

**THE ONE PERCENT: SUPPORTING AMERICA'S
SURVIVING MILITARY FAMILY COMMUNITY**

HEARING

BEFORE THE

COMMITTEE ON VETERANS' AFFAIRS

U.S. HOUSE OF REPRESENTATIVES

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THE ONE PERCENT: SUPPORTING AMERICA'S SURVIVING MILITARY FAMILY COMMUNITY

TUESDAY, JANUARY 30, 2024

COMMITTEE ON VETERANS' AFFAIRS,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C.

The committee met, pursuant to notice, at 10:30 a.m., in room 360, Cannon House Office Building, Hon. Mike Bost (chairman of the committee) presiding.

Present: Representatives Bost, Mace, Miller-Meeks, Murphy, Franklin, Van Orden, Ciscomani, Self, Kiggans, Takano, Brownley, Deluzio, McGarvey, Landsman, and Budzinski.

OPENING STATEMENT OF MIKE BOST, CHAIRMAN

The CHAIRMAN. Good morning, everyone. The committee will come to order.

I want to welcome our witnesses to today's hearing. We are here today to discuss Veterans Administration (VA) and what VA is doing and if they are doing enough to support our survivor community.

Now, this topic is personal for me, as I guess it is to many of you, I am sure. You know, I spent a lot of time whenever I was in the service watching my wife look closely at—I was part of 7th Man and MAC 7. She was always knew that if my 782 gear was gone from the front door, somebody might call her later. We always had those worries.

I understand the price of our surviving military family and community has had to pay. It is a debt that Phil Roe up here used to say could never be fully repaid, which is why I want to thank each of you for having the courage to join us here today.

Just 1 percent of Americans raise their right hand and serve in our military, which means that less than 1 percent of American families will endure the pain that comes with the loss of their servicemember or veteran who they loved. We must ensure that our survivor community has access to the support benefits, healthcare that their servicemember or veteran has earned, period.

Whether it is a training accident, combat deployment, mental health struggles, or a disability as a result of the veteran's military service, it is the spouse and children who bear the brunt of these life-altering events. When a veteran is disabled because of their service, it is their spouses and children who have to support them. When a veteran is totally disabled because of their service, it is their family members who typically serve as their primary caregivers.

Military and veteran spouses often put their careers on hold to care for their loved one who bears the scars of their service. When their veteran loved one passes away, surviving families often depend on VA pension or compensation to make ends meet. It is in that fog of grief that the survivors need to know that VA has their back.

On January 5, the Secretary stated that every day VA will serve veterans families, caregivers, and survivors every bit, as well as the veterans who served this Nation. I do not doubt the Secretary's word. However, in multiple conversations with committee staff, VA employees described survivors' issues as less of a priority for the Department than veterans' issues more broadly. Even the suggestion that that could be the case is unsettling.

Too often, we hear the survivors are unaware of the benefits available to them or how to apply. The information on VA's website can be out of date for certain education benefits for survivors, but not for other benefits. We must ensure that VA is treating all education benefits equally.

Let us say a surviving spouse or child does file a claim after wading through the confusing forms and conflicting information, then the VA often takes years to process their claim, whether it be for compensation, pension, or education benefits. Even a surviving child's simplest claim form, the Dependency and Indemnity Compensation (DIC) benefit, can take months to process.

Further, in the Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA) program, we have heard of outdated paper claim filing process, payment delays and denials of healthcare services without explanation. We have heard of VA vet centers turning away survivors seeking bereavement services and mental health support. These issues have real-life consequences for the families of those who have served.

In 2008, Congress established VA's Office of Survivors Assistance (OSA) to serve as a principal advisor to the Secretary on all policies and programs affected in the veteran survivors community. Under the Biden administration, this office was moved out of the Secretary's office and banished to the Veterans Benefits Administration (VBA) within the pension and fiduciary (P&F) services. The pension and fiduciary services do not even cover all the survivor benefits.

Further, it has been easier for many survivors to receive DIC under the The Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics (PACT) Act, and I trust that three full-time employees within the Office of Survivors Assistance are not able to handle the influx of questions and casework associated with these new authorities.

Further, the Office of Survivors Assistance no longer even meets regularly with the VA Secretary's office. This is unacceptable, unacceptable to me, and it should be unacceptable to all of us. I look forward to hearing from Mr. Jacobs' response to my questions on it today.

Furthermore, for the hearing, I specifically identified Deputy Secretary Tanya Bradsher to be VA's lead witness. Deputy Secretary Bradsher should have been capable of answering the VA's what I see as a shortcoming in helping survivors. She could also directly

answer why the Office of Survivors Assistance has been drastically deprioritized and some would simply say ignored by the Office of the Secretary. Now, I am pleased that Under Secretary Jacobs is here, but in the future, I hope VA would send the witness that we had requested instead of substituting their judgment for mine.

I am proud to co-sponsor Representatives Ciscomani's bill, the Prioritizing Veteran Survivors Act. This bill would rightfully return the Office of Survivor Assistance back to the Office of the Secretary. This would ensure that all survivors programs' policies always have a seat at the table and an advocate on their side at the VA.

Now, finally, before we turn over to the ranking member for his opening remarks, I would like to take a moment if we could a moment of silence. Kim Ruocco, who tragically passed away on January 21, Kim was a surviving spouse of Marine Corps veteran John Ruocco and a vice president of Suicide Prevention and Postvention at the Tragedy Assistance Program for Survivors (TAPS). Kim was dedicated and an advocate for the entire survivors community. Kim's passing is a great loss to them and us and to the entire military and veteran family. With that, I would like to take a moment of silence if we can, please.

Thank you. I now recognize Ranking Member Takano for his opening comments.

OPENING STATEMENT OF MARK TAKANO, RANKING MEMBER

Mr. TAKANO. Well, thank you, Mr. Chairman. In line of memorializing our recently deceased servicemembers and veterans, I would like to take a moment to honor the three reservists who were killed at Tower 22 in Jordan over the weekend: Sergeant William Jerome Rivers, 46, of Carrollton, Georgia; Specialist Kennedy Ladon Sanders, 24, of Waycross, Georgia; Specialist Breonna Alexsondria Moffett, 23, of Savannah, Georgia. In addition, several days ago, a couple of weeks ago, we did lose two Navy Sea, Air, and Land Teams (SEALs) who were lost at sea: Nathan Gage and Christopher Chambers. This is very sad news to all of us, and as we talk about survivors this morning, I am thinking about their families who now join the ranks of hundreds of thousands of other survivors.

With that, let me just say thank you, Chairman Bost, for holding this very important hearing. Two years ago, when the Disability Assistance and Memorial Affairs Subcommittee held a hearing on the topic of survivor benefits, it was the first time it had been discussed in a decade. I appreciate that we are not waiting another decade again to hear from this vital community because what we found at that hearing 2 years ago was a survivors community, one that is at the core of VA's mission and in need of greater direct assistance.

Historically, there has been a lack of resources dedicated to the mission of serving survivors. For example, only two employees in the Office of Survivors Assistance to serve over 400,000 survivors as of the 2022 hearing that I held.

We also saw a lack of awareness of who and where the survivors community are and a lack of direct and targeted outreach to them. As such, we have seen an underutilization of survivors' benefits.

Since that subcommittee hearing, VA has made a few changes to increase their focus on survivors' issues. For example, VA has completed a long-overdue motto change, adopting one that is more inclusive and that now directly mentions their duty to serve survivors.

Moreover, VA has made the decision to move the oversight of OSA from the Office of Transition and Economic Development to the Pension and Fiduciary Service at the Veterans Benefits Administration, a move that should hopefully shine more light on the work that OSA is doing. They have also moved oversight of the Survivors Advisory Committee to the Veterans Health Administration (VHA), which is a bit more curious, but, nevertheless, will hopefully result in more visibility within VA to the committee's great work.

However, I am afraid, Mr. Chairman, that those changes so far have yet to produce substantial improvements to the programs utilized by survivors. I suspect that we will also hear from our Veterans Service Organization (VSO) and survivor witnesses that many of the same problems persist as they were 2 years ago.

The move of OSA to P&F came with only a minimal bump in the staffing dedicated to it. Indeed, OSA has grown from a paltry two employees to a robust three. Yet the number of survivors that VA is tasked with serving has only grown larger in the wake of the PACT Act. I am anxious to hear from VA how they plan to further staff that office so it can better serve survivors.

I am also looking forward to hearing from VBA how they plan to better identify survivors and conduct more robust outreach to them. Currently, VBA only collects minimal demographic information on survivors. In fact, they cannot even query survivors' claims by cause of the veteran's death. VA must, VA must, work to identify gaps in benefits utilization rates and conduct targeted outreach to disadvantaged or underserved populations.

Additionally, sometimes survivors are only learning of the benefits available to them at the time of a veteran's death. When family members are grieving the loss of a loved one, putting the onus on survivors to determine what benefits they are eligible for is truly a disservice. Grief's impact on those who lost a family member is debilitating and makes it difficult to find and often retain information. A survivor is just not in a state of mind to deal with all of this.

That is why today, Mr. Chairman, I plan to introduce the Survivor Benefits Delivery Improvement Act, which will hopefully close some of these gaps in outreach and staffing and lead to better information in the hands of survivors before the time of need. Specifically, this bill will mandate the collection of demographic data from survivors receiving dependency and indemnity compensation, otherwise known as DIC, pensions under Chapter 15, and increased pensions for aid and attendance, with the goal of being able to improve outreach and equitable access to these benefits for the survivors of veterans.

Collecting data on veterans, their families, and caregivers and survivors is an important component to understanding who VA serves and how to improve the delivery of services and benefits to these populations. This bill will mandate the collection of this data

and will mandate also an analysis of any potential gaps in benefits utilization, and will direct VBA and NCA to create targeted outreach to underserved populations. NCA is the National Cemetery Administration.

The second thing this bill does is to create a Survivor Solid Start program, based on the successful Solid Start program, to mandate Office of Congressional Affairs (OCA) proactively to call survivors to discuss them with them the benefits they have available to them. Additionally, the bill mandates that OCA have no fewer than five full-time employees to carry out this mission.

While this bill will not, unfortunately, address the myriad technical and bureaucratic difficulties survivors face when accessing benefits, nor will it address the inadequacy of the monetary value of those benefits, it will hopefully lead VA to dedicate more time and resources to serving this population. That is why I am also working with VSOs on sunsetting Chapter 35 as an educational benefit and instead placing all veterans, survivors, and dependents under the same educational program. While well-intentioned, the Chapter 35 benefit lags far behind the Forever GI Bill benefit and leaves survivors lacking benefits and oftentimes unable to get the specialized claims processing needed under chapter 35.

Survivors deserve a VA that is responsive to their needs both before and after the death of their veteran, and it is my intent with the Survivor Benefits Delivery Improvement Act and our work on Chapter 35 to move VA further in that direction.

Survivors have been underserved for too long, and they deserve this committee's attention and action. Today, we give them our attention, but, like with so many other issues, this Congress has failed to deliver the action.

I invite you, Mr. Chairman, to join me in supporting the Survivor Benefits Delivery Improvement Act when I introduce it this afternoon to help demonstrate to survivors beyond just words that they are a priority for this committee and this Congress.

I thank you, Mr. Chairman, and yield back.

The CHAIRMAN. Thank you, Ranking Member. I thank you for inviting me to join onto the bill. We did receive it last night. I found out about this morning. I know many of our colleagues want to pass a bill before they find out what is in it. I prefer to read a bill before I find out whether I want to support or not. I will look it over and let you know back. Thank you very much, Ranking Member Takano.

We will now turn to our witnesses. Testifying before us today we have Hon. Joshua Jacobs, the Under Secretary of Benefits for Department of Veterans Affairs. We also welcome Dr. Mark Upton, the Deputy to Under Secretary for Health, Veterans Health Administration. Finally, we have Mr. Kevin Friel, the Deputy Director of Pensions and Fiduciary Services at the Veterans Benefits Administration.

Mr. Jacobs, you are recognized for 5 minutes for your opening remarks.

STATEMENT OF JOSHUA JACOBS

Mr. JACOBS. Chairman Bost, Ranking Member Takano, and members of the committee, thank you for the opportunity to appear

before you today to discuss how VA is working to meet the unique needs of veteran and military survivors.

Before I get started today, I want to join you in acknowledging a tremendous loss to the survivor community in the passing of Kim Ruocco. She was a passionate advocate for a suicide prevention and postvention who transformed her grief into a lifelong commitment to supporting those who have been impacted by military and veteran suicide. Her legacy and body of work with TAPS will continue to inspire all of us for years to come.

For our dedicated workforce at VA, our mission in caring for veterans and their survivors is deeply personal. In 1992, when Garrett Schmidt, a VBA employee of 16 years, was only 7 years old, his father, Sergeant Michael Schmidt, died in a plane crash with seven other soldiers. Following Sergeant Schmidt's death, Garrett's beloved mother, Deanna, a daycare provider in rural Alaska, relied heavily upon VA's dependency and indemnity compensation benefits to care for Garrett and his 2-year-old brother, Preston.

Bonnie Carroll, founder of TAPS, also lost her husband, Brigadier General Thomas Carroll, on that very same plane crash. At the tender age of nine, Garrett collaborated with Bonnie to publish a book enabling him to help other children of servicemembers navigating their grief.

Garrett also utilized dependent education benefits during college and said that the assistance he has received from VA over his life was crucial in maintaining stability during incredibly challenging times. His legacy of service came full circle when he joined VA's Pension and Fiduciary Service, where he works every day to help other survivors access their earned benefits.

Stories like Garrett's inspire us to continuously try to do more and try to do better. After losing a loved one, survivors often face barriers accessing VA benefits due to intense grief, being disconnected from the military and veteran community, and because of difficulty navigating available resources. VA collaborates closely with the Department's internal and external partners to reach survivors who may be eligible for benefits and care. Those benefits include the DIC and education benefits Garrett's family received, as well as home loans, survivors pension insurance benefits, healthcare coverage and bereavement services, and burial and memorial services.

As we continue improving the survivor experience, we are delivering more care and benefits to more survivors than ever before. To help meet the increasing demand for VA benefits, we have been aggressively expanding our workforce through hiring, including an 18 percent staff increase in the Pension Management Centers. In Fiscal Year 2023, we conducted outreach to approximately 300,000 survivors who may be eligible for benefits under the PACT act, allowing us to deliver disability and indemnity compensation benefits to 45,000 new survivors, an 18.5 percent increase over the previous year.

We delivered education benefits to more than 215,000 children or surviving spouses of a veteran through the Survivors and Dependents Educational Assistance Program, a 17.4 percent increase over Fiscal Year 2022. We also offered more than 3,000 eligible surviving spouses favorable loan terms and assistance in purchasing,

building, retaining, or improving their home through our VA home loan program. CHAMPVA enrollees increased by 13 percent over Fiscal Year 2022, where we paid nearly \$2 billion in total CHAMPVA claims.

Finally, the Veterans Legacy Memorial, the Nation's first digital platform dedicated to honoring the memory of our fallen heroes, added 5 million new veterans to the platform this November, so that family members, friends, and the larger community can preserve the memory of these veterans and keep their legacy alive.

Despite all of the success we have achieved in connecting more survivors with their earned benefits, we know that we still have plenty more work to do. Last spring, VA conducted a listening session with survivors to help us better understand the pain points, the moments that matter, and the opportunities to improve survivor support. During that session, we heard what many in this room know already, that far too many survivors still do not know what benefits they should be applying for, how to fill out their applications, or where to go to seek help or information.

