human rights, on labor rights and especially, just lately, on its remarkable rescue of the American hostages after their being 5 years within the FARC. They are taming the terrorist organizations with our help, and they deserve our continued support in that effort.

Madam Speaker, the Central American agreement has helped to bolster ties with our partners in the region. It has helped to create U.S. jobs and to encourage economic growth in neighboring countries. Colombia will do the same. I reiterate my call for the leadership of this House to schedule an up-or-down vote on Colombia this year. Given the nature of our trade laws, it will be too late if this gets put on hold until next year, and we will have missed a critical opportunity to strengthen our relationship with an important partner in the region and to create fair trade for Americans.

Ladies and gentlemen, the whole world is watching America. Let's not turn our back on Colombia. Let's not show the world we're economic isolationists—afraid to compete or afraid to hold out our hand to partners in our backyard. Let's not as a Congress be beholden to a few special interests. Democrats and Republicans, Defense Secretaries and Secretaries of State agree that this is one of the most important foreign policy decisions that we can make. The whole world is watching. Let us schedule a vote for Colombia and pass it this year.

Mr. HERGER. Madam Speaker, I don't have any further speakers, and I yield back the remainder of my time.

Mr. MCDERMOTT. Madam Speaker, earlier today, regrettably, there was a failure to move forward on the multilateral trade talks known as DOHA. Some are calling this a collapse in trade talks, but I believe that we can and that we must continue to make progress in multilateral trade talks. We must spend our energy not by placing blame but by considering solutions to the current challenges.

The World Trade Organization serves a crucial role in the trade system of the world. I believe I speak on behalf of the entire Ways and Means Committee when I say that we remain committed to a robust DOHA agreement. The bill before us demonstrates America's continued commitment to alleviating poverty through our trade policies. I urge the Members to support H.R. 6560.

Ms. ROS-LEHTINEN. Madam Speaker the most important argument in favor of the United States-Colombia Free Trade Agreement is that it is manifestly good for the United States and our interests.

The most obvious benefit is expanded trade.

Opponents claim that the agreement will force the U.S. to remove restrictions on Colombia's exports, resulting in more imports and leading to a loss of jobs and income in the U.S.

But these opponents do not understand that, because most of Colombia's exports already enter the U.S. with few or no restrictions, it is Colombia's barriers that will be removed and U.S. exporters that will benefit.

And expanded U.S. exports to Colombia translate directly into increased jobs and income here at home.

Colombia will certainly benefit, but the U.S. will benefit more.

This free trade agreement is about more than economics. It is essential to securing U.S. strategic interests in the Hemisphere.

In a region in which anti-American regimes are aggressively targeting U.S. interests, Colombia remains a steadfast ally.

That ally is battling an array of internal and external enemies, and the U.S. has an enormous stake in ensuring that Colombia wins that fight.

Long under siege from FARC guerrillas who once controlled nearly half the country, Colombia has, in recent months, inflicted major defeats on an armed insurgency that has: sought to overthrow Colombia's democratic government; killed and kidnapped thousands of Colombians, as well as Americans and other foreigners; and provided protection to drug kingpins shipping billions of dollars of cocaine, heroin, and other illegal drugs to the U.S. every year.

Colombia looks poised to free itself from these threats and achieve peace and long-term stability.

Given the stakes, our friends and enemies in this Hemisphere are watching how we treat this vital ally in the region.

The Colombian government has done everything we have asked of it, even renegotiating the already concluded agreement to add new provisions regarding labor and environmental issues. But to no avail.

As a result, our friends and enemies are in danger of concluding that the U.S. has turned its back on Colombia and that the assault on U.S. interests and allies is paying off.

Over the past decade, the once near-hopeless security situation in Colombia has been transformed, with crucial assistance and unwavering support provided by the United States.

But there is much left to be done.

Although the insurgency has been severely weakened, there are many thousands of guerrillas still operating. The cultivation and export to the U.S. of illegal drugs continues. And there are large areas of Colombia in which the central government has virtually no presence.

U.S. assistance and support for Colombia has been instrumental in its success, and will continue to be so in the future.

