

On November 7, a cargo vessel inexplicably collided with the San Francisco Bay Bridge, spilling more than 58,000 gallons of toxic bunker fuel and causing one of the worst environmental disasters the region has ever seen. The impact on wildlife and surrounding beaches has been extremely detrimental, with over 28 beaches closing and severely impacting wildlife all around the bay.

However, in a strong testament to the American spirit, through this disaster we saw resolve and self-sacrifice. I am extremely proud of the thousands of individuals from around the area who immediately volunteered to assist with the cleanup. Bay Area non-profit community organizations like San Francisco Connect have supported the response and recovery of volunteers, while Bay Area environmental organizations like Baykeeper, Save the Bay, and the Bay Institute have provided invaluable leadership in assessing the damage and remediating this beautiful ecosystem.

Specifically, I want to recognize two of my constituents, Lynn Adams and Deborah Nagle-Burks who, with the Pacifica Beach Coalition, solicited volunteers while working through red tape to make sure anyone who wanted to participate in the clean-up was able to. They remain involved, and have advocated for a proactive approach to training volunteers before a spill occurs so that the response of local citizens can be faster and the damage limited.

In addition, the Pacific Coast Federation of Fishermen's Associations, members of the San Francisco Crab Boat Owners Association, commercial crabbers, and other Bay Area fishermen have all joined the cleanup efforts, making an indelible contribution.

The collaborative effort of state and local agencies deserves our thanks as well. The City of San Francisco, particularly through its Department of Emergency Management, has significantly contributed to the overall response.

Mr. Speaker, we owe a deep debt of gratitude to all the volunteers who have given their time, the fishermen who have given their boats, and the first responders who have given their expertise to this clean up. Without the extraordinary efforts of these men and women it is certain the scope of damage to the fragile Bay ecosystem would be even greater than what we face today.

I will never cease to be proud and amazed by the dedication of my constituents and of the American people. This why I rise in very strong support of H. Res. 853. It is my hope that this resolution will be swiftly passed and the selfless individuals who volunteered to clean up the oil spill will be duly recognized.

Mr. Speaker, I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. TAUSCHER) that the House suspend the rules and agree to the resolution, H. Res. 853.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1545

PROVIDING FOR CONCURRENCE BY HOUSE WITH AMENDMENTS IN SENATE AMENDMENT TO H.R. 797, DR. JAMES ALLEN VETERAN VISION EQUITY ACT OF 2007

Mr. FILNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 855) providing for the concurrence by the House in the Senate amendment to H.R. 797, with amendments.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 855

Resolved, That upon the adoption of this resolution the bill (H.R. 797) entitled "An Act 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.", with the Senate amendment thereto, shall be considered to have been taken from the Speaker's table to the end that the Senate amendment thereto be, and the same is hereby, agreed to with the following amendments:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Dr. James Allen Veteran Vision Equity Act of 2007".

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

Sec. 1. Short title; table of contents.

TITLE I—LOW-VISION BENEFITS MATTERS

Sec. 101. Modification of rate of visual impairment for payment of disability compensation.

Sec. 102. Improvement in compensation for veterans in certain cases of impairment of vision involving both eyes.

TITLE II—MATTERS RELATING TO BURIAL AND MEMORIAL AFFAIRS

Sec. 201. Provision of medallion or other device for privately-purchased grave markers.

Sec. 202. Improvement in provision of assistance to States relating to the interment of veterans in cemeteries other than national cemeteries.

Sec. 203. Modification of authorities on provision of Government headstones and markers for burials of veterans at private cemeteries.

TITLE III—OTHER MATTERS

Sec. 301. Use of national directory of new hires for income verification purposes for certain veterans benefits.

Sec. 302. Extension of authority of Secretary of Veterans Affairs to provide an educational assistance allowance to persons performing qualifying work-study activities.

TITLE I—LOW-VISION BENEFITS MATTERS

SEC. 101. MODIFICATION OF RATE OF VISUAL IMPAIRMENT FOR PAYMENT OF DISABILITY COMPENSATION.

Section 1114(o) of title 38, United States Code, is amended by striking "5/200" and inserting "20/200".

SEC. 102. IMPROVEMENT IN COMPENSATION FOR VETERANS IN CERTAIN CASES OF IMPAIRMENT OF VISION INVOLVING BOTH EYES.

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";

(2) by striking "misconduct;" and inserting "misconduct and—"; and

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

"(A) the impairment of vision in each eye is rated at a visual acuity of 20/200 or less; or

"(B) the peripheral field of vision for each eye is 20 degrees or less."