We recognize that like veterans, not all survivors are the same. There are a broad set of moments that matter, which is why we are continuing to do proactive outreach through events like the Survivors Forum we hosted jointly with Department of Defense (DOD) last week, and why we have launched a campaign to increase awareness about end-of-life benefits before veterans and their families reach their time of need. It is also why we are using the Survivor's Journey Map behind me as a guide to plan for and design better experience for survivors.

We are also improving internal alignment across VA to ensure communication and outreach with the survivor community is easy and accessible. When veterans, their families, and survivors come to one part of VA, there should be no wrong door.

VA remains committed to the President's and Congress' goal of supporting survivors of our servicemembers and veterans in a caring and compassionate manner that honors their sacrifice and service. While we have made progress, there is plenty more to do. We look forward to partnering with this committee, with VSOs, with groups representing survivors, and with survivors themselves to continue tailoring our support to better meet survivors' needs.

Thank you for holding this hearing and giving us the opportunity to talk about this important set of issues, and I look forward to your questions.

[THE PREPARED STATEMENT OF JOSHUA JACOBS APPEARS IN THE APPENDIX]

The CHAIRMAN. Thank you, Mr. Jacobs. We are now going to go to questions, and I will yield myself 5 minutes.

Mr. Jacobs, there are survivors services and benefits beyond the pension and commission's compensation, including those provided by NCA and VHA. Why has not the Office of Survivors Assistance been moved from Board of Veterans Appeals (BVA)'s Pension and Fiduciary back to the office of the VA Secretary?

Mr. JACOBS. Chairman, thank you very much for that question. You know, fundamentally, we have a form versus function debate. My goal in thinking about how we organize ourselves as a Department is are we achieving the right outcomes? Are we delivering

more benefits? Are we delivering a better experience? Are we increasing awareness? That is a major part of the reason why we are taking the Survivor's Journey Map that was built using direct feedback from survivors, and we are refreshing it to validate that what we heard before the pandemic remains true or, if not, that we update it.

You know, the other part, as we think about our organizational design, is thinking about resource allocation and making sure that as we design and locate offices, that we can optimize our return on investment for our customers. We are taking a very hard look at our organizational structure. The bottom line is those decisions will be predicated based on the feedback that we get through this updated research.

The CHAIRMAN. Also, the Office of Survivors Assistance has three full-time employees. When will VA provide that office with the necessary resources and personnel to assist all the survivors?

Mr. JACOBS. Yes. The one thing to note here, you are right, there are three individuals. We are looking to fill two open slots. The responsibility for conducting outreach and engagement with survivors is not the responsibility of the Office of Survivors Assistance alone. We have the Pension and Management Center, where we have many employees who are responsible for delivering those benefits. Each of our regional offices are responsible for conducting targeted and specific outreach to their local communities. We have survivors on staff who help us do that because we know that not every survivor wants to be engaged in the same way or contacted whatsoever. We need to do that smartly and respectfully, recognizing the various needs. Part of the way that we are doing that is taking this feedback that we have received to date, continuing to seek that feedback and figure out how we need to do better.

The CHAIRMAN. The first two questions I have just asked, you can understand how this committee and others that are actually receiving benefits can see that the concern they have that the office has, one, been moved away from the secretary; two, is not being well staffed, which means that the problem is that those benefits which you are talking very well about, and you have got a good flowchart—

Mr. JACOBS. Yes.

The CHAIRMAN.—to the general public, not a good look. It looks like it is the kind of the stepchild, and I do not believe that is where we want to be. I do not think that was ever the intent.

On to the next side of the questions, though. Veterans' surviving families are often unaware of what benefits are available to them and how to apply. Now what, through this flowchart and everything like that, actions are being actually taken to make sure that the survivors know in great detail what is available to them?

Mr. JACOBS. Yes. Thanks very much.

Delivering care and benefits and support to survivors has been and will remain a top priority in the Department. We hosted, as I mentioned in my opening statement, a survivors forum last week. When the Office of Survivors Assistance was located in the Secretary previously, we would have somewhere along the lines of 50 participants. Now, under the reorganization we built that up to 200 last week.

We clearly have more work to do. There are about 600,000 survivors that we serve every day. There is a gap in knowledge and awareness and our ability to connect.

Part of the way that we are doing that is through this work. We are working on targeted outreach. I mentioned the end-of-life information. We are collaborating with VHA, NCA, and VBA to get information out about the suite of benefits that are available to survivors, to talk to them about the end-of-life choices that they are going to have to make with respect to their healthcare, to make sure that they can plan in advance for burial and memorial needs.

The other thing that I will say that is really important for survivors is over the last year, I have traveled across the country trying to increase utilization of benefits. One of the most common refrains I get when I talk to veterans is I do not want to apply for benefits. I do not want to take away benefits from someone else. Every time I hear that, I always refute it, because you are not taking away benefits from someone else. You are helping yourself. You are helping your fellow veterans. One of the things that is most persuasive when I talk to veterans is do not do it for yourself, do it for your family member, because when you are no longer here, these benefits can help your family along after you have moved on.

The CHAIRMAN. My time is expired, but I am going to ask right quick, when did you schedule the forum, before or after having this meeting scheduled?

Mr. JACOBS. This is an annual forum that is planned well in advance. I do not know the exact date. I could give it to you, but we hold it every year.

The CHAIRMAN. All right.

Ranking Member, you are recognized.

Mr. TAKANO. Thank you, Mr. Chairman.

Under Secretary Jacobs, I am less concerned about where OSA is situated than I am about its operation. As I spoke earlier about the current staffing level at OSA, I do feel it is inadequate. I share the chairman's concern that the Office of Caregiver Support has over 500 full-time employees to support approximately 40,000 VA caregivers. I realize there may be some balance of complexity here, but 500 full-time employees to serve 40,000 VA caregivers.

I do not know how VBA thinks that three employees are sufficient to staff the Office of Survivor Assistance, who are supporting nearly a half a million survivors. The public does not understand that. This committee does not understand that.

I know that the chairman asked this question, and you did announce a plan. I do hope you do have a plan. I want to move on to another question, if I may. Well, you want to respond? Go ahead.

Mr. JACOBS. Yes, I just want to say, so we have hundreds, and I do not know the exact number, at the Pension Management Center of staff who are responsible for nothing other than dealing with survivors' benefits. That is DIC claims, survivor pension, burial benefits. Our call center employees manage a lot of that. They got over 750,000 calls in Fiscal Year 2023.

Yes, we have many more employees than are in OSA. That said, we are working to validate that our staffing structure—

Mr. TAKANO. Well, I just want to clarify, the call center employees are under a time limit, right—

Mr. JACOBS. Yes.

Mr. TAKANO [continuing]. when they call in. They are not really equipped to sort of deal with maybe an aging survivor who may not be able to ask their questions——

Mr. JACOBS. Yes.

Mr. TAKANO [continuing]. in a succinct manner, and they feel a lot of pressure to kind of move them around. Citing that you have a lot of——

Mr. JACOBS. Yes.

Mr. TAKANO [continuing]. call center employees does not really kind of get at those people with the expertise to really answer questions. Right?

Mr. JACOBS. Yes. I do not want to leave you with the impression that I am satisfied, because I think we still have more work to do and we are constantly looking how to improve. I just wanted to provide context that there are more staff focused on survivors than just those that exist in the Office of Survivors Assistance.

Mr. TAKANO. Well, it would be helpful to me to know just how calls get routed.

Mr. JACOBS. Sure.

Mr. TAKANO. I mean, what I am hearing from survivors is that they would like a one-stop shop.

Mr. JACOBS. Yes.

Mr. TAKANO. I do not think VA currently provides that.

Mr. JACOBS. You are right.

Mr. TAKANO. You are not in the state of mind to be able to be clear, and we need to get to people on the front end.

Mr. JACOBS. Yes.

Mr. TAKANO. The loss of a loved one has been associated with depression, anxiety, substance use, and prolonged grief reactions. It is vital that when a survivor interacts with the VA, they are treated with kindness, compassion, and patience. Yet we have heard that the VA call center employees feel like they must rush important calls, including the first notice of death calls.

Mr. JACOBS. Mm-hmm.

Mr. TAKANO. Mr. Jacobs, why was the decision made in 2020 to route survivor calls to call centers versus one specialized center?

Mr. JACOBS. Yes, I cannot tell you. I will have to get you an answer for the record there.

What I will tell you is, in looking at the customer experience data that we have, the customer experience data for survivors is actually better than the general population of callers. At the same time, I just had a conversation last week, and I am hearing anecdotal information about survivors not getting the information that they need in a timely, accurate, and respectful way.

I have asked my team to meet with TAPS and other groups to dig into this to make sure that we can talk through these issues.

Mr. TAKANO. Well, did VA conduct any research that determined that a single call center was insufficient or unsatisfactory? Have you kind of looked into that?

Mr. JACOBS. What I will tell you is with the updated research that we are working through on the Survivor Journey Map, we are identifying a desire for a single point of contact. We are working through to figure out what that actually means. I have got some

preliminary information that I just received. We are looking to finish this up in the next few months, and then I would be happy to follow up with you.

Mr. TAKANO. You are monitoring? You know, my question is, what monitoring has occurred since then to validate that choice? Are you guys monitoring the situation?

Mr. JACOBS. Yes, very closely. What we are seeing is that the data is telling us one thing. The anecdotal information we are hearing is telling us another. We have got more work to do to get this right.

Mr. TAKANO. Okay. My final question has to do with we are hearing reports from advocates that there tend to be errors and delays for beneficiaries attempting to use Chapter 35 or the Fry scholarship if they also have GI bill eligibility from serving themselves or if it was transferred to them from a parent because of the individual having multiple files in VA's systems. Obviously, the confusion and delays can be extremely frustrating.

Should VA move to a specialized group of claims processors to handle claims for Chapter 35 and Fry scholarship beneficiaries, which would reduce errors?

Mr. JACOBS. Yes, Congressman, I would ask that if you have specific cases that you share them with me so I can look into them, and I would like to follow up and provide you a more informed answer. I am open to it, but I would like to better understand the issues that you are referring to.

Mr. TAKANO. Well, thank you.

Mr. Chairman, I yield back.

The CHAIRMAN. Dr. Miller-MEEKS.

Ms. MILLER-MEEKS. Thank you, Mr. Chairman, and thank our witnesses for being here.

Dr. Upton, what steps are currently being taken to modernize CHAMPVA's claim filing system to prevent substantial delays in processing claims?

Dr. UPTON. Thank you, Congresswoman.

As you know, CHAMPVA is a very important part of our commitment in VHA to honoring our family members, survivors, and caregivers. As this program has expanded, it has clearly shown us the need that we need to modernize based on feedback from the beneficiaries who use the system.

To answer your direct question, we have heard very clearly that the process of submitting applications for eligibility is done solely in paper right now and requires time and reviews to process as well as beneficiaries when they submit claims directly, those have to come in paper as well. By the end of this calendar year, we are aiming to have an online form available for submission for eligibility as well as claim submission. We are also working extensively on modernization of the whole enrollment and eligibility process, and we will certainly keep you updated.

Ms. MILLER-MEEKS. Thank you. How is the VA addressing the issue of, as a provider, the issue of prolonged payment delays to community providers under CHAMPVA, and what measures are in place to expedite these payments?

Dr. UPTON. Sure. Thank you.

Yes, in order to manage this program and serve that commitment to the beneficiaries we serve, we have to be able to pay providers timely. It is something that is critical in order for providers to be open to see our patients, as well as for beneficiaries not to receive bills.

What we have done in the CHAMPVA program is work to modernize how we process those healthcare claims from providers. Instead of having a human have to touch and review every claim, we are now auto-adjudicating 92 percent or more of claims that come to us electronically from providers, paying most of those within 30 days, often within 7.

We know there is more work to do and continually want to reach out to our provider community to make sure we are paying timely and their questions are answered.

Ms. MILLER-MEEKS. If you are auto-adjudicating or using Artificial Intelligence (AI) to determine claims, can you also keep us updated on the percentage of denials?

Dr. UPTON. I would be happy to update you on the denials.

Ms. MILLER-MEEKS. Given your answer to the first question about moving from paper applications to an online form, can the VA provide data on the average timeframe for resolving backlogged payments and applications and the steps taken to prevent, and I think you have already mentioned, to prevent such backlogs so that you can track before implementation and then after implementation?

Dr. UPTON. Absolutely. We will track that, and it is very important for transparency to you and those we serve.

Ms. MILLER-MEEKS. Then we can follow up next year or the year after.

Regarding the wrongful denials of necessary healthcare services, what is the VA's process for reevaluation of denials and recertification of such cases, and how can this process be made more transparent and accountable?

Dr. UPTON. Sure. For the bulk of CHAMPVA care, as opposed to other programs we run that provide care in the community, CHAMPVA typically does not require preauthorization or preapproval from VA. In instances where there is a denial or there is a payment that, you know, provider feels that should have been made, we have a contact center with representatives that can work with providers and beneficiaries.

What we have noted as we work to modernize this system is that the beneficiaries that use this system could benefit from further coordination for their care with providers, especially in higher sensitivity or high-risk types of care. We are working on better coordination and putting a team in place that can help as the next phase of maturity in the system.

Ms. MILLER-MEEKS. You may have already answered this question, but very briefly, how does the VA plan to address the systemic administrative issues within CHAMPVA to improve overall integrity of the program and better serve one of the most vulnerable segments within the military community?

Dr. UPTON. Very important, and it is one that, you know, we want to do systemically from the start of beneficiaries learning about the program, from the enrollment process, through the pay-

ment, as you mentioned. Through the data we talked about earlier, as well as other steps, we are committed to transparency, listening to our beneficiaries, and working with this committee to make sure that you see what we see and we get it right.

Ms. MILLER-MEEKS. Then Honorable Jacobs, in response to one of your answers to a previous question, you had mentioned that, to Ranking Member Takano, that the information you are receiving perhaps, and you are going to meet with TAPS or other organizations, that your responses have been very favorable, but you are hearing something different.

Have you thought about doing a follow-up survey after people have reached out? Then looking at the follow-up survey to see if, in fact, and it could be randomized, done to see if, in fact, your services are reaching those or your outreach is beneficial.

Mr. JACOBS. We are, and we are looking at it both from a qualitative and a quantitative perspective, because when you get quantitative surveys, you often are limited in terms of what you can glean. When you actually talk to individuals, you get a much richer perspective. That is what the survivor experience project is all about. It is why I have asked my team to follow up. I will be part of some of these conversations as well with organizations representing survivors.

Ms. MILLER-MEEKS. Thank you. I yield back.

The CHAIRMAN. Congressman Deluzio, you are recognized for 5 minutes.

Mr. DELUZIO. Chairman, thank you. Good morning, everyone.

Under Secretary Jacobs, I wanted to come back to something you had said, I think, in your remarks or questions with the chairman or ranking member about veterans being hesitant perhaps to apply for benefits. I just want to make very clear, and I suspect you agree, any veterans who is eligible or survivor or family, those are earned benefits and should not be shy about pursuing them and applying for them. Thank you for reinforcing that message.

I want to focus on pension poaching. As I understand, and the scam can take or the scams can take many forms, typically, some version of an unethical advisor or attorney or someone presents themselves to a veteran or family and distorts their records or distorts what they submit to VA, might take out some fees in the process. That blows back eventually on the claimant, the veteran, their survivor, their family.

