10 “(4) The Secretary of the Army shall provide notice
11 to the Committee on Armed Services and the Committee
12 on Veterans’ Affairs of the Senate and the Committee on
13 Veterans’ Affairs and the Committee on Armed Services
14 of the House of Representatives of any monument pro-
15 posed to be placed in Arlington National Cemetery. Dur-
16 ing the 60-day period beginning on the date on which such
17 notice is received, Congress may pass a joint resolution
18 of disapproval of the placement of the monument. The
19 proposed monument may not be placed in Arlington Na-
20 tional Cemetery until the later of—

21 “(A) if Congress does not pass a joint resolu-
22 tion of disapproval of the placement of the monu-
23 ment, the date that is 60 days after the date on
24 which notice is received under this paragraph; or

1 “(B) if Congress passes a joint resolution of
2 disapproval of the placement of the monument, and
3 the President signs a veto of such resolution, the
4 earlier of—

5 “(i) the date on which either House of
6 Congress votes and fails to override the veto of
7 the President; or

8 “(ii) the date that is 30 session days after
9 the date on which Congress received the veto
10 and objections of the president.”.

11 **SEC. 3. CODIFICATION OF PROHIBITION AGAINST RES-**
12 **ERVATION OF GRAVESITES AT ARLINGTON**
13 **NATIONAL CEMETERY.**

14 (a) **IN GENERAL.**—Chapter 24 of title 38, United
15 States Code, is amended by inserting after section 2410
16 the following new section:

17 **“SEC. 2410A. ARLINGTON NATIONAL CEMETERY: OTHER AD-**
18 **MINISTRATIVE MATTERS.**

19 “(a) **ONE GRAVESITE PER FAMILY.**—(1) Not more
20 than one gravesite may be provided at Arlington National
21 Cemetery to a veteran or member of the Armed Forces
22 who is eligible for interment at such cemetery and the
23 family members of such veteran or member who are also
24 eligible for interment at such cemetery.

1 “(2) The Secretary may waive the requirement under
2 paragraph (1) in extreme circumstances, as determined by
3 the Secretary. If the Secretary waives such requirement
4 under this paragraph, the Secretary shall submit notice
5 of the waiver to the Committee on Veterans’ Affairs and
6 the Committee on Armed Services of the Senate and the
7 Committee on Veterans’ Affairs and the Committee on
8 Armed Services of the House of Representatives.

9 “(b) PROHIBITION AGAINST RESERVATION OF
10 GRAVESITES.—A gravesite at Arlington National Ceme-
11 tery may not be reserved for an individual before the death
12 of such individual.”.

13 (b) CLERICAL AMENDMENT.—The table of sections
14 at the beginning of chapter 24 of such title is amended
15 by inserting after the item relating to section 2410 the
16 following new item:

“2410A. Arlington National Cemetery: other administrative matters.”.

17 (c) APPLICABILITY.—

18 (1) IN GENERAL.—Except as provided in para-
19 graph (2), section 2410A of such title, as added by
20 subsection (a), shall apply with respect to all inter-
21 ments at Arlington National Cemetery after the date
22 of the enactment of this Act.

23 (2) EXCEPTION.—Subsection (b) of such sec-
24 tion, as so added, shall not apply with respect to the
25 interment of an individual for whom a written re-

1 quest for a reserved gravesite was submitted to the
2 Secretary of the Army before January 1, 1962, and
3 subsequently approved.

4 (d) REPORT.—

5 (1) IN GENERAL.—Not later than 180 days
6 after the date of the enactment of this Act, the Sec-
7 retary of the Army shall submit to Congress a report
8 on reservations made for interment at Arlington Na-
9 tional Cemetery.

10 (2) ELEMENTS.—The report required by para-
11 graph (1) shall include the following:

12 (A) The number of requests for reservation
13 of a gravesite at Arlington National Cemetery
14 that were submitted to the Secretary of the
15 Army before January 1, 1962.

16 (B) The number of gravesites at such cem-
17 etery that, on the day before the date of the en-
18 actment of this Act, were reserved in response
19 to such requests.

20 (C) The number of such gravesites that, on
21 the day before the date of the enactment of this
22 Act, were unoccupied.

23 (D) A list of all reservations for gravesites
24 at such cemetery that were extended by individ-
25 uals responsible for management of such ceme-

1 tery in response to requests for such reserva-
2 tions made on or after January 1, 1962.

3 (E) A description of the measures that the
4 Secretary is taking to improve the account-
5 ability and transparency of the management of
6 gravesite reservations at Arlington National
7 Cemetery.

8 (F) Such recommendations as the Sec-
9 retary may have for legislative action as the
10 Secretary considers necessary to improve such
11 accountability and transparency.

12 **SEC. 4. SENSE OF CONGRESS REGARDING THE PROVISION**
13 **OF A MEMORIAL MARKER ON CHAPLAINS**
14 **HILL TO HONOR THE MEMORY OF THE JEW-**
15 **ISH CHAPLAINS WHO DIED WHILE ON ACTIVE**
16 **DUTY IN THE ARMED FORCES OF THE**
17 **UNITED STATES.**

18 (a) FINDINGS.—Congress makes the following find-
19 ings:

20 (1) 13 Jewish chaplains have died while on ac-
21 tive duty in the Armed Forces of the United States.