TITLE II—MATTERS RELATING TO BURIAL AND MEMORIAL AFFAIRS

SEC. 201. PROVISION OF MEDALLION OR OTHER DEVICE FOR PRIVATELY-PURCHASED GRAVE MARKERS.

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, upon request, a medallion or other device of a design determined by the Secretary to signify the deceased's status as a veteran, to be attached to a headstone or marker furnished at private expense."

SEC. 202. IMPROVEMENT IN PROVISION OF ASSISTANCE TO STATES RELATING TO THE INTERMENT OF VETERANS IN CEMETERIES OTHER THAN NATIONAL CEMETERIES.

(a) **REPEAL OF TIME LIMITATION FOR STATE FILING FOR REIMBURSEMENT FOR INTERMENT COSTS.**—

(1) **IN GENERAL.**—The second sentence of section 3.1604(d)(2) of title 38, Code of Federal Regulations, shall have no further force or effect as it pertains to unclaimed remains of a deceased veteran.

(2) **RETROACTIVE APPLICATION.**—Paragraph (1) shall take effect as of October 1, 2006 and apply with respect to interments and funerals occurring on or after that date.

(b) **GRANTS FOR OPERATION AND MAINTENANCE OF STATE VETERANS' CEMETERIES.**—

(1) **IN GENERAL.**—Subsection (a) of section 2408 of title 38, United States Code, is amended to read as follows:

"(a)(1) Subject to subsection (b), the Secretary may make a grant to any State for the following purposes:

"(A) Establishing, expanding, or improving a veterans' cemetery owned by the State.

"(B) Operating and maintaining such a cemetery.

"(2) A grant under paragraph (1) may be made only upon submission of an application to the Secretary in such form and manner, and containing such information, as the Secretary may require."

(2) **LIMITATION ON AMOUNTS AWARDED.**—Subsection (e) of such section is amended—

(A) by inserting "(1)" before "Amounts"; and

(B) by adding at the end the following new paragraph:

"(2) In any fiscal year, the aggregate amount of grants awarded under this section for the purposes specified in subsection (a)(1)(B) may not exceed \$5,000,000."

(3) **CONFORMING AMENDMENTS.**—Such section is further amended—

(A) in subsection (b)—

(i) by striking "Grants under this section" and inserting "A grant under this section for

a purpose described in subsection (a)(1)(A)"; and

(ii) by striking "a grant under this section" each place it appears and inserting "such a grant";

(B) in subsection (d), by striking "to assist such State in establishing, expanding, or improving a veterans' cemetery"; and

(C) in subsection (f)(1), by inserting "or in operating and maintaining such cemeteries" after "veterans' cemeteries".

(4) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall prescribe regulations to carry out the amendments made by this subsection.

SEC. 203. MODIFICATION OF AUTHORITIES ON PROVISION OF GOVERNMENT HEADSTONES AND MARKERS FOR BURIALS OF VETERANS AT PRIVATE CEMETERIES.

(a) REPEAL OF EXPIRATION OF AUTHORITY.—Subsection (d) of section 2306 of title 38, United States Code, as amended by section 201, is further amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraphs (4) and (5), as added by that section, as paragraphs (3) and (4), respectively.

(b) RETROACTIVE EFFECTIVE DATE.—Notwithstanding subsection (d) of section 502 of the Veterans Education and Benefits Expansion Act of 2001 (Public Law 107-103; 115 Stat. 995; 38 U.S.C. 2306 note) or any other provision of law, the amendments made by that section and by subsections (a), (b), (c), (d), and (f) of section 402 of the Veterans Benefits, Health Care, and Information Technology Act of 2006 (Public Law 109-461; 120 Stat. 3429) shall take effect as of November 1, 1990, and shall apply with respect to headstones and markers for the graves of individuals dying on or after that date.

TITLE III—OTHER MATTERS

SEC. 301. USE OF NATIONAL DIRECTORY OF NEW HIRES FOR INCOME VERIFICATION PURPOSES FOR CERTAIN VETERANS BENEFITS.

