

112TH CONGRESS
1ST SESSION

H. R. 2720

To clarify the role of the Department of Veterans Affairs in providing a benefit or service related to the interment or funeral of a veteran, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 2011

Mr. CULBERSON introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To clarify the role of the Department of Veterans Affairs in providing a benefit or service related to the interment or funeral of a veteran, 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. PROVISION OF FUNERAL SERVICES BY DE-**
4 **PARTMENT OF VETERANS AFFAIRS.**

5 (a) **ROLE OF VA IN VETERANS FUNERALS.**—In pro-
6 viding a deceased veteran with any benefit or service re-
7 lated to the interment or funeral, memorial service, or
8 ceremony of the deceased veteran, the authority and re-

1 sponsibility of the Secretary of Veterans Affairs is limited
2 to providing—

3 (1) the deceased veteran with the benefits that
4 the veteran earned by serving the United States, in-
5 cluding the provision of funeral expenses,
6 headstones, markers, burial receptacles, plot allow-
7 ances, and interment in national cemeteries, as pro-
8 vided by law, including chapters 23 and 24 of title
9 38, United States Code;

10 (2) any necessary maintenance of national
11 cemeteries and other facilities under the control of
12 the National Cemetery Administration; and

13 (3) any necessary security or traffic control
14 with respect to the funeral, memorial service, or
15 ceremony of the veteran at a national cemetery
16 under the control of the National Cemetery Adminis-
17 tration.

18 (b) ACCESS TO SUITABLE CHAPEL.—In carrying out
19 chapters 23 and 24 of title 38, United States Code, or
20 in otherwise providing any benefit or service related to the
21 interment or funeral, memorial service, or ceremony of a
22 deceased veteran at a national cemetery under the control
23 of the National Cemetery Administration, the Secretary
24 of Veterans Affairs shall ensure that—

1 (1) a chapel is provided to the family of the de-
2 ceased at such national cemetery; and

3 (2) such chapel—

4 (A) is suitable for the use of the family
5 and visitors as a place for recollection and
6 mourning; and

7 (B) displays the appropriate religious sym-
8 bols chosen by the family for the purpose of
9 such funeral, memorial service, or ceremony.

10 (c) ACCESS TO VA FACILITIES.—The Secretary of
11 Veterans Affairs shall provide to any honor guard or other
12 non-governmental group that provides services to veterans
13 access to—

14 (1) national cemeteries and other facilities
15 under the control of the National Cemetery Adminis-
16 tration if such access is requested by the family or
17 agent of a deceased veteran whose funeral, memorial
18 service, or ceremony is being held in such cemetery
19 or facility; and

20 (2) health care facilities of the Department of
21 Veterans Affairs if such access is requested by a vet-
22 eran receiving care in such facility or the family or
23 agent of such veteran.

24 (d) REQUIRED QUALIFICATION OF VA CEMETERY
25 DIRECTOR.—Notwithstanding any other provision of law,

1 each cemetery director of the Department of Veterans Af-
2 fairs shall be an individual who is a veteran.

3 **SEC. 2. PROHIBITION ON INTERFERENCE OF FUNERALS BY**
4 **FEDERAL GOVERNMENT.**

5 The Congress reaffirms the inviolable individual zone
6 of privacy that each American possesses, including the
7 deeply private act of choosing the content and creed of
8 an individual's funeral, memorial service, or ceremony, as
9 protected by the Constitution. In light of such inviolable
10 individual zone of privacy, no official of the Federal Gov-
11 ernment, including the Secretary of Veterans Affairs, may
12 interfere with the content and creed of the funeral, memo-
13 rial service, or ceremony of a deceased individual, as ex-
14 pressed by the last will and testament of the individual
15 or as determined by the family or agent of the individual,
16 as provided under State law.

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