

recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

### BLACK HILLS NATIONAL CEMETERY BOUNDARY EXPANSION ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3839) to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3839

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

#### SECTION 1. SHORT TITLE.

The Act may be cited as the "Black Hills National Cemetery Boundary Expansion Act".

#### SEC. 2. WITHDRAWAL AND TRANSFER OF PUBLIC LAND FOR CEMETERY USE.

(a) DUE DILIGENCE.—Prior to the withdrawal and transfer in subsection (b), the Secretary of Veterans Affairs will complete appropriate environmental, cultural resource and other due diligence activities on the public lands identified in subsection (c), so that the Secretary of Veterans Affairs may confirm that the land is suitable for cemetery purposes. The Secretary of Veterans Affairs shall notify the Secretary of the Interior of such due diligence activities prior to initiating and shall coordinate as needed during the performance of such activities.

(b) WITHDRAWAL AND TRANSFER.—After completion of the due diligence activities in subsection (a) and upon receipt by the Secretary of the Interior of written confirmation from the Secretary of the Veterans Affairs that the land is suitable for cemetery purposes, and subject to valid existing rights, the public lands described in subsection (c) 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(1) withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws, for as long as the lands remain under the administrative jurisdiction of the Secretary of Veterans Affairs;

(2) deemed property as defined in section 102(9) of title 40, United States Code, for as long as the lands remain under the administrative jurisdiction of the Secretary of Veterans Affairs; and

(3) transferred to the administrative jurisdiction of the Secretary of Veterans Affairs for use as national cemeteries under chapter 24 of title 38, United States Code.

(c) LAND DESCRIPTION.—The public lands withdrawn, deemed property, and transferred under subsection (b) shall be the approximately 200 acres of land adjacent to Black Hills National Cemetery, South Dakota, generally depicted as "Proposed National Cemetery Expansion" on the map entitled "Proposed Expansion of Black Hills National Cemetery - South Dakota" and dated June 16, 2016, except the land located within 100 feet of the centerline of the Centennial Trail (which runs along the northern boundary of the "Proposed National Cemetery Expansion") and that is located south of the Trail.

(d) BOUNDARY MODIFICATION.—Immediately after the public lands are withdrawn, deemed property, and transferred under subsection (b), the boundary of the Black Hills National Cemetery shall be modified to include the public lands identified in subsection (c).

(e) MODIFICATION OF PUBLIC LAND ORDER.—Immediately after the public lands under subsection (b) are withdrawn, deemed property, and transferred under subsection (b), Public Land Order 2112, dated June 6, 1960 (25 Fed. Reg. 5243), shall be modified to exclude the lands identified in subsection (c).

#### SEC. 3. LEGAL DESCRIPTIONS.

(a) PREPARATION OF LEGAL DESCRIPTIONS.—As soon as practicable following receipt of written confirmation from the Secretary of the Veterans Affairs that the land is suitable for cemetery purposes, the Secretary of the Interior shall publish in the Federal Register a notice containing the legal descriptions of the public lands withdrawn, deemed property, and transferred under section 2(b).

(b) LEGAL EFFECT.—The legal descriptions prepared under subsection (a) shall have the same force and effect as if the legal descriptions were included in this Act, except that the Secretary of the Interior may correct any clerical and typographical errors in the legal descriptions.

(c) AVAILABILITY.—Copies of the map referred to in section 2(c) and the legal descriptions prepared under subsection (a) shall be available for public inspection in the appropriate offices of—

(1) the Bureau of Land Management; and  
(2) the National Cemetery Administration.

(d) COSTS.—The Secretary of Veterans Affairs shall reimburse the Secretary of the Interior for reasonable costs incurred by the Secretary of the Interior in implementing this section, including the costs of any surveys.

#### SEC. 4. RESTORATION TO PUBLIC LANDS FOR NON-CEMETERY USE.

(a) NOTICE AND EFFECT.—Upon a determination by the Secretary of Veterans Affairs that all or a portion of the lands withdrawn, deemed property, and transferred under section 2 shall not be used for cemetery purposes, the Secretary of Veterans Affairs shall notify the Secretary of the Interior of such determination. Subject to subsections (b) and (c), the Secretary of Veterans Affairs shall transfer administrative jurisdiction of the lands subject to such notice to the Secretary of the Interior.