(a) AUTHORITY FOR INFORMATION COMPARISONS AND DISCLOSURES OF INFORMATION TO ASSIST IN ADMINISTRATION OF CERTAIN VETERANS BENEFITS.—Section 453(j) of the Social Security Act (42 U.S.C. 653(j)) is amended by adding at the end the following new paragraph:

“(11) INFORMATION COMPARISONS AND DISCLOSURES TO ASSIST IN ADMINISTRATION OF CERTAIN VETERANS BENEFITS.—

“(A) FURNISHING OF INFORMATION BY SECRETARY OF VETERANS AFFAIRS.—Subject to the provisions of this paragraph, the Secretary of Veterans Affairs shall furnish to the Secretary, on such periodic basis as determined by the Secretary of Veterans Affairs in consultation with the Secretary, information in the custody of the Secretary of Veterans Affairs for comparison with information in the National Directory of New Hires, in order to obtain information in such Directory with respect to individuals who are applying for or receiving—

“(i) needs-based pension benefits provided under chapter 15 of title 38, United States Code, or under any other law administered by the Secretary of Veterans Affairs;

“(ii) parents' dependency and indemnity compensation provided under section 1315 of title 38, United States Code;

“(iii) health care services furnished under subsections (a)(2)(G), (a)(3), or (b) of section 1710 of title 38, United States Code; or

“(iv) compensation paid under chapter 11 of title 38, 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.

“(B) REQUIREMENT TO SEEK MINIMUM INFORMATION.—The Secretary of Veterans Affairs

shall seek information pursuant to this paragraph only to the extent necessary to verify the employment and income of individuals described in subparagraph (A).

“(C) DUTIES OF THE SECRETARY.—

“(i) INFORMATION DISCLOSURE.—The Secretary, in cooperation with the Secretary of Veterans Affairs, shall compare information in the National Directory of New Hires with information provided by the Secretary of Veterans Affairs with respect to individuals described in subparagraph (A), and shall disclose information in such Directory regarding such individuals to the Secretary of Veterans Affairs, in accordance with this paragraph, for the purposes specified in this paragraph.

“(ii) CONDITION ON DISCLOSURE.—The Secretary shall make disclosures in accordance with clause (i) only to the extent that the Secretary determines that such disclosures do not interfere with the effective operation of the program under this part.

“(D) USE OF INFORMATION BY SECRETARY OF VETERANS AFFAIRS.—The Secretary of Veterans Affairs may use information resulting from a data match pursuant to this paragraph only—

“(i) for the purposes specified in subparagraph (B); and

“(ii) after removal of personal identifiers, to conduct analyses of the employment and income reporting of individuals described in subparagraph (A).

“(E) REIMBURSEMENT OF HHS COSTS.—The Secretary of Veterans Affairs shall reimburse the Secretary, in accordance with subsection (k)(3), for the costs incurred by the Secretary in furnishing the information requested under this paragraph.

“(F) CONSENT.—The Secretary of Veterans Affairs shall not seek, use, or disclose information under this paragraph relating to an individual without the prior written consent of such individual (or of a person legally authorized to consent on behalf of such individual).

“(G) EXPIRATION OF AUTHORITY.—The authority under this paragraph shall expire on September 30, 2011.”

(b) AMENDMENTS TO VETERANS AFFAIRS AUTHORITY.—

(1) IN GENERAL.—Chapter 53 of title 38, United States Code, is amended by inserting after section 5317 the following new section:

“§ 5317A. Use of income information from other agencies: independent verification required before termination or reduction of certain benefits and services

“(a) INDEPENDENT VERIFICATION REQUIRED.—The Secretary may terminate, deny, suspend, or reduce any benefit or service specified in section 5317(c), with respect to an individual under age 65 who is an applicant for or recipient of such a benefit or service, by reason of information obtained from the Secretary of Health and Human Services under section 453(j)(11) of the Social Security Act, only if the Secretary takes appropriate steps to verify independently information relating to the individual's employment and income from employment.

“(b) OPPORTUNITY TO CONTEST FINDINGS.—The Secretary shall inform each individual for whom the Secretary terminates, denies, suspends, or reduces any benefit or service under subsection (a) of the findings made by the Secretary under such subsection on the basis of verified information and shall provide to 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.

“(c) SOURCE OF FUNDS FOR REIMBURSEMENT TO SECRETARY OF HEALTH AND HUMAN SERVICES.—The Secretary shall pay the expense of

reimbursing the Secretary of Health and Human Services in accordance with section 453(j)(11)(E) of the Social Security Act, for the cost incurred by the Secretary of Health and Human Services in furnishing information requested by the Secretary under section 453(j)(11) of such Act, from amounts available to the Department for the payment of compensation and pensions.

“(d) EXPIRATION OF AUTHORITY.—The authority under this section shall expire on September 30, 2011.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 5317 the following new item:

“5317A. Use of income information from other agencies: independent verification required before termination or reduction of certain benefits and services.”