But that means more than simply security assistance and money. The easiest, most direct, and most effective means we have to bolster Colombia at this critical stage is passage of the free trade agreement.

Congress has a golden opportunity to support our embattled ally and further our own interests. If we falter, so may Colombia, and the achievements of a decade will be needlessly squandered. And then some may ask: "Who lost Colombia?"

Mr. MCDERMOTT. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. MCDERMOTT) that the House suspend the rules and pass the bill, H.R. 6560, 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.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 6599, MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2009

Ms. CASTOR, from the Committee on Rules (during consideration of H.R. 6560), submitted a privileged report (Rept. No. 110–800) on the resolution (H. Res. 1384) providing for consideration of the bill (H.R. 6599) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2009, and for other purposes, which was referred to the House Calendar and ordered to be printed.

HUBBARD ACT

Mr. KIND. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6580) to ensure the fair treatment of a member of the Armed Forces who is discharged from the Armed Forces, at the request of the member, pursuant to the Department of Defense policy permitting the early discharge of a member who is the only surviving child in a family in which the father or mother, or one or more siblings, served in the Armed Forces and, because of hazards incident to such service, was killed, died as a result of wounds, accident, or disease, is in a captured or missing in action status, or is permanently disabled, to amend the Internal Revenue Code of 1986 to repeal the dollar limitation on contributions to funeral trusts, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6580

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Hubbard Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Continued payment of bonuses and similar benefits for members of the Armed Forces who receive sole survivorship discharge.
Sec. 3. Availability of separation pay for members of the Armed Forces with less than six years of active service who receive sole survivorship discharge.
Sec. 4. Transitional health care for members of the Armed Forces who receive sole survivorship discharge.
Sec. 5. Transitional commissary and exchange benefits for members of the Armed Forces who receive sole survivorship discharge.
Sec. 6. Veterans benefits for members of the Armed Forces who receive sole survivorship discharge.
Sec. 7. Unemployment compensation for members of the Armed Forces who receive sole survivorship discharge.

Sec. 8. Preference-eligible status for members of the Armed Forces who receive sole survivorship discharge.
Sec. 9. Repeal of dollar limitation on contributions to funeral trusts.
Sec. 10. Effective dates.

SEC. 2. CONTINUED PAYMENT OF BONUSES AND SIMILAR BENEFITS FOR MEMBERS OF THE ARMED FORCES WHO RECEIVE SOLE SURVIVORSHIP DISCHARGE.

(a) EFFECT OF SOLE SURVIVORSHIP DISCHARGE.—Section 303a(e) of title 37, United States Code, is amended—

(1) in paragraph (1), by striking ''A member'' and inserting ''(A) Except as provided in paragraph (2), a member'';

(2) by redesignating paragraph (2) as subparagraph (B) of paragraph (1); and

(3) by inserting after paragraph (1), as so amended, the following new paragraph (2):

''(2)(A) If a member of the uniformed services receives a sole survivorship discharge, the Secretary concerned—

''(i) shall not require repayment by the member of the unearned portion of any bonus, incentive pay, or similar benefit previously paid to the member; and

''(ii) may grant an exception to the requirement to terminate the payment of any unpaid amounts of a bonus, incentive pay, or similar benefit if the Secretary concerned determines that termination of the payment of the unpaid amounts would be contrary to a personnel policy or management objective, would be against equity and good conscience, or would be contrary to the best interests of the United States.

''(B) In this paragraph, the term 'sole survivorship discharge' means the separation of a member from the Armed Forces, at the request of the member, pursuant to the Department of Defense policy permitting the early separation of a member who is the only surviving child in a family in which—

''(i) the father or mother or one or more siblings—

''(I) served in the Armed Forces; and

''(II) was killed, died as a result of wounds, accident, or disease, is in a captured or missing in action status, or is permanently 100 percent disabled or hospitalized on a continuing basis (and is not employed gainfully because of the disability or hospitalization); and

''(ii) the death, status, or disability did not result from the intentional misconduct or willful neglect of the parent or sibling and was not incurred during a period of unauthorized absence.''.