22 (2) Army Chaplain Rabbi Alexander Goode died
23 on February 3, 1943, when then U.S.S. Dorchester
24 was sunk by German torpedoes off the coast of
25 Greenland.

1 (3) Chaplain Goode received the Four Chap-
2 lains' Medal for Heroism and the Distinguished
3 Service Cross for his heroic efforts to save the lives
4 of those onboard the Dorchester.

5 (4) Army Chaplain Rabbi Irving Tepper was
6 killed in action in France on August 13, 1944.

7 (5) Chaplain Tepper also saw combat in Mo-
8 rocco, Tunisia, and Sicily while attached to an infan-
9 try combat team in the Ninth Division.

10 (6) Army Chaplain Rabbi Louis Werfel died on
11 December 24, 1944, at the young age of 27, in a
12 plane crash while en route to conduct Chanukah
13 services.

14 (7) Chaplain Werfel was known as "The Flying
15 Rabbi" because his duties required traveling great
16 distances by plane to serve Army personnel of Jew-
17 ish faith at outlying posts.

18 (8) Army Chaplain Rabbi Meir Engel died at
19 the Naval Hospital in Saigon, Vietnam, on Decem-
20 ber 16, 1964, after faithfully serving his country
21 during World War II, the Korean War, and the
22 Vietnam War.

23 (9) Army Chaplain Rabbi Morton Singer died
24 on December 17, 1968, in a plane crash while on a
25 mission in Vietnam to conduct Chanukah services.

1 (10) Army Chaplain Rabbi Herman Rosen died
2 in service of his faith and his country on June 18,
3 1943.

4 (11) His son, Air Force Chaplain Solomon
5 Rosen, also died in service of his faith and his coun-
6 try on November 2, 1948.

7 (12) Army Chaplain Rabbi Nachman Arnoff
8 died in service of his faith and his country on May
9 9, 1946.

10 (13) Army Chaplain Rabbi Frank Goldenberg
11 died in service of his faith and his country on May
12 22, 1946.

13 (14) Army Chaplain Rabbi Henry Goody died
14 in service of his faith and his country on October 19,
15 1943.

16 (15) Army Chaplain Rabbi Samuel Hurwitz
17 died in service of his faith and his country on De-
18 cember 9, 1943.

19 (16) Air Force Chaplain Rabbi Samuel Rosen
20 died in service of his faith and his country on May
21 13, 1955.

22 (17) Air Force Chaplain Rabbi David Sobel
23 died in service of his faith and his country on March
24 7, 1974.

1 (18) Chaplains Hill in Arlington National Cem-
2 etry memorializes the names of 242 chaplains who
3 perished while serving on active duty in the Armed
4 Forces of the United States.

5 (19) None of the 13 Jewish chaplains who have
6 died while serving on active duty are memorialized
7 on Chaplains Hill.

8 (b) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that an appropriate site on Chaplains Hill in Arling-
10 ton National Cemetery should be provided for a memorial
11 marker, to be paid for with private funds, to honor the
12 memory of the Jewish chaplains who died while on active
13 duty in the Armed Forces of the United States, so long
14 as the Secretary of the Army has exclusive authority to
15 approve the design and site of the memorial marker.

16 **SEC. 5. SENSE OF CONGRESS REGARDING THE SERVICE**
17 **AND SACRIFICE OF MEMBERS OF THE**
18 **UNITED STATES ARMED FORCES WHO ARE**
19 **SERVING IN, OR HAVE SERVED IN, OPER-**
20 **ATION ENDURING FREEDOM, OPERATION**
21 **IRAQI FREEDOM, AND OPERATION NEW**
22 **DAWN.**

23 (a) FINDINGS.—Congress makes the following find-
24 ings:

1 (1) More than 2,000,000 members of the
2 Armed Forces have deployed to the theaters of war
3 since the commencement of Operation Enduring
4 Freedom, Operation Iraqi Freedom, and Operation
5 New Dawn.

6 (2) Hundreds of thousands of such members
7 have deployed for multiple tours of duty, leaving
8 their homes, their families, and in many cases, their
9 civilian jobs.

10 (3) More than 5,500 members of the Armed
11 Forces have made the ultimate sacrifice for the
12 United States while serving in Iraq or Afghanistan.

13 (4) Tens of thousands of additional members of
14 the Armed Forces have been seriously wounded in
15 the line of duty while serving in these theaters of
16 war.

17 (5) These members of the Armed Forces have
18 answered the Nation's call to duty, serving bravely
19 and nobly and, in most cases, without fanfare or ac-
20 claim.

21 (6) These members of the Armed Forces have
22 personified the virtues of patriotism, service, duty,
23 courage, and sacrifice.

1 (7) All Americans recognize the service and sac-
2 rifices made by these members of the Armed Forces
3 and their families.

4 (b) SENSE OF CONGRESS.—Congress—

5 (1) honors the members of the Armed Forces
6 who are serving in Operation Enduring Freedom,
7 Operation Iraqi Freedom, and Operation New Dawn
8 and the members and veterans who have previously
9 served in Operation Enduring Freedom, Operation
10 Iraqi Freedom, and Operation New Dawn; and

11 (2) calls on all Americans to reflect on the serv-
12 ice of these members and veterans and to hold them
13 in a special place of honor now and in the future.

