

AMENDING TITLE 38, UNITED STATES CODE, TO IMPROVE COMPENSATION BENEFITS FOR VETERANS IN CERTAIN CASES OF IMPAIRMENT OF VISION INVOLVING BOTH EYES, TO PROVIDE FOR THE USE OF THE NATIONAL DIRECTORY OF NEW HIRES FOR INCOME VERIFICATION PURPOSES, TO EXTEND THE AUTHORITY OF THE SECRETARY OF VETERANS AFFAIRS TO PROVIDE AN EDUCATIONAL ASSISTANCE ALLOWANCE FOR QUALIFYING WORK STUDY ACTIVITIES, AND TO AUTHORIZE THE PROVISION OF BRONZE REPRESENTATIONS OF THE LETTER "V" FOR THE GRAVES OF ELIGIBLE INDIVIDUALS BURIED IN PRIVATE CEMETERIES IN LIEU OF GOVERNMENT-PROVIDED HEADSTONES OR MARKERS

---

MARCH 20, 2007.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

---

Mr. FILNER, from the Committee on Veterans' Affairs,  
submitted the following

## R E P O R T

together with

## MINORITY VIEWS

[To accompany H.R. 797]

[Including cost estimate of the Congressional Budget Office]

The Committee on Veterans' Affairs, to whom was referred the bill (H.R. 797) to amend title 38, United States Code, to improve compensation benefits for veterans in certain cases of impairment of vision involving both eyes, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. ENHANCED COMPENSATION BENEFITS FOR VETERANS IN CERTAIN CASES OF IMPAIRMENT OF VISION INVOLVING BOTH EYES.**

(a) **SHORT TITLE.**—This section may be cited as the "Dr. James Allen Veteran Vision Equity Act".

(b) **ENHANCED COMPENSATION.**—Section 1160(a)(1) of title 38, United States Code, is amended—

(1) by striking "blindness" both places it appears and inserting "impairment of vision"; and

(2) by inserting before the semicolon at the end the following: “, where the impairment in each eye is to a visual acuity of 20/200 or less or of a peripheral field of 20 degrees or less”.

**SEC. 2. USE OF NATIONAL DIRECTORY OF NEW HIRES FOR INCOME VERIFICATION PURPOSES FOR CERTAIN VETERANS BENEFITS.**

(a) USE OF INFORMATION IN NATIONAL DIRECTORY OF NEW HIRES.—Chapter 53 of title 38, United States Code, is amended by adding at the end the following new section:

**“§ 5320. Use of National Directory of New Hires for income verification purposes**

“(a) INFORMATION FROM NATIONAL DIRECTORY OF NEW HIRES.—(1) The Secretary shall furnish to the Secretary of Health and Human Services, on a quarterly basis or at such intervals as may be determined by the Secretary, information in the custody of the Secretary for comparison with information in the National Directory of New Hires maintained by the Secretary of Health and Human Services pursuant to section 453 of the Social Security Act (42 U.S.C. 653), in order to obtain the information in such directory with respect to individuals under the age of 65 who are applicants for or recipients of benefits or services specified in subsection (d).

“(2) The Secretary shall seek information pursuant to this subsection only to the extent essential to determining eligibility for benefits and services specified in subsection (d) and the amount of benefits specified in paragraphs (1) and (2) of that subsection for individuals under the age of 65.

“(3)(A) The Secretary of Health and Human Services, in cooperation with the Secretary, shall compare information in the National Directory of New Hires with information in the custody of the Secretary furnished pursuant to paragraph (1), and disclose information in that Directory to the Secretary, in accordance with this subsection, for the purposes specified in this subsection.

“(B) The Secretary of Health and Human Services may make a disclosure in accordance with subparagraph (A) only to the extent that the Secretary determines that such disclosure does not interfere with the effective operation of the program under part D of title IV of the Social Security Act.

“(4) The Secretary may use information resulting from a data match pursuant to this subsection only for the purpose of determining eligibility for benefits and services specified in subsection (d) and the amount of benefits specified in paragraphs (1) and (2) of that subsection.

“(5) The Secretary shall reimburse the Secretary of Health and Human Services for the additional costs incurred by that Secretary in furnishing information under this subsection. Such reimbursement shall be at rates that the Secretary of Health and Human Services determines to be reasonable (which rates shall include payment for the costs of obtaining, verifying, maintaining, and comparing the information).

“(b) NOTIFICATION TO BENEFICIARIES.—The Secretary shall notify each applicant for, or recipient of, a benefit or service specified in subsection (d) that income information furnished by the applicant to the Secretary may be compared with information obtained by the Secretary from the Secretary of Health and Human Services under subsection (a). The Secretary shall periodically transmit to recipients of such benefits additional notifications of such matters.

“(c) INDEPENDENT VERIFICATION REQUIRED.—The Secretary may not, by reason of information obtained from the Secretary of Health and Human Services under subsection (a), terminate, deny, suspend, or reduce any benefit or service described in subsection (d) until the Secretary takes appropriate steps to verify independently information relating to employment and employment income.

“(d) COVERED BENEFITS AND SERVICES.—The benefits and services specified in this subsection are the following:

“(1) Needs-based pension benefits provided under chapter 15 of this title or under any other law administered by the Secretary.

“(2) Parents’ dependency and indemnity compensation provided under section 1315 of this title.

“(3) Health-care services furnished under subsections (a)(2)(G), (a)(3), and (b) of section 1710 of this title.

“(4) Compensation paid under chapter 11 of this title at the 100 percent rate based solely on unemployability and without regard to the fact that the disability or disabilities are not rated as 100 percent disabling under the rating schedule.

“(e) LIMITATION WITH RESPECT TO INDIVIDUAL UNEMPLOYABILITY CASES.—In the case of compensation described in subsection (d)(4), the Secretary may independently verify or otherwise act upon wage or self-employment information referred to in subsection (c) of this section only if the Secretary finds that the amount and du-

ration of the earnings reported in that information clearly indicate that the individual is not qualified for a rating of total disability.

“(f) OPPORTUNITY TO CONTEST FINDINGS.—The Secretary shall inform the individual of the findings made by the Secretary on the basis of verified information under subsection (c), and shall give the individual an opportunity to contest such findings, in the same manner as applies to other information and findings relating to eligibility for the benefit or service involved.

