

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

There was no objection.

Ms. HERSETH SANDLIN. Madam Speaker, I rise in strong support of H.R. 5664, a bill to direct the VA to update the plans and specifications for specially adapted housing furnished to veterans.

As the Chairwoman of the Veterans' Affairs Economic Opportunity Subcommittee, I would like to thank Representative RODRIGUEZ for introducing this important bill. I also would like to thank Veterans' Affairs Committee Chairman FILNER and Ranking Member BUYER for their support of the bill.

The VA's main grant program guide, which is provided to contractors to draw up plans and specifications to modify homes, was last updated in 1978. H.R. 5664 will ensure that the 30-year-old guide contains up-to-date directions and is applicable for today's veterans, who often come home from battle with injuries different than servicemembers from previous military conflicts.

Again, I thank Representative RODRIGUEZ for introducing this important bill. I encourage my colleagues to support it.

Mr. FILNER. 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 California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 5664, 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.

#### SPINA BIFIDA HEALTH CARE PROGRAM EXPANSION ACT

Mr. FILNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5729) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide comprehensive health care to children of Vietnam veterans born with spina bifida, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5729

*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 "Spina Bifida Health Care Program Expansion Act".*

##### SEC. 2. PROVISION OF COMPREHENSIVE HEALTH CARE BY SECRETARY OF VETERANS AFFAIRS TO CHILDREN OF VIETNAM VETERANS BORN WITH SPINA BIFIDA.

(a) *PROVISION OF COMPREHENSIVE HEALTH CARE.—Section 1803(a) of title 38, United States Code, is amended by striking "such health care as the Secretary determines is needed by the child for the spina bifida or any disability that is associated with such condition" and inserting "health care under this section".*

(b) *EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to*

*care furnished after the date of the enactment of this Act.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Indiana (Mr. BUYER) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. FILNER. Madam Speaker, in this Congress we are blessed with having many new Members who take an active role in the legislative process and are writing legislation, and one of those is the gentleman from Indiana (Mr. ELLSWORTH), who brings us this bill, and I yield to him such time as he may consume.

Mr. ELLSWORTH. I thank the gentleman for yielding.

Madam Speaker, I rise today in strong support of H.R. 5729, the Spina Bifida Health Care Program Expansion Act.

This important issue came to my attention by my constituents Honey Sue Newby and the Nesler family of New Harmony, Indiana. Honey Sue's story is quite heart wrenching. She's a woman who lives with a complicated neurological disorder rooted in spina bifida, and her parents, Suzanne and Ron Nesler, provide her with around-the-clock attendance and care. Ron is Honey Sue's stepfather and, together with Suzanne, serves as her guardian and primary caregiver.

Honey Sue's biological father served 8 years as a marine and completed three combat tours in Vietnam. The VA concedes that Honey Sue's condition is the direct result of her biological father's exposure to Agent Orange, the defoliant and herbicide used by our Armed Forces in Vietnam.

For years the Neslers have attempted to clear seemingly insurmountable bureaucratic hurdles when seeking medical care for Honey Sue. Suzanne and Ron have to provide a letter from the doctor to the VA each and every time that she seeks care that her condition is directly related to her spina bifida. The Neslers have to repeat this routine despite the fact that Honey Sue is recognized by the VA as a level III child. At the VA level III children are eligible to the same full health care coverage as a military veteran with 100 percent service-connected disability.

H.R. 5729 will provide the Neslers and other people facing the same challenges with relief from the tedious administrative burdens by providing the beneficiaries of the Spina Bifida Health Care Program with comprehensive care. No longer will the burden be on the Neslers to prove that Honey Sue's condition and various health ailments are related to spina bifida and therefore Agent Orange. The requirement has been removed.

When this bill is passed by Congress and signed by the President, Honey Sue and the estimated 1,200 children—and,

Madam Speaker, that's important to know that this is only 1,200 children with levels I, II, and III spina bifida as caused by a parent's exposure to Agent Orange will receive the same full health care coverage as military veterans with a 100 percent service-connected disability. This bill will give families the peace of mind that their children will have access to attendant care when they are no longer capable of providing for them. I know that this concern is of great importance to the Neslers.

Madam Speaker, the Congressional Budget Office estimates that the VA already provides roughly 90 percent of the comprehensive health care needs of these beneficiaries. In fact, the CBO estimates that the implementation of this program will add around \$2,500 per person in 2009. This is a small price to pay, Madam Speaker, to ensure Honey Sue receives the health care she needs and Suzanne and Ron do not have to spend their days navigating their way through a frustrating maze of administrative paperwork.

I would like to thank the chairman, BOB FILNER, and the ranking member, Mr. BUYER, and the very capable staff of the Veterans' Affairs Committee for their leadership on this issue. I'd also at this time like to thank one of my staff in Evansville, Indiana, Emily Hayden, who has worked exceedingly hard to help the Neslers with the red tape that this bill aims to fix. Emily has shown such care and consideration for so many of my constituents that she deserves recognition. I'm proud to have her on my staff.

Madam Speaker, H.R. 5729, the Spina Bifida Health Care Program Expansion Act, follows through on these promises made to our brave servicemembers who have fought for our freedoms.

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

I rise in support of H.R. 5729, as amended, the Spina Bifida Health Care Program Expansion Act, which would amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide comprehensive health care to children of Vietnam veterans born with spina bifida, and for other purposes.