Give me a sense what do these scams look like? How are they presented to the typical veteran or their family who is applying?

Mr. JACOBS. Thanks very much. I am going to turn it over to Kevin in just a moment to speak to the details. We are very concerned about pension punctures and the increase of fraudulent and predatory activity that is targeting veterans and their families. It is one of the reasons why we started the Veterans, Servicemembers, and Families Fraud Evasion (VSAFE) effort, and there is a broader interagency effort to prevent and respond in cases where there is predatory behavior. Let me turn it over to Kevin to speak to some of the details.

Mr. FRIEL. Yes, sir. As you stated, the predatory action is that they tell a veteran or a beneficiary that they would be entitled to veterans pension or survivors pension, that they could get them at

the aid and attendance rate. Then what they would do is they would appoint or assign someone to be their in-home care attendant and, you know, charge them for it, but they would give them an upfront loan so they could actually pay for it, so that they could count that as a continuous medical expense for VA purposes. Then upon submission to the application, when they get a retroactive payment, they assume some of the retroactive payment to reimburse cost. You know, they would not charge them for doctors' visits, but then would add that on in the back end.

We have taken some actions within our space on our form. Actually, it is annotated that you cannot be charged to file for a VA claim, initial VA claim. We have also put notifications on our website to identify about pension poaching and reporting them. We have worked with the Department of Justice (DOJ), their Elderly Justice Committee, and to bring that to light and to take actions there. There is a lot of ongoing behind-the-scenes action, but typically we do not find out until after it has happened, which is one of our burdens.

Mr. DELUZIO. I think of two big buckets of response. One is outreach and education for veterans and their families and survivors to understand the risks, to be able to detect if this is happening so they do not fall prey and they are not hurt. There is also an enforcement part of this. You mentioned the Justice Department. What does that look like? How are you working with DOJ? What other authorities, if any, does the Congress need to provide?

I think we cannot just have the burden here fall on veterans and their families. When we have bad actors, we should go after them.

Mr. FRIEL. Our work with the DOJ, it is actually an enterprise stood up with the DOJ, where it has numerous Federal agencies and it addresses issues related to elder abuse and taking advantage of elderly people. There is actually no actions that we could take out of that, you know, legal, but we are also restricted, you know, and we have had conversation with our Office of General Counsel, we are restricted in what we can do, you know, outside of a potential cease and desist, but we have no authority to support that.

Mr. DELUZIO. I would love to follow up with you directly about opportunities for us to more proactively respond to the scourge of pension poachers. Are there specific components within the Justice Department that are liaising with VA on this issue?

Mr. FRIEL. I would have to take that back to get you who is all involved with that.

Mr. DELUZIO. Please do.

Mr. FRIEL. Yes. More broadly, we are working with the Consumer Financial Protection Bureau, with the Federal Trade Commission, with parts of DOJ, and we will get back to you on the specific elements for kind of a whole of government effort to tackle predatory actors in this space.

Mr. DELUZIO. Very good.

Mr. Chairman, I yield back. Thank you.

The CHAIRMAN. Representative Self, you are recognized for 5 minutes.

Mr. SELF. Thank you, Mr. Chairman.

Before we can fix anything, we need to figure out why. You have got 27 percent backlog claims under the PACT Act. I understand from our last hearing that you are planning on now peaking at 600,000. Then you have got the 10 oldest survivor claims have been going on for 4 to 5 years.

Can you talk to us about the why of both of these cases?

Mr. JACOBS. Yes, we have identified, you know, some of the oldest claims, and each of those cases are unique. The bottom line is it is a priority to fix them, but there are a variety of solutions to each of those cases.

Some of the reasons behind the timelines that you mentioned, they range from trying to address claims that were impacted by the fire and need to be fixed, to—

Mr. SELF. You are talking about the 1973 fire?

Mr. JACOBS. The 1973 fire, where—

Mr. SELF. Really?

Mr. JACOBS. Yes, there are issues where we are trying to pull together the rest of the record. There are issues associated with custody and in some cases involving homicide or murder, and working through kind of—

Mr. SELF. What have you done to—now that we know you have got 10 claims that are—

Mr. JACOBS. Yes.

Mr. SELF [continuing]. more than 4 years old. What are you doing today—

Mr. JACOBS. Yes.

Mr. SELF [continuing]. to get them adjudicated?

Mr. JACOBS. What I have asked my team to do is to personally reach out to the 10 oldest claimants and figure out what we can do. They are all different. Some of the issues we are waiting for information, some of it is, you know, in some cases, we have identified information that was missed in an earlier review of the claim, and so we are backdating the effective date to give the most potential benefit. It is just a matter of handling them with a case management approach and with a sense of urgency.

Mr. SELF. I would like a detailed report on that—

Mr. JACOBS. Be happy to.

Mr. SELF [continuing]. if you do not mind.

Mr. JACOBS. Happy to.

Mr. SELF. I understand that VSOs file up to 90 percent of actual claims. What part do the VSOs play in education and filing survivors claims or helping you with them? It looks to me like VSOs are a critical part of initial claims. Are you using the VSOs to their full potential in survivors' benefits claims?

Mr. JACOBS. Yes. Accredited representatives like VSOs are critical partners in helping us increase awareness and provide that connective tissue to help submit claims on behalf of both veterans and survivors. What I would tell you is I think we need to be doing a whole lot more.

There is a knowledge gap that exists within the survivor community. In some parts, it is because they may have been disconnected from the military and veteran community. They do not know about these benefits. They did not serve themselves. We have got a re-

sponsibility, a moral responsibility, to do a better job of proactively and effectively reaching out to them.

Mr. SELF. I think the VSOs could help you with that because they are locally known.

Mr. JACOBS. Yes, sir.

Mr. SELF. Last, I met with Jason Cave last week, and we were talking about folks getting into the system. I said, what is the single—and I am talking about your single point of contact now that you mentioned earlier. I am not sure that is a good idea because I said, what is the number and where does it go when someone calls the Dallas Veterans Integrated Services Network (VISN)? He said, oh, there are probably 15 numbers out there.

Mr. JACOBS. Yes.

Mr. SELF. I am not sure a single point of contact is the best way to go. Why would we not have a plethora of avenues into the system?

Mr. JACOBS. Well, we do want—we want to make sure that there is no wrong door. I do think one of the things we are hearing from survivors is that they want a compassionate single point of contact to help them navigate through this. This is where our survivor experience effort is going to help us make sure that we are listening to the needs of survivors.

We have the call center, the National VA Call Center, 1-800-MY-VA-411 that allows calls to come in and then be moved to the appropriate business unit. We have regional offices. We have medical centers, we have cemeteries. All of those opportunities, all of those entry points should enable the survivor to connect with his or her benefits.

You are right, it is more complicated and more nuanced than that.

Mr. SELF. It is far more complicated. A single point of contact is a single point of failure.

I yield back, Mr. Chairman.

The CHAIRMAN. Representative Brownley.

Ms. BROWNLEY. Thank you, Mr. Chairman.

I wanted to talk a little bit more about CHAMPVA. I have introduced legislation that would bring the age limit up to 26 that was set by the provisions of the Affordable Care Act. This is important, obviously, to survivors, particularly for surviving children who are not going to college. What would the VA need to be able to handle this increase in care recipients?

My understanding is that there is a cost, certainly, but not an astronomical cost. I want to know why the VA really has not tried to move on this.

Dr. UPTON. Sure. Thank you, Congresswoman.

You know, supporting the dependents who use CHAMPVA is so important to us. Right now children or dependents 23 and under account for about 176,000 of our total enrollees in CHAMPVA. As you mentioned, currently CHAMPVA will cover dependents up to age 18 or through age 23 if they are a full-time student, but not age 26, as with many other health plans through the Affordable Care Act.

Ms. BROWNLEY. That is what my bill says.

Dr. UPTON. Yes, and still.

Ms. BROWNLEY. I am very familiar, so.

Dr. UPTON. Yes. From our perspective, it would require legislative change, as I know you are aware, Congresswoman, and resources, as you mentioned. We would be very happy, I would personally be happy to work with you and the committee on steps to better align us with the Affordable Care Act and that age 26.

Ms. BROWNLEY. Very good. I will follow up with you on that.

I also wanted to ask with regards to the letter that survivors receive, the VA summary of the benefits that is in that letter does not provide an itemized list of compensation that a survivor is receiving. Survivors only see a lump sum of the DIC payment. This, I believe, limits their ability to understand if they are receiving all the benefits for which they are eligible and/or when benefits might end.

Why does not the VA provide an itemized list? VSOs have been asking this for years.

Mr. JACOBS. I think it is a great idea. It is actually something that we were talking about earlier this morning, specifically about this. This is where that human-centered design research is going to be really important for us.

I think there is benefit. I think what we just have to do is to kind of explore the feasibility and what steps have to be taken. I think inserting additional complexity always creates risks, but those are risks that we can manage and execute toward.

I think increasing the utilization and the utility of the information we are sharing is important. They know if a survivor's beneficiary ages out of the program and is no longer eligible, they understand why the level of compensation may change. I think that is really important.

The bottom line is we need to do a better job of listening to survivors. That is what this survivor experience effort is intended to address. It is issues like this as well as tackling things like our forms. Right? We know that the plethora of benefits that we provide are wonderful, but there are varying eligibility requirements. Anyone who has dealt with a government form knows how frustrating it can be.

We need to figure out, how can we simplify, how can we streamline, how can we do everything we can to make it easier to apply for and access these benefits while maintaining our requirements under law?

Ms. BROWNLEY. Well, it seems pretty simple to me that the VA, in order to write this letter to survivors, they have to come up with an itemized list, add it all together, and that is the lump sum of what you are sharing with the recipient. I do not understand why it is complicated to just—

Mr. JACOBS. Yes.

Ms. BROWNLEY [continuing]. put down the itemized benefits.

Mr. JACOBS. Yes. I think in some cases we are dealing with antiquated legacy systems that make what should be a simple, easy-to-do task more complicated and challenging than it otherwise would make sense. I would be happy to follow up with you personally to talk about that along with our Information Technology (IT) partners.

The bottom line is, I am committed to doing this. We just have to figure out how to best do that.

Ms. BROWNLEY. Okay. I hope it happens sooner versus later.

You mentioned the forms that one must fill out, so I wanted to ask you why the DIC form is 20 pages long. What is it in that form that requires 20 pages? Correct me if I am wrong, but my understanding is it is 20 pages long.

Mr. JACOBS. Yes.

Ms. BROWNLEY. What is it—

Mr. JACOBS. Yes.

Ms. BROWNLEY [continuing]. in that form that you need in order to secure the benefits—

Mr. JACOBS. Yes.

Ms. BROWNLEY [continuing]. that requires 20 pages?

Mr. JACOBS. Congresswoman, I would tell you I share your frustration, and I do not think it is acceptable. That is why we are actively working to meet with groups to talk through how we can streamline it. Let me turn it over to Kevin to talk through some of the specifics that are in the form and how we are thinking about tackling that.

Mr. FRIEL. Yes, Congresswoman. One of the issues with the length of the DIC form is that it is actually an application for DIC survivor's pension and accrued benefits. By law—and a claim for DIC is a claim for all those benefits. We have to try to collect as much information as needed within that form to make an informed decision.

We are looking at opportunities. We have a regulation that we are considering to see if we can streamline it somewhat. To your point, yes, ma'am, we all agree that it is long. We just have to come up with a way that within the law, within the structure of the law, to be able to streamline it to make sure we get all the required information.

Ms. BROWNLEY. I hope you will continue to work on that.

Thank you, Mr. Chairman, and I yield back.

The CHAIRMAN. Representative Franklin.

Mr. FRANKLIN. Thank you, Mr. Chairman. Thank you, gentlemen, for your time with us here today.

We obviously know how important this is. I appreciate all the work you all are doing. The reason we have these oversight hearings is how can we assess how we are doing, take kind of a snapshot, and how can we get better. Hope, you know, you can take everything you get from us here today in that spirit, and it is all about the veterans and how we can make things better.

Mr. Jacobs, you referenced earlier that there are a number of ways that people like to be communicated with. Some do not want to be called at all. I know as far as making survivors aware of the benefits that are available to them, there is an online survivors toolkit, I guess. There is a form letter that is sent out.

How else do you communicate with them? Is there anyone that actually makes active phone calls to the people you have in your data base?

Mr. JACOBS. In some cases. You know, so I was up in our Providence regional office, and we have a Gold Star Mother up there who works for the VA regional office, and she actively engages with

the survivor community. We have employees who have lost loved ones and are now dedicating their lives to helping others behind them.

Yes, we have employees who actively engage with survivors communities. We work through our partners.

Mr. FRANKLIN. That is anecdotal, though. Some are doing that, but that is not part of the process.

Mr. JACOBS. It is part of the process. I mean, we do. I think we need to do it more and more consistently.

I would also say we work with the groups like TAPS to try to get information out. It is why we hold survivors forums. We do not have the Solid Start idea. The idea that I think Chairman—or Congressman Takano was mentioning this idea, it is something, you know, I think it is a very interesting idea. Want to look at the resource requirements and how you might effectuate that and how that might lay up against other ideas.

The bottom line is I think we need to do more, and we need to do more because there still remains an incredible information gap and an awareness gap amongst too many survivors.

Mr. FRANKLIN. That leads to another question I have. Is there any measurement, any way to quantify the number of people who are eligible for benefits that just do not ever—that you do not connect with, either because they are not proactive or they have fallen through the cracks? Do you have any sense of it?

Mr. JACOBS. Yes.

Mr. FRANKLIN. You got to know, potentially, what your exposure is. How many people could we be helping and how many are we?

Mr. JACOBS. We currently are serving about 600,000 survivors right now, give or take. The challenge for us is that, you know—

Mr. FRANKLIN. Well, how big is the pool of who could and should be helped?

Mr. JACOBS. Do you know the number there?

Mr. FRIEL. No.

Mr. JACOBS. Yes. The challenge for us is understanding that is difficult. When a servicemember passes away while in the military, the military and those services know who has died.

In our case, we do not have that control and command, so we do not have that same visibility. This is where I think creative ideas like working directly with funeral homes and finding other ways to capture that information is going to be important because we have limited visibility on the total population, the total potential population.

Mr. FRANKLIN. Okay. We only have a little bit of time here, but we have heard about some significant delays in discontinuing DIC when a spouse remarries or when a child turns 18. How can we address these better to avoid these clawback situations where people are overpaid benefits and then suddenly, you know, sometimes long after the fact, they are told that they have got to come up with a lot of money that they did not know they were receiving incorrectly? To me, it puts an unfair burden on folks because of administrative delays within the VA.

Mr. JACOBS. Yes, I think it is really important. We are trying to do everything we can to minimize overpayments and reduce the

debts that are created as a result. Let me turn it over to Kevin to talk to some of the specific steps that we are taking.

Mr. FRIEL. Yes. One part is that will play a very important role in this will be the Cleland-Dole Act, which will limit how long VA can work a claim or have a claim where the debt continues to accumulate. We are working on the implementation of that and that, you know, will help reduce the overpayment if it takes us—

Mr. FRANKLIN. Can you detail that a little bit more?

Mr. FRIEL. Yes.

Mr. FRANKLIN. Is there a cap in on how much could be clawed back or is there a time limit on how long those can accrue before they are expected?