SEC. 302. 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, 2010”.

Amend the title so as to read: “An Act to amend title 38, United States Code, to improve low-vision benefits matters, matters relating to burial and memorial affairs, and other matters under the laws administered by the Secretary of Veterans Affairs, and for other purposes.”

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

The Chair recognizes the gentleman from California.

Mr. FILNER. Mr. Speaker, I rise in support of the Dr. James Allen Veteran Vision Equity Act of 2007.

I was glad to be able to work with my colleagues on the Committee on Veterans' Affairs, on both sides of the aisle and in both Houses, to get here. I want to thank Mr. RANGEL and his staff for their guidance on the provision that fell under the jurisdiction of the Ways and Means Committee.

I especially want to thank our colleague from Madison, Wisconsin, Congresswoman Tammy Baldwin, who led the effort for this, who got it to the floor today and who will explain it in whatever detail she thinks is important.

I note that this bill was previously introduced in the last Congress; however, it never became law. I am glad this Congress has the opportunity to do more for our blind and vision impaired veterans.

The Dr. James Allen Veteran Vision Equity Act of 2007, named after a noted physician and ocular pioneer who worked for over 35 years in the VA, 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 directs 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.

It would also authorize \$5 million for establishing, improving and expanding for the operation and maintenance of state-owned veterans' cemeteries. Additionally, the bill will repeal the time limitation for States to file for reimbursement costs for interring unclaimed veterans' remains, making it retroactive to October 1, 2006.

Finally, this measure extends the authorization of the veterans work study program until 2010.

This bill affects an estimated 5 percent of the 13,109 veterans who have service-connected blindness or loss of vision in one eye. As of September 17, 2007, 1,129 service members have sustained serious eye wounds in combat according to the Defense Armed Forces Institute of Surgical Pathology (any of which may later lead to blindness).

Also, it is reported that many of the over 4,400 traumatic brain-injured OIF/OEF servicemembers will likely suffer from serious vision-related complications and at least 57 percent of all eye injuries of this war are caused by IED explosions.

Walter Reed Army Medical Center alone has treated close to 540 Operation Enduring Freedom/Operation Iraqi Freedom service members for visual injuries and over 230 of our soldiers unfortunately have sustained legal blindness in one eye.

It is worth noting, that in 2002, Congress passed and the President signed Public Law 107-330, which included a provision 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 that hearing, the VA supported H.R. 2963.

This is important and meaningful legislation for our men and women in uniform—who have fought and are fighting for our country.

I urge my colleagues to support passage of this resolution and urge swift consideration of the Dr. James Allen Veteran Vision Equity Act of 2007 by the Senate before the end of this session of Congress.

Mr. Speaker, I yield whatever time she may consume to the gentlewoman from Wisconsin (Ms. BALDWIN).

Ms. BALDWIN. Mr. Speaker, I thank Chairman FILNER.

I rise in strong support of H. Res. 855, the Dr. James Allen Veteran Vision Equity Act that I introduced earlier this year. This bill fixes an inequity in the current paired organ statute that has resulted in a denial of appropriate disability compensation to blinded veterans.

Congress has rightly recognized that some human organs or limbs are designed to work in pairs: legs, hands, kidneys, lungs, ears and, of course, eyes. In the instance of eyes, blindness in one eye profoundly affects depth perception even if sight is fully retained in

the other eye. The paired organ statute was written to assist those veterans who experience a service-connected loss of a paired organ or limb. The statute recognizes the interdependency of paired organs and endeavors to treat the combined disability created by a nonservice-connected loss, injury or degeneration of the remaining paired organ or limb as though it was the result of a service-connected disability. In general, the paired organ statute accomplishes this task, with the exception of its treatment of eyes and loss of sight.

I want to share with you the story of Dr. James Allen, after whom this legislation is named. Dr. Allen is a professor of ophthalmology at the University of Wisconsin School of Medicine in my district. He has worked at the Veterans Affairs Hospital for 33 years and treated numerous eye patients, including veterans who are blind.

One example is Mr. Donald May. Don is a World War II veteran who lost his right eye in a hand grenade explosion. A few years ago, Mr. May became legally blind in the nonservice-connected left eye. He applied to the Department of Veterans Affairs for help and was denied further benefits. He was told that the current law in regard to paired organs did not apply to him, even though he was legally blind in his service-connected right eye.