“(g) SOURCE OF FUNDS FOR ADMINISTRATION OF SECTION.—The Secretary shall pay the expenses of carrying out this section from amounts available to the Department for the payment of compensation and pension.

“(h) TERMINATION OF AUTHORITY.—The authority of the Secretary to obtain information from the Secretary of Health and Human Services under subsection (a) expires on September 30, 2012.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“5320. Use of National Directory of New Hires for income verification purposes.”.

(c) EFFECTIVE DATE.—Section 5320 of title 38, United States Code, as added by subsection (a), shall take effect 270 days after the date of the enactment of this Act.

**SEC. 3. EXTENSION OF AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO PROVIDE AN EDUCATIONAL ASSISTANCE ALLOWANCE TO PERSONS PERFORMING QUALIFYING WORK-STUDY ACTIVITIES.**

Section 3485(a)(4) of title 38, United States Code, is amended by striking “June 30, 2007” each place it appears and inserting “June 30, 2009”.

**SEC. 4. PROVISION OF BRONZE REPRESENTATION OF THE LETTER “V” FOR GRAVE OF ELIGIBLE INDIVIDUAL BURIED IN PRIVATE CEMETERY IN LIEU OF GOVERNMENT-PROVIDED HEADSTONE OR MARKER.**

Section 2306(d) of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(5) In lieu of furnishing a headstone or marker under this subsection, the Secretary may furnish, if requested, a bronze representation of the letter ‘V’ to be attached to a headstone or marker furnished at private expense. The Secretary shall make such representation available in two sizes for such purpose.”.

Amend the title so as to read:

A bill to amend title 38, United States Code, to improve compensation benefits for veterans in certain cases of impairment of vision involving both eyes, to provide for the use of the National Directory of New Hires for income verification purposes, to extend the authority of the Secretary of Veterans Affairs to provide an educational assistance allowance for qualifying work study activities, and to authorize the provision of bronze representations of the letter “V” for the graves of eligible individuals buried in private cemeteries in lieu of Government-provided headstones or markers.

## INTRODUCTION

On February 5, 2007, the Honorable Tammy Baldwin introduced H.R. 797, which was referred to the Committee on Veterans’ Affairs. The Chairman of the Committee on Veterans’ Affairs, the Honorable Bob Filner, the Honorable Stephanie Herseth, the Honorable Shelley Berkley, the Honorable Jeff Miller, the Honorable John Hall and the Honorable John Boozman are original co-sponsors of H.R. 797.

On March 13, 2007, the Subcommittee on Disability Assistance and Memorial Affairs met in open session to consider legislation pending before the Subcommittee. Among the measures considered was H.R. 797. The Subcommittee subsequently favorably recommended H.R. 797 to the full Committee on Veterans’ Affairs.

On March 15, 2007, the Committee on Veterans’ Affairs met and voted by voice to favorably report H.R. 797 with amendments.

## SUMMARY

H.R. 797 would allow veterans who receive veterans disability compensation for impairment of vision in one eye to be eligible to receive additional disability compensation for impairment of vision in the eye that is not service-connected, where the impairment in each eye is to a visual acuity of 20/200 or less or of a peripheral field of 20 degrees or less (the definition of "legal blindness" adopted by all 50 states and the Social Security Administration.)

H.R. 797 also would direct the Secretary of Veterans Affairs and the Secretary of Health and Human Services to match and compare VA needs-based pension benefits data, parents' dependency and indemnity compensation data, health-care services data, and unemployability compensation data with the National Directory of New Hires maintained by DHHS, for the purpose of determining eligibility for such benefits and services.

Finally, H.R. 797 would extend authorization of the veterans work study program until 2009 and allows for a bronze "V" marker in lieu of a government provided head stone or marker for burials in a private cemetery.

## BACKGROUND AND DISCUSSION

## A. ENHANCED COMPENSATION FOR IMPAIRMENT OF VISION

This legislation is named after Dr. James Allen who is a Professor of Ophthalmology at the University of Wisconsin School of Medicine. Dr. Allen worked at the Veterans Affairs Hospital in Wisconsin for thirty-three years and treated numerous eye patients, including blind veterans.

Current law provides that a veteran who is service-connected for blindness in one eye could qualify for additional disability compensation if he or she became blind in the remaining eye for non service-connected reasons. However, the applicable law, the Paired Organ Law of title 38 of the United States Code enacted in 1962, does not define the term "blindness" nor is any provision made for impairment of vision (in the non-service-connected eye) short of blindness.

The VA, rather than follow the accepted definition of blindness as visual acuity of 20/200 or less or a peripheral view of 20 degrees or less, applies a much stricter standard of 5/200 (20/800) or less, which is the equivalent to having an eye with light perception only. The 20/200 standard is applied by the Social Security Administration, all 50 states and the World Health Organization.

H.R. 797 would affect an estimated 5 percent of the 13,109 veterans who have service connected blindness or loss of vision in one eye. As of April 2006, Walter Reed Army Medical Center alone has treated approximately 140 Operation Enduring Freedom/Operation Iraqi Freedom service members for visual injuries.

In 2002, Congress passed and the President signed P.L. 107-330, which included a provision (Section 103) to correct a similar deficiency in the Paired Organ law for hearing loss. In 2006, the Committee on Veterans' Affairs held a legislative hearing and received favorable testimony on H.R. 2963, a bill similar to H.R. 797. In the aforementioned hearing, the VA supported H.R. 2963.

The issue of employability also enters into great concern over the denial of claims for veterans who are legally blind. Over the years, the ability of the disabled to enter the workforce has decreased substantially. National surveys show little evidence that substantial progress was made in employment rates of the functionally disabled in the decade following passage of the Americans with Disabilities Act. In fact, several research articles and other sources indicate that the trend has worsened. The following points, extracted from federal government sources and university research relating to the problems of America's disabled population, focus specifically on the issue of employment.

The Census Bureau 2000 Survey found that only 60.1 percent of disabled men with one disability between ages 21–64 were employed. When reviewing the data on those with a severe disability (defined as affecting daily functioning skills), however, the rate of employment was only 32 percent.

The Survey of Income and Program Participation (SIPP) found that the 30 percent of working age (18 to 64) adults with disabilities in 1994 lived at or below the federal poverty level.

The Census Bureau 2000 Survey found that 18.8 percent of the disabled population ages 16–64 were at the poverty level compared to 9.5 percent of the general population.

Thirteen percent of SSDI veterans age 65 and older with a disability live at or below the poverty level.