(b) DECONTAMINATION.—The Secretary of Veterans Affairs shall be responsible for costs of any decontamination of the lands resulting from contamination on the lands withdrawn, deemed property, and transferred under section 2(b) while the Secretary of Veterans Affairs exercised jurisdiction over those lands subject to a notice under subsection (a) determined by the Secretary of the Interior to be necessary for the lands to be restored to the public lands.

(c) RESTORATION TO THE PUBLIC LANDS.—The lands subject to a notice under subsection (a) shall only be restored to the public lands upon acceptance by the Secretary of the Interior and a determination by the Secretary of the Interior that such lands are suitable for restoration to the public lands and operation of one or more of the public land laws.

(d) OPENING ORDER.—If the Secretary of the Interior accepts the lands subject to such a notice and determines that the lands are suitable for restoration, in whole or in part, the Secretary of the Interior may open the lands to operation of one or more of the public land laws and may issue an order to that effect.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Utah (Mr. BISHOP) and the gentleman from Colorado (Mr. POLIS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

#### GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

This is a unique bill, and I rise in strong support of the Black Hills National Cemetery Boundary Expansion Act that is offered by the gentlewoman from South Dakota (Mrs. NOEM).

This bill is one of those things that actually helps people. Instead of being bureaucratically stuck in the predicament that we are, this will transfer from BLM 200 acres, roughly, to the Department of Veterans Affairs so they can actually have an expanded cemetery there for Native Americans. This is one of those things where we are actually doing something good to help people, and it takes a piece of legislation to allow that to happen when it should have been done administratively.

At this point, I include in the RECORD an exchange of letters with Chairman JEFF MILLER of the Veterans' Affairs Committee and thank him and his staff for their cooperation in scheduling this particular bill.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON VETERANS' AFFAIRS,  
Washington, DC, July 6, 2016.

Hon. ROB BISHOP,  
Chairman, Committee on Natural Resources.

DEAR MR. ROB: I am writing to you concerning H.R. 3839, the Black Hills National Cemetery Boundary Expansion Act. There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on Veterans' Affairs.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Veterans' Affairs does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 3839 and into the Congressional Record during consideration of the measure on the House floor. Thank you.

Sincerely,

JEFF MILLER,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,  
Washington, DC, July 7, 2016.

Hon. JEFF MILLER,

*Chairman, Committee on Veterans' Affairs.*

DEAR MR. CHAIRMAN: On June 15, 2016, the Committee on Natural Resources ordered favorably reported as amended H.R. 3839, the Black Hills National Cemetery Boundary Expansion Act, by unanimous consent. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Veterans' Affairs.

I thank you for allowing the Committee on Veterans' Affairs to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support having the Committee on Veterans' Affairs represented on the conference committee. Finally, I would be pleased to include your letter and this response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record when the bill is considered by the House.

Thank you for your response and cooperation. I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,  
*Chairman, Committee on Natural Resources.*

Mr. BISHOP of Utah. I yield such time as she may consume to the gentlewoman from South Dakota (Mrs. NOEM), who is a sponsor of this bill.

Mrs. NOEM. Mr. Speaker, I rise in support of H.R. 3839, the Black Hills National Cemetery Boundary Expansion Act. I want to thank the chairman of the committee and his staff for helping to move this bill through the House and the agencies involved for their constructive input. Their support means so much to me, to our veterans, and to all of their families as well.

Those who have served, and the families that have sacrificed beside them, deserve our Nation's eternal gratitude. Since 1948, the Black Hills National Cemetery has been but one way that this appreciation is shown.

The cemetery currently covers around 100 acres of land and is home to the Korean Veterans War Memorial. Most importantly, its peaceful landscape serves as the final resting place for hundreds of servicemembers and their families.

