

110TH CONGRESS  
1ST SESSION

# S. 1163

To amend title 38, United States Code, to improve compensation and specially adapted housing for veterans in certain cases of impairment of vision involving both eyes, and to provide for the use of the National Directory of New Hires for income verification purposes.

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## IN THE SENATE OF THE UNITED STATES

APRIL 19, 2007

Mr. AKAKA (for himself, Mr. BROWN, Mr. FEINGOLD, Mr. HAGEL, Mr. ISAKSON, and Mr. WEBB) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to improve compensation and specially adapted housing for veterans in certain cases of impairment of vision involving both eyes, and to provide for the use of the National Directory of New Hires for income verification purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Blinded Veterans  
5 Paired Organ Act of 2007”.

1 **SEC. 2. IMPROVEMENT IN COMPENSATION AND SPECIALLY**  
 2 **ADAPTED HOUSING FOR VETERANS IN CER-**  
 3 **TAIN CASES OF IMPAIRMENT OF VISION IN-**  
 4 **VOLVING BOTH EYES.**

5 (a) COMPENSATION BENEFITS.—Section 1160(a)(1)  
 6 of title 38, United States Code, is amended—

7 (1) by striking “blindness” both places it ap-  
 8 pears and inserting “impairment of vision”; and

9 (2) by striking “misconduct;” and inserting  
 10 “misconduct if—

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

13 “(B) the peripheral field of vision for each  
 14 eye is 20 degrees or less;”.

15 (b) SPECIALLY ADAPTED HOUSING.—Section  
 16 2101(b)(2)(A) of such title is amended by striking “eyes  
 17 with 5/200 visual acuity or less.” and inserting “eyes—

18 “(i) with 20/200 visual acuity or less; or

19 “(ii) with a peripheral field of vision of 20  
 20 degrees or less.”.

21 **SEC. 3. USE OF NATIONAL DIRECTORY OF NEW HIRES FOR**  
 22 **INCOME VERIFICATION PURPOSES FOR CER-**  
 23 **TAIN VETERANS BENEFITS.**

24 (a) USE OF INFORMATION IN NATIONAL DIRECTORY  
 25 OF NEW HIRES.—Chapter 53 of title 38, United States

1 Code, is amended by adding at the end the following new  
2 section:

3 **“§ 5320. Use of National Directory of New Hires for**  
4 **income verification purposes**

5 “(a) INFORMATION FROM NATIONAL DIRECTORY OF  
6 NEW HIRES.—(1) The Secretary shall furnish to the Sec-  
7 retary of Health and Human Services information in the  
8 custody of the Secretary on individuals under the age of  
9 65 who are applicants for or recipients of benefits or serv-  
10 ices specified in subsection (d) for comparison with infor-  
11 mation on such individuals in the National Directory of  
12 New Hires maintained by the Secretary of Health and  
13 Human Services pursuant to section 453 of the Social Se-  
14 curity Act (42 U.S.C. 653). The Secretary shall furnish  
15 the information on a quarterly basis or at such other inter-  
16 vals as may be determined by the Secretary.

17 “(2) The Secretary shall furnish information under  
18 paragraph (1) with respect to any individual only if doing  
19 so is essential to determine the individual’s eligibility for  
20 benefits and services specified in subsection (d) or the  
21 amount of benefits specified in paragraphs (1), (2), and  
22 (4) of subsection (d), to which the individual is entitled.

23 “(3)(A) The Secretary of Health and Human Serv-  
24 ices shall, in cooperation with the Secretary and in accord-  
25 ance with this subsection—

1           “(i) compare information in the National Direc-  
2           tory of New Hires with information furnished pursu-  
3           ant to paragraph (1); and

4           “(ii) disclose information in that directory to  
5           the Secretary for the purposes specified in this sub-  
6           section.

7           “(B) The Secretary of Health and Human Services  
8           may make a disclosure in accordance with subparagraph  
9           (A) only to the extent that the Secretary of Health and  
10          Human Services determines that such disclosure does not  
11          interfere with the effective operation of the program under  
12          part D of title IV of the Social Security Act (42 U.S.C.  
13          651 et seq.).

14          “(4) The Secretary may use information resulting  
15          from a data match pursuant to this subsection only for  
16          the purpose of determining eligibility for benefits and serv-  
17          ices specified in subsection (d), and the amount of benefits  
18          specified in paragraphs (1), (2), and (4) of that sub-  
19          section, for individuals under the age of 65.

20          “(5) The Secretary shall reimburse the Secretary of  
21          Health and Human Services for the additional costs in-  
22          curred by that Secretary in furnishing information under  
23          this subsection. Such reimbursement shall be at rates that  
24          the Secretary of Health and Human Services determines  
25          to be reasonable (and shall include payment for the costs

1 of obtaining, verifying, maintaining, and comparing the in-  
2 formation).

3       “(b) NOTIFICATION TO BENEFICIARIES.—The Sec-  
4 retary shall notify each applicant for, or recipient of, a  
5 benefit or service specified in subsection (d) that income  
6 information furnished by the applicant to the Secretary  
7 may be compared with information obtained by the Sec-  
8 retary from the Secretary of Health and Human Services  
9 under subsection (a). The Secretary shall periodically  
10 transmit to recipients of such benefits additional notices  
11 under this subsection.

12       “(c) INDEPENDENT VERIFICATION REQUIRED.—The  
13 Secretary may terminate, deny, suspend, or reduce any  
14 benefit or service described in subsection (d) by reason of  
15 information obtained from the Secretary of Health and  
16 Human Services under subsection (a) only if the Secretary  
17 takes appropriate steps to verify independently informa-  
18 tion relating to employment and income from employment.

19       “(d) COVERED BENEFITS AND SERVICES.—The ben-  
20 efits and services specified in this subsection are the fol-  
21 lowing:

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

1           “(2) Parents’ dependency and indemnity com-  
2           pensation provided under section 1315 of this title.

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

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

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

18          “(f) SOURCE OF FUNDS FOR ADMINISTRATION OF  
19          SECTION.—The Secretary shall pay the expenses of car-  
20          rying out this section from amounts available to the De-  
21          partment for the payment of compensation and pensions.

22          “(g) TERMINATION OF AUTHORITY.—The authority  
23          of the Secretary to obtain information from the Secretary  
24          of Health and Human Services under subsection (a) ex-  
25          pires on September 30, 2012.”.

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

“5320. Use of National Directory of New Hires for income verification pur-  
poses.”.

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

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