Mr. FRIEL. That is what we are targeting, is a time limit on how long a claim can continue to accrue a debt once VA has it in its possession, once VA knew or should have known about it. That is one of—you know, part of the debt comes with the timeliness of notification, how long it takes someone to let us know that they have divorced or, you know, they are recently remarried. Then within our claims process is the other side of it.

The Cleland-Dole Act, once, you know, we can get the implementation piece, it will restrict how long VA can continue to accrue debt on an individual based on our timeliness.

Mr. JACOBS. We are working to make those definitions right now. We are working on regulations that would provide that timeliness.

Mr. FRANKLIN. Is there a timeline you are looking to have that settled by?

Mr. JACOBS. I think, in this calendar year. We have draft instructions that allow us to kind of do it for a year, kind of cap it at a year. We are looking at kind of a program-by-program approach that was done so we could utilize that authority immediately. We are taking a much closer look right now for the regulation.

Mr. FRANKLIN. Okay. Thanks, Mr. Chairman. I yield back.

The CHAIRMAN. Representative Budzinski.

Ms. BUDZINSKI. Thank you, Mr. Chairman.

I was hoping to ask the VA today about just some concerns I have for survivors as far as support for affordable housing in particular. When a veteran passes away, that surviving partner then immediately is incurring, obviously, the cost of mortgages and rents and utilities, and how that might be contributing to an increase in homelessness for surviving partners.

I point out the dependency and indemnity compensation benefit is limited to 43 percent of what a survivor's disability compensation would be. Survivors may have to wait upwards of 4 months to receive those benefits, obviously further exacerbating this concern and issue around affordable housing. I really feel like we need to be doing more to address this for surviving partners.

My question is for Mr. Jacobs. What does the VA currently do to help veterans financially prepare for the income change to their family when they pass away? Where might the VA be able to do a better job to prepare the families for that change?

Mr. JACOBS. Thanks very much for that question. You are right about kind of the level of support.

I think one of the things that we are trying to do is get information out well in advance of veteran's family's time and need. One

of the challenges is trying to navigate benefits like housing and income change in the immediate aftermath of a loved one's passing, dealing with an overwhelming amount of grief, trying to take care of children, trying to take care of the immediate affairs. We do have benefits associated with the Home Loan Guarantee Program where we can help survivors.

I think we helped about 3,000 surviving spouses last year, but I think there is a lack of awareness that that program exists. It provides competitive finance rates for surviving spouses, but we need to get more because our tools are somewhat limited in that space. That is why we are doing this proactive outreach regarding end-of-life benefits to make sure that all of the suite of services are available and understood before the time of need.

Ms. BUDZINSKI. Could you maybe further elaborate then on maybe what the VA has seen with these surviving spouses? Just like statistics around the financial impact of what it means immediately after a veteran were to pass away, just, you know, statistics, I guess, that you have observed from surviving partners.

Mr. JACOBS. Yes. I will have to come back to you with more statistics on the specific details, but what I would say is what we have heard from individual survivors is just the incredible stress. There is a lack of awareness, there is confusion about what benefits they may be eligible for, how to access those benefits, whether they are even eligible in the first place. I think we are starting at a deficit. They are dealing with an incredible amount of grief, and on top of that, trying to navigate a system that is entirely too complex.

Now, we have got the Survivor's Journey Map. You know, some of the things we see is, you know, becoming aware of benefits, just being informed it is table stakes. It should be basic, but it is not something that we can take for granted because far too many people just do not know.

Ms. BUDZINSKI. Right, right. Is there something that VSOs and Military Service Organizations (MSO)s can be doing additionally, in your opinion, to assist?

Mr. JACOBS. Yes. One of the things we always share our information about benefits, about how to access those benefits with our VSO/MSO colleagues. Continuing to get the word out is really, really important.

One of the things we find, so, for example, in our Transition Assistance Program classes, our transitioning servicemembers are going through a lifechanging experience, leaving the military. They are being asked to absorb a day's worth of information about all VA benefits. It helps to have a family member there.

Just as we are trying to get words with our partners and the VSOs to those veterans, trying to include families is really important, because oftentimes the veteran himself or herself may know about the benefits, but his or her loved one may not.

Ms. BUDZINSKI. Okay, great. Thank you.

I yield back, Mr. Chairman.

The CHAIRMAN. Thank you. Representative Van Orden.

Mr. VAN ORDEN. Thank you, Mr. Chairman.

I got to say something real quick, Mr. Jacobs, in reference to Ms. Brownley's question where you said that there is some legacy systems that are impeding your ability to contact people. You can lit-

erally buy a Commodore 64 and have dial-up Internet to send an email, so that is a horrible excuse.

I have a list of 16 different VSOs here: Air Force Association, American Legion and Vets Association, United States Army, Disabled Veterans of America, Enlisted Association of the National Guard, Gold Star Wives of America, Iraq and Afghanistan Veterans of America, Jewish War Veterans of America, National Guard Association of the United States, National Organization of Veterans Advocates, Paralyzed Veterans of America, Tragedy Assistance Program for Survivors, Vietnam Veterans of America, the Veterans of Foreign Wars (VFW) Wounded Warrior Project. If you add the County Veteran Service Officers in there, there are 17.

Mr. JACOBS. Yes, sir.

Mr. VAN ORDEN. How much Federal funding do these guys get?

Mr. JACOBS. I am guessing none.

Mr. VAN ORDEN. There are very rare instances where they get money. Check me on that.

You have a \$3.9 billion operational budget and you have 25,000 employees. If I took half of your operational budget, which would be \$1.95 billion, and I divided that by the 3,069 counties in the entire Nation, we could put nine GS-12s in every single county of the entire Nation. I do not know why you have all this money if you are depending on these people to do the preponderance of your work.

Mr. JACOBS. Sir, first of all, let me try to clarify what I said earlier. I am not making excuses.

Mr. VAN ORDEN. I get it. I know, I get it.

Mr. JACOBS. Listen—

Mr. VAN ORDEN. I have heard you say it a thousand times, so let us cut to the quick, pal. My question to you is, would you support Federal funding for these VSOs?

Mr. JACOBS. I would be happy to talk to you about that. I say we have relied very heavily on them, and—

Mr. VAN ORDEN. Yes, you do.

Mr. JACOBS [continuing]. talking through the—

Mr. VAN ORDEN. You rely very heavily on them. I do not know how heavily you rely on the 25,000 employees that you are responsible for.

Let me ask you a real simple question. How much did it cost to produce that Survivor's Journey Map, that chart? That fancy-looking, awesome thing that nobody can read, how much did it cost to produce that, manhours, salaries, retirements, conferences, operating costs?

Mr. JACOBS. You know, sir, I would be happy to provide that to you. What I would tell you is we are delivering more benefits to more survivors. We had an 18-1/2 percent increase in the number of new DIC survivors benefits that we delivered last year. We delivered 17-1/2 percent more dependent educational assistance benefits.

Mr. VAN ORDEN. Sir, I read your written testimony—

Mr. JACOBS. Yes.

Mr. Van Orden.—in detail and it is lacking because you have, again, a \$3.9 billion operational budget. You employ 25,000 people and you still depend on these volunteer organizations that are

funded by our membership costs. That is completely and wholly inexcusable. This is a failure of the grandest proportion. For you to come here and blow off my colleagues, Democrat and Republican, by these gobbledygook answers that mean absolutely nothing are silly.

Check this out. Pepin County, Wisconsin, 7,318 people are there. There is a veterans population of 549. They are only able to afford one part-time veteran service officer because they get \$550 from the state of Wisconsin. Okay. That is unacceptable.

We take half your budget. There is nine full-time GS-12s working in Pepin County. To me, that is a judicious expenditure of taxpayers dollars. Your Department is not.

I am going to ask you again, would you support funding these County Veterans Service Officers (CVSO)s with Federal money?

Mr. JACOBS. I would be happy to talk to you about working—

Mr. VAN ORDEN. That is not an answer.

Mr. JACOBS. Sir—

Mr. VAN ORDEN. I have 1 minute and 10 seconds left. Just say yes or no.

Mr. JACOBS. Sir, I would be happy to—

Mr. VAN ORDEN. You do not know. Okay. Here is what I want from you. Please write this down. I want a detailed troop to task. Do you know what that means?

Mr. JACOBS. Yes, sir.

Mr. VAN ORDEN. I want to know what these 25,000 people are doing every day. I want to know what they are doing. I want your travel budget to include your hotels, air, rental cars, per diem, and the budget for all these conferences that you hold. I want an itemized list of all those things because you are absolutely blowing money in a way that is not commiserate with helping our veterans in the most efficient manner. You cannot argue that.

Mr. JACOBS. Sir, I would—

Mr. VAN ORDEN. You have said that 50 times today.

Mr. JACOBS. Sir—

Mr. VAN ORDEN. We need more. We need to do better. Better, better, better.

Mr. JACOBS. Sir, I would have to respectfully disagree.

Mr. VAN ORDEN. Okay. Respectfully disagree. What I just stated was a fact.

Mr. JACOBS. Yes. For the last 3 years in a row, we have delivered more benefits to more veterans' survivors than ever before.

Mr. VAN ORDEN. Okay. Then why did you say that you have to do better a thousand times? I can pull up your testimony because it is recorded.

Mr. JACOBS. We wake up every day, and the most dangerous words in any large organization is that is the way it is always been done. We are not accepting that as an answer.

Mr. VAN ORDEN. I understand.

Mr. JACOBS. What we have identified is there is an unmet need in this space.

Mr. VAN ORDEN. Sir, my time has expired. I want the answers to those questions that I gave to you because I chair the subcommittee that is responsible for the Transition Assistance Pro-

gram and for these educational benefits, and you will be in front of my subcommittee answering these questions. Is that clear, sir?

Mr. JACOBS. Yes, sir.

Mr. VAN ORDEN. Thank you very much.

I yield back.

The CHAIRMAN. Representative Landsman.

Mr. LANDSMAN. Thank you, Mr. Chair. Thank you, Mr. Jacobs, your team, for being here and all the work that you do on behalf of veterans and survivors, just trying to be as helpful as possible to folks back home.

If you were a constituent of any of ours and you were setting out to determine what benefits you might be eligible for as a survivor, what would you do?

This is not a gotcha question. This is sort of, let us try to be as informative as possible. You are as close to it as anyone. How would you approach it and what advice would you give to folks who are trying to determine eligibility?

Mr. JACOBS. Yes, I would start by going to the website to understand what benefits may exist and understand what eligibility requirements exist. I may call the contact center to ask an employee. I may walk into a regional office or I may pick up the phone and contact the county VSO, an accredited representative like the American Legion, Disabled American Veterans (DAV), or VFW, or work with an organization like TAPS. Oftentimes you might find a friend or a loved one who is also a survivor and ask them.

Mr. LANDSMAN. Can you list again the top benefits that folks are entitled to that are eligible for?

Mr. JACOBS. Yes. Disability and indemnity compensation. There is survivors pension, there is home loans, a variety of life insurance programs, education benefits. There are healthcare and bereavement services and burial and memorial services as well.

Mr. LANDSMAN. Let us say you hit a snag in this process and you are trying to determine eligibility. Maybe you have gotten on the phone, one, having done the journey map, and talked to a lot of survivors. What are the top two or three snags and how would you recommend people work through those?

Mr. JACOBS. Yes, one of the things we talked about, the length of the forms, the applications, and so maybe I do not fill it out correctly. Having someone to help you, you can call up the regional office, you can work with a VSO. That tends to be one of the biggest challenges. You know, the biggest snag is just lack of awareness, so understanding what you are potentially eligible for to start with.

Mr. LANDSMAN. For congressional offices that have caseworkers that work on these issues, that is a pretty good place to go if you hit a snag, right?

Mr. JACOBS. Absolutely. I spent 10 years in working in Congress, and so I know the importance of the casework function for members.

I would also say in addition to helping those individual survivors and veterans and taking care of their specific needs, I think it is also a good source of information for us. You know, this is a large organization, 600,000 survivors, about 6 million veterans that we serve. We know things are not always going to work as they

should. Getting that intel and being able to differentiate between what is an isolated issue and perhaps a systemic issue is really important for us.

Mr. LANDSMAN. I appreciate that and appreciate the way in which you have approached some of these questions and this mindset of continuous improvement and appreciating the fact that you all have served more veterans, more survivors. Excuse me. However, you got to get better every day. There is so much on the line.

To that end, when I Googled the website, just thinking to myself, if I were in one of these awful situations, and you talked about the stress and the grief, the confusion, you Google the website, you get online, it gives you a sense of what you might be eligible for in that there are categories. I did not see, and maybe I just missed it, a way in which you could just fill something out, something pretty basic that would allow, A, you all at the VA to capture my information, to let you know that I am looking, and to determine for me, you know, if I might be eligible.

We had this program in Ohio, it was called the Ohio Benefits Bank, where everyone, the VSOs, in this case nonprofits, they would be able to sit down, a simple platform that allowed people to say, here is my situation very clearly. Then it would say, you may be eligible for X, Y, Z, so on and so forth. Then all of a sudden, the conversation started to materialize, and things happened much more quickly.

Mr. JACOBS. Yes. We actually have a draft quick eligibility quiz for survivors benefits. This is not something that we have distributed, but it is a prototype that we have developed that we are working to verify and validate it as part of this survivor experience project, and it is something that we are actively looking to do.

Mr. LANDSMAN. That, to me, would be very, very helpful if we can get it online and make it so it is super easy for folks to fill out and immediately know if they might be eligible and you all immediately know that somebody is engaged in trying to determine eligibility.

With that, I yield back. Thank you.

The CHAIRMAN. Representative McGarvey.

Mr. MCGARVEY. Thank you, Mr. Chairman. Mr. Jacobs, thank you for your testimony.

I do think it is at least encouraging to hear about the many programs and all the benefits that are available to families of servicemembers. However, I, too, share the concerns you have heard about the low uptake, the underutilization of these benefits, particularly the survivors benefits across the different administrations of the VA. Something is not working, and we hear about this all the time. It is lengthy applications, delayed appeals, complex eligibility requirements, lack of clear, consolidated information.

When you talk to people going through this, they are frustrated, and it is so easy to see why. In fact, I mean, I understand why people sometimes give up during this process. That is a problem, and that is on the good side. That is if they know there were benefits in the first place, not enough know that the benefits are even available.

We need clear, simple, easy, effective outreach, easy applications, automatic enrollment in these types of things. It sounds like the Office of Survivor Assistance is working hard to engage survivors through email and phone lines, outreach events, community partners, and more, but it is still not working. I think that is my takeaway from a lot of the experience here.

My question to you is, what will the strategy be to test a variety of engagement practices to see what works best and what results in increased uptake within the VA's administrations? How you all are actually testing this, actually using evidence-based decision-making, not just checking the box saying, hey, we are working with VSOs or working with community stakeholders, when we do not even really know what that means, because, again, the numbers show something is not working. How can you guys start to do a better job of figuring out and testing these methods?

Mr. JACOBS. Well, I agree that there are many more survivors that we need to reach to both make aware of these earned benefits and to connect them to these earned benefits and the support. I think that the strategy starts by actively seeking out feedback from our customers and survivor community. That is what we are doing to update the survivor experience effort. Then understanding because what we have been doing has not enabled us to meet as many survivors and serve as many survivors as we think are out there, figuring out how we adapt our approach.