After Dr. Allen brought the plight of his patients to my attention, I began to research why these veterans were being denied the benefits I felt they deserved, benefits that I believe Congress intended to grant them. Through my work with the Blinded Veterans Association, we discovered that while the current paired organ statute covers blindness, in practice few, if any, veterans have ever been able to qualify for such compensation.

In theory, the statute provides that a veteran who is service-connected for blindness in one eye could qualify for additional disability compensation if they become blind in the remaining eye for nonservice-connected reasons. However, the statute does not define the term "blindness," nor is any provision made for impairment of vision in the nonservice-connected eye short of blindness.

Rather than using visual acuity of 20/200 or loss of field of vision to 20 degrees as the definition of legal blindness that has been adopted by all 50 States and the Social Security Administration, the Department of Veterans Affairs uses a much more restrictive definition, 5/200, as a rating for legal blindness, which in rough layman's term is the equivalent of having an eye with light perception only. As a result, few, if any, blinded veterans are able to qualify for additional compensation under the paired organ statute.

H. Res. 855, the Dr. James Allen Veterans Vision Equity Act, fixes this problem. It defines blindness as impairment of vision where the impairment is to a visual acuity of 20/200 or less or of

a peripheral field loss of vision of 20 degrees or less. This change in the law would only affect a small percentage, estimated to be roughly 5 percent of the 13,000-plus veterans who are service-connected for loss of vision in one eye. Yet such a change would send a powerful message that our Nation's blinded veterans and the hardships that they have faced are not forgotten.

Indeed, our Nation's blinded veterans face significant challenges in the labor market. The National Institute on Disability and Rehabilitation Research found that for individuals with visual impairments, to the extent that they are unable to read letters, the employment rate is only 30.8 percent, compared to 82.1 percent for those without disability.

I want to mention that this resolution complies with the PAYGO rules. The costs associated with H. Res. 855 are fully offset. This bill directs 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. According to the GAO, such data matching will help reduce fraud and abuse within the VA system as it determines eligibility and benefits to those veterans thought to be unemployable but are indeed working.

I would like to just thank Chairman FILNER, Subcommittee Chairman JOHN HALL, as well as Congressmen JOHN BOOZMAN and VIC SNYDER for their unwavering support of this bill. I also want to thank the staff of the Veterans' Affairs Committee for their help in advancing this legislation.

H. Res. 855 is a modest but important step in restoring fair treatment to those veterans blinded due to their service to our country and to further our commitment to them. Their sacrifices and their service to this Nation should be matched by our desire to improve the quality of life for them and their families.

Earlier this year, the Blinded Veterans Association had found over 200 soldiers returning from Operation Enduring Freedom in Afghanistan and Operation Iraqi Freedom who are blinded in one eye due to their service-related injuries. They could be benefited in the future by this legislation.

I strongly encourage all my colleagues to support H. Res. 855.

Mr. LAMBORN. Mr. Speaker, I rise in strong support of H. Res. 855, which would amend H.R. 797, the Dr. James Allen Veterans Vision Equity Act, as amended by the other body. I would like to thank my colleagues, Chairman FILNER, Ranking Member BUYER, Mr. BOOZMAN of Arkansas and Ms. BALDWIN of Wisconsin, for their efforts on this bill. On March 21 of this year, this body

passed H.R. 797 with a unanimous vote of 424–0, and I am pleased to support it.

The first title of this resolution 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. This eligibility includes situations where the impairment in each eye is to a visual acuity of 20/200 or less, or of a peripheral field loss of 20 degrees or less. This is the same definition of legal blindness adopted by all 50 States and the Social Security Administration.

Title II of H.R. 797 incorporates several sections of H.R. 2696, the Veterans Dignified Burial Assistance Act of 2007, which I introduced in June to improve VA burial benefits and State veterans cemeteries.

From time to time, Mr. Speaker, a State locates the remains of veterans who were not interred at the time of their death for various reasons. When States inter these veterans, they cannot be reimbursed by VA because of the time limit on reimbursement costs. This legislation would repeal this limitation and helps ensure that all veterans will receive a proper interment with the honor and respect that they have earned.

Title II would also authorize the Secretary of the VA to make additional grants to States for improving and expanding State veteran cemeteries. States would be required to submit an application to the Secretary for this funding, of which the aggregate amount authorized for all State grants is \$5 million.

The final provision of title II would provide families with the option of placing a medallion on a deceased veteran's grave denoting veteran status, in lieu of a VA headstone for graves already marked by a private marker.