(b) SENSE OF CONGRESS.—In light of the extraordinary discretion granted to the Secretary of a military department by statute and policy to continue to pay the unpaid amounts of a bonus, incentive pay, or similar benefit otherwise due to a member of the Armed Forces under the jurisdiction of the Secretary who receives a sole survivorship discharge, it is the sense of Congress that the Secretaries of the military departments should aggressively use such discretion to the benefit of members receiving a sole survivorship discharge.

SEC. 3. AVAILABILITY OF SEPARATION PAY FOR MEMBERS OF THE ARMED FORCES WITH LESS THAN SIX YEARS OF ACTIVE SERVICE WHO RECEIVE SOLE SURVIVORSHIP DISCHARGE.

Section 1174 of title 10, United States Code, is amended—

(1) by redesignating subsection (i) as subsection (j); and

(2) by inserting after subsection (h) the following new subsection:

''(i) SPECIAL RULE FOR MEMBERS RECEIVING SOLE SURVIVORSHIP DISCHARGE.—(1) A member of the Armed Forces who receives a sole survivorship discharge shall be entitled to separation pay under this section even though the member has completed less than six years of active service immediately before that discharge. Subsection (e) shall not apply to a member who receives a sole survivorship discharge.

''(2) The amount of the separation pay to be paid to a member pursuant to this subsection shall be based on the years of active service actually completed by the member before the member's sole survivorship discharge.

''(3) In this subsection, the term 'sole survivorship discharge' means the separation of a member from the Armed Forces, at the request of the member, pursuant to the Department of Defense policy permitting the early separation of a member who is the only surviving child in a family in which—

''(A) the father or mother or one or more siblings—

''(i) served in the Armed Forces; and

''(ii) was killed, died as a result of wounds, accident, or disease, is in a captured or missing in action status, or is permanently 100 percent disabled or hospitalized on a continuing basis (and is not employed gainfully because of the disability or hospitalization); and

''(B) the death, status, or disability did not result from the intentional misconduct or willful neglect of the parent or sibling and was not incurred during a period of unauthorized absence.''.

SEC. 4. TRANSITIONAL HEALTH CARE FOR MEMBERS OF THE ARMED FORCES WHO RECEIVE SOLE SURVIVORSHIP DISCHARGE.

Section 1145(a)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(E) A member who receives a sole survivorship discharge (as defined in section 1174(i) of this title).''.

SEC. 5. TRANSITIONAL COMMISSARY AND EXCHANGE BENEFITS FOR MEMBERS OF THE ARMED FORCES WHO RECEIVE SOLE SURVIVORSHIP DISCHARGE.

Section 1146 of title 10, United States Code, is amended—

(1) by striking ''The Secretary of Defense'' and inserting the following:

''(a) BENEFITS FOR MEMBERS INVOLUNTARILY SEPARATED.—The Secretary of Defense''; and

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

''(b) BENEFITS FOR MEMBERS RECEIVING SOLE SURVIVORSHIP DISCHARGE.—A member of the Armed Forces who receives a sole survivorship discharge (as defined in section 1174(i) of this title) is entitled to continue to use commissary and exchange stores and morale, welfare, and recreational facilities in the same manner as a member on active duty during the two-year period beginning on the later of the following dates:

''(1) The date of the separation of the member.

''(2) The date on which the member is first notified of the members entitlement to benefits under this section.''.

SEC. 6. VETERANS BENEFITS FOR MEMBERS OF THE ARMED FORCES WHO RECEIVE SOLE SURVIVORSHIP DISCHARGE.

(a) HOUSING LOAN BENEFITS.—Section 3702(a)(2) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

''(F) Each veteran who was discharged or released from a period of active duty of 90 days or more by reason of a sole survivorship discharge (as that term is defined in section 1174(i) of title 10).''.

(b) EMPLOYMENT AND TRAINING.—Section 4211(4) of such title is amended—

(1) in subparagraph (B), by striking ''or'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new subparagraph:

''(D) was discharged or released from active duty by reason of a sole survivorship discharge (as that term is defined in section 1174(i) of title 10).''.