Some 10.6 million persons, or 22 percent of the 48 million Americans who will receive Social Security benefits this year, depend on that one check for their entire monthly income, which averages \$909 per month. This means that the average yearly income for SSDI beneficiaries is \$11,460, well below the government poverty level.

The Equal Employment Opportunity Commission's Annual Federal Workforce Report 2004 found that the average General Schedule grade level for people with disabilities was 8.4, nearly two grades below the government-wide average of 9.9 for permanent or temporary employees.

The Cornell University Disability Statistics Research Center tracked U.S. civilian, non-institutionalized men and women age 18–64. The Center estimated that those employed in the workforce in 2004 was 19.3 percent compared to 24.5 percent in 2000. In 1997 the rate was 25.5 percent, reflecting a clear decrease in the workforce for those disabled.

The University of California analysis and research of The Employment Experience of Persons with Limitations in Physical Functioning, published in 1999, had several findings. Even after adjusting for age and gender differences, persons reporting functional limitations are less than half as likely to be in the labor force as those with no functional limitations, with adjusted labor force participation rates of 32.4 and 71.2 percent, respectively. Part-time employment is also more common among persons with several functional limitations. Among individuals with functional limitations who have experienced a job loss, nearly three-quarters reported that this loss created a major problem in their lives. Less than half of those with no limitations reported that the loss created a major problem.

Literature reviews on employment among persons with disabilities reveal that the disabled have a lower participation rate in the labor force. They also have higher unemployment rates and higher rates of part-time employment than do individuals without disabilities (Yelin, 1997; Bennefield & McNeil, 1989). These findings are consistent across numerous national surveys, including the Current Population Survey (CPS), the Survey of Income and Program Participation (SIPP), and the National Health Interview Survey (NHIS) (Trupin & Armstrong, 1998; Trupin, Sebesta, Yelin, & LaPlante, 1997). For purposes of the surveys, disabilities are measured by work capacity, activity limitation, or functional limitation (McNeil, 1993).

The National Health Interview Survey (NHIS), conducted by the National Center for Health Statistics (NCHS) and reported in a March 2003 article, revealed that working age individuals with visual impairments had employment rates and mean household incomes than those with non-visual impairments. The employment rate of 54 percent among the severely visually impaired age 18–54, reported in 1994–95, was also revealed in the article.

A study by Hendricks, Schiro-Geist, and Broadbent (1997) examined the link between disability and employment outcomes for those who had the opportunity to pursue both a university education and rehabilitation services at the University of Illinois from 1948 to 1993. When regression analysis was applied, the salary gap between disabled and non-disabled workers with a college degree was 8.3 percent. While these and other studies have found that the disabled in the workforce with higher education and rehabilitation earn more than the disabled without this level of education, the income levels and earning capacity are still lower in all comparisons to the non-disabled throughout the American working age population.

#### B. NATIONAL DIRECTORY OF NEW HIRES FOR INCOME VERIFICATION

The Department of Veterans Affairs manages a range of benefit programs that, among other things, compensate veterans and their dependents. Some, but not all, benefit programs are based on income or ability to work. For example, veterans (and their dependents) with low incomes who are permanently and totally disabled or are 65 and older may be eligible for monetary support if they have 90 days or more of active military service, at least one day of which was during a period of war. In addition, low income veterans (and their dependents) may be eligible for health care services and Parents' Dependency and Indemnity Compensation.

Also, under VA's regulations governing Individual Unemployability (IU), VA can grant total disability compensation benefits at the 100-percent level to veterans of any age whose service-connected disabilities are rated at 60 percent or higher and have caused them to be unemployable. VA places an earnings limit on the continued receipt of IU benefits.

VA has experienced a marked increase in IU beneficiaries and expenditures. From September 1996 to September 2005, the number of veterans receiving IU benefits has increased from about 71,000 to about 220,000.

According to a May 2006 GAO study, the VA has an inefficient and ineffective process to enforce earnings limit for ongoing eligi-

bility for IU benefits. Furthermore, the study found that the VA's practices for its IU benefits lag behind practices used by other disability programs. The study also found that the VA lacks several features used by the private-sector disability programs and the Social Security Administration. One such feature is the National Directory of New Hires (NDNH), which provides a national directory of employment and unemployment insurance information to facilitate employment and income verification. CBO has estimated that VA will save millions of dollars by using the NDNH directory to verify information from those applying to certain veterans benefits programs.

The purpose of NDNH is to provide a national directory of employment and unemployment insurance information that will enable state Child Support Enforcement (IV-D) agencies to be more effective in locating noncustodial parents, establishing child support orders and enforcing child support orders. However, many agencies, like Social Security, use NDNH to confirm employment and income verification.

Section 2 of the bill allows the Secretary of Veterans Affairs to access information in the NDNH for the sole purpose of performing income and employment verification to determine eligibility for benefits administered by the VA.

#### C. BRONZE "V" FOR GRAVE STONE IN PRIVATE CEMETERY

The VA furnishes upon request, at no charge to the applicant, a government head stone or marker for the grave of any deceased eligible veteran in any cemetery around the world. For all deaths occurring before September 11, 2001, the VA may provide a head stone or marker only for graves that are not marked with a private headstone.

No graphics (logos, symbols, etc.) are permitted on Government-furnished head stones and markers other than the approved emblems of belief, the Civil War Union Shield, the Civil War Confederate Southern Cross of Honor, and the Medal of Honor insignias.

Some veterans, due to the strong affinity they have for their time in the military, wish to memorialize their service on a grave stone or marker. More specifically, these veterans have advocated placing a bronze "V," which stands for "veteran" on their grave stone. This request has been especially strong with veterans who have plots in private cemeteries.

Section 4 of the bill would allow a veteran to receive a bronze "V" in lieu of a government provided head stone or marker in a private cemetery.

#### D. VA WORK STUDY ALLOWANCE

The VA work study allowance is available to veterans training under many programs, such as the Montgomery G.I. Bill (both Active Duty and Selected Reserve), as well as the program for Vocational Training and Rehabilitation for Veterans with Service Connected Disabilities, and several other programs.

