542, "yea" on rollcall No. 543, "yea" on rollcall No. 544, "yea" on rollcall No. 545 and "yea" on rollcall No. 546.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

(Wasserman

Schultz)

(Correa)

(Correa)

Balart)

(Moore (UT))

(Moore (UT))

(Garcia (TX))

(Joyce (PA))

(Fleischmann)

(Moore (AL))

(Fitzgerald)

(Bishop (NC))

(Pallone)

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(Upton)

Rochester)

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Rush (Torres

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Ryan (OH)

(Blunt

Sánchez

Schneider (Perlmutter)

Rochester)

Salazar (Dunn)

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Fletcher (Dean) Flores (Weber (Balderson) Axne (Pappas) Babin (Nehls) Frankel, Lois Bacon (Flood) Baird (Bucshon) Barr (Donalds) Gallego (Beyer) Barragán (Clarke Garamendi García (IL) Beatty (Cherfilus-McCormick) Gimenez (Diaz-Bentz (Fitzgerald) Gomez (Torres Bera (Beyer) Bishop (GA) Gonzales, Tony (Strickland) Blumenauer Gonzalez (OH) (Beyer) Bonamici Gonzalez. (Wasserman Schultz) Brooks (Moore Gooden (TX) Brown (MD) Gosar (Weber (Trone) Brown (OH) Graves (MO) (Cherfilus-McCormick) Greene (GA) Brownley (Correa) Grijalva (Torres Buchanan (Bucshon) Grothman Budd (Kustoff) Burgess (Weber Hartzler (Weber (TX)) Bush (Bowman) Hayes (Raskin) Herrell (Joyce Bustos (Pappas) Cárdenas (Soto) Carter (GA) Hice (GA) (Murphy (NC)) Carter (TX) Higgins (NY) (Nehls) Cartwright Houlahan (Dean) (Beyer) Hudson (Rouzer) Castor (FL) Huffman (Wasserman Schultz) Issa (Calvert) Castro (TX) Jackson (Nehls) (Takano) Jacobs (NY) Cleaver (Davids (KS)) Jayapal Clyburn (Wasserman Jeffries (Clarke Schultz) Conway Johnson (LA) (Valadao) Cooper (Beyer) Johnson (TX) Costa (Correa) Courtney Jovce (OH) (Perlmutter) Crawford (Moore Kahele (Correa) (AL)) Crow (Blunt Katko (Kim Rochester) Cuellar (Garcia Keating (TX)) Kelly (IL) Curtis (Moore (UT)) Davis, Danny K. Khanna (Blunt (Evans) DeFazio Kirkpatrick (Pallone) Krishnamoorthi DeGette (Blunt Rochester) Demings (Evans) Kuster (Pappas) LaHood (Kustoff) DeSaulnier (Beyer) LaMalfa DesJarlais Lamborn (Fleischmann) Doggett (Takano) Langevin Dovle, Michael F. (Evans) Larson (CT) Duncan (Weber (TX)) Escobar (Garcia Lawrence (Garcia (TX)) (TX)) Ferguson Lawson (FL) (Kustoff) Fitzpatrick Lee (NV)

Leger Fernandez (Perlmutter) Letlow (Nehls) Lofgren (Takano) Loudermilk (Fleischmann) Lowenthal (Beyer) Luetkemeyer (Mooney) Lynch (Pappas) Mace (Nehls) Malliotakis (Yakym) McCaul (Weber (TX)) McClain (Fitzgerald) McHenry (Donalds) Meijer (Upton) Meng (Clarke (NY)) Meuser (Nehls) Miller (IL) (Donalds) Miller (WV) (Murphy (NC)) Miller-Meeks (Keller) Moolenaar (Bergman) Moore (WI) (Raskin) Morelle (Perlmutter) Moulton (Pappas) Mrvan (Perlmutter) Napolitano (Correa) Neguse (Perlmutter) Newman (Correa) Obernolte (Pfluger) Ocasio-Cortez (Bowman) O'Halleran (Pappas) Omar (Blunt Rochester) Owens (Moore (UT)) Palazzo (Fleischmann) Pascrell (Pallone) Payne (Pallone) Peters (Torres (CA)) Phillips (Trone) Pingree (Beyer) Pocan (Raskin) Porter (Beyer) Posey (Diaz-Balart) Pressley (Perlmutter) Quiglev (Blunt Rochester) Rice (SC) (Weber (TX)) Rodgers (WA) (Moore (UT)) Rogers (KY) (Fleischmann) Roybal-Allard (Correa) Ruiz (Takano)