This is not a situation where we are coming from D.C. and saying we are here to help. We are actively trying to target our solutions based on the feedback that we are hearing because the efforts that we have done to date, you know, whether it is through the emails, the outreach engagements, the collaborative efforts, they are not enabling us to meet and serve the survivors that we think could benefit from the support system. We need to actively hear what are the things that we can do better and design our solutions around that feedback.

Mr. MCGARVEY. Again, I appreciate that. It is still not an answer I can put my finger on—

Mr. JACOBS. Yes.

Mr. MCGARVEY [continuing]. and say what you guys are doing. You know, one thing I know in any job, in this job and the private sector jobs we all had before doing this, or public service jobs, you can get in silos.

Mr. JACOBS. Yes.

Mr. MCGARVEY. We have seen some more successful outreach happening with the PACT Act recently, and maybe there is some lesson learned from that.

Mr. JACOBS. Yes.

Mr. MCGARVEY. How is the VA internally sharing some of these lessons about how we are reaching out to our veterans? Again, asking for concrete answers here.

Mr. JACOBS. Sure. One of the things that we are looking to do is we have what are called Veteran Engagement Action Centers. These are outreach efforts where we bring the entire Department together to allow for, in most cases, veterans and survivors to come and ask questions about benefits, about healthcare, about cemeteries.

We are looking to do something targeted specifically to survivors where we can allow for survivors who are already accessing the system but may not have considered another benefit or have questions about a pending claim to come in and get help, or for those survivors who have not yet engaged with VA to come for the first part. Looking to proactively design that and then reach out to the community to bring them in to better support them.

Mr. MCGARVEY. Thank you, Mr. Chairman. I am out of time. I just think there is a really great opportunity here for us to begin thinking of different things and using evidence-based decision-making so we can put our finger on what is working and what is not working and how we help our vets.

The CHAIRMAN. Thank you. Before we release the panel, I just got one quick question here. When will the eligibility quiz, it was made from the 2019 VO surveys study, survivor study, be implemented?

Mr. JACOBS. We should finish up the entire survivor experience process in the next few months and then make a decision as part of that with the quiz. The goal is what we want to—

The CHAIRMAN. I thought that was done already in 2019.

Mr. JACOBS. Yes. My understanding, I was not here at that point, I think they put it on hold as a result of COVID. I do not fully understand the decision-making by kind of the previous leadership. What I will tell you is we are working to revalidate the findings and then want to send that out.

The thing that we just want to be careful about is, as we have that eligibility quiz, is we make sure we do not leave anyone with the impression they are eligible for something that they are not. Making sure that we are tailoring and designing in a manner that is appropriate.

The CHAIRMAN. Well, thank you for being here, Mr. Jacobs, Dr. Upton, and Mr. Friel. Thank you for your testimonies today and you are excused.

Now we are going to try to seat the second panel, if we could, please.

[Recess]

The CHAIRMAN. All right. I would like to welcome the second panel today.

I am going to tell you something. You know, I do pronounce names fairly well and butcher them occasionally, but I am telling you that this—trust me, I am going to do the best I can with every one of your names. Okay?

Okay. First we have Ms. Gabriella Kubinyi. Is that all right? Kubinyi. All right. Ms. Kaanan Mackey-Fugler. Okay. Then we have Ashlynn Haycock-Lohmann. We have Ms. Kelly Hruska.

I would like to recognize myself to introduce Gabriella Kubinyi. There you go. Her husband, Petty Officer Second Class Jeffrey Ferren of the U.S. Navy tragically passed away at the age of 31 while serving on active duty. She has since dedicated herself to serving the veterans and their survivors, including with organizations such as Veterans of Foreign Wars and the Gold Star Wives of America.

We want to honor you for that. We welcome you here today to share some important perspectives that you have lived through. You are now recognized for 5 minutes.

STATEMENT OF GABRIELLA KUBINYI

Ms. KUBINYI. Chairman Bost, Ranking Member Takano, and members of the committee, on behalf of the men and women of the VFW and its auxiliary, thank you for the opportunity to provide our remarks on issues related to military and veteran survivors.

The VFW has long advocated for an increase in benefits and services for family members who have sacrificed alongside of their loved ones in support of service in the United States military. As a member of the VFW Auxiliary, a member and now president of Gold Star Wives of America's Arlington chapter, I have made it my mission to support and advocate for survivors. My employment as an accredited veteran service officer and caseworker for the VFW was instrumental in providing me the means and resources to help survivors access their benefits and maneuver the VA system.

I became a military widow on April 2, 2012, when my 31-year-old husband, Petty Officer Second Class Jeffrey Ferren, suddenly died due to an undiagnosed heart condition. We were high school sweethearts living in Chesapeake, Virginia, where he was stationed for duty with the United States Navy. Nothing can prepare a person for the pain and confusion that comes with the loss of a spouse.

When a veteran dies, VA needs to be informed of the death and then will attempt to contact the spouse or dependents, informing them that they can apply for benefits. This is key: the survivor has to apply for benefits. They are not automatic.

The most important thing VA can do to prepare survivors is to talk openly about the fact that veterans' compensation ends the day they die, period. Veterans and their spouses need to be informed that they may be eligible for DIC. The loss of income is usually a surprise for survivors. It should not be. Every family should be fully aware that when a veteran dies, whatever benefits they are receiving from VA will end. This way they can then make decisions based on that fact.

After my husband died, I decided to pursue continuing my education at American University. The only VA education benefit available at that time for survivors was the Dependent's Educational Assistance, DEA. While the funding was helpful, the total amount of assistance I received that semester was less than the cost of 1 month's rent.

Years later, I decided to pursue a master's degree at George Washington University. By this time, the Fry scholarship existed and if it were not for that, I would not have been able to afford the master's degree I recently completed this past May.

After losing my husband, I moved back to my parents' house in Teaneck, New Jersey. I eventually started going to counseling at the Secaucus Vet Center. My therapist had also been a military spouse and her husband was a disabled veteran. The work we did together resulted in my applying to graduate school courses and making the move to Washington, D.C., where I knew one person, someone I had met through TAPS. There is no way that I would

have had the courage and ability to move forward with my life had it not been for that therapist at that vet center.

After moving to D.C., I went to the local D.C. vet center and was assigned a female therapist as requested. After some time together, my weekly sessions were reduced to every other week. I was told this was because the vet center was trying to accept more patients. Then I received a call from my therapist letting me know that she would have to discontinue our sessions. She said survivors were short-term vet center customers and that my time had expired.

Now, once this was brought to the attention of the VA Headquarters staff, my therapist called back to let me know that I could continue therapy with no time limit. I was told that this was a policy misinterpretation by middle management and that corrective action would be taken.

A month later, my therapist quit. I decided I would wait for another female to be hired so I would not have to switch providers over and over. It is now 2 years later. I have not had any counseling since.

Year after year, the VFW and advocates like me ask Congress to improve on a variety of survivor issues, and legislation is drafted, but never receives the needed votes to enact the significant changes. I strongly urge this committee to find pathways necessary to make sure that survivor benefits are taken seriously and not pushed off again for the next Congress.

Chairman Bost, Ranking Member Takano, thank you for the opportunity to share my testimony today. I look forward to any questions you may have.

[THE PREPARED STATEMENT OF GABRIELLA KUBINYI APPEARS IN THE APPENDIX]

The CHAIRMAN. Thank you very much.

Next I would like to recognize myself again to introduce our second witness, Ms. Mackey-Fugler. She is a surviving spouse of Staff Sergeant Matthew Mackey, who passed away after an accident during active duty. She is also a mother of five Gold Star Children. She is a tireless advocate for military and veteran survivors community, including the Tragedy Assistance Program for Survivors. We are grateful for Ms. Mackey-Fugler that she has traveled all the way from Louisiana to be here today.

With that, you are recognized for 5 minutes.

STATEMENT OF KAAANAN MACKEY-FUGLER

Ms. MACKEY-FUGLER. Thank you Chairman Bost, Ranking Member Takano, and distinguished committee members. I thank you for the opportunity to share issues and challenges surviving military families face accessing our benefits to the Department of Veteran Affairs.

My late husband, Staff Sergeant Matthew Mackey, served in both the Marine Corps and the Iowa National Guard for nearly two decades. We had 12 years together, but spent nearly 10 years of that time separated by training, schools, or deployments.

In 2010, Matt died as a result of an accident, and I was left alone to raise our five young children, who were between the ages of 2 and 11 years. I watched, heartbroken, as my 9-year-old son ran out

of the room bawling, wanting to know who was going to teach him to be a man.

Matt did not want me to spend my life alone or for our children to grow up without a father figure. In 2017, I was lucky enough to find somebody who was honored to take on that role in my now husband, Josh. Josh was willing to wait the extra 24 years until I turned 20—or until I turned 55. It was important for us to show my children that love and morals were more important than money.

When Matt died, I was repeatedly told that it was a debt that could never be repaid. Losing my survivor benefits when I remarried feels as though our country is saying the debt is now paid in full. As I stopped grieving Matt or the challenges of living this life, raising our kids without him just disappears.

People are not replaceable. A piece of paper will never change that I am Matt's widow. It just means that I am also somebody else's spouse now. It does not wipe away the 12 years I spent sacrificing my own career while Matt served, nor the 13 years after his death I have spent raising our broken family.

Though I utilized my education benefits, the gaps in my education and my employment are going to impact my earning potential for the rest of my life. My survivor benefits help not only offset my husband's income, but my loss of my own income as a result of our military life.

I face many challenges as a surviving spouse, but even more so as a remarried surviving spouse. My remarriage created two files within the VA since I remarried a disabled veteran: one under Matt and another under Josh. When I remarried, I reported to the VA within 30 days of receiving my marriage license. I was told it would take 8 to 12 weeks for my benefits to be turned off. I then spent the next 7 months making phone calls, sending faxes, getting TAPS involved, even a congressional inquiry. I did everything short of closing my bank account to stop my benefits.

Nearly 10 months after I remarried, my DIC finally stopped. I then received my debt letter for over \$12,000, which I disputed. Five years later, I sat before the Board of Veteran Appeals and shared these challenges. 2 months after that, I received a letter stating that my debt was forgiven.

These are just the obstacles that I experienced as a surviving spouse. My children have faced many of their own challenges. For example, when surviving children turn 18 while they are still in high school, they are required to submit VA Form 21-674 60 days before their birthday. Our children are not filing new claims, but continuing their eligibility while they are still in high school.

Unfortunately, VA has not developed a way to process these claims in a timely manner. My four young adult children have all been through this process, and each one faced a completely different barrier to ensure their DIC continued. It took 5 months for Alexis, 7 months for Chloe, and 9 months for John. John was actually in college and out on his own before his case was rectified, yet we were told that he did not meet the criteria for a financial hardship. Our son Aiden's paperwork was submitted this past August, and we are still waiting for his DIC to be reinstated.

In addition, our children are only paid DIC through the month they graduate high school, even though VA policy states that they can receive this benefit until they begin utilizing education benefits. None of my children have ever been paid past their graduation months.

In closing, I would like to restate how grateful I am to testify before you today, because many of the issues that I have raised today, Congress has the power to fix in a single comprehensive bill. Passing Love Lives On Act will allow surviving spouses to remarry before the age of 55 and retain their benefits, and this would eliminate many of the challenges.

In reference to the VA Form 21-674 issue, I am confident the VA could update their processing procedures to make this transition less complicated for surviving children. In addition, allowing DIC to be paid to our surviving young adults through the summer after graduation would eliminate any gaps that could cause undue hardship.

I thank you again for the opportunity to share my experiences with you and look forward to answering any questions you may have.

[THE PREPARED STATEMENT OF KAAANAN MACKEY-FUGLER APPEARS IN THE APPENDIX]

The CHAIRMAN. Thank you very much.

Next we have Ashlynn Haycock-Lohmann, director of government and legislative affairs for the Tragedy Assistance Program for Survivors.

Ms. Haycock-Lohmann, you are recognized for 5 minutes.

STATEMENT OF ASHLYNNE HAYCOCK-LOHMANN

Ms. HAYCOCK-LOHMANN. Chairman Bost, Ranking Member Takano, and distinguished committee members, the Tragedy Assistance Program for Survivors is grateful for the opportunity to testify today on behalf of the over 120,000 surviving families TAPS is honored to serve.

I am the Gold Star daughter of United States Army Sergeant First Class Jeffrey Haycock, who died while training to deploy in 2002, and Air Force veteran Nichole Haycock, who died by suicide in 2011. I personally understand how life-changing our VA benefits are to our surviving families.

Our TAPS written statement highlights many of the most common challenges survivors face in accessing benefits, but I will focus my comments on just a few. The most crucial is for our surviving children. If a surviving child turns 18 before graduating high school, dependency and indemnity compensation should be paid to the child until they graduate. This is not happening.

TAPS has consistently raised this issue with the VA over the past 5 years. Unfortunately, the VA has yet to develop a way to process these claims in a timely manner, leading to 18 months and longer delays in payments for all of these students. These should be easy supplemental claims, but every child has experienced a delay in payment due to a lack of a reasonable process for these claims. Many of these surviving children give up after years of trying and never receive the back pay they are owed. We appreciate

Under Secretary Jacobs and his team working to identify a permanent solution.

In addition, not only is DIC supposed to be paid until a child graduates high school, they should receive DIC in the months between graduation and starting college. Despite this being the law, students are not paid during the summer months.

TAPS recommends a process for students to submit a single school certification form that will generate into the national work queue. Additionally, the VA Education Office should be required to notify the Pension Management Center of a surviving child's enrollment and education benefits so Pension can release those additional funds. Under the Forever GI Bill, all Fry-eligible children whose loss occurred on or after January 1, 2013, or who turned 18 on or after that date should not have a delimiting date. Yet nearly half of the certificates of eligibility TAPS has seen this past year still had one.

TAPS recommends moving all Chapter 35 and Fry scholarship claims to one Regional Processing Office (RPO) with specialized claim processing to reduce errors and ensure consistency and certificates of eligibility.

When an active duty servicemember passes, the Department of Defense reaches out to the family, guiding them through available benefits and programs. The VA lacks a similar capability as it does not track family members who are not currently receiving benefits, which is the case for most survivors.

Additionally, non-active duty surviving spouses are expected to navigate the same entry points as veterans, such as the VA's general helpline. During their initial call survivors often receive inaccurate information or are told they are ineligible for benefits. This leads to survivors hesitating to return to the VA for assistance.

TAPS recommends creating a separate VA entry point for survivors and an 800 number specifically for surviving families to ensure they receive adequate support and accurate information.

The VA's Office of survivor Assistance would be the logical entry point, but far too many survivors do not even know it exists. Currently, OSA only has three staff members to support over 465,000 eligible survivors. TAPS recommends permanently moving the Office of Survivor Assistance into the Office of the Under Secretary of Benefits.

OSA has also been treated as if the only benefits survivors receive are compensation. Currently, OSA staff only have access to DIC and pension, therefore, are unable to assist with survivor issues like burial, education, healthcare, life insurance, and homelands. TAPS recommends expanding OSA's access to information to include all survivor benefits.

The limited awareness among survivors regarding OSA highlights the need for VA to more effectively communicate and promote this survivor program to bear on its sacred mission to fulfill President Lincoln's promise to care for those who have served in our Nation's military and their families, caregivers, and survivors.

Every year the VA sends letters randomly asking survivors if they have remarried. Surviving spouses are required to send them back, confirming their marital status. The VA then terminates DIC

when they do not receive those letters, usually because the survivor never received it to begin with.

