

States Code, as amended by section 201 of this Act, is further amended—

(1) by striking paragraph (3); and
(2) by redesignating paragraphs (4) and (5) as added by section 201 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), the amendments made to section 2306(d) of title 38, United States Code, by such section 502 and the amendments made by section 402 of the Veterans Benefits, Health Care, and Information Technology Act of 2006 (Public Law 109–461), other than the amendment made by subsection (e) of such section 402, shall take effect as of November 1, 1990, and shall apply with respect to the graves of individuals who have died on or after that day.*

Mr. AKAKA. Madam President, I urge my colleagues to support S. 1163, as amended, the Blinded Veterans Paired Organ Act of 2007. This bill would expand benefit eligibility for veterans with service-connected vision impairment and enhance the burial and memorial benefits offered by the Department of Veterans Affairs.

This legislation, which I introduced in April of this year, has subsequently been amended and reported favorably by the Committee on Veterans' Affairs. As amended, S. 1163 would modify the standard that the Department of Veterans Affairs uses when determining blindness and improve compensation for veterans who experience impairment of vision in both eyes. The measure would also enhance burial and memorial benefits for veterans, and further maintain the integrity of veterans benefits by making certain that those in receipt of certain needs-based benefits qualify for such benefits.

Vision impairment is a serious disability that frequently results from injuries sustained on the battlefield. We are all aware that traumatic brain injuries caused by roadside bombs on the Iraqi highways are one of the greatest dangers that our service men and women face in Iraq. These injuries are frequently accompanied by damage to the individual's vision. As of August of this year, VA had granted service-connection for vision impairment to 230 veterans of the conflicts in Iraq and Afghanistan. These veterans face significant readjustment challenges when they return to civilian life. Often, they find that they cannot resume the same occupations or daily activities that were staples of their lives before their injuries.

This bill would enhance disability compensation benefits for two distinct groups of veterans with impaired vision due to service—those with service-connected blindness in one eye who subsequently suffer loss of vision in the other eye later in life and those who receive special monthly compensation for multiple disabilities, including vision impairment. In both cases, this legislation would amend the vision impairment criteria used by VA so as to encompass veterans with 20/200 vision or less, the standard for blindness used by the Social Security Administration and the American Medical Association.

Earlier this session, the House passed a companion bill, H.R. 797, the Dr. James Allen Veteran Vision Equity Act, which would make the same change to the paired organ vision criteria as S. 1163. I take this opportunity to acknowledge the sponsor of that bill, Representative TAMMY BALDWIN of Wisconsin. A long-time ophthalmologist at the VA hospital in Madison, WI, Dr. James Allen, brought the issue to Representative BALDWIN's attention several years ago and she has since worked to make the necessary change on behalf of blinded veterans. Representative BALDWIN and Dr. Allen deserve thanks and credit for their efforts on behalf of veterans.

The amended bill also includes several provisions that would enhance burial and memorial benefits for veterans. I will briefly describe them.

The amended bill would permanently authorize VA to provide government headstones or markers for the privately-marked graves of veterans interred at private cemeteries. Current law authorizes VA to furnish, upon request, an appropriate headstone or marker for the grave of an eligible individual who died after September 10, 2001, and who is buried in a private cemetery, notwithstanding that the grave is marked by a headstone or marker furnished at private expense. Thus, in some cases, an individual's grave may have two markers—one privately-purchased and one furnished by VA. Prior to 2001, this authority had been suspended for 11 years, making those who died between November 1, 1990, and September 10, 2001, ineligible for the benefit. Furthermore, the current authority is only temporary, set to expire on December 31, 2007. This bill would address these temporal constraints by eliminating the sunset and making the authority permanent, and by making the authority retroactive to cover the 11-year gap in current law. In addition, this bill would give VA the authority to furnish a new medallion or other device that could be placed on an existing grave marker in a private cemetery to signify that the deceased was a veteran, in lieu of providing a second marker or headstone.

The amended bill would also repeal the current 2-year window within which States must file for reimbursement from VA for the interment or inurnment of the unclaimed remains of deceased veterans. To assist States in meeting some or all of their cemetery operations and maintenance expenses, current law requires VA to pay to States a \$300 plot allowance for the interment or inurnment of eligible veterans and reserve component members. In order to receive plot allowance revenue, States must currently submit claims within 2 years after the permanent burial or cremation of the remains has occurred. However, the 2-year window within which States must file can prove difficult to meet in situations in which remains are not identified as those of a veteran until after the 2-year period has expired.

Finally, the amended bill would authorize \$5 million to cover a portion of the operational and maintenance expenses of State cemeteries under criteria to be determined by VA. The need to incentivize greater participation by States in the State cemetery grant program was discussed in a December 19, 2000, VA-contracted report entitled *An Assessment of the Burial Benefits Administered by the Department of Veterans Affairs*. The report found that an option for better serving veterans and their families was to "provide maintenance support to State veterans cemeteries."

I am pleased to advise my colleagues that the provisions in this bill are paid for by utilizing the National Directory for New Hires to make certain that those in receipt of certain needs-based benefits qualify for such benefits. The savings from this provision more than pays for the expansion of benefits to veterans that are included in this bill.

This is a sensible bill that would provide small but important improvements to benefits of great importance to many veterans and their families. I urge my colleagues to support its passage.

Mr. BROWN. Madam President, I ask unanimous consent that the committee-reported substitute be agreed to; that the bill, as amended, be read a third time; that the Veterans' Affairs Committee then be discharged of H.R. 797, the House companion, and the Senate then proceed to its consideration; that all after the enacting clause be stricken, and the text of S. 1163 be inserted in lieu thereof; that the bill be advanced to third reading, passed, and the motion to reconsider be laid upon the table; that S. 1163 be returned to the calendar; and that any statements relating to the bill be printed in the RECORD, without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 1163) was ordered to be engrossed for a third reading and was read the third time.

The bill (H.R. 797), as amended, was ordered to a third reading, was read the third time and passed.

ORDERS FOR MONDAY, NOVEMBER 5, 2007

Mr. BROWN. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 2 p.m. Monday, November 5; that on Monday, following the prayer and pledge, the Journal of Proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders reserved for their use later in the day; that there then be a period of morning business until 3 p.m., with Senators permitted to speak therein for up to 10 minutes each; that at 3 p.m., the Senate proceed to the consideration of H.R. 2419, the

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farm bill; provided further that there be debate only after the majority manager has offered a substitute amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY,
NOVEMBER 5, 2007, AT 2 P.M.

Mr. BROWN. Madam President, if there is no further business, I now ask unanimous consent that the Senate

stand adjourned under the previous order.

There being no objection, the Senate, at 12:20 p.m., adjourned until Monday, November 5, 2007, at 2 p.m.