Scott, David Stewart (Moore (Garcia (TX)) (UT)) Suozzi (Clarke Sewell (Clarke (NY)) (NY)) Sherrill (Trone) Swalwell Simpson (Correa) (Fulcher) Thompson (CA) Sires (Pallone) (Torres (CA)) Smith (WA) Thompson (MS) (Strickland) (Garcia (TX)) Smucker (Joyce Tiffany (Fitzgerald) (PA)) Spartz (Bucshon) Timmons Stansbury (Fleischmann) (Perlmutter) Titus (Pallone) Stauber Tlaib (Levin (Fischbach) (MI)) Trahan (Pappas) Steel (Kim (CA)) Stefanik (Zeldin) Turner (Garcia Stevens (Casten) (CA))

Van Drew (Nehls) Van Duyne (Nehls) Vargas (Correa) Veasey (Clarke (NY)) Velázquez (Clarke (NY)) Wagner (Fleischmann) Waltz (Mooney) Watson Coleman (Pallone) Welch (Pallone) Wenstrup (Johnson (OH)) Williams (GA) (Perlmutter) Wilson (FL) (Cicilline)

LEGISLATIVE BUSINESS UPDATE

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, as the Members know, the Senate has now passed the omnibus which will fund government. As the Members also know, the government will be shut down at midnight tomorrow if we do not pass additional legislation here.

I have been over in the Senate talking to those who will prepare the bill to be sent to this Chamber. Unfortunately, the process takes a long time to do, and it will not be to us for a significant period of time, meaning it will not be to us before midnight tonight.

As a result, I will announce to Members that I believe we will have no recorded votes until at the earliest 9 a.m. tomorrow, and Members need to be available at 9 a.m. and thereafter.

As soon as we get the documents to process on the floor, we will proceed as quickly as possible, and in addition, the Senate has passed and we will pass, as well, a short-term CR so that the bill can be enrolled and sent to the President for signature so there will be no termination or closing of the government's operations.

So, again, we will be having no further votes tonight. We will reconvene at 9 a.m., and votes will be conducted as soon thereafter as we are ready to do so.

COMMUNICATION FROM THE HON-ORABLE BLAKE MOORE, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable BLAKE MOORE, Member of Congress:

> House of Representatives. Washington, DC, December 22, 2022.

Hon. NANCY PELOSI,

Speaker, House of Representatives.

Washington, DC.

DEAR MADAME SPEAKER: This is to notify you formally, pursuant to rule VIII of the Rules of the House of Representatives, that I, the Honorable BLAKE MOORE, U.S. Representative for the 1st congressional district of Utah, have been served with a subpoena for documents issued by the Third Judicial District Court, Salt Lake County, State of Utah.

After consultation with the Office of General Counsel, I have not yet determined if

compliance with the subpoena is consistent with the privileges and rights of the House. Sincerely.

> BLAKE MOORE, Member of Congress.

NATIONAL CEMETERIES PRESER-VATION AND PROTECTION ACT OF 2022

Mr. TAKANO. Mr. Speaker, I move to suspend the rules and pass the bill (S. 4949) to amend title 38, United States Code, to address green burial sections in national cemeteries, and for other nurposes.

