

rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to direct the Secretary of Veterans Affairs to include on the internet website of the Department of Veterans Affairs a warning regarding dishonest, predatory, or otherwise unlawful practices targeting individuals who are eligible for increased pension on the basis of need for regular aid and attendance, and for other purposes."

A motion to reconsider was laid on the table.

□ 1700

**PROVIDING FOR A CONSISTENT ELIGIBILITY DATE FOR PROVISION OF DEPARTMENT OF VETERANS AFFAIRS MEMORIAL HEADSTONES AND MARKERS FOR ELIGIBLE SPOUSES AND DEPENDENT CHILDREN**

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3656) to amend title 38, United States Code, to provide for a consistent eligibility date for provision of Department of Veterans Affairs memorial headstones and markers for eligible spouses and dependent children of veterans whose remains are unavailable, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3656

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

**SECTION 1. ELIGIBILITY OF VETERANS' SPOUSES AND DEPENDENT CHILDREN WHOSE REMAINS ARE UNAVAILABLE FOR DEPARTMENT OF VETERANS AFFAIRS MEMORIAL HEADSTONES AND MARKERS.**

*Section 2306(b)(2) of title 38, United States Code, is amended—*

*(1) in subparagraph (B), by striking "The" and inserting "An individual who dies on or after November 11, 1998, who is the"; and*

*(2) in subparagraph (C), by striking "An" and inserting "An individual who dies on or after November 11, 1998, who is an".*

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

The Chair recognizes the gentleman from Tennessee.

**GENERAL LEAVE**

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3656, as amended.

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

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3656, as amended.

Under current law, VA may provide a memorial headstone or marker for a

veteran's dependent child or surviving spouse if their remains are unavailable. But this law also contains an inconsistency. VA can provide a memorial headstone or marker for a spouse who dies on or after November 11, 1998, but can only provide one for a dependent child who dies on or after December 22, 2006.

The disparity makes it difficult for VA to administer this law. More importantly, it has led to some confusion among veterans and their families as to whether a particular family member is eligible for this benefit or not.

These families are not just mourning, but they are also coping with the heartbreak of not being able to properly lay their loved one to rest because the remains have not been recovered. I am concerned that it is possible that these families may not request a memorial VA headstone or marker because they aren't sure if they qualify. I hope that this bill will bring these families some peace by allowing VA to provide a permanent memorial marker to ensure their loved one will not be forgotten.

H.R. 3656 would help avoid confusion by making the eligibility dates for the memorial markers consistent for surviving spouses and dependent children. This may seem like a small change, but I know it will be very important to grieving families who want to ensure that their loved ones are properly memorialized.

Mr. Speaker, I urge all of my colleagues to join me in supporting H.R. 3656, as amended, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 3656, as amended, which resolves an inconsistency in the eligibility for non-veteran spouses and children receiving memorial headstones. The legislation ensures a consistent applicability date for memorial headstones and markers for eligible nonveteran individuals whose remains are not available.

Under current law, a surviving spouse who dies on or after November 11, 1998, is eligible for a headstone or marker. But for dependent children who pass away, the date of eligibility for a headstone or marker does not occur until December 22, 2006.

This arbitrary difference causes situations in which VA can provide a marker for the parent, but not the dependent child. Clearly, this change would make it easier for surviving family members to make funeral and burial plans.

H.R. 3656, as amended, is supported by the major veteran service organizations and enjoys bipartisan support in the House Veterans' Affairs Committee.

Mr. Speaker, I support H.R. 3656, as amended, and I urge my colleagues in the House to do the same. I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. BANKS), an active member

of the Committee on Veterans' Affairs and a Navy veteran.

Mr. BANKS of Indiana. Mr. Speaker, I thank Mr. ROE for his hard work on behalf of our veterans as chairman of the House Veterans' Affairs Committee. I am very proud to serve on that committee under his leadership.

Mr. Speaker, because our veterans answered the call and served our country, we, in turn, must serve them and their families.

This commitment extends to assisting them in medical recovery, in successfully transitioning to the civilian workforce, and, just as importantly, in properly memorializing their lives when they are gone.

Current law provides memorial headstones for veterans and for their spouses and children when the remains of the deceased cannot be found. This can occur in unfortunate cases, such as a boating or a plane accident.

Public Law 105-368 provides headstones for spouses, and it was enacted in 1998. Public Law 109-461 provides headstones for dependent children, and it was enacted in 2006. Both groups are eligible for this benefit as of the date of enactment. However, as has already been said, it is unfortunate that these two laws did not go into effect at the same time, potentially opening the door for a parent to receive this benefit, but not a child.

Mr. Speaker, my bill, H.R. 3656, would amend title 38 of the United States Code to provide for a consistent eligibility date for spouses and dependent children. The date for both would be set at the current date for spouses: November 11, 1998.

This bill is especially necessary for the few tragic cases in which a spouse and a dependent child both passed away in the same accident during a period when these two laws were not in sync. We need to correct this situation.

My legislation is a practical fix to take care of our veterans and their families, and to keep our commitment to them. Therefore, I ask my colleagues to support the passage of H.R. 3656.

Mr. TAKANO. Mr. Speaker, I have no further speakers. Again, I strongly support H.R. 3656, as amended, and I urge my colleagues to do the same.

I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, once again, I encourage all Members to support this commonsense piece of legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 3656, 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.