To be eligible for the program, the veteran must be training full-time or  $\frac{3}{4}$  time in a college degree, vocational, or professional program. The type of work available includes:

VA paperwork at schools; outreach services under VA supervision or supervision furnished by a State approving agency employee;

work at VA medical facilities or National Cemetery System office; work at Department of Defense facilities related to education benefits under the GI Bill Selected Reserve; work assisting the care of veterans in a State home receiving VA per diem assistance; work at VA medical facilities; work assisting the administration of a National Cemetery system or a State veterans' cemetery; or the VA's work study program where veterans assist VA and other government agencies.

The veteran can earn the federal minimum wage or the state minimum wage, whichever is greater. The total number of hours cannot be more than 25 times the number of weeks in the veterans' enrollment period.

The work study program is an increasingly popular benefit with veterans. The VA work study allowance, which is set to expire on June 30, 2007, was last reauthorized in the 109th Congress.

Section 3 of the bill reauthorizes the VA work study allowance until June 30, 2009.

#### SECTION BY SECTION ANALYSIS

Section 1(a) of the bill would provide that this Act may be cited as the "Dr. James Allen Veteran Vision Equity Act."

Section 1(b)(1) of the bill would replace the word "blindness" both places it appears with "impairment of vision."

Section 1(b)(2) of the bill would define the level of "impairment of vision" at each eye as a visual acuity of 20/200 or of a peripheral field of 20 degrees or less."

Section (a)(1) of 5320 of the bill requires the Secretary of Veterans Affairs to provide the Secretary of Health and Human Services information in the custody of the VA for comparison with the information in the National Directory of New Hires to obtain information in such directory with respect to individuals under the age of 65 who are applicants for or recipients of benefits or services administered by the VA.

Section (a)(2) of 5320 of the bill requires the Secretary of the Veterans Affairs to seek information from the National Directory of New Hires to determine eligibility for benefits administered by the VA.

Section (3)(A) of 5320 of the bill requires the Secretary of Health and Human Services to compare the information provided by the Secretary of the Veterans Affairs with information found in the National Directory of New Hires. The Secretary of Health and Human Services may also disclose the information discovered to the Secretary of Veterans Affairs.

Section (B) of 5320 of the bill would allow the Secretary of Health and Human Services to make the disclosure to the Secretary of Veterans Affairs so long as such disclosure does not interfere with effective operation of the program under part D of title IV of the Social Security Act.

Section (4) of 5320 of the bill requires the Secretary of the Veterans Affairs to use the information from the data match only for purposes of determining eligibility for services or benefits administered by the VA.

Section (5) of 5320 of the bill requires the Secretary of the Veterans Affairs to reimburse the Secretary of Health and Human Services for additional costs incurred for furnishing information.

The Secretary of Health and Human Services shall determine reasonable rates.

Section (b) of 5320 of the bill would require the Secretary of Veterans Affairs to notify each applicant for, or recipient of, a benefit specified in subsection (d) that income information provided may be compared with information provided by the Secretary of Health and Human Services.

Section (c) of 5320 of the bill would prevent the Secretary of Veterans Affairs from using information obtained from the Secretary of Health and Human Services to terminate, deny, suspend, or reduce any benefit or service until the Secretary of Veterans Affairs takes appropriate steps to verify independently information relating to employment and employment income.

Section (d) of 5320 of the bill lists the benefits and subsections subject to the National Directory of New Hires information.

Section (d)(1) of 5320 of the bill would apply the National Directory New Hire check to Needs-based pension benefits provided under chapter 15 of title 38 of the United States Code.

Section (d)(2) of 5320 of the bill would apply the National Directory New Hire check to the Parents' Dependency and Indemnity Compensation provided under Section 1315 of title 38 of the United States Code.

Section (d)(3) of 5320 of the bill would apply the National Directory New Hire check to Health Care services furnished under subsections (a)(2)(G), (a)(3), and (b) of Section 1710 of title 38 of the United States Code.

Section (d)(4) of 5320 of the bill would apply the National Directory New Hire check to Compensation paid under Chapter 11 of Title 38 of the United States Code at the 100 percent rate based solely on unemployability and without regard to the fact that the disability or disabilities are not rated as 100 percent disabling under the rating schedule.

Section (e) of 5320 of the bill would allow the Secretary of Veterans Affairs, in case of compensation described in subsection (d)(4), to independently verify or otherwise act upon wage or self employment information referred to in subsection (c) if the Secretary clearly finds that the individual is not qualified for a rating of total disability.

Section (f) of 5320 of the bill would require the Secretary of Veterans Affairs to inform the individual of the findings made by the Secretary and give the individual the opportunity to contest such findings, in the same manner as applies to other information and findings relating to eligibility for the benefit or service involved.

Section (g) of 5320 of the bill would require the Secretary of Veterans Affairs to pay the expenses for carrying out this section from amounts available to the VA for the payment of compensation and pension.

Section (h) of 5320 of the bill would terminate the ability of the Secretary of Veterans Affairs to receive information from the Secretary of Health and Human Services on September 30, 2012.

Section 2(b) of the bill would amend the table of sections at the beginning of such chapter by adding the following: "5320. Use of National Directory of New Hires for income verification purposes."

Section 2(c) of the bill provides that this legislation becomes effective 270 days after enactment of the Act.

Section 3 of the bill would extend until June 30, 2009 the educational assistance allowance to individuals performing qualifying work study activities under Section 3485(a)(4) of title 38, United States Code.

Section 4 of the bill would allow the Secretary of Veterans Affairs under Section 2306(d) of title 38, United States Code to furnish a bronze ‘V’ to be attached to a headstone or marker in lieu of a government provided grave stone or marker for burials in private cemeteries. The Secretary shall make available two sizes of bronze V’s for such purpose.

#### APPLICATION OF LAW AND TO THE LEGISLATIVE BRANCH

Section 102(b)(3) of Public Law 104–1 requires a description of the application of this bill to the legislative branch where the bill relates to the terms and conditions of employment or access to public services and accommodations. This bill provides for enhanced compensation for veterans in certain instances of impairment of vision involving both eyes. The bill also reauthorizes a VA work study program and allows for a bronze “V” on specific grave stones or markers. As such, this bill does not relate to employment or access to public services and accommodations.

#### STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X of the Rules of the House of Representatives, the Committee’s oversight findings and recommendations are reflected in the descriptive portions of this report.

#### STATEMENTS OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee’s performance goals and objectives are reflected in the descriptive portions of this report.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Under clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee must include a statement citing the specific powers granted to Congress to enact the law proposed by H.R. 797. Article I, Section 8 of the Constitution of the United States grants the Congress the power to enact this law.