The Clerk read the title of the bill. The text of the bill is as follows:

S. 4949

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Cemeteries Preservation and Protection Act of 2022"

SEC. 2. PLOT AND INTERMENT ALLOWANCES FOR VETERANS BURIED BEFORE MARCH 15, 2022, IN CEMETERIES ON TRUST LAND OWNED BY, OR HELD TRUST FOR, TRIBAL ORGANIZA-TIONS.

The Secretary of Veterans Affairs shall pay a plot or interment allowance under paragraph (1) of section 2303(b) of title 38, United States Code, for a veteran if-

- (1) the veteran was buried, before March 15. 2022, in a cemetery, or in a section of a cemetery, that is on trust land owned by, or held in trust for, a tribal organization;
- (2) the tribal organization that is responsible for operating and maintaining the cemetery, or the section of cemetery, applies for such allowance;
- (3) a plot or interment allowance was not already paid for the burial of such veteran under paragraph (2) of such section; and
- (4) the burial of the veteran otherwise meets the requirements under paragraph (1) of such section.

SEC. 3. GREEN BURIAL SECTIONS AT NATIONAL CEMETERIES.

Section 2404 of title 38, United States Code, is amended-

- (1) in subsection (c)(2)-
- (A) in subparagraph (C), by striking "; and" and inserting a semicolon;
- (B) in subparagraph (D), by striking the period at the end and inserting "; and"; and
- (C) by adding at the end the following new subparagraph:
- "(E) in the case of grave sites in a green burial section designated under subsection (i), the Secretary may provide for grave markers of such type as the Secretary considers appropriate."; and
- (2) by adding at the end the following new subsection:
- "(i)(1) The Secretary may designate one or more sections in any national cemetery as green burial sections.
- "(2) In this subsection, the term 'green burial section' means a section of a cemetery in which the remains of individuals interred in that section-
- "(A) have been prepared for interment in a manner that does not involve chemicals or embalming fluids; and
- "(B) have been interred in a natural manner or in completely biodegradable burial receptacles.'

SEC. 4. TRANSFER OF ADMINISTRATIVE JURIS-DICTION OVER LAND AT FORT BLISS, TEXAS, FOR EXPANSION OF FORT BLISS NATIONAL CEMETERY.

(a) TRANSFER AUTHORIZED.—The Secretary of the Army may transfer to the Secretary of Veterans Affairs administrative jurisdiction over a parcel of real property consisting of approximately two acres located at Fort Bliss, Texas, directly adjacent to, and contiguous with, Fort Bliss National Cemetery.

(b) Condition of Transfer.

- (1) IN GENERAL.—As a condition of the transfer authorized by subsection (a), the Secretary of Veterans Affairs may complete appropriate environmental, cultural resource, and other due diligence activities on the real property described in subsection (c) before determining whether the property is suitable for cemetery purposes.
- (2) COORDINATION.—The Secretary of Veterans Affairs shall coordinate with the Secretary of the Army as needed during the performance of the activities described in paragraph (1).

(c) Description of Property.-

- (1) IN GENERAL.—The exact acreage and legal description of the real property to be transferred under this section shall be determined by a survey satisfactory to the Secretary the Army.
- (2) COST OF SURVEY.—The cost of the survey described in paragraph (1) shall be borne by the Secretary of Veterans Affairs.
- (d) ADDITIONAL TERMS AND CONDITIONS; COSTS OF TRANSFER.-
- (1) ADDITIONAL TERMS AND CONDITIONS.— The Secretary of the Army may require such additional terms and conditions in connection with the transfer under this section as the Secretary considers appropriate to protect the interests of the United States.
- (2) REIMBURSEMENT OF COSTS .-
- (A) IN GENERAL.—The Secretary of Veterans Affairs shall reimburse the Secretary of the Defense for costs incurred by the Secretary of the Army in implementing this section, including the costs of any surveys.
- (B) NO PAYMENT FOR VALUE OF REAL PROP-ERTY.-Notwithstanding any other legal requirement that might otherwise apply, the Secretary of Veterans Affairs shall not be required to make payment of any kind for the value of the real property described in subsection (c).