Spina bifida is a developmental birth defect that affects the spinal cord. It is a debilitating disease that can cause a number of neurological problems including paralysis and cognitive disorders.

Under its current authorities, VA is providing monetary allowances, vocational training, and certain medical care benefits to more than 1,100 children of veterans from Vietnam and Korea who were born with spina bifida. The VA Spina Bifida Health Care Program began in 1997 as a benefit for children of Vietnam veterans exposed to Agent Orange. In 2003 Congress expanded this program to children of certain Korean conflict veterans as well.

However, medical care benefits under the program are limited to those necessary for the treatment of spina bifida and related medical conditions.

Although VA is supporting about 90 percent of the health care needs of these beneficiaries, the current requirement to receive prior approval for services creates an undue administrative burden for those families seeking treatment for their children. As these children age, it is especially important that the complete and comprehensive health care is available to them.

Madam Speaker, I am pleased to support H.R. 5729, and I commend the gentleman from Indiana for bringing this to our attention. This bill expands VA's authority to cover all health care services needed for those who suffer with spina bifida as a result of their parents' service to our country.

Madam Speaker, I urge my colleagues to adopt this legislation.

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

Mr. FILNER. Madam Speaker, I would thank again the gentleman from Indiana (Mr. ELLSWORTH) for recognizing a problem, for having so much energy, and bringing us a solution.

We salute you for doing that.

#### GENERAL LEAVE

Mr. FILNER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 5729, as amended.

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

There was no objection.

Mr. FILNER. 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 California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 5729, 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.

#### VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2008

Mr. FILNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5826) to increase, effective as of December 1, 2008, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5826

*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 "Veterans' Compensation Cost-of-Living Adjustment Act of 2008".

#### SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) RATE ADJUSTMENT.—Effective on December 1, 2008, the Secretary of Veterans Affairs shall increase, in accordance with subsection (c), the dollar amounts in effect on November 30, 2008, for the payment of disability compensation and dependency and indemnity compensation under the provisions specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) WARTIME DISABILITY COMPENSATION.—Each of the dollar amounts under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts under sections 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount under section 1162 of such title.

(4) DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVING SPOUSE.—Each of the dollar amounts under subsections (a) through (d) of section 1311 of such title.

(5) DEPENDENCY AND INDEMNITY COMPENSATION TO CHILDREN.—Each of the dollar amounts under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—

(1) PERCENTAGE.—Except as provided in paragraph (2), each dollar amount described in subsection (b) shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2008, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(2) ROUNDING.—Each dollar amount increased under paragraph (1), if not a whole dollar amount, shall be rounded to the next lower whole dollar amount.

(d) SPECIAL RULE.—The Secretary of Veterans Affairs may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons under section 10 of Public Law 85-857 (72 Stat. 1263) who have not received compensation under chapter 11 of title 38, United States Code.

#### SEC. 3. PUBLICATION OF ADJUSTED RATES.

The Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in section 2(b), as increased under that section, not later than the date on which the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 2009.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Indiana (Mr. BUYER) each will control 20 minutes.

The Chair recognizes the gentleman from California.

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

This bill is called the Veterans' Compensation Cost-of-Living Adjustment

Act, which was introduced by myself and Mr. RODRIGUEZ of Texas. And I want to thank our ranking member, Mr. BUYER, who, of course, supported this legislation and helped us to get here with unanimous support from our committee.

The fact that we were able to get this bill to the floor only a month after its introduction shows the House leadership's commitment to our Nation's veterans and their survivors.

Since 1976 Congress has passed a measure to direct the Secretary of Veterans Affairs to increase the rates of basic compensation for disabled veterans and the rates of dependency and indemnity compensation, so-called DIC, to their survivors and dependents, along with other benefits, in order to keep pace with the rising cost of living. The disability COLA here would be effective on December 1 of this year and will be equal to that provided on an annual basis to Social Security recipients.

Madam Speaker, this bill will provide over 3 million disabled veterans from the World War I era through the current conflicts in Iraq and Afghanistan that VA estimates will be receiving disability compensation for the coming fiscal year. It will help over 300,000 of their survivors during the same period.

Many of the nearly 3.5 million recipients of these benefits depend on these tax-free payments not only to provide for their own basic needs but those of their spouses, children, and parents as well. Without an annual COLA increase, these veterans and their families would see the value of their hard-earned benefits slowly erode.

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We would be derelict in our duty if we failed to guarantee that those who sacrifice so much for this country receive benefits and services that don't keep pace with their necessities. I know we have had some disagreement over the past weeks over what, and how, our priorities for veterans should be funded. But on this bill, there is no disagreement. The veterans compensation COLA is included in the CBO baseline. In layman's terms, that means we have already paid for this.

Regardless of whether or not you agree or disagree with the funding of the war in Iraq, our young men and women who have served in our Armed Forces deserve to be adequately compensated for injuries due to their military service. We fund the war, we must fund the warrior, and their families and their survivors, by ensuring their benefits will keep pace with their living expenses. Let's ensure that these benefits make ends meet at the end of the month.

Madam Speaker, as we approach our country's 140th Memorial Day commemoration, I ask all my colleagues to support this bill and send a clear message of support to our troops: You will