#### FEDERAL ADVISORY COMMITTEE ACT

The Committee finds that the legislation does not establish or authorize the establishment of an advisory committee within the definition of 5 U.S.C. App., Section 5(b).

#### UNFUNDED MANDATE STATEMENT

Section 423 of the Congressional Budget and Impoundment Control Act (as amended by Section 101(a)(2) of the Unfunded Mandate Reform Act, P.L. 104–4) requires a statement whether the provisions of the reported bill include unfunded mandates. In compliance with this requirement the Committee has received a letter from the Congressional Budget Office that is included herein.

## EARMARK IDENTIFICATION

H.R. 797 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

## COMMITTEE ESTIMATE

Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs that would be incurred in carrying out H.R. 797. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under Section 402 of the Congressional Budget Act.

## BUDGET AUTHORITY AND CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and Section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause (3)(c)(3) of rule XIII of the Rules of the House of Representatives and Section 402 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 797 from the Director of Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, March 20, 2007.*

Hon. BOB FILNER,  
*Chairman, Committee on Veterans' Affairs,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 797, a bill to amend title 38, United States Code, to improve compensation benefits for veterans in certain cases of impairment of vision involving both eyes, to provide for the use of National Directory of New Hires for income verification purposes, to extend the authority of the Secretary of Veterans Affairs to provide educational assistance allowance for qualifying work-study activities, and to authorize the provision of bronze representations of the letter 'V' for the graves of eligible individuals buried in private cemeteries in lieu of Government-provided headstones or markers.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Dwayne M. Wright.

Sincerely,

PETER R. ORSZAG,  
*Director.*

Enclosure.

*H.R.797—A bill to amend title 38, United States Code, to improve compensation benefits for veterans in certain cases of impairment of vision involving both eyes, to provide for the use of the National Directory of New Hires for income verification purposes, to extend the authority of the Secretary of Veterans Affairs to provide an educational assistance allowance for qualifying work-study activities, and to authorize the provision of bronze representations of the letter ‘V’ for the graves of eligible individuals buried in private cemeteries in lieu of Government-provided headstones or markers*

Summary: H.R. 797 would allow veterans to become eligible for additional benefits if the veteran has a qualifying impairment of vision. It also would allow the Department of Veterans Affairs (VA) to access the Department of Health and Human Services (HHS) National Directory of New Hires (NDNH) database for income verification purposes, extend the authority for certain qualifying work-study activities, and allow VA to provide an additional option in the type of marker available to honor the graves of individuals buried in private cemeteries. CBO estimates that enacting this legislation would decrease net direct spending for veterans’ benefits by less than \$500,000 in 2008, by \$13 million over the 2008–2012 period, and by a net amount of \$15 million over the 2008–2017 period.

H.R. 797 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 797 is shown in the following table. The costs of this legislation fall within budget function 700 (veterans benefits and services).

	Outlays in millions of dollars, by fiscal year—									
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
CHANGES IN DIRECT SPENDING										
Use of National Directory of New Hires for Income Verification Purposes .....	-1	-2	-4	-6	-7	-5	-4	-3	-2	-2
Additional Eligibility for Impairment of Vision Involving Both Eyes .....	*	1	1	2	2	2	3	3	3	3
Extension of Authority for Work-Study Activities .....	1	*	0	0	0	0	0	0	0	0
Total Changes .....	*	-1	-3	-4	-5	-2	-1	*	*	1

Notes: Components may not sum to totals because of rounding. \* = between -\$500,000 and \$500,000.

Basis of estimate: For this estimate, CBO assumes the bill will be enacted near the beginning of fiscal year 2008.

*Use of National Directory of New Hires for income verification*

Section 2 would temporarily authorize VA to use the Department of Health and Human Services’ NDNH database to verify veterans’ income levels and thus their eligibility for certain veterans’ benefits such as disability pensions and disability compensation for veterans whose disability rating is based on a finding of individual unemployability. That authority would expire on September 30, 2012. Currently, VA employs an income verification match with the Internal Revenue Service (IRS) for that same purpose, but that authority expires on September 30, 2008. In addition, VA has recently

re-instituted an annual certification form that requires all individuals to certify their employment and income with VA.

According to VA, the current IRS income verification match yields, on average, about \$5 million in new savings per year. CBO assumes the savings for each individual continues until that individual's death. Thus, if an income matching program yielded \$5 million in savings in the first year, the following year would see that savings of \$5 million continue and even increase slightly due to cost-of-living increases (but reduced by some number of deaths) plus an addition \$5 million in new savings, for a total savings in the second year of about \$10 million.

The NDNH database would allow VA to analyze more recent wage and income data than the IRS data, which is up to a year and a half old when the data comparison is run. However, according to a Government Accountability Office (GAO) report, unlike the IRS income match, the NDNH data does not include complete information on independent contractors, self-employed individuals, subcontractors, or individuals who provide services such as childcare for private homes. According to the Department of Labor, about 15 percent of the total workforce would fall into one of those categories.

As another method to reduce improper benefit payments, VA has recently re-instituted an annual certification form that requires all individuals receiving means-tested veterans benefits to certify their employment and income with VA. Use of this annual certification was dropped in the late 1990s and VA reports that the number of cases where individuals have been discovered to have received these means-tested benefits fraudulently has since increased significantly.

Based on VA's renewed use of the annual certification of employment form and the NDNH database's lack of ability to account for the total workforce population in the income match, CBO estimates that the incremental savings from utilizing the NDNH database would be about \$2 million per year, or slightly less than half of the current \$5 million in annual savings VA currently receives. As noted above, such added savings continues in subsequent years, with cost-of-living and mortality adjustments. This section would take effect 270 days after enactment of the bill. Therefore, CBO estimates that enacting section 2 would result in a decrease to direct spending of about \$1 million in 2008, \$20 million over the 2008–2012 period, and \$37 million over the 2008–2017 period.

#### *Additional eligibility for impairment of vision involving both eyes*

For veterans with a service-connected vision impairment in one eye, current law requires that a veteran must be diagnosed as blind in both eyes for vision impairment that was not caused by military service to be rated as service-connected for the purposes of disability compensation. Section 1 would allow certain veterans who receive veterans' disability compensation for impairment of vision where the impairment in the service-connected eye is to a visual acuity of 20/200 or less or of a peripheral field of 20 degrees or less to receive compensation for impairment of vision in the other eye that is equal to or greater than the service-connected eye. Thus, the change in eligibility would increase the amount of compensation paid to certain veterans. In total, CBO estimates that en-

acting section 1 would increase direct spending for veterans' compensation by less than \$500,000 in 2008, \$6 million over the 2008–2012 period, and about \$21 million over the 2008–2017 period.

