

¶124.33 VETERANS CONVICTED OF  
FEDERAL CAPITAL CRIMES

On motion of Mr. STUMP, by unanimous consent, the Committee of the Whole House on the state of the Union was discharged from further consideration of the bill of the Senate (S. 923) to deny veterans benefits to persons convicted of Federal capital crimes.

When said bill was considered and read twice.

Mr. STUMP submitted the following amendment in the nature of a substitute which was agreed to:

Strike out all after the enacting clause and insert in lieu thereof the following:

**SECTION 1. DENIAL OF ELIGIBILITY FOR INTERMENT OR MEMORIALIZATION IN CERTAIN CEMETERIES OF PERSONS COMMITTING FEDERAL CAPITAL CRIMES.**

(a) PROHIBITION AGAINST INTERMENT OR MEMORIALIZATION IN CERTAIN FEDERAL CEMETERIES.—Chapter 24 of title 38, United States Code, is amended by adding at the end the following new section:

**“§2411. Prohibition against interment or memorialization in the National Cemetery System or Arlington National Cemetery of persons committing Federal or State capital crimes**

“(a)(1) In the case of a person described in subsection (b), the appropriate Federal official may not—

“(A) inter the remains of such person in a cemetery in the National Cemetery System or in Arlington National Cemetery; or

“(B) honor the memory of such person in a memorial area in a cemetery in the National Cemetery System (described in section 2403(a) of this title) or in such an area in Arlington National Cemetery (described in section 2409(a) of this title).

“(2) The prohibition under paragraph (1) shall not apply unless written notice of a conviction or finding under subsection (b) is received by the appropriate Federal official before such official approves an application for the interment or memorialization of such person. Such written notice shall be furnished to such official by the Attorney General, in the case of a Federal capital crime, or by an appropriate State official, in the case of a State capital crime.

“(b) A person referred to in subsection (a) is any of the following:

“(1) A person who has been convicted of a Federal capital crime for which the person was sentenced to death or life imprisonment.

“(2) A person who has been convicted of a State capital crime for which the person was sentenced to death or life imprisonment without parole.

“(3) A person who—

“(A) is found (as provided in subsection (c)) to have committed a Federal capital crime or a State capital crime, but

“(B) has not been convicted of such crime by reason of such person not being available for trial due to death or flight to avoid prosecution.

“(c) A finding under subsection (b)(3) shall be made by the appropriate Federal official. Any such finding may only be made based upon a showing of clear and convincing evidence, after an opportunity for a hearing in a manner prescribed by the appropriate Federal official.

“(d) For purposes of this section:

“(1) The term ‘Federal capital crime’ means an offense under Federal law for which the death penalty or life imprisonment may be imposed.

“(2) The term ‘State capital crime’ means, under State law, the willful, deliberate, or premeditated unlawful killing of another

human being for which the death penalty or life imprisonment without parole may be imposed.

“(3) The term ‘appropriate Federal official’ means—

“(A) the Secretary, in the case of the National Cemetery System; and

“(B) the Secretary of the Army, in the case of Arlington National Cemetery.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 24 of such title is amended by adding at the end the following new item:

“2411. Prohibition against interment or memorialization in the National Cemetery System or Arlington National Cemetery of persons committing Federal or State capital crimes.”.

(c) EFFECTIVE DATE.—Section 2411 of title 38, United States Code, as added by subsection (a), shall apply with respect to applications for interment or memorialization made on or after the date of the enactment of this Act.

**SEC. 2. CONDITION ON GRANTS TO STATE-OWNED VETERAN CEMETERIES.**

Section 2408 of title 38, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

“(d)(1) In addition to the conditions specified in subsections (b) and (c), any grant made on or after the date of the enactment of this subsection to a State under this section to assist such State in establishing, expanding, or improving a veterans’ cemetery shall be made on the condition described in paragraph (2).

“(2) For purposes of paragraph (1), the condition described in this paragraph is that, after the date of the receipt of the grant, such State prohibit the interment or memorialization in that cemetery of a person described in section 2411(b) of this title, subject to the receipt of notice described in subsection (a)(2) of such section, except that for purposes of this subsection—

“(A) such notice shall be furnished to an appropriate official of such State; and

“(B) a finding described in subsection (b)(3) of such section shall be made by an appropriate official of such State.”.

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: “An Act to amend title 38, United States Code, to prohibit interment or memorialization in certain cemeteries of persons committing Federal or State capital crimes.”.

A motion to reconsider the votes whereby the bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said amendments.

¶124.34 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker’s table and, under the rule, referred as follows:

S. 1024. An Act to make chapter 12 of title 11 of the United States Code permanent, and for other purposes; to the Committee on the Judiciary.

S. 1149. An Act to amend title 11, United States Code, to provide for increased edu-

cation funding, and for other purposes; to the Committee on the Judiciary.