SEC. 5. TRANSFER OF DEPARTMENT OF THE IN-TERIOR LAND FOR USE AS A NA-TIONAL CEMETERY.

Section 2406 of title 38, United States Code, is amended-

- (1) by striking "As additional lands" and inserting "(a) IN GENERAL.—As additional lands"; and
- (2) by adding at the end the following new subsection:
- (b) Transfer of Department of the In-TERIOR LAND FOR USE AS A NATIONAL CEME-TERY.—Notwithstanding section 204(d) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714(d)), if the Secretary and the Secretary of the Interior agree to a transfer under subsection (a) of any land for use by the Department as a national cemetery, the land shall be-
- "(1) withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws. and the geothermal leasing laws:
 - "(2) subject to valid existing rights:
- "(3) transferred to the administrative jurisdiction of the Secretary of Veterans Affairs: and
- "(4) deemed to be property (as defined in section 102(9) of title 40) for as long as the land remains under the administrative jurisdiction of the Secretary of Veterans Affairs."

SEC. 6. EXPANSION OF PROHIBITION AGAINST IN-TERMENT OR MEMORIALIZATION IN THE NATIONAL CEMETERY ADMINIS-TRATION OR ARLINGTON NATIONAL CEMETERY OF PERSONS COMMITTING CERTAIN CRIMES.

(a) IN GENERAL.—Section 2411 of title 38, United States Code, is amended-

- (1) in the section heading-
- (A) by inserting "certain" before "Federal"; and
 - (B) by striking "capital";
 - (2) in subsection (b)-
- (A) in paragraph (4)—
- (i) in subparagraph (A), by striking "(42 U.S.C. 16901 et seq.);" and inserting "(34 U.S.C. 20901 et seq.); and"; and
- (ii) in subparagraph (B), by inserting "or to a period of 99 years or more" after "life imprisonment"; and
- (B) by adding at the end the following new paragraph:

(5) A person who—

- "(A) is found (as provided in subsection (c)) to have committed a Federal or State crime that would cause the person to be a tier III sex offender for purposes of the Sex Offender Registration and Notification Act (34 U.S.C. 20901 et seq.); 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.":
- (3) in subsection (c), by striking "subsection (b)(3)" and inserting "paragraph (3) or (5) of subsection (b)":
- (4) in subsection (d)(2)(A)(ii), by striking 'or a State capital crime" and inserting ", a State capital crime, or a Federal or State crime that would cause the person to be a tier III sex offender for purposes of the Sex Offender Registration and Notification Act (34 U.S.C. 20901 et seq.),"; and
- (5) in subsection (e)(1)(B), by striking "or a State capital crime" and inserting ", a State capital crime, or a Federal or State crime that would cause the person to be a tier III sex offender for purposes of the Sex Offender Registration and Notification Act (34 U.S.C. 20901 et seq.),
- (b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 24 of such title is amended by striking the item relating to section 2411 and inserting the following new item:
- "2411. Prohibition against interment or memorialization in the National Cemetery Administration or

Arlington National Cemetery of persons committing certain Federal or State crimes.".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Illinois (Mr. Bost) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. TAKANO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on S. 4949.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of S. 4949, the National Cemeteries Preservation and Protection Act introduced by my Senate counterpart, Chairman TESTER.

One of the features or bugs of the Senate—depending on your perspective—is that one single Senator, no matter their party, can hold up meaningful and needed legislation in order to satisfy their own aims. It is incredibly frustrating, especially in the veterans' policy space.

We work closely with our veteran and veteran service organization stakeholders on everything we do, and there is always something quite sad when we tell these stakeholders that very worthy policy is being held up because soand-so is making a demand that may not be related to veterans issues at all.

So, often we are brought to the brink where good legislation may not make it over the finish line, and this year was no exception. We held our breath while waiting to see if legislation related to helping survivors of military sexual trauma, disabled veterans, and student veterans would survive the Senate hotline.