(c) EXISTING BASIC EDUCATIONAL ASSISTANCE.—

(1) SERVICE ON ACTIVE DUTY.—Section 3011(a)(1) of such title is amended—

(A) in subparagraph (A)(ii), by inserting after ''service-connected disability,'' the following: ''by reason of a sole survivorship discharge (as that term is defined in section 1174(i) of title 10),'';

(B) in subparagraph (B)(ii), by inserting after ''service-connected disability,'' the following: ''by reason of a sole survivorship discharge (as that term is defined in section 1174(i) of title 10),''; and

(C) in subparagraph (C)(iii)(II), by inserting after ''service-connected disability,'' the following: ''by reason of a sole survivorship discharge (as that term is defined in section 1174(i) of title 10),''.

(2) SERVICE IN THE SELECTED RESERVE.—Section 3012(b)(1) of such title is amended—

(A) in subparagraph (A)—

(i) by striking '', or (vi)'' and inserting '', (vi)''; and

(ii) by inserting before the period at the end the following: '', or (vii) by reason of a sole survivorship discharge (as that term is defined in section 1174(i) of title 10)''; and

(B) in subparagraph (B)—

(i) in clause (i), by inserting after ''service-connected disability,'' the following: ''by reason of a sole survivorship discharge (as that term is defined in section 1174(i) of title 10),''; and

(ii) in clause (ii)—

(I) by striking '', or (VI)'' and inserting '', (VI)''; and

(II) by inserting before the period at the end the following: '', or (VII) by reason of a sole survivorship discharge (as that term is defined in section 1174(i) of title 10)''.

SEC. 7. UNEMPLOYMENT COMPENSATION FOR MEMBERS OF THE ARMED FORCES WHO RECEIVE SOLE SURVIVORSHIP DISCHARGE.

Section 8521(a)(1)(B)(ii)(III) of title 5, United States Code, is amended by striking ''hardship,'' and inserting ''hardship (including pursuant to a sole survivorship discharge, as that term is defined in section 1174(i) of title 10),''.

SEC. 8. PREFERENCE-ELIGIBLE STATUS FOR MEMBERS OF THE ARMED FORCES WHO RECEIVE SOLE SURVIVORSHIP DISCHARGE.

Section 2108(3) of title 5, United States Code, is amended—

(1) in subparagraph (F), by striking ''and'' at the end;

(2) in subparagraph (G), by inserting ''and'' at the end; and

(3) by inserting after subparagraph (G) the following:

''(H) a veteran who was discharged or released from a period of active duty by reason of a sole survivorship discharge (as that term is defined in section 1174(i) of title 10);''.

SEC. 9. REPEAL OF DOLLAR LIMITATION ON CONTRIBUTIONS TO FUNERAL TRUSTS.

(a) IN GENERAL.—Subsection (c) of section 685 of the Internal Revenue Code of 1986 (relating to treatment of funeral trusts) is repealed.

(b) CONFORMING AMENDMENT.—Subsections (d), (e), and (f) of such section are redesignated as subsections (c), (d), and (e), respectively.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable

years beginning after the date of the enactment of this Act.

SEC. 10. EFFECTIVE DATES.

(a) RETROACTIVE EFFECTIVE DATE.—Except as provided in subsection (b) and section 9, this Act and the amendments made by this Act shall apply with respect to any sole survivorship discharge granted after September 11, 2001.

(b) DATE OF ENACTMENT EFFECTIVE DATE FOR CERTAIN AMENDMENTS.—The amendments made by sections 4, 7, and 8 shall apply with respect to any sole survivorship discharge granted after the date of the enactment of this Act.

(c) SOLE SURVIVORSHIP DISCHARGE DEFINED.—In this section, the term ''sole survivorship discharge'' means the separation of a member from the Armed Forces, at the request of the member, pursuant to the Department of Defense policy permitting the early separation of a member who is the only surviving child in a family in which—

(1) the father or mother or one or more siblings—

(A) served in the Armed Forces; and

(B) was killed, died as a result of wounds, accident, or disease, is in a captured or missing in action status, or is permanently 100 percent disabled or hospitalized on a continuing basis (and is not employed gainfully because of the disability or hospitalization); and

(2) the death, status, or disability did not result from the intentional misconduct or willful neglect of the parent or sibling and was not incurred during a period of unauthorized absence.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. KIND) and the gentleman from California (Mr. NUNES) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. KIND. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to introduce other extraneous material on H.R. 6580.