Veterans Already Receiving Disability Compensation for Vision Impairment. The Department of Veterans Affairs reports that, as of September 30, 2006, disability compensation was being paid for about 125,000 incidences of service-connected, eye-related disability among veterans. This figure, however, does not reflect the number of unique veterans who receive disability compensation for eye-related disabilities, since a veteran may exhibit more than one eye-related disability and thus be counted more than once in the reported data. VA also reports, as of that same date, that there were about 45,000 unique veterans receiving disability compensation primarily due to eye disease or impairment of vision. VA data does not indicate whether these veterans were receiving such compensation for impairments in one or both eyes.

Based on information from VA, CBO assumes, for this estimate, that the population of roughly 45,000 veterans receiving disability compensation primarily because of eye disease or impairment of vision would most likely constitute the bulk of veterans that would be affected by enactment of this bill. Of that population, CBO estimates that about 1,150 veterans would qualify for increased benefits under section 1. That estimate reflects the exclusion of eye diseases that would likely not cause impairment of vision (such as the loss of eyebrows), and veterans rated as either 100 percent disabled or less than 70 percent disabled (ratings that would not be eligible for an increase under the bill—a veteran with a visual acuity of 20/200 or less in both eyes or a peripheral field of 20 degrees or less would be rated at least 70 percent disabled). Finally, while VA data does not indicate whether a veteran's disability rating considered conditions in one or both eyes, VA indicated that between 30 percent and 50 percent of the veterans currently on the rolls for eye disabilities were rated as service-connected for both eyes. Based on that information, CBO estimates that 40 percent of the affected population are currently receiving disability compensation for service-connected disabilities in both eyes, and therefore, would have ratings that would be unaffected by enactment of section 1. Thus, CBO estimates that about 700 veterans in 2008 might qualify for an increase in their disability rating under this bill.

VA indicates that veterans receiving disability compensation are, on average, 57 years old. According to information from the National Institutes of Health and a report on vision loss prepared by researchers at the University of Washington, the most common causes of impairment of vision in persons age 40 and older are age-related maculopathy, cataracts, and glaucoma. Those organizations report that about 30 percent of persons over the age of 40 experience increased impairment of vision due to one or more of those conditions. Because VA does not track the progression of vision impairment in the veterans' population, CBO assumes that veterans experience vision impairment from these same conditions at the same rate.

Thus, CBO estimates that about 200 of the roughly 700 veterans discussed above would likely experience additional vision loss that could qualify them for a disability rating increase under the bill. Using data provided by VA, CBO estimates that about 15 percent

of veterans who are already receiving disability compensation apply for a reevaluation of their rating each year. After adjusting for claims processing times, CBO estimates that just over 30 of these veterans would receive an increase in their disability rating in 2008 and that number would increase to a little over 300 veterans by 2017.

In addition, based on VA data, CBO estimates that about 150 veterans who currently have a disability rating for eye-disease or vision impairment between 20 and 60 percent (20 percent is the lowest rating a veteran can receive for a service-connected visual acuity of 20/200 in one eye) would apply to have their rating reevaluated sometime over the 2008–2014 period and would have the nonservice-disabled eye evaluated with a visual acuity of 20/200 or less or a peripheral field of 20 degrees or less.

The disability rating for a veteran receiving disability compensation for a visual acuity of 20/200 or less or a peripheral field of 20 degrees or less in both eyes is 70 percent and in 2006 the average annual compensation payment for that rating was \$22,326. Using data from VA about the average rating increase for veterans currently on the disability compensation rolls with a 70 percent rating, CBO expects that the average disability rating for veterans qualifying under the bill would increase to 80 percent and that the average annual disability compensation payment would increase by \$2,388 (expressed in 2006 dollars). For veterans with a disability rating between 20 and 60 percent, and with a visual acuity in one eye of 20/200 or less or a peripheral field of 20 degrees or less who come in for a reevaluation, CBO expects that they would now qualify under section 1 and their average disability ratings would increase to 70 percent. After adjusting for cost-of-living increases and information from VA on individuals moving to 70 percent on the disability rolls, CBO estimates that enacting this provision would increase direct spending for veterans' disability compensation for veterans currently on the rolls by less than \$500,000 in 2008, about \$6 million over the 2008–2012 period, and \$19 million over the 2008–2017 period.

**New Accessions.** According to information from VA, in 2006 there were roughly 2.7 million veterans receiving veterans' disability compensation and less than 2 percent of those veterans were rated disabled primarily due to eye disease or vision impairment. Using both discharge data from the Department of Defense, information from VA on new compensation cases that enter the rolls at 70 percent disabled, the information and assumptions above regarding common eye disabilities for persons over age 40, and the rate at which veterans return to be reevaluated, CBO also estimates that, over the 10-year period, about 150 veterans out of the impairment for the first time each year would be eligible for a higher disability rating under this bill.

Assuming that disability ratings for veterans qualifying under the bill would increase from 70 percent to 80 percent, that the average annual disability compensation payment would increase by \$2,388 (expressed in 2006 dollars), and that payments are adjusted for cost-of-living increases, CBO estimates that enacting this provision would increase direct spending for veterans' disability compensation for veterans coming onto VA's disability compensation rolls (i.e., for new accessions after enactment) by less than

\$500,000 in 2008, \$1 million over the 2008–2012 period, and \$2 million over the 2008–2017 period.

*Extension of authority for work-study activities*

Under current law, the VA can compensate certain individuals for specific work-study programs associated with the department, although the eligibility for several of the specified programs to participate in work-study would expire in June of 2007. Section 3 would extend the eligibility of those expiring programs for another two years, through June 2009. Based on information from the VA regarding the numbers of participants in such programs, CBO estimates that this provision would increase direct spending by about \$1 million in 2008 and by less than \$500,000 in 2009.

*Provision of bronze ‘V’ for graves of eligible individuals in private cemeteries.*

Section 4 would allow VA to provide bronze ‘V’ representations to be attached to a headstone or marker of an eligible individual at a private cemetery instead of a VA provided headstone or marker. According to VA, the cost for bronze ‘V’ representations and headstones or markers are similar. Therefore, CBO expects there would be no significant change in direct spending under this section.