Luckily, it appears much of it did, and I am appreciative of Chairman TESTER and Leader SCHUMER'S efforts to push those bills through.

I want to note that here in the House things have worked out a bit differently. Things move forward based on consensus building and efforts to find common ground, and I am proud of the bipartisan work my committee has achieved.

□ 1615

We have worked across the aisle when possible, and when we couldn't, I hope there was an understanding that sometimes there are critical policy priorities that must transcend bipartisanship. But, without a doubt, every effort is made to try to find a solution that most can agree on.

I want to point out that the bill before us-certainly a worthy one-was sent to us at the last possible moment with no consensus built in. It took a significant effort to build consensus in a short period of time when the holiday season made it difficult to reach people and engage on complicated issues. But I and my staff are always willing to put frustration and annoyance aside in pursuit of a worthy goal.

However, I hope in the future that there is more of an effort to build consensus early so that we are not put in a position where measures may fail because the upfront work was not put in.

Mr. Speaker, this bill makes several small but important changes to how our national cemeteries are administered, provides for the transfer of land for national cemetery expansion, and also clarifies eligibility for burial benefits for these veterans buried in Tribal cemeteries. Native veterans serve at the highest rates of any other community in this country, so ensuring that they receive the honors they are owed is very important.

Our national cemeteries are an important part of the benefits provided to veterans, and it is our obligation to maintain these sacred grounds not only so that veterans may choose these cemeteries as their final resting places, but so that all Americans have a visual reminder of the service and sacrifice we are given from those who wear the uniform of our country.

I do want to make one note of clarification on congressional intent with respect to one of the land transfers in this bill.

Specifically, regarding the Department of the Interior lands available for transfer under section 5 of the bill, it is the intent of the committee and the bill sponsor that only Department of the Interior Bureau of Land Management lands managed under the Federal Land Policy and Management Act of 1976 be available for potential inclusion in any transfer authorized under this bill. This transfer is not intended to be made for Park Service land.

Mr. Speaker, I support this bill. I urge all my colleagues to do the same, and I reserve the balance of my time.

Mr. BOST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 4949. S. 4949 would improve VA's burial benefits for veterans and their families. First, the bill would ensure that VA can reimburse a Tribal organization for the cost of burying a veteran in a VA grant-funded Tribal cemetery. This would close a gap that existed before the enactment of the Consolidated Appropriation Act of 2022.

Previously, a State could receive a plot allowance from VA, but some Tribal organizations did not have the

same eligibility. Furthermore, S. 4949 would permit the Secretary of the Army and the Secretary of the Interior to transfer lands under their possession to VA for establishing or expanding national cemeteries. I believe this will help VA further its goal of providing veterans with reasonable access to a national cemeterv.

Lastly, the bill would help preserve the reputation of our national cemeteries as a hallowed final resting place.

Under present law, VA cannot bury an individual who has fled to avoid prosecution of a capital crime. Currently, in these cases, VA must provide the family due process before denying the benefit.

Additionally, someone who commits a Federal tier 3 sex offense but flees to avoid prosecution is barred from burial in a national cemetery. However, there is a loophole that prevents VA from denying this benefit if the State charges the individual with the same crime.

A tier 3 sex offense is the most serious classification. These offenses include sex crimes against children and aggravated sexual abuse. No veteran or their family should have to worry about seeing their attacker being honored in a VA cemetery. We must close this loophole.

I thank Senator TESTER and Senator ROUNDS for leading this effort.

Mr. Speaker, I ask all of my colleagues to support S. 4949. I have no further speakers, and I yield back the balance of my time.

Mr. TAKANO. Mr. Speaker, I have no further speakers. Again, I ask my colleagues to join me in passing S. 4949, and I yield back the balance of my

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, S. 4949.