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

There was no objection.

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

H.R. 6580 is a combination of two good pieces of legislation joined together to be pay-as-you-go compliant under our current budget rules. The first part of the bill is the Hubbard Act, an important bill introduced by my good friend and colleague on the Ways and Means Committee, Representative DEVIN NUNES from California. The second part of the bill (H.R. 1264) is a bill that I and CHARLIE WILSON of Ohio introduced to make it easier for individuals to save and to plan for their funerals.

Let me begin by commending Representative NUNES for sponsoring and for introducing the Hubbard Act. This bill makes an important change to the rules governing sole survivorship in the Armed Forces. It's the right thing to do. In a moment, you will realize why.

Representative NUNES represents the Hubbard family in California. Tragically, this family has lost two sons, Jared and Nathan, to the war in Iraq. The remaining son, Jason, left the Army under the sole survivor rule, which protects parents from losing all of their children to war by permitting the last remaining sibling in combat to return home if all other siblings have been killed or have been severely injured. This truly is the Saving Private Ryan scenario. After being discharged, however, Jason Hubbard was asked to repay significant portions of his enlistment bonus; he was denied transition health care, and he was told he wasn't eligible for GI benefits even though he had already paid into the program.

Currently, there are no standard benefits available to those who separate from the Armed Services under the Sole Survivor Policy regardless of whether one's service obligation was completed. The Hubbard Act will allow those troops who voluntarily separate under the sole survivor rule to qualify for the same benefits provided to those who involuntarily or who honorably separate from the military. Sole survivors of their families who have already made the greatest sacrifice should qualify for the benefits that they've earned. This bill corrects that. Again, it's the right thing for us to do.

To offset the costs of the Hubbard Act, H.R. 6580 also includes language to eliminate the current dollar limitation for qualified funeral trusts. Current law limits a funeral trust to just $9,000, but this is generally no longer sufficient to cover a family's funeral and burial expenses. With this contribution limit, even those who responsibly plan for their own funerals often leave their families with substantial expenses.

Given that the qualified funeral trusts can only be used for specific, limited purposes, I see no reason to place a dollar limit on their use. According to the Joint Committee on Taxation, the bill will have a positive impact on the Federal Treasury.

The passage of this legislation is an important step for American families and funeral directors, and it would allow for seamless funeral and burial planning for families in western Wisconsin and throughout the United States.

I hope these two commonsense, bipartisan pieces of legislation packaged together will pass this Congress and will move to the President's desk swiftly. I urge my colleagues to support H.R. 6580.

Finally, I would like to offer my thoughts and prayers to the Hubbard family. Their sacrifice will not be forgotten. I hope the passage of this bill will offer them some solace, will honor their sacrifice and will respect their sons' service to our country. May God bless Jared and Nathan.

May God also bring a special comfort to those families who have lost a loved one while serving our Nation.

I reserve the balance of my time.

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

Before I share with you the reason I wrote this legislation, I think it's important to remind everyone why sole survivors are afforded unique status in our military.

Prior to 1942, it was not uncommon for family members to serve together in the military, even in the same unit. However, a World War II tragedy during the naval battle at Guadalcanal would cause the War Department to rethink its policy. That tragedy involved the death of all five Sullivan brothers, who were serving together aboard the USS *Juneau* when it was sunk in 1942.

The death of the Sullivans prompted changes intended to protect families from the heartache of losing an entire generation to war. One key reform is the policy requiring sole survivors to be removed from combat. It is this rule, known as the Sole Survivor Policy, that Tom Hanks dramatized in his movie Saving Private Ryan. Since 9/11, there have been 51 sole survivors identified by the Department of Defense. Each of them has a unique story of service and sacrifice.