Chief David Beautiful Bald Eagle is among the brave men and women buried there. Born in a tepee in 1919, Chief Bald Eagle served our country in World War II as a paratrooper and one of the legendary Lakota code talkers. We lost him earlier this summer, but his life continues to be an inspiration to the Lakota people and to those who knew him.

Brigadier General Richard E. Ellsworth is also laid to rest there. This is a man who flew 400 combat missions during World War II and earned numerous medals. He returned to the U.S., where he eventually became wing commander of the Rapid City Air Force Base. In 1953, that base was renamed to Ellsworth Air Force Base in his honor.

We honor the legacy of those veterans and many others at the Black Hills National Cemetery, but the facility will not have the room it needs to continue serving future veterans without expansion. This bill will allow that expansion by transferring around 200 acres of adjacent land near Sturgis, South Dakota, from the Bureau of Land Management's jurisdiction to the Department of Veterans Affairs.

My office has worked with these agencies and stakeholders in crafting the legislation, and all agree that this land transfer is necessary. The transfer of this land will provide the Black Hills National Cemetery with the additional burial space that it needs and assure today's veterans and servicemembers, as well as their families, that we will be able to uphold our commitment and offer this Nation's eternal gratitude for all that they have done.

Again, I thank the committee and the chairman and my colleagues for supporting this bill, and I urge a "yes" vote.

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

As a fellow Representative of the West, I join my colleagues from Utah and South Dakota in support of this bill. Whenever we need to make an alteration to Federal land, whether it is the U.S. Forest Service or the Bureau of Land Management, it frequently requires an actual bill to go through this entire process—the House, the Senate, and the President's signature. I have had to do that a number of times and worked with our chairman on a number of bills important to my district. Now we have one that is not only of importance to South Dakotans, but important to veterans nationally. This bill provides the Veterans Administration with 200 acres of Federal land that is managed by the BLM to expand the Black Hills National Cemetery.

As we know, national cemeteries are reserved for brave men and women who have made the ultimate sacrifice while serving in the military, and it is important that we have space to meet those interment requests. Our veterans have served their country, and they deserve to permanently rest in a cemetery that honors their sacrifice and commitment to the ideals that hold us together as a nation.

It so happens that the BLM land that this bill would transfer abuts the current cemetery. The BLM and the VA determined that only Congress can provide the permanent jurisdiction transfer necessary for this expansion. Again, that is not uncommon to actually bring bills before Congress for land exchanges or border extensions. That is why we are discussing this bipartisan, commonsense bill, and I urge my colleagues to join me in supporting it. Expanding the Black Hills National Cemetery is a noble and worthy cause. It deserves our support.

I want to thank Representative NOEM of South Dakota for bringing this issue forward and for all of her hard work in

guiding this bill through committee and, hopefully, shortly, through the United States Congress.

I urge my colleagues to join me in supporting this bill.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, once again, this is a great bill. Without this bill, they run out of space. With this bill, we continue to actually help people, which is one of the reasons why Congress exists, to do good things for people.

I urge my colleagues to adopt this measure.

I yield back the balance of my time.

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The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 3839, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### ZIKA THREAT TO SOUTH FLORIDA

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, today marks the 39th day since local transmission of the Zika virus via mosquitoes was confirmed in my area of south Florida on July 29, 39 days since it was obvious that much more needed to be done to confront the threat that Zika posed to U.S. citizens here at home. And yet here we are with 56 locally acquired cases of Zika in Miami-Dade County, 7 of them having been confirmed just today—today, Mr. Speaker. There are 2,686 travel-related cases across the continental U.S.

Federal funding is needed now to help those born with congenital Zika infections, such as Micaela Mendoza. Every day since her birth in July, Micaela and her parents have waited to learn more about the extent of her complications from Zika because so little is still to be known about the virus.

Mr. Speaker, how many more days will south Florida families have to wait for a comprehensive response package from the Federal Government? We have waited too long. Send in the cavalry.

#### GLOBAL WARMING IS REAL

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, I am dressed in a seersucker suit. Most people from the South would recognize that, and traditionally people from the country and the South and the fashion industry would say you are not supposed to wear seersucker after Labor Day and before Memorial Day.