Intergovernmental and private-sector impact: H.R. 797 contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

Estimate prepared by: Federal Costs: Disability Compensation and Burial Benefits—Dwayne M. Wright; Educational Assistance—Mike Waters. Impact on State, Local, and Tribal Governments: Melissa Merrell. Impact on the Private Sector: Victoria Liu.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

**TITLE 38, UNITED STATES CODE**

\* \* \* \* \*

**PART II—GENERAL BENEFITS**

\* \* \* \* \*

**CHAPTER 11—COMPENSATION FOR SERVICE-CONNECTED DISABILITY OR DEATH**

\* \* \* \* \*

SUBCHAPTER VI—GENERAL COMPENSATION PROVISIONS

\* \* \* \* \*

§ 1160. SPECIAL CONSIDERATION FOR CERTAIN CASES OF LOSS OF PAIRED ORGANS OR EXTREMITIES

(a) Where a veteran has suffered—

(1) **[blindness]** *impairment of vision* in one eye as a result of service-connected disability and **[blindness]** *impairment of vision* in the other eye as a result of non-service-connected disability not the result of the veteran’s own willful misconduct, *where the impairment in each eye is to a visual acuity of 20/200 or less or of a peripheral field of 20 degrees or less;*

\* \* \* \* \*

CHAPTER 23—BURIAL BENEFITS

\* \* \* \* \*

§ 2306. HEADSTONES, MARKERS, AND BURIAL RECEPTACLES

(a) \* \* \*

\* \* \* \* \*

(d)(1) \* \* \*

\* \* \* \* \*

(5) *In lieu of furnishing a headstone or marker under this subsection, the Secretary may furnish, if requested, a bronze representation of the letter “V” to be attached to a headstone or marker furnished at private expense. The Secretary shall make such representation available in two sizes for such purpose.*

\* \* \* \* \*

PART III—READJUSTMENT AND RELATED BENEFITS

\* \* \* \* \*

CHAPTER 34—VETERANS’ EDUCATIONAL ASSISTANCE

\* \* \* \* \*

SUBCHAPTER IV—PAYMENTS TO ELIGIBLE VETERANS; VETERAN-STUDENT SERVICES

\* \* \* \* \*

§ 3485. WORK-STUDY ALLOWANCE

(a)(1) \* \* \*

\* \* \* \* \*

(4) For the purposes of this section, the term “qualifying work-study activity” means any of the following:

(A) The outreach services program under chapter 63 of this title as carried out under the supervision of a Department employee or, during the period preceding **[June 30, 2007]** *June*

30, 2009, outreach services to servicemembers and veterans furnished by employees of a State approving agency.

\* \* \* \* \*

(C) The provision of hospital and domiciliary care and medical treatment under chapter 17 of this title, including, during the period preceding ~~June 30, 2007~~ *June 30, 2009*, the provision of such care to veterans in a State home for which payment is made under section 1741 of this title.

\* \* \* \* \*

(F) During the period preceding ~~June 30, 2007~~ *June 30, 2009*, an activity relating to the administration of a national cemetery or a State veterans' cemetery.

\* \* \* \* \*

**PART IV—GENERAL ADMINISTRATIVE PROVISIONS**

\* \* \* \* \*

**CHAPTER 53—SPECIAL PROVISIONS RELATING TO BENEFITS**

Sec.	
5301.	Nonassignability and exempt status of benefits.
	* * * * *
5320.	<i>Use of National Directory of New Hires for income verification purposes.</i>
	* * * * *

**§5320. Use of National Directory of New Hires for income verification purposes**

(a) *INFORMATION FROM NATIONAL DIRECTORY OF NEW HIRES.—(1) The Secretary shall furnish to the Secretary of Health and Human Services, on a quarterly basis or at such intervals as may be determined by the Secretary, information in the custody of the Secretary for comparison with information in the National Directory of New Hires maintained by the Secretary of Health and Human Services pursuant to section 453 of the Social Security Act (42 U.S.C. 653), in order to obtain the information in such directory with respect to individuals under the age of 65 who are applicants for or recipients of benefits or services specified in subsection (d).*

*(2) The Secretary shall seek information pursuant to this subsection only to the extent essential to determining eligibility for benefits and services specified in subsection (d) and the amount of benefits specified in paragraphs (1) and (2) of that subsection for individuals under the age of 65.*

*(3)(A) The Secretary of Health and Human Services, in cooperation with the Secretary, shall compare information in the National Directory of New Hires with information in the custody of the Secretary furnished pursuant to paragraph (1), and disclose information in that Directory to the Secretary, in accordance with this subsection, for the purposes specified in this subsection.*

*(B) The Secretary of Health and Human Services may make a disclosure in accordance with subparagraph (A) only to the extent*

that the Secretary determines that such disclosure does not interfere with the effective operation of the program under part D of title IV of the Social Security Act.

(4) The Secretary may use information resulting from a data match pursuant to this subsection only for the purpose of determining eligibility for benefits and services specified in subsection (d) and the amount of benefits specified in paragraphs (1) and (2) of that subsection.

(5) The Secretary shall reimburse the Secretary of Health and Human Services for the additional costs incurred by that Secretary in furnishing information under this subsection. Such reimbursement shall be at rates that the Secretary of Health and Human Services determines to be reasonable (which rates shall include payment for the costs of obtaining, verifying, maintaining, and comparing the information).

(b) **NOTIFICATION TO BENEFICIARIES.**—The Secretary shall notify each applicant for, or recipient of, a benefit or service specified in subsection (d) that income information furnished by the applicant to the Secretary may be compared with information obtained by the Secretary from the Secretary of Health and Human Services under subsection (a). The Secretary shall periodically transmit to recipients of such benefits additional notifications of such matters.

(c) **INDEPENDENT VERIFICATION REQUIRED.**—The Secretary may not, by reason of information obtained from the Secretary of Health and Human Services under subsection (a), terminate, deny, suspend, or reduce any benefit or service described in subsection (d) until the Secretary takes appropriate steps to verify independently information relating to employment and employment income.

(d) **COVERED BENEFITS AND SERVICES.**—The benefits and services specified in this subsection are the following:

(1) Needs-based pension benefits provided under chapter 15 of this title or under any other law administered by the Secretary.