Mr. Speaker, many private cemeteries do not allow a second marker on a grave site because it complicates routine maintenance. Therefore, a medallion would identify a veteran's grave in a manner that would be universally acceptable and would meet the family's desire to honor the deceased veteran and will be one more reminder to everybody of the sacrifices made by veterans. This provision is very similar to an amendment that I offered at the full committee markup of H.R. 797, and I'm very pleased to support it again now.

While not the specific intent of the provision, veterans' families may benefit financially from this measure. Currently, VA offers second markers for veterans' graves that already have a privately procured marker. While there is no cost for the markers, mounting of these second markers is at the family's expense, usually several times the cost of the stone itself. Since the new medallion could be applied directly to the current marker with an industrial-grade adhesive, families will be able to apply the medallion on their own, al-

lowing them to avoid significant mounting costs.

Mr. Speaker, title III of the resolution extends the use of the New Hires Act and would save the government money by allowing the Secretary of Veterans Affairs to consult with the Secretary of Health and Human Services regarding unemployment compensation data in order to determine eligibility for VA needs-based pension benefits.

The Congressional Budget Office informally estimates that this section of the resolution would save the taxpayers \$30 million over 10 years. I would note that this savings funds the vision, burial and work study provisions in this bill.

Also included in title III is a provision that extends work study jobs at VA through June 2009. Current law allows work study recipients to perform a variety of duties throughout the VA, as well as veteran-related paperwork at their schools.

Congress extended the provision for 6 months in PL 109–461 to prevent canceling benefits in the middle of the school year. I'm pleased that we're able to extend this provision even further in this bill.

Mr. Speaker, I urge my colleagues to support H. Res. 855, which would amend H.R. 797, as amended.

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

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

Mr. LAMBORN. Mr. Speaker, I yield such time as he may consume to my colleague, the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. Mr. Speaker, H.R. 797 is a very, very good bill, and I appreciate Ms. BALDWIN working so hard. I think we could actually use the adjective tirelessly on this one, in order to bring it forward.

It really has two provisions that I'm especially pleased to support. First, I'm pleased that this bill will help veterans with visual disabilities. To put this in perspective, VA compensates about 13,000 veterans for blindness in one eye.

□ 1600

DOD statistics show that about 1,169 servicemembers have experienced eye injuries in Iraq, and VA states about 111 of those are now receiving compensation. And let us not forget that with the number of traumatic brain injury casualties, and those that have gone undiagnosed, many of them will experience visual impairment as a result of those injuries. Thanks to Ms. BALDWIN's work in bringing this forward, the change in this law will make sure that all of these individuals will be treated fairly.

I am also greatly pleased that we have been able to fund reinstatement of the GI Bill work-study provisions that expired last June. These additional work-study jobs will benefit both the veteran student and veterans

at large by increasing the resources available to assist VA employees in accomplishing their mission.

Mr. Speaker, this is a very good bill and I urge my colleagues to support it. I also want to thank Mr. FILNER and his staff for, again, bringing this forward, along with Mr. BUYER, the ranking member; and the staff over here. Again, this is a very good bill, and I urge support of its passage with my colleagues.

Mr. LAMBORN. I want to thank the gentleman from Arkansas for his remarks.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. FILNER. Mr. Speaker, at this time I will include in the RECORD an article published in the Ophthalmic News on protective eye gear, and I urge my colleagues to unanimously support this resolution.

[From Ophthalmology Times, May 1, 2007]

PROTECTIVE EYE GEAR ESSENTIAL FOR MODERN SOLDIER: OCULAR INJURIES HAVE CLIMBED TO NUMBER 4 SLOT BEHIND AMPUTATION, TRAUMATIC BRAIN INJURY, PTSD

(By Lynda Charters)

BALTIMORE.—Ocular injuries during war have steadily increased from as far back as the Civil War because of the vulnerability of the face and eyes on the battlefield and the increasing use of fragmentary weapons. Thomas P. Ward, MD, described how ocular injuries have changed and how to prevent them here at the Current Concepts in Ophthalmology meeting in Baltimore.

The meeting was sponsored by Johns Hopkins University School of Medicine, Baltimore, and Ophthalmology Times.

"What we learned about eye injuries was not just learned from the current war in Iraq but from several previous wars," said Dr. Ward, a private practitioner in West Hartford, CT, and former ophthalmology consultant to the U.S. Army's surgeon general. The percentage of ocular wounds received on the battlefield has increased steadily over the past century, from less than 1% during the Civil War to about 13% in the early phase of the war in Iraq, he added.