The question was taken; and (twothirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

COMPREHENSIVE IMMIGRATION REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the gentleman from Texas (Mr. Green) is recognized for 60 minutes as the designee of the majority leader

Mr. GREEN of Texas. And still I rise, Mr. Speaker. And I rise saddened because I find myself on a mission of mercy. I rise to explain the circumstance that causes one Mr. Jaime Avalos to find himself separated from his wife and his baby in another coun-

Mr. Avalos came to this country some 27 years ago, and he was brought here by his mother. His mother was here to seek a better life for herself and her young baby. He came to this country as a child, and for 7 years he was only in this country. He was being educated in this country. This was, in fact, the only home that he knew.

His mother decided that she would marry a man whom she met, and this man loved Mr. Avalos as a baby to the extent that he wanted to adopt him. The mother took Mr. Avalos—Jaime is his first name—she took Jaime back to Mexico. She took him to Mexico for the purpose of registering his adoption.

They were there for a brief period of time, and then they returned to the United States where he for some 20 years educated himself here. He went to a school in Houston, Texas. He worked, and he stayed within the law. For all moral purposes, he is a citizen of this country. But lawfully, of course, he is not. Jaime met a woman, a beautiful lady, Yarianna. He and Yarianna are married. They now have a child, Noah. Noah celebrated his first birthday just recently.

Yarianna, wanting her husband to become a citizen, and Jaime wanting to become a citizen because he has a child who is an American-born child and, as a result, a citizen, his wife is a citizen, he wanted to do that which would put him in good standing in this country. to come out of the shadows.

He is a DACA recipient, so he had the privilege of staying, but he did not have a pathway to citizenship. He came at the age of 1 and left at the age of 7 because his mother took him to Mexico to register his having been adopted. brought him back to this country, he meets Yarianna, they are married, and they now have a 1-year-old child.

They lawfully petitioned the consulate in Juarez, Mexico, for the opportunity to come in for the interview that allows a person with the standing

of Jaime Avalos to ask for a visa lawfully. He is living here as a DACA recipient, and he only leaves because this is a part of the process of acquiring the visa.

He goes to Juarez, Mexico, and at the consulate, they process him. In the course of processing him, they discovered that he did come to Mexico at the age of 7 with his mom. He has little to no recollection of this, but they discover it. When they discover that he came to Mexico, left America with his mom, they then point out to him that there is a law that will not allow him to return to his 1-year-old son, Noah, and to his wife.

He is now banned from the United States of America for 10 years.

Some things bear repeating. His wife is here. He is banned from the country for 10 years. He is banned from his home, and he cannot return to his work. He is literally living in a country that he knows very little about. When he leaves the place in which he is residing, he is always in the company of someone who can assist him.

Understanding his circumstance, I decided to travel to Juarez, Mexico, to visit him. I did. I was there, I met with him, and I had an opportunity to have his wife and his child with us. I saw him interact with his young son. It really does cause tears to well in one's eyes to see a baby grasping for his father, hugging his father, holding on to his father, and loving his father and the father reciprocating.

It was a wonderful thing to see, but I was saddened upon looking at it because I knew that at some point we would leave—the wife would leave, the baby would leave, and I would leaveand Mr. Avalos would be left in Mexico.

The experience has caused me to conclude that I must do anything and everything that I can to unite this family—reunite this family. This is unbelievable that we have a law that will not allow him to come back into the country merely because his mother took him out of this country as a DACA recipient—he is a DACA recipient now. She took him out of the country in order to register him as having been adopted. A man loves him. He adopts him as a 7-year-old child, and this law will not allow him back into the country.

There is something wrong when we have laws that will ban husbands from their wives and from their babies because they left the country, came back, and have always been law-abiding. There is something wrong.

When we talk about comprehensive immigration reform, we don't talk about the Jaimes of the world, people who are entrapped in these arcane laws, these laws that only make sense to those who somehow conclude that if we could find any way to bar a person or ban a person from coming into the country that is a great thing to do. I am not one of those people. I don't want to see this happen to this man, this baby, and this woman.