The events that shaped why we are here today began in November 2004 when a roadside bomb in Iraq killed Marine Lance Corporal Jared Hubbard. It is hard for anyone, myself included, to understand the anguish of losing a son or a daughter to war. The Hubbards bore their grief with amazing strength, and with the help of family and friends, they buried their son. Jared's patriotism and sacrifice inspired everyone who knew him, and although his loss is very real, his presence was not lost. Both of his brothers, Nathan and Jason, soon joined the Army. When asked why they chose to serve, both men responded that they wanted to honor their brother and wanted to continue his service to our Nation.

Late last year, Jason and Nathan were returning from a night scouting mission in separate Blackhawk helicopters when Nathan's helicopter crashed. Jason's Blackhawk landed with orders to secure the crash site. However, there were no survivors. Nathan had been killed in the crash.

Nathan's death resulted in Jason Hubbard's designation as a sole survivor. He was removed from combat duty, and was assigned to the solemn duty of accompanying his brother's body home for a second funeral in 3 years. Unfortunately, the tragedy does not end here.

When Jason voluntarily separated from the Army under the Sole Survivor Policy, he was asked to pay back his enlistment bonus.

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He was denied transitional health care, and was told that he could not receive GI Bill benefits, the reason: ''He did not fulfill the commitment outlined in his contract.'' This response was clearly not what Jason expected. And I don't think there is anyone in this Nation who would argue that the Hubbards had failed in their commitment to our Nation.

Jason lost two brothers to war. He served honorably in the United States Army and discharged as a sole survivor only after being removed from combat under the Army's own rules. The challenges he faced were unjust. When Army Secretary Pete Geren learned of Jason's situation, he intervened to the extent he was able. However, we discovered statutory constraints that limited what the Secretary of the Army could do. The legislation before us today resolves those statutory issues, and for the first time recognizes sole survivors through an act of Congress.

The Hubbard Act will provide benefits already offered to other soldiers who honorably separate from military service. This means that sole survivors will not be forced to repay their enlistment bonus, they will be able to participate in the current and new GI Bill educational program, they will receive separation pay, and they will continue to be afforded transitional health care coverage.

As I conclude, I would like to thank my friends, Mr. COSTA and Mr. CARDOZA; both were instrumental in building support for this legislation. Furthermore, I would like to thank Senator FEINSTEIN and Senator CHAMBLISS for championing the Hubbard Act in the Senate, and of course Chairman RANGEL and Ranking Member MCCRERY and, of course, Mr. KIND for their willingness to provide the offset for this bill. Their support, and the support of the 311 cosponsors, is very much appreciated.

With that, Madam Speaker, I reserve the balance of my time.

Mr. KIND. Madam Speaker, at this time, I would like to recognize for such time as he may consume a former funeral director himself, my good friend and colleague from Ohio, CHARLIE WILSON.

Mr. WILSON of Ohio. Madam Speaker, the House will be voting later to make sure a military sole survivor is allowed every benefit as if they had stayed in the military for their entire service.

A military sole survivor is a courageous member of our armed services who is pulled out of service because all of their siblings have died while also serving our country. Military sole survivors deserve the full benefits as if they had served and stayed their complete tour of duty. We're paying for this important benefit by repealing the limit placed on funeral trusts.

As a funeral director and a Congressman, I come to the floor today to talk about how important qualified funeral trusts are for the American people. The cost of a funeral in the United States is rapidly increasing. That's why, several years ago, qualified funeral trust plans were created within the tax code to allow people to plan and prepay for their funeral costs, lifting the financial burden from the families after their death.

Current law limits a funeral trust to $9,000. This is often no longer sufficient to cover the family's funeral expenses. With this contribution limit, even those who preplan their own funerals often leave their family with substantial debt. I know how families hurt during these times, I've seen it every day. The last thing they need to worry about is making sure that they have enough to cover their arrangements. This bill eliminates that limitation and even creates an income stream for the American taxpayer. That's a win-win situation. Complying with PAYGO, helping our soldiers, and allowing families to plan ahead, all are getting a win today.

I urge my colleagues to vote in favor of this important bill.

Mr. NUNES. Madam Speaker, I continue to reserve my time.

