

## SPECIAL RATE OF COMPENSATION FOR CERTAIN BLIND VETERANS

JULY 30, 1958.—Ordered to be printed

Mr. BYRD, from the Committee on Finance, submitted the following

### REPORT

[To accompany H. R. 10461]

The Committee on Finance, to whom was referred the bill (H. R. 10461) to amend section 315 (m) of the Veterans' Benefits Act of 1957 to provide a special rate of compensation for certain blind veterans, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

#### EXPLANATION OF THE BILL

This bill which was introduced at the request of the Blinded Veterans Association seeks to provide that veterans who have suffered blindness in both eyes and have only light perception as a result thereof, shall receive monthly compensation at the rate of \$359 monthly in lieu of the rate of \$309 monthly which is generally applicable under existing law.

The net result of this proposal is to let a veteran who is blind to the degree indicated, be entitled to the higher award without requiring him to show that he is helpless. The present rate of \$359 is reserved for blinded veterans so helpless as to require regular aid and attendance of another person.

The number of veterans involved in this proposal is small but less than 600. The Veterans' Administration does not have sufficient data to accurately estimate the cost, but it would be relatively small.

The favorable report submitted to the House Veterans' Affairs Committee by the Veterans' Administration is printed below:

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VETERANS' ADMINISTRATION,  
Washington, D. C., June 26, 1958.

HON. OLIN E. TEAGUE,  
*Chairman, Committee on Veterans' Affairs,  
House of Representatives, Washington, D. C.*

DEAR MR. TEAGUE: This report on H. R. 10461, 85th Congress, is submitted in response to your request.

H. R. 10461 is designed to extend to all cases of service-connected blindness in both eyes, having only light perception, entitlement to the statutory award of \$359 per month in wartime cases and \$287 in peacetime cases. Under existing law, such cases (and others with blindness of less severity) must establish on an individual basis that the blindness renders the veteran so helpless as to be in need of regular aid and attendance, in order to qualify for the award.

Section 315 of the Veterans' Benefits Act of 1957 provides for the basic wartime rates of disability compensation and certain higher awards for specific disabilities and combinations thereof. In the latter category, the law provides a rate of \$309 for blindness in both eyes, with 5/200 visual acuity or less; a rate of \$359 for blindness in both eyes, rendering the veteran so helpless as to be in need of regular aid and attendance; and a rate of \$401 for the anatomical loss of both eyes. There is no specific rate for the measurable degree of blindness of light perception only in both eyes. Accordingly, if such cases (notwithstanding the very serious degree of visual acuity) are unable to establish the necessary helplessness to qualify for the \$359 rate, they are relegated to a lower rate which may also be payable to cases of less disabling blindness. The same situation prevails in peacetime cases which are entitled to 80 percent of the comparable wartime rates.

Data are not available from which an accurate estimate of the cost of the bill, if enacted, can be made. However, it may be helpful to the committee to state that on the basis of certain related statistics, it can be assumed that not more than 600 cases would be affected.

The present structure of statutory awards for varying degrees of blindness was established by Public Law 182, 79th Congress. Among other things, that law sought to provide certain desirable uniformity between World War II cases and World War I cases entitled under the World War Veterans' Act, 1924. However, our experience since then has disclosed that application of the law has created an inequity with respect to the blinded cases contemplated by H. R. 10461. The Veterans' Administration is therefore pleased to recommend favorable consideration of the bill by your committee.

Due to the urgent request of the committee for a report on this measure, there has not been sufficient time in which to ascertain from the Bureau of the Budget the relationship of the proposed legislation to the program of the President.

Sincerely yours,

SUMNER G. WHITTIER, *Administrator.*

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CHANGES IN EXISTING LAW

In compliance with subsection 4 of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill 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):

SECTION 315 (m) OF THE VETERANS' BENEFITS ACT OF 1957

RATES OF WARTIME DISABILITY COMPENSATION

SEC. 315. For the purposes of section 310—

\* \* \* \* \*

(m) if the veteran, as the result of service-incurred disability, has suffered the anatomical loss or loss of use of two extremities at a level, or with complications, preventing natural elbow or knee action with prosthesis in place, *or has suffered blindness in both eyes having only light perception*, or has suffered blindness in both eyes, rendering him so helpless as to be in need of regular aid and attendance, the monthly compensation shall be \$359;

