

The “sole-survivor” policy of the Armed Forces was designed with the best of intentions but has yielded some unfortunate, unintended consequences. Currently, there are no standard benefits available to those who separate from the Armed Forces under this policy, whether or not their service obligation is completed.

This legislation puts the House firmly on record that sole survivors should qualify for a standard set of Federal benefits that are generally available to other veterans, including education benefits, transitional healthcare, and the ability to keep any enlistment bonus paid to them. Given the exigencies of the situation, the retroactive action being taken here today to protect sole survivors who have been honorably discharged from the military since September 11, 2001 is the right thing to do.

Let me take a moment to comment on the bill’s other provision, Section 9 of today’s legislation, which would repeal the dollar limitations on contributions to funeral trusts. This revenue provision, authored by the gentleman from Wisconsin, Mr. KIND, has been included to offset the additional spending associated with the bill’s sole survivor provisions.

As my colleagues know, I have complained often during the 110th Congress that the Committee on Ways and Means has been used repeatedly as a piggy-bank by other panels looking to offset the cost of new spending proposals. I certainly would have preferred to have the sole survivor provisions in today’s legislation funded by suitable spending reductions identified by the committees of jurisdiction, rather than by a revenue enhancement.

But that option, having been fully explored, was not available to us on this bill. Under the circumstances, the path chosen today by the Majority is an appropriate one for several reasons.

First, given the urgency of acting on this legislation, we do not have time to wait. We understand that some of these sole survivors have had recent paychecks withheld or have recently received bills from the military demanding repayment of their enlistment bonuses. Families like the Hubbards are facing pressing financial deadlines, and we do not have the luxury of waiting to address this issue on their behalf.

Second, unlike numerous other examples from the 110th Congress, the higher revenues derived from this funeral trust provision are not being used to substantially expand eligibility for an entitlement program to classes of people for whom it was not originally intended, or to provide existing enrollees new benefits not already in law. Instead, this bill uses the small amount of revenue raised to correct a narrow, but serious, flaw in current law. That is an important difference.

Third, I would note that this provision is fully voluntary—it would only affect those Americans who voluntarily opt to make larger contributions to a pre-paid funeral trust.

Finally, unlike prior revenue raisers proposed by the Majority that would impose unwelcome tax increases on unsuspecting Americans, this particular revenue offset is actually strongly supported by those who would pay the additional tax. In other cases where the Majority has sought higher revenues to pay for new spending, our friends across the aisle have typically targeted either politically disfavored taxpayers, such as smokers or “the rich,” or groups, such as late-filing taxpayers,

who would almost certainly be unaware of the tax increase until they had to write a bigger check to Uncle Sam. By contrast, the tax provision here is the rare bird in Washington: a proposed revenue enhancement that has generated no discernible opposition and that has actually been endorsed by the leading industry group representing affected taxpayers, The National Funeral Directors Association.

As I noted, I generally would prefer that we not use the tax code to raise revenue to pay for higher spending. But this legislation presents unique facts and circumstances that justify the action being taken today, and I hope my colleagues in the other body will act quickly to get this important bill to the President’s desk.

Mr. KIND. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. KIND) that the House suspend the rules and pass the bill, H.R. 6580.

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

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 4137, COLLEGE OPPORTUNITY AND AFFORDABILITY ACT OF 2008

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on H.R. 4137:

From the Committee on Education and Labor, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. GEORGE MILLER of California, HINOJOSA, TIERNEY, WU, BISHOP of New York, ALTMIRE, YARMUTH, COURTNEY, ANDREWS, SCOTT of Virginia, Mrs. DAVIS of California, Mr. DAVIS of Illinois, Ms. HIRONO, Messrs. KELLER of Florida, PETRI, Mrs. MCMORRIS RODGERS, Ms. FOX, Messrs. KUHLMANN of New York, WALBERG, CASTLE, SOUDER, EHLERS, Mrs. BIGGERT, and Mr. MCKEON.

From the Committee on the Judiciary, for consideration of secs. 951 and 952 of the House bill, and secs. 951 and 952 of the Senate amendment, and modifications committed to conference: Mr. CONYERS, Ms. WATERS, and Mr. GOHMERT.

From the Committee on Science and Technology, for consideration of secs. 961 and 962 of the House bill, and sec. 804 of the Senate amendment, and modifications committed to conference: Messrs. GORDON of Tennessee, BAIRD, and NEUGEBAUER.

There was no objection.

LEAD-SAFE HOUSING FOR KIDS ACT OF 2008

Mr. ELLISON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6309) to amend the Residential Lead-Based Paint Hazard Reduction Act of 1992 to define environ-

mental intervention blood lead level and establish additional requirements for certain lead hazard screens, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6309

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 “Lead-Safe Housing for Kids Act of 2008”.

SEC. 2. AMENDMENTS TO RESIDENTIAL LEAD-BASED PAINT HAZARD REDUCTION ACT OF 1992.

(a) AMENDMENTS.—Section 1017 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4852c) is amended—

(1) by striking “Not later than” and inserting “(a) IN GENERAL.—Not later than”; and

(2) by adding at the end the following new subsection:

“(b) ENVIRONMENTAL INTERVENTION BLOOD LEAD LEVEL.—

“(1) IN GENERAL.—For purposes of this title and any regulations issued under this title, an environmental intervention blood lead level shall be defined as the lower of—

“(A) 10 µg/dL (micrograms of lead per deciliter); or

“(B) the elevated blood lead level of concern for a child under six years of age that has been recommended by the Centers for Disease Control and Prevention.

“(2) RELATION TO OTHER AUTHORITIES.—This Act may not be construed as affecting the authority of the Environmental Protection Agency under section 403 of the Toxic Substances Control Act.”.

(b) REGULATIONS.—Not later than the expiration of the 90-day period beginning on the date of the enactment of this Act, the Secretary of Housing and Urban Development shall amend the regulations of such Department to comply with the amendments made by subsection (a).

SEC. 3. REPORT TO CONGRESS ON PREVIOUS LEAD HAZARD INSPECTION PROGRAMS.

Not later than the expiration of the 90-day period beginning on the date of the enactment of this Act, the Secretary of Housing and Urban Development shall submit a report to the Congress on the status of the program of the Department of Housing and Urban Development known as the Big Buy program and any other voluntary programs the Secretary has implemented, or has planned to implement, through which the Secretary has conducted, or planned to conduct, lead evaluations of housing covered by section 35.715 of the Secretary’s regulations (24 C.F.R. 35.715; Lead Safe Housing Rule for pre-1978 assisted housing). Such report shall include the following information:

(1) A description of the purpose of such programs implemented or planned to be implemented.

(2) A statement of the amounts allocated for each of such programs.

(3) Identification of the sources of the funding for each of such programs.

(4) A statement of the amount expended to each of such programs, as of the date of the submission of the report.

(5) A statement of the number of properties and the number of dwelling units intended to be covered by each of such programs.

(6) A statement of the number of properties and the number of dwelling units actually assisted by each of such programs.

(7) A description of the status of each of such programs, as of the date of the submission of the report.

(8) An explanation as to why each of such programs have not been completed.