VA does not consistently send their remarriage letters, so survivors are not proactively expecting them. The only way for a survivor to know if VA received their return letter is if they stop receiving DIC. If VA turns off their benefits, it can take months for them to turn back on.

Additionally, when a surviving spouse remarries under the age of 55, they are legally required to notify the VA. VA states its processing times are 8 to 12 weeks, but the reality is more like 6 to 18 months. Survivors often have to make multiple calls and resend paperwork before being informed that their file has not even been reviewed. Because these survivors are being paid when they are no longer eligible, they are then sent debt letters and expected to pay back the benefits immediately.

TAPS recommends passing the Love Lives On Act, which allows our surviving spouses to maintain benefits upon remarriage at any age and would alleviate many of the challenges our surviving spouses currently face.

Thank you for the opportunity to testify today, and I look forward to answering your questions.

[THE PREPARED STATEMENT OF ASHLYNNE HAYCOCK-LOHMANN APPEARS IN THE APPENDIX]

The CHAIRMAN. Thank you.

Finally, we would now recognize Ms. Kelly Hruska, government relations director for the National Military Family Association.

Ms. Hruska, you are recognized for 5 minutes.

STATEMENT OF KELLY HRUSKA

Ms. HRUSKA. Chairman Bost, Ranking Member Takano, and distinguished members of the committee, the National Military Family Association (NMFA) would like to thank you for the opportunity to present testimony today on supporting America's surviving military family community.

The VA provides surviving family members with an annual summary of benefits letter that indicates the amount of dependency and indemnity compensation the survivor should receive. Not only does the letter provide important information for the survivor, but the letter may be used in applying for benefits, such as housing entitlements, state and local property tax relief, or any other verification of VA benefits that may be required. This letter is an official record of the survivor's VA entitlement.

Unfortunately, we have heard from surviving spouses that they do not receive this important letter. The Veterans Benefit Administration must ensure that the summary of benefits letter is sent to all beneficiaries annually.

Not only are all surviving family members not receiving this summary of benefits letter, but the information included in the letter is broad and may not be relevant to the surviving family members. For example, the VA benefits information does not provide an itemized list of compensation. The DIC is presented as a lump sum. If the surviving spouse is receiving an add-on to their DIC, that add on is included with the DIC payment. The lack of itemization leaves many surviving spouses wondering if they are receiving all

of their benefits and that may be unprepared when temporary additions that they are receiving, such as child allowances, aid in attendance, or household payments, are maybe ending.

Our office receives several phone calls a month from surviving spouses asking us to help verify that they are getting their VA benefits. If the letter were more specific, surviving families would not have to guess or rely on outside organizations for verification.

Counsel and advice on a continuing basis should be available to surviving family members. The surviving family will have questions as the years go by and their needs change. The young widow with a toddler has too many immediate concerns to think about a child's college education 15 years from now. However, the family will be looking for information at that time about those benefits. Will they be able to access the information and advice in an easy manner with someone who is an expert in the benefits for families? Will they walk into an office where the counselor is more familiar with VA health benefits than they are for benefits for surviving family members?

The surviving spouse needs information unique to their family and not a cookie cutter, one-size-fits-all answer. Entities that provide this type of survivor-focused service used to exist. Having an office in the Department of Veterans Affairs or an organization now that could provide advice and assistance would be very helpful to surviving family members.

The VBA has done a great job developing online resources for surviving family members. However, when considering how information is shared, it is important to keep in mind the needs of the population being served. Unfortunately, not everyone has access to online resources. Many of our older surviving spouses, the 41.1 percent of surviving spouses over age 75, may not use or do not have access to a computer.

The VA needs to meet surviving family members where they are. The VA needs to deliver information in different ways for surviving family members to get accurate information from trustworthy services. Dedicated phone lines and trusted individuals to review benefits and help in applying for those benefits would fill a deepening gap.

The Office of Survivor Assistance was established by Public Law 110-389 on October 10, 2008. The legislation directed the Secretary of Veterans Affairs to establish the office in the Department. Congress intended for OSA to serve as the primary advisor to the Secretary on all matters relating to policies, programs, legislative issues affecting survivors. The committee expect that by placing the office under the Department, vice the Veterans Benefit Administration, the full spectrum of VA benefits and services would be addressed. This office would allow for specialized expert staff to provide internal policy guidance and oversight of benefit for survivors.

NMFA advocated for the establishment of OSA and attended the first working group meeting. We were hopeful the office would serve as a dedicated resource and advocate for families that Congress intended.

However, recent events leave us concerned. Despite the specific language of the law, OSA has moved twice in recent years. First,

in February 2021, OSA was shifted to the Office of Outreach Transition Economic Development; June 2023, OSA was again moved, this time to the Office of Pension and Fiduciary. This reorganization appears to remove its intended role as primary advisor to the Secretary. The law has not been changed to permit these changes. NMFA believes these moves undermine the responsibility and authority of the original mission of the office to oversee and protect the well-being of survivors.

Thank you for the opportunity to share our thoughts on the VA's programs and services for survivors. We appreciate the committee holding this hearing to discuss the oversight of these important issues and we look forward to your questions. Thank you.

[THE PREPARED STATEMENT OF KELLY HRUSKA APPEARS IN THE APPENDIX]

The CHAIRMAN. Thank you. I recognize myself for 5 minutes of questioning.

Ms. Kubinyi, could you compare the level of assistance received by survivors of servicemembers who pass away in service with the level of assistance provided by VA to the survivors of veterans who pass away after their service?

Ms. KUBINYI. Yes. Thank you, Mr. Chairman.

Active duty survivors are assigned a Casualty Affairs Calls Officer (CACO) for the Navy. That is a person who leaves their job, whatever it is, and they are assigned to the survivor for however long they need them, weeks, months. My CACO actually drove me to the VA office, walked in with me and helped me, sat right next to me, fill out all of the forms and give them to the VA employee. The CACO helps with all of the paperwork.

When your husband drops dead in front of you, your brain stops working for a while. I was very lucky. I had two of my best friends who made it to Norfolk before the Navy got my parents there. They sat between me and the CACO. They looked at all the paperwork before they looked at me and said, okay, we understand this, sign this.

If you are a survivor of a veteran, if nobody knows, nobody helps. My dad's a disabled veteran. He will probably not die from what he is disabled for. My mom will not be entitled to any survivor benefits. My mom also married him after he served. He has gotten only help from the VA very recently. She has no idea about VFW, about Gold Star Wives, about any of these organizations because my dad was never involved in them.

It is vitally important that we reach the people who are not involved with the VSOs. The VSOs have service officers, the VSOs have auxiliaries. They have survivors who are able to help, and they are an amazing community. If you are active in your post and the veteran dies, there are people there who are friends who help, who also are trained. That is one of the magical things about VSOs, is the community it provides and then continues to provide with VA accredited help.

If you are not part of those organizations and you know nothing about them, how would you ever go to them? When my husband died, he died at home, like stateside. I never even thought call the VFW for help. It never even crossed my mind. It was not until I

moved to D.C. that I learned about what all the VSOs do, and I was an active duty spouse.

It is a vastly different level of care and support that active duty survivors receive versus veterans.

The CHAIRMAN. Thank you. Ms. Mackey-Fugler, can you elaborate on how challenging it was for your children to access DIC after you remarried?

Ms. MACKEY-FUGLER. Thank you, Congressman.

It was very difficult for my kids to access their DIC after I remarried. I think the process stemmed from having to wait until my benefit was shut off for theirs to begin. When I ended up with the debt letter, it was my debt because it was their payment for that timeframe.

Then we go through where I am not even considered their parent anymore. I am considered their fiduciary. How terrible is that to have to hear as the only living parent that the only concern that anybody has for you is the financial well-being of the money that they are given as a death benefit? That is terrible.

That is one of the big problems with getting remarried that I wish I knew before I did because it is caused many issues regarding my child's healthcare. I know in my written statement, I wrote about my 9-year-old being diagnosed with type 1 diabetes in an Intensive Care Unit (ICU) room and no one would speak to me. I had to sign a form giving myself permission for them to speak to me on my 9-year-old's behalf because I am not considered her parent anymore. I am just her guardian. It is absurd, the whole process of that.

The CHAIRMAN. I do not have time to get another question in, but I will go ahead and turn over to the ranking member.

Mr. TAKANO. Well, thank you, Mr. Chairman.

I just want to acknowledge all of your journeys. Very moving testimony by all of you, and your resilience is inspiring and I am also inspired by your courage. You are all leaders in your own way, making meaning out of the loss of your loved one by taking up this cause. I just want to acknowledge that and thank you for being here.

Ms. Haycock-Lohmann, as I mentioned in my opening statement, I will be introducing a bill to create a program similar to VA's Solid Start program, where survivors are contacted multiple times in the year following the death of their loved one to ensure they know about benefits they might be eligible for and how to apply for them. Do you feel that a program like that might be beneficial? Would you recommend the Office of Survivor Assistance to be the appropriate office to provide this service, assuming it has the resources and staff, which the bill also seeks to address?

Ms. HAYCOCK-LOHMANN. Sure. We generally are very supportive of the Solid Start bill. We support increasing the staffing. We support increasing the resources. We do want to make sure that as long as they are doing that outreach, that we are also still making sure that they are supporting the survivors that are coming to them, as that seems to be a current challenge.

Then as for the demographic information, we support gathering additional demographics. One thing we would flag is that VA does

not currently track cause of death, so we would love to see that as an addition to data that is being tracked.

Mr. TAKANO. Great, great feedback and great suggestions.

Ms. Hruska, the honor in our PACT Act provided eligibility for surviving spouses to access benefits as their veterans' toxic exposures are now being recognized. However, the PACT Act approvals for survivors seem to be lagging behind, which speaks to an outreach problem.

Can you speak more about the need for outreach to survivors as they are accessing benefits they might soon be eligible for, as well as the need for continuing outreach throughout the lifespan of survivors?

Ms. HRUSKA. Thank you, Congressman Takano.

I think it is important that VA not just depend on VSOs to do outreach to surviving spouses, but they look at this as a whole of government effort. Utilizing, where are those touch points that other Federal agencies are interacting with survivors, maybe such as the Social Security Administration, and so using those opportunities to communicate with everyone that those benefits could be available and here is where you would go to access those benefits or to check eligibility.

Mr. TAKANO. How about a proactive outreach campaign, meaning a campaign that seeks to reach survivors before they are in a position of being survivors, I mean, while the spouse is still alive, making that couple and that family understand more about these benefits, how might such a proactive outreach campaign improve the lives of survivors?

Ms. HRUSKA. Well, it would definitely make them more aware of them, so that, as both Gabby mentioned, that, you know, when it happens, you are in shock. If they are proactively knowledgeable, then it is not so much of an information dump, and they can know who to outreach to to get those or access those benefits.

Mr. TAKANO. It certainly would help make more understandable the stakes of remarrying and that sort of thing if they were to understand how these benefits work, I would assume.

Ms. Haycock-Lohmann, you have highlighted processing and claims adjudication issues for beneficiaries attempting to use Chapter 35 or the Fry scholarship, especially when the beneficiary also has GI Bill eligibility from serving themselves or if it was transferred to them from a parent because the individual has multiple files in VA systems. I can certainly sympathize with the frustration the Gold Star families' experience from the confusion and delays these mix-ups cause.

Should VA move to a specialized group of claims processors to handle claims for Chapter 35 and Fry scholarship beneficiaries? Would that reduce errors, do you think?

Ms. HAYCOCK-LOHMANN. Yes, we strongly believe that we should relocate Fry and Chapter 35 to one of the RPOs and very specialized claims processing. A good example of that is that all active duty DIC claims were moved to the Philadelphia RPO, and it has massively reduced the challenges and errors we saw for those claims.

We think that the biggest challenge is that there is inconsistency in the certificates of eligibility that are coming out. There are a lot

of cases where there should not be a delimiting date on them, and we are still seeing that fairly consistently across the board. If we can help make sure that the claims processors who are specifically processing those claims are incredibly knowledgeable about the very nuanced technicalities, it would reduce overall errors.

Mr. TAKANO. Well, thank you so much.

Mr. Chairman, I yield back.

The CHAIRMAN. Representative Self, you are recognized.

Mr. SELF. Thank you, Mr. Chairman. You have changed my second line of questioning.

I think most of you heard that I was asking about the VSOs in our first panel, but, Ms. Kubinyi, are we talking about surviving spouses, veterans that were receiving VA benefits because you said they are not involved with the VSO community, but they were receiving VA benefits?

Ms. KUBINYI. I was more referring to spouses who are not involved with VSOs.

Mr. SELF. Right.

Ms. KUBINYI. They are not necessarily—their spouse may be receiving VA disability or any of the benefits that are available, but they may not even know that there is a DIC after.

Mr. SELF. Understand. You are a representative of one of the major VSOs. How many are we talking about? What do you think?

Ms. KUBINYI. That do not know?

Mr. SELF. Yes. Surviving spouses of veterans that may not either be capable or do not know about benefits. What is that universe?

Ms. KUBINYI. I could not put in a specific number on that, but I would be willing to say, from the work I have done at VFW and the older, specifically older, survivors who would call in shock, in dismay of what the benefits were, which led me to believe they had no idea what was coming. It was a significant amount of the older, like, 70-plus survivors. Again, I cannot put an exact number, but it is not one or two.

Mr. SELF. Anybody want to take it? No? Okay.

I want to also ask you about you are not a parent, but a guardian. Is that an official designation?

Ms. MACKEY-FUGLER. Per policy between VA and DOD, I am either considered a guardian or a fiduciary for my children. I am in all pieces of mail, I actually have a whole binder here of what it is like going through the VA process and having children, it states that I am a fiduciary taking care of their financial needs.

Like I mentioned, I had to fill out basically a Health Insurance Portability and Accountability Act (HIPAA) form to be able to talk to TRICARE to find out how to take care of my daughter while she was in ICU.

Mr. SELF. Okay. Let me ask it a different way. What rights do you know that you have lost as a parent?

Ms. MACKEY-FUGLER. We actually have a piece that was in National Defense Authorization Act (NDAA) last year, I believe, regarding the electronic access for my children. I do not have electronic access to any of my children's benefits. I am no longer privileged to that information. Apparently, upon remarrying, I am, I guess, not trustworthy enough to have access to personal informa-

tion about my children on the Defense Manpower Data Center (DMDC) website or on their e-benefits website.

My adult children cannot even access their own information right now on e-benefits or use their ID Me to log in and certify enrollments that they have changes because that is done through their dad's ID card. It is all my children's benefits that they are entitled to that they are not really able to use because I do not have access to that.

Mr. SELF. Do you still have children at home?

Ms. MACKEY-FUGLER. I still have one minor child at home.

Mr. SELF. Do you have say so over healthcare for your minor child?

Ms. MACKEY-FUGLER. Yes, after I sat in a hospital room while she was in ICU and filled out a HIPAA form, I do have access to her healthcare by the telephone.

Mr. SELF. Do you have authority over her healthcare?

Ms. MACKEY-FUGLER. Yes. We have to use a lot of preauthorizations and things for her medications. We have to do all of that through the mail or through a phone call. Anything that is authorized for her, I have to wait for that to come to my house through snail mail before we know whether it is been approved or not to take care of a portion of her healthcare.

Mr. SELF. Okay. Does anyone else want to comment on that same question? Yes, ma'am.