Mr. KIND. Madam Speaker, at this time, I yield such time as he may consume to an original cosponsor with Mr. NUNES and Mr. CARDOZA of the Hubbard Act, our good friend and colleague from California, JIM COSTA.

Mr. COSTA. I want to thank Congressman KIND for his hard work in this very important legislation.

I rise tonight in strong support of H.R. 6580, the Hubbard Act, named after Jason and his brother Nathan Hubbard, to fix a flaw that exists, as Congressman NUNES so well stated, in the Department of Defense's sole survivor policy that really originated from the Sullivan Act that was referenced during World War II when the Sullivan family lost all of their sons in a naval combat action during World War II.

Right now, the Department of Defense allows a remaining son or daughter serving in the military to be removed from combat or to accept an honorable discharge. However, as we found with the circumstances facing the Hubbard family, military benefits like signing bonuses or access to the GI Bill can be taken away. This is not right. Jason Hubbard of Clovis, California was put in this situation after tragically losing both of his brothers. This legislation would allow a member who voluntarily separates honorably, under the sole survivor aspect of the law, to qualify for programs like the GI benefit, to be allowed the use of the commissary and base exchange, and entitled to benefits of the veteran home loan and other entitlements that our veterans who serve their country so honorably deserve. It was tragic to find that after the circumstance, that there was a request that he return his signing bonus benefit, but Congressman NUNES stepped in and, with the Secretary of the Army, changed that.

The legislation that we are about to pass here reflects veterans throughout our country. Our Central Valley, the San Joaquin Valley in California, has a proud history of men and women who have worn the uniform and defended our country in a troubled world, both in the 20th century and the 19th century, and of course today in the conflict in the Middle East, in the war in Iraq and Afghanistan.

The Hubbard brothers now are a part of this honorable military history that all our veterans share in, and like the Sullivan brothers, are being recognized for their service.

This bill is fully paid for, and therefore PAYGO compliant. I want to thank Chairman RANGEL for his willingness to make this extra effort. In multiple conversations that many of us had with the chairman, he understood clearly, as a fellow veteran, the importance of this legislation. Congressman KIND also showed leadership in his efforts. And of course as Congressman NUNES noted, without Senator FEINSTEIN and Senator CHAMBLISS' help, we would not have gotten the measure out through the Senate.

Finally, my good friend, Congressman DEVIN NUNES, has been tenacious on this piece of legislation, representing his constituents and the Hubbard family, but more importantly, all veterans throughout the United States. The passion and the leadership which Congressman NUNES demonstrated on this bill is reflective of his passion for his constituency and for our country.

So I want to thank Congressman NUNES for his hard work on behalf of the Hubbard family, Nathan and Jarrett, who made the ultimate sacrifice for our country, to their family and to their brother Jason, who we have named this legislation on behalf of.

Mr. NUNES. Madam Speaker, I just want to thank Mr. COSTA for his kind words.

And really, this is a piece of legislation that we hope will move as quickly as possible to the Senate floor so that the President can sign this bill into law. As has been outlined by all the speakers tonight, this is a sad moment, but it's really a wrong that needs to be made right. And I'm proud tonight that we will pass this, hopefully unanimously, by this Congress.

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

Mr. KIND. Madam Speaker, the Hubbard Act does recognize and correct a grave injustice and an anomaly in how sole survivors in our military are treated in regards to the eligibility of our veterans benefits. And I want to also commend Representative NUNES for recognizing this injustice and for his perseverance in gathering support, educating his colleagues here in Congress, and making passage of this legislation possible.

I also want to commend the delegation of the Central Valley and the effort and engagement that they've shown on such an important issue. I want to encourage my colleagues to support the Hubbard Act of 2008.

Mr. MCCRERY. Madam Speaker, I rise in support of H.R. 6580 and commend my colleague from California, Mr. NUNES, for his tireless efforts to secure passage of this important legislation addressing the concerns of "sole survivors" such as his constituent, Jason Hubbard. I also wish to thank the Chairman of the Ways and Means Committee, whose support was critical to consideration of this bill.

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. FOXX, Messrs. KUHL 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 environmental 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.