

which pertains to the creation of an Independent Court of Veterans Appeals.

This proposal, if approved, would for the first time permit judicial review of decisions of the Administrator of Veterans' Affairs.

Under existing law, U.S. district courts have jurisdiction to review decisions of the Administrator relating to claims under life insurance contracts but decisions of the Administrator on the issue of service connection of disability or death are final and conclusive.

The great volume of claims in this area prohibits judicial review by the existing Federal court system. For this reason, the proposal would provide for the establishment of a new court.

It should be kept in mind that the proposal would make absolutely no change in the present system of administrative adjudication. Service officers may continue to represent claimants exactly as they have in the past. All the proposal does is give a right of appeal to those who have been finally denied by the Administrator. Under existing law, they are required to accept the Administrator's denial of their claim. Under terms of the proposal they may appeal to the Court of Veterans Appeals.

With respect to this recommendation, there are a number of widows of service-connected seriously disabled veterans who do not qualify for dependency and indemnity compensation because the precise cause of death cannot be directly related to the veteran's service-connected disability. We believe these widows to be deserving of special consideration since they were constrained to provide what amounted to aid and attendance in connection with the long period of ill health suffered by their veteran husbands. Moreover, we think it fair to say that any veteran who endured the agony of total physical incapacity for 20 years should, for as long as he lives thereafter, have assurance that upon his death his wife will be provided for through payments of dependency and indemnity compensation. It may also be said, in fairness, that it should not really matter how the veteran died, but how he lived, and if he was a 100-percent service-connected disabled war veteran for 20 years, then his wife played a very great part in his living which ought to be more fully recognized.

We urge that the Commission give serious consideration to this very meritorious proposal.

Another recommendation concerns a matter which came about through enactment of Public Law 90-77 on August 31, 1967. This law expanded the veterans benefits program by adding a new concept with regard to death payments to widows whose husbands died as the result of non-service-connected causes.

Under the new law, the monthly rate of pension payable to any widow who is in need of regular aid and attendance is to be increased by \$50. It is apparent that there exists in this area a situation in which some widows, whose husbands died as the direct result of service-incurred disabilities, are not furnished an important financial benefit which is, nevertheless, available to certain widows whose husbands' death was in no way connected with the performance of military service.

We respectfully ask that the Commission rectify this discriminatory feature of the law.