¶124.35 BILLS AND JOINT RESOLUTIONS  
APPROVED

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the following titles:

July 18, 1997:

H.R. 173. An Act to amend the Federal Property and Administrative Services Act of 1949 to authorize donation of Federal law enforcement canines that are no longer needed for official purposes to individuals with experience handling canines in the performance of law enforcement duties.

H.R. 649. An Act to amend sections of the Department of Energy Organization Act that are obsolete or inconsistent with other statutes and to repeal a related section of the Federal Energy Administration Act of 1974.

July 25, 1997:

H.R. 1901. An Act to clarify that the protections of the Federal Tort Claims Act apply to the members and personnel of the National Gambling Impact Study Commission.

H.R. 2018. An Act to waive temporarily the Medicaid enrollment composition rule for the Better Health Plan of Amherst, New York.

August 1, 1997:

H.J. Res. 90. Joint resolution waiving certain enrollment requirements with respect to two specified bills of the One Hundred Fifth Congress.

August 5, 1997:

H.R. 709. An Act to reauthorize and amend the National Geologic Mapping Act of 1992, and for other purposes.

H.R. 1226. An Act to amend the Internal Revenue Code of 1986 to prevent the unauthorized inspection of tax returns or tax return information.

H.R. 2014. An Act to provide for reconciliation pursuant to subsections (b)(2) and (d) of section 105 of the concurrent resolution on the budget for fiscal year 1998.

H.R. 2015. An Act to provide for reconciliation pursuant to subsections (b)(1) and (c) of section 105 of the concurrent resolution on the budget for fiscal year 1998.

August 11, 1997:

H.R. 584. An Act for the relief of John Wesley Davis.

H.R. 1198. An Act to direct the Secretary of the Interior to convey certain land to the City of Grants Pass, Oregon.

H.R. 1944. An Act to provide for a land exchange involving the Warner Canyon Ski Area and other land in the State of Oregon.

August 13, 1997:

H.R. 1585. An Act to allow postal patrons to contribute to funding for breast cancer research through the voluntary purchase of certain specially issued United States postage stamps, and for other purposes.

August 15, 1997:

H.R. 408. An Act to amend the Marine Mammal Protection Act of 1972 to support the International Dolphin Conservation Program in the eastern tropical Pacific Ocean, and for other purposes.

September 17, 1997:

H.R. 1866. An Act to continue favorable treatment for need-based educational aid under the antitrust laws.

September 30, 1997:

H.J. Res. 94. Joint resolution making continuing appropriations for the fiscal year 1998, and for other purposes.

H.R. 63. An Act to designate the reservoir created by Trinity Dam in the Central Valley project, California, as “Trinity Lake”.

H.R. 2016. An Act making appropriations for military construction, family housing,

and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes.

October 6, 1997:

H.R. 111. An Act to provide for the conveyance of a parcel of unused agricultural land in Dos Palos, California, to the Dos Palos Ag Boosters for use as a farm school.

H.R. 680. An Act to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer of surplus personal property to States for donation to non-profit providers of necessities to impoverished families and individuals, and to authorize the transfer of surplus real property to States, political subdivisions and instrumentalities of States, and nonprofit organizations for providing housing or housing assistance for low-income individuals or families.

H.R. 2248. An Act to authorize the President to award a gold medal on behalf of the Congress to Ecumenical Patriarch Bartholomew in recognition of his outstanding and enduring contribution toward religious understanding and peace, and for other purposes.

H.R. 2443. An Act to designate the Federal building located at 601 Fourth Street, NW., in the District of Columbia, as the "Federal Bureau of Investigation, Washington Field Office Memorial Building", in honor of William H. Christian, Jr., Martha Dixon Martinez, Michael J. Miller, Anthony Palmisano, and Edwin R. Woodruffe.

October 7, 1997:

H.R. 2209. An Act making appropriations for the Legislative Branch for the fiscal year ending September 30, 1998, and for other purposes.

October 8, 1997:

H.R. 2266. An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes.

October 9, 1997:

H.R. 1420. An Act to amend the National Wildlife Refuge System Administration Act of 1966 to improve the management of the National Wildlife Refuge System, and for other purposes.

October 10, 1997:

H.R. 394. An Act to provide for the release of the reversionary interest held by the United States in certain property located in the County of Iosco, Michigan.

H.R. 1948. An Act to provide for the exchange of lands within Admiralty Island National Monument, and for other purposes.

H.R. 2378. An Act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1998, and for other purposes.

October 13, 1997:

H.R. 2203. An Act making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes.

October 23, 1997:

H.J. Res. 97. Joint resolution making further continuing appropriations for the fiscal year 1998, and for other purposes.

October 27, 1997:

H.R. 2158. An Act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes.

H.R. 2169. An Act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

October 30, 1997:

H.J. Res. 75. Joint resolution to confer status as an honorary veteran of the United

States Armed Forces for Leslie Townes (Bob) Hope.