Ms. HAYCOCK-LOHMANN. I would just add that she does not have access to the electronic medical records piece. She can call and send in forms, but she cannot access any of the online piece of it. While we did technically fix that in the 2022 NDAA for the TRICARE piece, DOD has yet to implement this, even though it was supposed to be effective immediately.

Ms. HRUSKA. Sir, I would just like to mention that she has to jump through all of these extra steps that any other family would not have to, and that is just not acceptable.

Mr. SELF. Is that because you remarried? Is that what you are saying? It is because you remarried?

Ms. MACKEY-FUGLER. Yes, sir. It is completely because I remarried, making me no longer my deceased husband's dependent in these systems.

Mr. SELF. Thank you. Very enlightening.

I yield back.

The CHAIRMAN. Representative Brownley.

Ms. BROWNLEY. Thank you, Mr. Chairman.

I certainly wanted to associate myself with Mr. Takano's words. Thank you for being here. Recognize your resilience and your courage for being here and thank you for trying to pave the way for, sadly, future men and women who will be in your situation who will have lost their spouse. I really do thank you for being here.

Ms. Haycock-Lohmann, I wanted to ask you, you know, I have this bill on CHAMPVA to extend access for healthcare to 26 years of age. I am just curious to know of sort of the cases that you go through and so forth. Do you hear this a lot? Particularly children who graduate from high school and do not go on to college, I think they are still covered until 23, but still. Can you talk about that a little bit?

Ms. HAYCOCK-LOHMANN. Sure. Unlike even TRICARE, where there is an ability for the families to pay for that service until the child is 26, there is none of that for CHAMPVA. Once they are cut-off, they are cutoff. One of the things that we see most consistently as a concern with that is access to mental health, especially for our surviving children. Making sure that as, you know, you are turning 18, graduating high school, that is a big transition, and it is also an incredibly big transition when you are grieving the loss of a parent, and so making sure they have access to that continued mental health care, especially if they maybe take a gap year or take time to, you know, figure out what they want to do, because the last thing we also want to do is see our survivors waste their education benefits because they feel they have to enroll to maintain health insurance because they do not have even an option to buy it. It is one of the things we see consistently.

Our biggest concern has been access to mental health care for these transitioning children.

Ms. BROWNLEY. Thank you for that. Ms. Mackey-Fugler, you talked about all of the trials and tribulations with your children and receiving DIC benefits. At the end of the day, did they get their payments retroactively?

Ms. MACKEY-FUGLER. Each of my children have received their payment after they graduated high school. All of my children have had months of process where they had no payment at all. In one of my child's cases, he was actually denied his education benefit, first because they claimed that his father was not deceased. Then it was because his father did not die in the line of duty. Finally, the third time they got it right and gave him his benefit.

That is detrimental for an 18-year-old to open a letter for their, you know, Fry scholarship that is supposed to send them to school and hear that they are denied because their dad is not dead. I mean, how terrible to deal with those emotions. That is really why we really would like to automate the Certificate of Eligibility (COE). I do not think that is a difficult thing to do. I know they do it on the survivor benefit plan side through DOD for our kids. Every July, they send in their form, and we have no problems with benefits on that side getting turned off, waiting months to get those benefits. It is within the month that is taken care of.

Ms. BROWNLEY. Thank you. Ms. Hruska, you mentioned a couple of things in your testimony that I wanted to follow up with you on. You talked about the OAS moving and has moved several different times since its inception. I think you mentioned something about the law does not allow that movement. Or did I understand you correctly?

Ms. HRUSKA. The law was very specific as to where the Office of Survivor Assistance should be located and the reasons why.

Ms. BROWNLEY. In other words, the VA is not following the law.

Ms. HRUSKA. Yes, ma'am.

Ms. BROWNLEY. Thank you. You also talked about access to website and access to knowledge about what benefits surviving spouses have, and you sounded pretty complimentary, except for those who do not have access, which I completely understand.

Is it true that one can go to a website, a VA website, and go to one place to find out what all of the benefits are for surviving spouses?

Ms. HRUSKA. The VA website does have those benefits. I think Ashlynn mentioned in her written testimony that the websites sometimes are not as updated as they should be, but the information is there, and, you know, they give you a number that you can call. The problem is that some people who are maybe more comfortable using the web might think, well, this is the information, and so take, you know, what they are seeing at its face value.

You do have access to forms and so, you know, in that respect, it is great, but the web pages could be updated more frequently.

Ms. BROWNLEY. Understood. Well, just, you know, for the record, I am happy to hear that because for most cases with regards to benefits for veterans, they have to search all over the website to figure that out. I am happy to hear, at least in this case, they are all in one place. I do recognize your testimony around access to that technology.

With that, I yield back. Thank you.

The CHAIRMAN. Thank you. Mr. Van Orden.

Mr. VAN ORDEN. Thank you, Mr. Chairman. I want to congratulate you in putting together a panel with the most difficult to pronounce names I have ever seen. I mean, it is remarkable. If I butcher these, please forgive me.

Ms. Kubinyi and Ms. Mackey-Fugler and Ms. Haycock-Lohmann, I want to thank you for coming up here today. It takes real courage. It does.

Do we have any more Gold Star spouses in the crowd back here? All right. Thank you very much.

I have had about 50 of my friends killed since 9–11 in training in combat, and what you said means something to me. This is not a debt that gets repaid. It is not a mortgage. You wanting to remarry and start your life again should not be penalized. It just should not. What a better way to raise children than in a stable nuclear family? That is just junk, and we got to get rid of that. Absolutely.

I am the chairman of the subcommittee that is in charge of Chapter 35 in the Transition Assistance Program. We are looking at the TAP program itself to make sure our curriculum is meeting some type of need.

Clearly, Ms. Hruska, your comment about a young widow with a toddler is not thinking about college 15 years later is absolutely spot-on. We need to do something to be able to track these things.

Your suggestion of contacting the Social Security Administration I think is a lot better than trolling funeral homes, as was brought up in the previous panel. I do not know how that would work. Cold-calling funeral homes and asking if a veteran died recently, I think that is patently absurd.

Because I am responsible for that in the subcommittee, you are going to hear something out of a government official that you are never going to hear: I am taking personal responsibility to make sure that we get this going. Okay? If you have any issues at all, I want you to reach out directly to my office because these benefits

are earned, and they are earned in the most horrific way of losing your spouse. I do owe you a debt, and I will repay it. That is all.

I will yield back.

The CHAIRMAN. Thank you. Representative Mace.

Ms. MACE. Thank you, Mr. Chairman. First of all, I want to thank all of you and everyone who is in the audience and the panel up here today. I cannot imagine how difficult it is if you have lost a spouse and the impact it is had on your children, how difficult it is. It takes a lot of courage to come up here, to come up to D.C., and a lot of effort. The VA has so got it backward, and sometimes so does the DOD.

I come from a military family. I graduated from the Citadel, and although I did not serve, my father spent 28 years in the U.S. Army serving his country, and he is fully disabled. He will likely pass away from one of his injuries that he continues to have chronic pain from. He had over 500 parachute jumps.

I spent three tours of combat, two in Vietnam and one in the 1964 coup d'etat of the Dominican Republic. I have members of my family who are spouses. I have one who cannot get remarried because they are a cancer survivor. If they get remarried, they lose all of their TRICARE benefits.

It is crazy to me to see that this is the way we treat our veterans and their spouses and their children.

You know, so we live this in our family to some extent on a daily basis, and we have seen the impact that it is had, the negative impact. You know, Kaanan, I cannot empathize. We have not gone through that.

I feel your pain as a mom and not being able to have access to your kids' records, especially digitally, when you should. It should be easy. If you did this in the private sector this way, the business would go belly up. To hear the story of DOD not doing what they have been told to do by law is deeply disappointing.

I had a hearing on the Oversight Committee last year, and it was regarding just a \$300 million software system the DOD was supposed to implement. We spent the money, it came time to implement, and none of the service branches were ready. That money just got entirely wasted. Imagine what we could have done with that for veterans and their families, right?

In the remaining time that I have today, I did want to ask a few questions. Ms. Haycock-Lohmann, the first one to you. What sort of recommendations, solutions, ideas—and I am a small parts, big difference because so little gets done around here. It is mostly BS, but this is an area where I know that on both sides of the aisle, hearing from folks, Democrats and Republicans today, that we do want to work together in a meaningful way. What are some recommendations and solutions you might have?

Ms. HAYCOCK-LOHMANN. Survivors make up such a small percentage of those supported by VA that one of the things we do consistently see as an issue is that whether they call the call center or they reach out through official channels, oftentimes they are not educated enough on survivor issues to answer those questions. The more we can do to make sure that there are a small handful of people processing specific survivor issues, such as moving all of the Chapter 35 and Fry scholarships to one RPO or making sure that

there is an 800 number for survivors to call that can help answer those questions. We know it is not going to be a huge influx coming in, but it is making sure that when they do call, they have a place where they know they are going to get answers that are specific to survivors.

We talked about the Office of Survivor Assistance, but they only have access to pension and fiduciary claims. They cannot help survivors with education, healthcare, life insurance, any of those things. Their process is to do one of two things: they either send them back to the VA's general helpline, where they once again are recirculated back into the community, or they refer them to organizations like TAPS, where our caseworkers step in and help the families with those issues.

The more we can do to make sure that the people who are working with survivors directly have access and the ability to support our survivors and make sure they are getting accurate information, the better it will be for our survivors.

Ms. MACE. Ms. Mackey-Fugler, is there anything you would like to add in terms of possible solutions or recommendations that might, in a small part, make a big difference in the lives based on your experience?

Ms. MACKEY-FUGLER. Pass Love Lives On.

Ms. MACE. What is that?

Ms. MACKEY-FUGLER. Pass Love Lives On. It will fix a whole plethora of the issues that the surviving community faces and giving them the opportunity to choose how they move forward with their life without it being dictated by our benefits being dangled in front of us, having to make decisions that way.

Ms. MACE. I want to thank all of you this afternoon for being here. I hope this will be a meaningful conversation. Again, this is an area where we can work together. This is not a partisan place, this type of issue. Please do stay connected with us and our staff and make sure that you hold us accountable. We say we are going to do something, make sure that we do it.

Thank you, Mr. Chairman. I yield back.

The CHAIRMAN. Representative Ciscomani, you are recognized for 5 minutes.

Mr. CISCOMANI. Thank you, Mr. Chairman, and thank you all for being here and thank you for sharing your testimony. I think it is extremely important.

My district, just for background, is in Arizona 6. That is in the southeastern corner of the state. I have two military bases in my district. I also have over 70,000 veterans in my district. This is an important issue for me and specifically the surviving spouse one is one as well that I became very interested in.

I have a Veterans Advisory Council, and we have veterans from all branches and different variety of how long they have served and when they are retired. We have taken a serious focus on helping through our council as well. Their role is to advise me on the best approach and policy and so on, and to learn about the needs. The surviving spouse area has been one of the ones that we have been tackling more in depth recently, so this is very timely. I just met with them last week and we talked about this hearing. I have been looking forward to this meeting for a while.

You know, when I learned that the Office of Survivor Assistance was relocated to the Office of the Secretary of Veteran Benefits Administration, reporting to a midlevel staffer with only three full-time staff, I was astounded by that. This office was created in 2008, as you know who, to serve as a principal advisor to the Secretary. This deprioritization blatantly skirts Congress' intent on the VA's mission, I believe.

To help rectify this oversight, I was proud to work alongside Chairman Bost to ensure survivor issue. All issues always have a seat at the table by introducing H.R. 7100, the Prioritizing Veterans' Survivors Act, which once again places OSAs within the Office of the VA Secretary as intended, and thereby prioritizes the advocacy and services for our veterans' surviving spouses and families.

My first question for you, Ms. Kubinyi, did I pronounce that? No? Yes. Okay. Feel free to correct me, please. You know, given your experience with different vet centers, what improvements would you recommend to ensure consistency in the quality of care and services provided to survivors across all locations?

Ms. KUBINYI. The most important thing is to have full staffing of the vet centers. Vet centers are magical places, again, where veterans come and find a community. Survivors do the same. We might not be part of the groups, but it is a familiar place when we are surrounded by other people who have served. The most important thing is to fully staff every vet center.

When you can go to a vet center, when you can call, because now we call directly to the vet center and have to go through the process ourselves, it would be very helpful if they were fully staffed and had room because grief is—the more you put it off, the worse it becomes. It is definitely not something that you want to wait years, you know, to deal with. That is sometimes—at least months was my experience of having to wait simply because there were not enough counselors there.

Mr. CISCOMANI. Yes. No, and I appreciate that perspective. You know, you said recently, I mean, just earlier today as well, the surviving spouse of active duty versus a surviving spouse of a veteran, I think that is why you bring such a strong perspective voice to the table. I appreciate you being here. Thank you for that.

Ms. Haycock-Lohmann, a quick question here as well. You mentioned that many survivors do not know that the Office of Survivors Assistance even exists. How would moving the OSA to the Office of the VA Secretary improve survivors' access to VA benefits?

Ms. HAYCOCK-LOHMANN. We are not as concerned about the location. Our official recommendation is to move it to the Under Secretary of Benefits because we think they could provide the structure and infrastructure we think OSA is currently missing. They are currently buried under Pension and Fiduciary, not even in the office of the under secretary.

You know, it is more about making sure that they have the support and staff and ability to support our survivors and create that entry point for our survivors that we currently do not have.

Mr. CISCOMANI. Yes, that is a good point. That piggybacks off, obviously, what was just mentioned regarding the staffing. My next

and last question, because of timing here, in your testimony you discussed the inadequate staffing and funding of the Office of Survivor Assistance. What sort of information can someone get from this office related to survivor education benefits? Also, do you feel that this office should be enhanced to provide more support for survivors?

Ms. HAYCOCK-LOHMANN. We absolutely want to see OSA enhanced. Currently, they do not have access to education claims. If a survivor contacts them and asks about education, they send them either to the GI Bill helpline, which we worked with VA several years ago to design a specific number for our survivors. If they call 888-GI-Bill-1, I want to say it is number 5, it specifically takes them to somebody who can assist them with survivor issues.

OSA will either send them there or they will refer them out to organizations like TAPS, who can assist the survivors with those benefits and have the ability to assist with education claims as part of our memorandum of agreement with VA.

Mr. CISCOMANI. Thank you very much.

Mr. Chair, I yield back.

The CHAIRMAN. Thank you. I now recognize Ranking Member Takano for any closing remarks he might have.

Mr. TAKANO. Well, thank you, Mr. Chairman. I again thank you for holding a hearing on this very important topic, and I mean that. I want to thank again all you, all of the witnesses for being here today and to speak on this topic as well. I want to extend a special thank you to the survivors on the panel and the survivors in the audience and those who are here only with us in spirit.

Now, your stories have demonstrated a level of bravery and courage equal to that of our servicemembers, and you deserve every ounce of our effort in creating a VA that is welcoming and accessible and every dollar of benefits that we can muster on your behalf. That is why I really feel compelled to point out the distinction between how the two different parties' representatives on this dais here are addressing the issue.

Yes, this committee does endeavor to work on a bipartisan basis, but I have to point out the difference in approach thus far. Today, I have previewed for you a bill that puts new tools in VA's hands to aid them in reaching survivors where they are and better inform them of the benefits that they have earned.

We have members like my colleague Julia Brownley, who is here just to the right of me, who has introduced legislation to extend CHAMPVA eligibility. Representative Jahana Hayes has introduced legislation to raise the levels of DIC benefits on par with other Federal survivors programs. That seems to be only fair.