**AUTHORIZING THE SECRETARY OF VETERANS AFFAIRS TO PROVIDE HEADSTONES AND MARKERS FOR THE GRAVES OF SPOUSES AND CHILDREN OF VETERANS WHO ARE BURIED IN TRIBAL CEMETERIES**

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3657) to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide headstones and markers for the graves of spouses and children of veterans who are buried in tribal cemeteries, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3657

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

**SECTION 1. ELIGIBILITY OF SPOUSES AND CHILDREN OF VETERANS BURIED IN TRIBAL CEMETERIES FOR CERTAIN DEPARTMENT OF VETERANS AFFAIRS BURIAL BENEFITS.**

*Section 2306 of title 38, United States Code is amended—*

(1) in subsection (a)(4), by inserting “or a veterans’ cemetery owned by a tribal organization or on tribal land owned by or held in trust by a tribal organization” after “State”;

(2) in subsection (b)(1), by inserting “, a veterans’ cemetery of a tribal organization or on tribal land owned by or held in trust by a tribal organization” after “owned by a State”; and

(3) in subsection (f)—  
(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(B) by striking “The Secretary” and inserting “(1) The Secretary”;

(C) by striking “a national cemetery or in a veterans cemetery of a State or tribal organization for which the Department has provided a grant under section 2408 of this title” and inserting “a covered cemetery”; and

(D) by adding at the end the following:

“(2) The term ‘covered cemetery’ means any of the following:

“(A) A national cemetery.

“(B) A veterans’ cemetery of a State for which the Department has provided a grant under section 2408 of this title.

“(C) A veterans’ cemetery of a tribal organization or on tribal land owned by or held in trust by a tribal organization for which the Department has provided a grant under such section.”.

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

The Chair recognizes the gentleman from Tennessee.

**GENERAL LEAVE**

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3657, as amended.

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

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3657, as amended.

VA provides headstones and markers for the spouses or dependent children of veterans who are interred in a national or State veterans cemetery at no charge. But VA is not authorized to provide headstones or markers for spouses and dependent children who are interred in Tribal veterans cemeteries. That is not right.

There is no reason that veterans and their families who are interred in Tribal veterans cemeteries shouldn’t receive the same benefits as those who decide to use national or State veterans cemeteries.

H.R. 3657 would allow VA to provide headstones and markers for eligible family members who are interred in Tribal veterans cemeteries.

Mr. Speaker, I thank Representative POLIQUIN for introducing this bill. I know he has a special interest in this because his district includes a Tribal veterans cemetery.

Mr. Speaker, I urge my colleagues to support H.R. 3657, and ensure that veterans who choose to be interred in Tribal cemeteries are given the same recognition that we give to veterans who are interred in national or State veterans cemeteries.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 3657, as amended, which would authorize VA to provide headstones and markers for the graves of spouses and children of veterans who are buried in Tribal cemeteries.

VA currently provides a headstone or a marker for eligible spouses or dependent children who are buried or interred in a national, military post, or State veterans cemetery. However, spouses and dependents are not eligible for a government-furnished headstone or marker if they are buried in a private or Tribal cemetery.

H.R. 3657, as amended, would resolve this inequity by ensuring that veterans’ spouses and children who are buried at Tribal veterans cemeteries are provided government-furnished headstones or markers, which would be the same treatment family members buried at national and State veterans cemeteries receive.

H.R. 3657, as amended, enjoys broad, bipartisan support among the Members of the House Veterans’ Affairs Committee, and I wish to thank the bill’s sponsor, Representative BRUCE POLIQUIN, for his sponsorship and the work of the Disability Assistance and Memorial Affairs Subcommittee for bringing it to the floor.

Native-American veterans have earned, and deserve, the same rights, privileges, and honors that other veterans receive. For this reason, I strongly support H.R. 3657, as amended, and I urge my colleagues to join me.

Mr. Speaker, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield 3 minutes to the gentleman from

Maine (Mr. POLIQUIN), my good friend and member of the Veterans’ Affairs Committee.

Mr. POLIQUIN. Mr. Speaker, I thank the chairman for yielding me time.

Mr. Speaker, I am very grateful that the House will be voting on this commonsense piece of legislation tonight. I am very proud to represent the Houlton Band of the Maliseet Indians in Houlton, Maine, who created the first Tribal veterans cemetery not only in Maine, but also along the entire East Coast.

This past summer, Mr. Speaker, I was very surprised to learn that family members of veterans buried at Tribal cemeteries are not provided the same treatment as those buried at State and national veterans cemeteries. H.R. 3657 fixes this issue permanently.

Specifically, it would ensure that the family members of veterans who are buried at Tribal cemeteries—such as the Maliseet Indian Tribal cemetery in Houlton—are provided with government-furnished headstones, the same treatment as those buried at national and State veterans cemeteries.

Mr. Speaker, we are all Americans. People who put on the uniform—whether a man or a woman, whoever they are, wherever they live, or whatever cemetery they are buried in—deserve the same respect, the same honor, and the same treatment.

I am thrilled to tell everybody listening here that this moved out of committee—this commonsense fix—this bill moved out of committee with unanimous support.

Mr. Speaker, I am asking for that to happen tonight when it appears on the floor, and I am grateful for our chairman to bring this up tonight.

Mr. TAKANO. Mr. Speaker, I have no further speakers.

Again, I strongly support H.R. 3657, as amended, and I urge my colleagues to do the same.

I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank both sides of the aisle for these great bills we are passing this afternoon. It may seem like a small bill to the American public, but to the individual that is affected—in Maine, or wherever it may be—this is a huge deal.

Mr. Speaker, I thank my colleagues on the Democratic side for all of the work they have done on the committee in a bipartisan way. It is a great committee to work on.

This is a very important week for all of us, as we go home this Friday to begin celebrating Veterans Day. Two very important days on the committee are Memorial Day and Veterans Day, to honor those who passed and those who are still with us.

Mr. Speaker, I thank both the Republicans and the Democrats. We put that at the door’s edge, and this week we will be voting on some important pieces of legislation. We have seven more bills on the floor tomorrow.