"That 13% is much higher than would be expected if we were considering only the random chance of a projectile hitting the eye," Dr. Ward said. "The eye has a very small profile, i.e., only 4% of the face and 0.27% of the body surface area."

He recounted that, through June 2006 at the Echelon III-level combat support hospital in Iraq and Afghanistan, 1,086 ocular injuries occurred. Of these, 207 were primary eye injuries. In the remaining 879 eye injuries, another organ was the primary injury (usually the brain or a limb). The eye injuries represented 13% of all patients who sustained injuries. Many more ocular injuries occurred in the local populace, he said.

The eyes are so vulnerable, he explained, because they are preferentially exposed during combat, whereas the rest of the body, except for the limbs, is protected with armor.

In addition, the types of munitions used have changed over the past century. During the Civil War, if a soldier was hit by a cannonball or minnie ball, he likely would die, and ocular injuries were not an issue. Modern weapons, however, generate numerous fragments when they explode. "Modern hand grenades, for example, fragment into about 2,000 individual projectiles, and the eye is exceptionally vulnerable to small fragments," Dr. Ward said.

Other lessons:

penetrating injuries are the most important type, accounting for up to 50% of all ocular injuries, and

there is no delayed primary closure in ophthalmology; the primary repair almost always is the definitive repair.

Finally, because of the nature of modern weaponry, ocular injuries often are bilateral. More than half of all eye injuries (57%) are caused by improvised explosive devices (IEDs). The remaining injuries were caused by rocket-propelled grenades, gunshot wounds, mortar and shrapnel, land mines, and other causes.

Surprisingly, according to Dr. Ward, the incidence of endophthalmitis was 0%, despite the fact that approximately 25% of ocular injuries are caused by intraocular foreign bodies. Another factor that did not seem to affect the incidence was that the foreign bodies were not removed for weeks in many cases. Dr. Ward wondered whether the lack of endophthalmitis may have been the result of the use of topical and systemic third- or fourth-generation fluoroquinolones.

The IEDs being used are increasingly more powerful, and Dr. Ward showed that the injuries sustained with more recent ones cause more damage.

Many more eye injuries do not result in evacuation to the combat support hospital, he said. "As of late 2005, approximately 3,000 ocular injuries were reported as having been treated and the soldiers returned to duty. There were a total of 14,559 eye-related patient encounters by optometrists in the theater of war. This [number] from the Army is considered low as the result of inconsistent reporting," Dr. Ward emphasized.

Armor to protect the eyes has been used over the centuries, and it has been shown to be effective in eliminating war-related problems. Sympathetic ophthalmia, Dr. Ward pointed out, developed in about 0.3 percent of ocular injuries during World War II. Only one documented case has been reported by U.S. forces since the beginning of Operation Iraqi Freedom.

A statistic that emphasizes the importance of prevention is that ocular injuries hold the number four slot for disability behind amputation, traumatic brain injury, and post-traumatic stress disorder.

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

The SPEAKER pro tempore (Mr. ALTMIRE). The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and agree to the resolution, H. Res. 855.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on House Resolution 855.

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

There was no objection.

DO-NOT-CALL REGISTRY FEE EXTENSION ACT OF 2007

Mr. BUTTERFIELD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2601) to extend the authority of the Federal Trade Commission to collect fees to administer and enforce the provisions relating to the "Do-not-call" registry of the Telemarketing Sales Rule, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2601

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 "Do-Not-Call Registry Fee Extension Act of 2007".

SEC. 2. FEES FOR ACCESS TO REGISTRY.

Section 2, of the Do-Not-Call Implementation Act (15 U.S.C. 6101 note) is amended to read as follows:

"SEC. 2. TELEMARKETING SALES RULE; DO-NOT-CALL REGISTRY FEES.

"(a) IN GENERAL.—The Federal Trade Commission shall assess and collect an annual fee pursuant to this section in order to implement and enforce the 'do-not-call' registry as provided for in section 310.4(b)(1)(iii) of title 16, Code of Federal Regulations, or any other regulation issued by the Commission under section 3 of the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6102).

"(b) ANNUAL FEES.—

"(1) IN GENERAL.—The Commission shall charge each person who accesses the 'do-not-call' registry an annual fee that is equal to the lesser of—

"(A) \$54 for each area code of data accessed from the registry; or

"(B) \$14,850 for access to every area code of data contained in the registry.

