

## **RESOLUTION 12-29**

### **SUBJECT: Protection of American War Memorials, Monuments and Veterans Graves**

WHEREAS, Numerous recent attempts by various and sundry parties have placed the existence and protection of American war memorials, monuments and veterans graves at risk of destruction, damage or disturbance; and

WHEREAS, These threats impact the full spectrum of American veterans to include, but not limited to; various and sundry attacks on Civil War monuments, memorials and graves in multiple jurisdictions; the World War I Mojave War Memorial Cross and monument; the Waikiki War Memorial Natatorium Pool to World War I veterans; the San Diego War Memorial to Korean veterans and the 1995 attempt to misrepresent the Enola Gay's role in World War II; and

WHEREAS, Such destruction, damage or disturbance disrespects the memory of those American Veterans who served their nation in various capacities in times of war and peace; and

WHEREAS, Such destruction, damage or disturbance is harmful to preserving, protecting and defending the memory of the sacrifices of deceased American veterans from the nation's various conflicts; and

WHEREAS, Current Federal legislation is inadequate to ensure the protection of American war memorials, monuments or veterans graves on non-Federal lands: now therefore be it

RESOLVED, that AMVETS petition Congress to enact Federal legislation to ensure permanent protections of American war memorials, monuments and veterans graves; and be it further

RESOLVED, That AMVETS urges Federal legislation be modeled on "Virginia's State Code § 15.2-1812, "Memorials for War Veterans" and incorporate elements of proposed H.R. 290, "The War Memorial Protection Act", as a Federal remedy, specifically to read as follows:

**"ACT FOR PROTECTION OF AMERICAN WAR MEMORIALS, MONUMENTS AND VETERANS GRAVES"**

"Sec. XXXX Permitting the erection of monuments or memorials for any war or conflict

- (a) A locality may, within the geographical limits of the locality, authorize and permit the erection of monuments or memorials for any war or conflict, or for any engagement of such war or conflict, to include the following monuments or memorials: Algonquin (1622), French and Indian (1754-1763), Revolutionary (1775-1783), War of 1812 (1812-

1815), Mexican (1846-1848), Confederate or Union monuments or memorials of the War Between the States (1861-1865), Spanish-American (1898), the Philippine Wars (1899-1913), World War I (1917-1918), World War II (1941-1945), Korean (1950-1953), Vietnam (1965-1973), Operation Desert Shield-Desert Storm (1990-1991), Global War on Terrorism (2000-), Operation Enduring Freedom (2001-), and Operation Iraqi Freedom (2003 -) and any subsequent conflicts in which the United States Armed Forces are engaged.

If such monuments or memorials are erected, it shall be unlawful for the authorities of the locality, or any other person or persons, to disturb or interfere with any monuments or memorials so erected, or to prevent its citizens from taking proper measures and exercising proper means for the protection, preservation and care of same. For purposes of this section, “disturb or interfere with” includes removal of, damaging or defacing monuments or memorials, or, in the case of the War Between the States, the placement of Union markings or monuments on previously designated Confederate memorials or the placement of Confederate markings or monuments on previously designated Union memorials.

#### Sec. XXXX. Inclusion of religious symbols as part of military memorials

(a) Inclusion of Religious Symbols Authorized- To recognize the religious background of members of the United States Armed Forces, religious symbols may be included as part of—

- (1) a military memorial that is established or acquired by the United States Government; or
- (2) a military memorial that is not established by the United States Government, but for which the American Battle Monuments Commission cooperated in the establishment of the memorial.
- (3) a military memorial that is established by a local or state government or by a private entity and authorized for placement on public property.

(c) Military Memorial Defined- In this section, the term ‘military memorial’ means a memorial or monument or veteran’s grave marker recognizing or commemorating the service of American veterans recognized by U.S. Code and Public Law. The term includes works of architecture and art described in section 2105(b) of this title.”

(d) Clerical Amendment- The table of sections at the beginning of such chapter is amended by adding at the end the following:

‘XXXX Permitting the erection of monuments or memorials for any war or conflict  
‘XXXX. Inclusion of religious symbols as part of military memorials.’

- (a) The governing body may appropriate a sufficient sum of money out of its funds to complete or aid in the erection of monuments or memorials to the veterans of such wars. The governing body may also make a special levy to raise the money necessary for the

erection or completion of any such monuments or memorials, or to supplement the funds already raised or that may be raised by private persons, American Veterans Service Organizations (such as AMVETS, the American Legion, VFW and others), private Military heritage organizations (such as the Sons of Union Veterans, the Sons of Spanish-American War Veterans and others), or patriotic organizations. It may also appropriate, out of any funds of such locality, a sufficient sum of money to permanently care for, protect and preserve such monuments or memorials and may expend the same thereafter as other funds are expended.”