(2) Parents' dependency and indemnity compensation provided under section 1315 of this title.

(3) Health-care services furnished under subsections (a)(2)(G), (a)(3), and (b) of section 1710 of this title.

(4) Compensation paid under chapter 11 of this title at the 100 percent rate based solely on unemployability and without regard to the fact that the disability or disabilities are not rated as 100 percent disabling under the rating schedule.

(e) **LIMITATION WITH RESPECT TO INDIVIDUAL UNEMPLOYABILITY CASES.**—In the case of compensation described in subsection (d)(4), the Secretary may independently verify or otherwise act upon wage or self-employment information referred to in subsection (c) of this section only if the Secretary finds that the amount and duration of the earnings reported in that information clearly indicate that the individual is not qualified for a rating of total disability.

(f) **OPPORTUNITY TO CONTEST FINDINGS.**—The Secretary shall inform the individual of the findings made by the Secretary on the basis of verified information under subsection (c), and shall give the individual an opportunity to contest such findings, in the same manner as applies to other information and findings relating to eligibility for the benefit or service involved.

*(g) SOURCE OF FUNDS FOR ADMINISTRATION OF SECTION.—The Secretary shall pay the expenses of carrying out this section from amounts available to the Department for the payment of compensation and pension.*

*(h) TERMINATION OF AUTHORITY.—The authority of the Secretary to obtain information from the Secretary of Health and Human Services under subsection (a) expires on September 30, 2012.*

\* \* \* \* \*

#### MINORITY VIEWS OF HON. STEVE BUYER

In my letter of March 8, 2007, objecting to the markup on the bills, including H.R. 327, H.R. 612, H.R. 797, and H.R. 1284 (letter attached), I strongly urged legislative hearings on these bills before the markup.

The Honorable John Boozman offered an amendment that was accepted by voice vote, to extend the types of work study jobs found in section 3485(a)(4) for two years through June 20, 2009. This section of title 38 specifies types of jobs that qualify for work study benefits (up to 20 hours per week at minimum wage). Current law allows work study recipients to perform a variety of duties throughout VA as well as veteran-related paperwork at their schools. Public Law 109-461 extended these provisions for 6 months to prevent loss of benefits in mid-school year.

Also, the Honorable Doug Lamborn offered an amendment, which was accepted by voice vote, to provide families the option of choosing a bronze "V" denoting "veteran" in lieu of a VA headstone for graves already marked by a private marker. Many private cemeteries do not allow a second marker on a grave because it complicates routine maintenance. Therefore, a bronze "V" would identify a veteran's grave in a manner that would be universally acceptable, and meet the families' desires to honor the deceased veteran. It would also be readily identifiable to anyone visiting the cemetery and a standards way to identify veterans who choose not to use a VA-provided headstone.

Had the Committee followed regular order in holding a legislative hearing on H.R. 797, the Dr. James Allen Veterans Vision Equity Act, the questions about the cost of the bill and possible amendments to it, along with the required PAYGO offsets to allow it to be considered by the House, could have been fully explored well before the markup of the bill. I support H.R. 797, as amended.

STEVE BUYER.

DEMOCRATS  
**BOB FILNER, CALIFORNIA, CHAIRMAN**  
 CORINNE BROWN, FLORIDA  
 VIC SNYDER, ARKANSAS  
 MICHAEL H. MICHAUD, MAINE  
 STEPHANIE HERGETH, SOUTH DAKOTA  
 HARRY E. MITCHELL, ARIZONA  
 JOHN J. HALL, NEW YORK  
 PHIL NIRE, ILLINOIS  
 MICHAEL F. GOYLE, PENNSYLVANIA  
 SHELLEY BERKLEY, NEVADA  
 JOHN T. SULLIVAN, COLORADO  
 CHRIS D. RODRIGUEZ, TEXAS  
 JOE DONNELLY, INDIANA  
 JERRY MCNERNEY, CALIFORNIA  
 ZACHARY T. SPACE, OHIO  
 TIMOTHY J. WALZ, MINNESOTA  
 MALCOM A. SHORTER  
 STAFF DIRECTOR

**U.S. House of Representatives**  
 COMMITTEE ON VETERANS' AFFAIRS  
 ONE HUNDRED TENTH CONGRESS  
 335 CANNON HOUSE OFFICE BUILDING  
 WASHINGTON, DC 20515  
<http://veterans.house.gov>

REPUBLICANS  
**STEVE BUYER, INDIANA, RANKING**  
 CLIFF STEARNS, FLORIDA  
 DAN BURTON, INDIANA  
 JERRY MORAN, KANSAS  
 RICHARD H. BAKER, LOUISIANA  
 HENRY E. BROWN, JR., SOUTH CAROLINA  
 JEFF MILLER, FLORIDA  
 JOHN BOGDZMAN, ARKANSAS  
 GINNY BROWN-WHITE, FLORIDA  
 MICHAEL R. TURNER, OHIO  
 BRIAN P. BILIRAY, CALIFORNIA  
 DOUG LAMBOREN, COLORADO  
 GUS M. BILIRAKIS, FLORIDA  
 JAMES M. LARWIENE  
 REPUBLICAN STAFF DIRECTOR

March 8, 2007

Honorable Bob Filner  
 Chairman  
 House Committee on Veterans' Affairs  
 335 Cannon House Office Building  
 Washington, D.C. 20515

Dear Mr. Filner,

This letter is to object to the proposal that the House Committee on Veterans' Affairs hold a markup on H.R. 327, the Joshua Omvig Veterans Suicide Prevention Act; H.R. 612, Returning Service Member VA Healthcare Insurance Act of 2007; H.R. 797, the Dr. James Allen Veteran Vision Equity Act; and H.R. 1284, the Veterans Compensation Cost-of-Living Adjustment Act of 2007, on March 15, 2007.

As you are aware, it is the custom of this committee to hold legislative hearings on substantive bills that affect our nation's veterans. Passing legislation without hearings could lead to unintended adverse consequences that will need to be corrected at a later date. In addition, we have seen no cost information from the Congressional Budget Office (CBO) on H.R. 327, H.R. 612 and H.R. 797.

To markup legislation without knowing the full ramifications or the cost is irresponsible. I therefore ask that this markup be delayed until such time that legislative hearings on these bills have taken place and the cost information have been received from CBO.

Sincerely,



Steve Buyer  
 Ranking Republican Member

SB:jl

○