"(2) EXCEPTION.—The Commission shall not charge a fee to any person—

"(A) for accessing the first 5 area codes of data; or

"(B) for accessing area codes of data in the registry if the person is permitted to access, but is not required to access, the 'do-not-call' registry under section 310 of title 16, Code of Federal Regulations, section 64.1200 of title 47, Code of Federal Regulations, or any other Federal regulation or law.

"(3) DURATION OF ACCESS.—

"(A) IN GENERAL.—The Commission shall allow each person who pays the annual fee described in paragraph (1), each person excepted under paragraph (2) from paying the annual fee, and each person excepted from paying an annual fee under section 310.4(b)(1)(iii)(B) of title 16, Code of Federal Regulations, to access the area codes of data in the 'do-not-call' registry for which the person has paid during that person's annual period.

"(B) ANNUAL PERIOD.—In this paragraph, the term 'annual period' means the 12-month period beginning on the first day of the month in which a person pays the fee described in paragraph (1).

"(c) ADDITIONAL FEES.—

"(1) IN GENERAL.—The Commission shall charge a person required to pay an annual fee under subsection (b) an additional fee for each additional area code of data the person wishes to access during that person's annual period.

"(2) RATES.—For each additional area code of data to be accessed during the person's annual period, the Commission shall charge—

"(A) \$54 for access to such data if access to the area code of data is first requested during the first 6 months of the person's annual period; or

"(B) \$27 for access to such data if access to the area code of data is first requested after the first 6 months of the person's annual period.

"(d) ADJUSTMENT OF FEES.—

"(1) IN GENERAL.—

"(A) FISCAL YEAR 2009.—The dollar amount described in subsection (b) or (c) is the amount to be charged for fiscal year 2009.

"(B) FISCAL YEARS AFTER 2009.—For each fiscal year beginning after fiscal year 2009, each dollar amount in subsection (b)(1) and (c)(2) shall be increased by an amount equal to—

"(i) the dollar amount in paragraph (b)(1) or (c)(2), whichever is applicable, multiplied by

"(ii) the percentage (if any) by which the CPI for the most recently ended 12-month period ending on June 30 exceeds the baseline CPI.

"(2) ROUNDING.—Any increase under subparagraph (B) shall be rounded to the nearest dollar.

"(3) CHANGES LESS THAN 1 PERCENT.—The Commission shall not adjust the fees under this section if the change in the CPI is less than 1 percent.

"(4) PUBLICATION.—Not later than September 1 of each year the Commission shall publish in the Federal Register the adjustments to the applicable fees, if any, made under this subsection.

"(5) DEFINITIONS.—In this subsection:

"(A) CPI.—The term 'CPI' means the average of the monthly consumer price index (for all urban consumers published by the Department of Labor).

"(B) BASELINE CPI.—The term 'baseline CPI' means the CPI for the 12-month period ending June 30, 2008.

"(e) PROHIBITION AGAINST FEE SHARING.—No person may enter into or participate in an arrangement (as such term is used in section 310.8(c) of the Commission's regulations (16 C.F.R. 310.8(c))) to share any fee required by subsection (b) or (c), including any arrangement to divide the costs to access the registry among various clients of a telemarketer or service provider.

"(f) HANDLING OF FEES.—

"(1) IN GENERAL.—The commission shall deposit and credit as offsetting collections any fee collected under this section in the account 'Federal Trade Commission—Salaries and Expenses', and such sums shall remain available until expended.

"(2) LIMITATION.—No amount shall be collected as a fee under this section for any fiscal year except to the extent provided in advance by appropriations Acts."

SEC. 3. REPORT.

Section 4 of the Do-Not-Call Implementation Act (15 U.S.C. 6101 note) is amended to read as follows:

"SEC. 4. REPORTING REQUIREMENTS.

"(a) BIENNIAL REPORTS.—Not later than December 31, 2009, and biennially thereafter, the Federal Trade Commission, in consultation with the Federal Communications Commission, shall transmit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce that includes—

"(1) the number of consumers who have placed their telephone numbers on the registry;

"(2) the number of persons paying fees for access to the registry and the amount of such fees;

"(3) the impact on the 'do-not-call' registry of—

"(A) the 5-year reregistration requirement;

"(B) new telecommunications technology; and

"(C) number portability and abandoned telephone numbers; and

"(4) the impact of the established business relationship exception on businesses and consumers.

"(b) ADDITIONAL REPORT.—Not later than December 31, 2009, the Federal Trade Commission, in consultation with the Federal Communications Commission, shall transmit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce that includes—

"(1) the effectiveness of do-not-call outreach and enforcement efforts with regard to senior citizens and immigrant communities;