#### ¶124.36 SENATE BILLS AND JOINT RESOLUTIONS APPROVED

The President notified the Clerk of the house that on the following dates he had approved and signed bills and joint resolutions of the Senate of the following titles:

July 24, 1997:

S.J. Res. 29. Joint resolution to direct the Secretary of the Interior to design and construct a permanent addition to the Franklin Delano Roosevelt Memorial in Washington, D.C., and for other purposes.

July 29, 1997:

S. 768. An Act for the relief of Michel Christopher Meili, Giuseppina Meili, Mirjam Naomi Meili, and Davide Meili.

August 7, 1997:

S. 430. An Act to amend the Act of June 20, 1910, to protect the permanent trust funds of the State of New Mexico from erosion due to inflation and modify the basis on which distributions are made from those funds.

August 8, 1997:

S. 670. An Act to amend the Immigration and Nationality Technical Corrections Act of 1994 to eliminate the special transition rule for issuance of a certificate of citizenship for certain children born outside the United States.

October 1, 1997:

S. 910. An Act to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 1998 and 1999, and for other purposes.

S. 1211. An Act to provide permanent authority for the administration of au pair programs.

October 6, 1997:

S. 996. An Act to provide for the authorization of appropriations in each fiscal year for arbitration in United States district courts, and for other purposes.

S. 1198. An Act to amend the Immigration and Nationality Act to extend the special immigrant religious worker program, to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to extend the deadline for designation of an effective date for paperwork changes in the employer sanctions program, and to require the Secretary of State to waive or reduce the fee for application and issuance of non-immigrant visa for aliens coming to the United States for certain charitable purposes.

October 9, 1997:

S. 871. An Act to establish the Oklahoma City National Memorial as a unit of the National Park System; to designate the Oklahoma City Memorial Trust, and for other purposes.

October 22, 1997:

S. 1000. An Act to designate the United States courthouse at 500 State Avenue in Kansas City, Kansas, as the "Robert J. Dole United States Courthouse".

#### ¶124.37 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. DEUTSCH, for today; and  
To Mr. WELDON of Florida, for today.

And then,

#### ¶124.38 ADJOURNMENT

On motion of Mr. DREIER, pursuant to the special order heretofore agreed to, at 3 o'clock and 51 minutes p.m., the House adjourned until 10:30 a.m. on Tuesday, November 4, 1997.

#### ¶124.39 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HYDE: Committee on the Judiciary. H.R. 2732. A bill for the relief of John Andre Chalot (Rept. No. 105-360). Referred to the Committee of the Whole House.

Mr. HYDE: Committee on the Judiciary. H.R. 2731. A bill for the relief of Roy Desmond Moser (Rept. No. 105-361). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. S. 731. An act to extend the legislative authority for construction of the National Peace Garden memorial, and for other purposes (Rept. No. 105-362). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. S. 423. An act to extend the legislative authority for the Board of Regents of Gunston Hall to establish a memorial to honor George Mason (Rept. No. 105-363). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARCHER: Committee on Ways and Means. H.R. 2676. A bill to amend the Internal Revenue Code of 1986 to restructure and reform the Internal Revenue Service, and for other purposes; with an amendment (Rept. No. 105-364 Pt. 1).

Mr. ARCHER: Committee on Ways and Means. H.R. 2644. A bill to provide to beneficiary countries under the Caribbean Basin Economic Recovery Act benefits equivalent to those provided under the North American Free-Trade Agreement (Rept. No. 105-365). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARCHER: Committee on Ways and Means. H.R. 2195. A bill to provide for certain measures to increase monitoring of products of the People's Republic of China that are made with forced labor; with amendments (Rept. No. 105-366 Pt. 1).

Mr. ARCHER: Committee on Ways and Means. H.R. 2622. A bill to make miscellaneous and technical changes to various trade laws (Rept. No. 105-367). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on the Judiciary. H.R. 1753. A bill to provide for the establishment of not less than 2,500 Boys and Girls Clubs of America facilities by the year 2000; with an amendment (Rept. No. 105-368). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on the Judiciary. House Joint Resolution 91. Resolution granting the consent of Congress to the Apalachicola-Chattahoochee-Flint River Basin Compact; with an amendment (Rept. No. 105-369). Referred to the House Calendar.

Mr. HYDE: Committee on the Judiciary. House Joint Resolution 92. Resolution granting the consent of Congress to the Alabama-Coosa-Tallapoosa River Basin Compact; with an amendment (Rept. No. 105-370). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 2476. A bill to amend title 49, United States Code, to require the National Transportation Safety Board and individual foreign carriers to address the needs of families of passengers involved in aircraft accidents involving foreign air carriers; with an amendment (Rept. No. 105-371). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 2626. A bill to make clarifications to the Pilot Records Im-