We have members like Dean Phillips, who has introduced the Love Lives On Act, which would address many of the issues that we have heard raised here about the consequences of survivors who remarry, and that will repeal the ridiculous penalties survivors face when they choose to remarry. It costs money, and we have to deal with it costs money, but we got to do what is right.

This bill is not up for discussion here today. Soon we will have legislation introduced from my colleague, Representative Frank Mrvan, to increase benefits for those using Chapter 35 education benefits, but making those individuals—and also making those in-

dividuals eligible for the more robust, comprehensive benefits equal to the Forever GI bill.

I have to say, what is it that is being delivered today by my colleagues on the other side? A bill that does nothing more than fiddle around with VA's organization chart and does not do a single thing to improve or expand the delivery of benefits. I realize there is a controversy over whether the OSA belongs here or there, but I would suggest you settling for where it goes is really symbolic, and it does not really address the real issues that we need to address in order to get at why survivors continue to suffer needlessly.

I am afraid, you know, what I see is a fear of taking real action, and that fear is about dealing with the real dollars that need to actually constitute that action. I would ask you not to just settle for something that fiddles with an organization chart.

We have seen historically low levels of legislation to aid our veterans and their survivors pass this Congress. This majority professes to carry the torch for veterans, but they cannot muster the will to move the needle one single bit.

I implore those watching today to not be fooled by window dressing. Instead, demand real, concrete action. It is what you deserve and is what I and my colleagues are fighting for on your behalf.

Thank you, and I yield back.

The CHAIRMAN. Thank you, Ranking Member.

I want to thank our witnesses for joining us here today, especially the witnesses who shared the personal stories and important insights about the challenges that they face after losing their loved ones. Ensuring access to benefits and healthcare for the loved ones of the men and women who are in uniform is no less important than caring for the men and women who serve. The debt we owe to the men and women who made the ultimate sacrifice extend to their families as well. We must ensure that VA uses the authority and budget Congress has provided to repay the debt to the veterans and their surviving families like yourself.

I appreciate the Ranking Member Takano and all his members of this committee who stand with me in our bipartisan effort to do that. It is a bipartisan effort. Maybe he does not notice it, but anyway.

I ask unanimous consent that all members shall have 5 legislative days in which to revise and extend their remarks and include any extraneous this material hearing. No objections, so ordered. The hearing is adjourned.

[Whereupon, at 12:57 p.m., the committee was adjourned.]

A P P E N D I X

PREPARED STATEMENT OF WITNESSES

Prepared Statement of Joshua Jacobs

Good morning, Chairman Bost, Ranking Member Takano, and Members of the Committee. Thank you for the opportunity to appear before you today to discuss the Department of Veterans Affairs (VA) efforts to reach and support Veterans' survivors. With me today is Kevin Friel, Deputy Director, Pension and Fiduciary (P&F) Service, as well as Dr. Mark T. Upton, Deputy to the Deputy Under Secretary for Health, Veterans Health Administration (VHA).

Educating Service members on Survivor Benefits

In many circumstances, VA's relationship with survivors begins long before they lose their loved one. The Transition Assistance Program (TAP) is an interagency program conducted by VA, the Department of Defense (DoD), and other federal agencies, designed to provide Service members and their families with information on benefits and services to ease their transition from military to civilian life. VA's portion of the week long TAP curriculum provides a full 1-day course outlining VA benefits and services not only for Veterans and their families, but also for caregivers and survivors. In addition to the information provided as part of TAP, VA developed the Survivor and Casualty Assistance Resources Military Life Cycle (MLC) module, which was launched in 2019, an online micro-learning course, that provides an overview of VA survivor benefits and eligibility, and what to do following a loss. No assessment responses were received from participants to provide feedback on the course in FY 2022. FY 2023 data is expected in March/April 2023. MLCs are online self-paced courses and can be accessed by Service members, Veterans, family members, caregivers, survivors, and other loved ones anywhere, at any time.

Support for Survivors

In the event of a Service member or Veteran's passing, VA plays a vital role in supporting their survivors. In October 2008, VA established the Office of Survivors Assistance (OSA) in accordance with Public Law 110-389, 38 U.S.C. § 321. OSA serves as a resource regarding all benefits and services furnished by VA to survivors and dependents of deceased Veterans and members of the Armed Forces. OSA also serves as a principal advisor to the Secretary of Veterans Affairs, working to promote the use of VA benefits, programs, and services to survivors while ensuring that they are properly supported as stated in VA's mission. In February 2021, OSA was moved under the Veterans Benefits Administration (VBA) to better align OSA's work with survivors, outreach, and survivors' monetary benefits under the program office that has oversight of several benefit programs available to survivors.

Over the years, OSA has built and maintained collaborative partnerships with local, state, tribal, and Federal agencies, as well as Veterans Service Organizations (VSOs), faith-based and community organizations, and other stakeholder groups to increase awareness of benefits and services available to surviving family members. OSA also advocates for the needs of survivors in VA's policy and programmatic decisions, makes appropriate referrals to VA administrations and staff offices to ensure that survivors receive eligible benefits and services, communicates with surviving family members in a proactive and timely manner, and develops innovative outreach opportunities to reach survivors who are eligible but are not receiving benefits.

OSA works closely with VA's internal and external partners to reach survivors who may be eligible for benefits. This includes regular communications with VSOs, such as the Tragedy Assistance Program for Survivors (TAPS), the Elizabeth Dole Foundation, the National Association of State Directors of Veterans Affairs, and other survivor-focused groups to discuss benefits, changes, and challenges. OSA serves as a representative of VA's Veterans' Family, Caregiver, and Survivor Advisory Committee, offering insight into survivor issues and challenges, and also provides discussion, training, and coordination with other VBA offices, VHA, and the National Cemetery Administration (NCA). There are four positions on the com-

mittee allocated for survivors; one is a gold star mother. OSA works with other Federal agencies, such as the Department of Agriculture, the Department of Justice, and the Department of Homeland Security, to provide training, discuss benefits, and disseminate material about VA programs. Through OSA, VBA attends and participates in speaking engagements to share information on benefits for survivors at VSO National Conventions, to include the Legacy Six, Gold Star Mothers, and Gold Star Wives. Additionally, OSA coordinates weekly with our counterparts in DoD and individual service survivor programs, meets monthly with the Gold Star and Surviving Family Member Forum, and provides training to service casualty officers (U.S. Army, National Guard, Reserves, U.S. Air Force, U.S. Navy, and U.S. Marine Corps).

As part of its stakeholder engagement, OSA has a dedicated email address (officeofsurvivors@va.gov) and phone number (1-202-461-9383). During Fiscal Year (FY) 2023, OSA received and responded to 9,214 email and phone inquiries from Veterans, survivors, family members, and caregivers about benefits and the status of their claims. During the same period, VBA's National Call Center received 758,104 survivor-related calls. The top 2 primary requests were requests for assistance with a pending survivor-related claim (over 270,000 calls) and First Notice of Death (over 150,000 calls). The remaining calls were general survivor benefit-related calls. To ensure that the most up-to-date information is available to those who work within the casualty/survivor community, in FY 2023, OSA participated in 12 events with TAPS, Gold Star Wives, Gold Star Mothers, and other VSOs and held 7 Casualty Assistance Officer training events, 2 VA/DoD Survivor Forums, and numerous training events for other VA employees. The OSA Assistant Director also participates monthly with DoD in a Gold Star and Surviving Family Representatives meeting, and quarterly with the Casualty Action Board and the Central Joint Mortuary Affairs Board. These groups address survivor challenges from individual services and also discuss and resolve regulation and policy challenges related to active-duty deaths and the ensuing survivor-related questions and concerns.

Improving the Survivors Experience

In keeping with their mission, in October 2023, OSA revisited an earlier collaboration with the Veterans Experience Office (VEO) to update the Survivor's Journey Map. During findings for the initial journey map in 2019, VEO found that speed and efficiency are valued by survivors during claims processing, while having a dedicated and informed advocate would greatly improve the survivor experience when completing the sometimes confusing and/or overwhelming application for benefits. The Journey Map highlights "life stages" survivors may encounter, from preparing with their Veteran to the end of their own life, as well as "moments that matter" aligned to each life stage. Similar to Veterans, not all survivors are the same, but there are a broad set of shared moments that matter, which are a point in the survivor journey that stand out to many survivors. Using the refreshed journey map as a guide, VA will plan and design better experiences for our Veterans' survivors.

VA Benefits Available to Survivors

VA plays a key role in providing monetary benefits to survivors in the form of non-service-connected survivors pension, dependency and indemnity compensation (DIC) and burial allowance, and transportation expenses. VBA's P&F Service is responsible for oversight of these monetary benefits.

Survivors pension is a benefit that provides monthly payments to survivors of Veterans who meet certain wartime service eligibility requirements, and who have income and net worth within certain limits. VA completed over 20,000 claims for survivors pension in FY 2023. VA also administers DIC, which is a monetary benefit paid to eligible survivors of military Service members who died in the line of duty or eligible survivors of Veterans whose death resulted from, or was contributed to by, a service-related injury or disease. VA completed over 51,000 claims for DIC in FY 2023. VA also pays these benefits to the survivors of a Veteran whose death is not service-connected but who was rated by VA as being totally disabled due to a service-connected disability for a specific period immediately preceding death. Additionally, VA provides burial benefits for Veterans, which are payable to individuals or professionals with a relationship to the Veteran who are paying for the burial or funeral costs and will not be reimbursed by any other organization. VA completed over 145,000 claims for burial benefits in FY 2023.

VA has seen an increase in receipt of DIC claims since the passage of P.L. 117-168, sec. 1(a) at 136 Stat. 1759, the Sergeant First Class Heath Robinson Honoring Our Promise to Address Comprehensive Toxics Act of 2022, known as the Honoring Our PACT Act (PACT Act), which was passed on August 10, 2022. The PACT Act

was a comprehensive bill to address the health impacts of those who served overseas and were exposed to hazards such as burn pits, radiation, and Agent Orange. This legislation expanded VA benefits eligibility for many Veterans and their survivors.

Beyond expanding benefits to survivors who are filing new claims based on PACT Act presumptions of service connection, VA has identified claims that were submitted and denied prior to the date on which the law went into effect and notifies potentially entitled beneficiaries. Under section 204 of the PACT Act, 38 U.S.C. 1305, a claimant must elect to have a reevaluation of their original DIC claim in view of a newly established or modified presumption of service connection. If reevaluation of a previously denied claim now shows entitlement, monetary benefits can be awarded without delay. In these situations, VA must assign an effective date as if the newly established or modified presumption was in effect at the time of the original DIC claim.

Following the passage of the PACT Act, VA extended outreach to 385,000 potential survivors who may be impacted. Since then, as of January 1, 2024, VA has received 13,768 DIC claims related to presumptive conditions allowed under 38 U.S.C. 1305 as enacted by section 204(a) and completed 8,774 of these cases. A total of \$116 million has been awarded in retroactive benefits to Y survivors.

VA also provides educational assistance to survivors and certain dependents through the Survivors' and Dependents' Educational Assistance (DEA) program and the Marine Gunnery Sergeant John David Fry Scholarship (Fry Scholarship). In general, the DEA program offers education and training benefits to eligible dependents and survivors of Veterans or Service members who have or had a service-connected disability rated as permanently and totally disabling and of Veterans or Service members who died as a result of a service-related condition. The program offers up to 36 months of full-time benefits (45 months if enrolled before August 1, 2018). These benefits may be used for degree and certificate programs, apprenticeships, and on-the-job training. In December 2022, Public Law 117-328, the "Consolidated Appropriations Act, 2023," Division U, section 234 removed the time limitation for DEA in 38 U.S.C. 3512, thereby improving benefits by providing certain spouses and children with additional time to use their benefits. In FY 2023, VA paid \$1.4 billion to 215,934 dependents who trained under the DEA program, which represents a 17.4 percent increase over FY 2022 in beneficiaries using chapter 35 benefits.

The Fry Scholarship is available for children and spouses of Service members who died in the line of duty on or after September 11, 2001, while serving in the Armed Forces, or for children and spouses of members of the Selected Reserve who died from a service-connected disability on or after September 11, 2001. Eligible beneficiaries may receive up to 36 months of benefits. This includes full in-State tuition and fees for public schools, and tuition and fees for private or foreign schools that are capped at a statutory maximum amount per academic year. Additionally, students may receive a monthly housing allowance and stipend for books and supplies. In FY 2023, VA paid \$81.5 million to 813 spouses and 3,376 children under the Fry Scholarship program.

In addition, in FY 2023, 22,393 spouses and 97,162 children trained under the Post-9/11 GI Bill using transferred entitlement, bringing the total number of spouses and children training under the Post-9/11 GI Bill to nearly 124,000. The percentage of VA education trainees who are spouses or children of Veterans has doubled over the last decade, from 20 percent (FY 2013) to 40 percent (FY 2023).

Survivors and dependents wishing to receive VA educational assistance can use the GI Bill Comparison Tool on VA.gov to compare and locate approved schools or training providers and apply for the benefits through the VA.gov website. While nothing can replace or repay the sacrifice of military families, it is through our daily work that VA reaffirms its mission to provide ready access to, and timely and accurate delivery of, education benefits to the Nation's Veterans, Service members, and their families.

In-Service Death

When a Service member passes while in-service, VA partners with DoD, DHS, HHS, and DOC immediately to provide outreach, guidance, and claims assistance with compassion to support the survivor during this difficult time.

Upon notice of an in-service death, the VA Regional Office (RO) Casualty Assistance Coordinator reaches out to the surviving family members as directed by VA guidance. VA's Office of Field Operations and Outreach, Transition, and Economic Development Service manage the Casualty Assistance Program, which is a cooperative VA/DoD service to help survivors of Service members who die while on active duty. The military will give direction on when VA contact should be initiated. Usu-

ally, the first contact with survivors will be made by telephone to set up a personal visit at a time and place convenient for the survivor(s). However, if 30 days have passed, VA will contact survivors with a letter and enclosed business card to set up an appointment.

When VA receives DD Form 1300, *Report of Casualty*, from DoD, VA immediately begins processing the claim for DIC. VBA has a dedicated staff to process original claims for in-service death at the Philadelphia VA RO, ensuring efficient and accurate benefits delivery to survivors during their time of need.

Outreach Efforts by the Veteran Health Administration

In FY 2023, VHA developed and implemented a two-pronged direct outreach approach targeted to eligible beneficiaries who were not yet engaged with VA and provided key benefit information to our Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA) beneficiaries. This was done through various methods, including news articles, podcast segments, and virtual presentations at conferences, and by improving website content. These efforts have focused on topics like eligibility, enrollment, claims submission, and reimbursement, and aimed to educate VSOs and officers about benefits and eligibility criteria.

VHA outreach programs and initiatives for CHAMPVA beneficiaries are driven at the Integrated Veteran Care, Veterans Integrated Service Network, and Veterans Affairs Medical Center (VAMC) levels and through collaboration with nonprofit organizations, community groups, and VSOs. By concentrating outreach programs at these levels and alongside these extraordinary collaborators, we achieve a more centralized approach in addressing the specific needs of these Veteran family members.

Notably, VHA's virtual outreach efforts have had a significant impact in reaching CHAMPVA beneficiaries nationwide. Through these efforts, emotional support, guidance, and practical information are provided to address their unique needs and challenges. By using modern technology and online platforms, VHA offers virtual support groups, counseling sessions, and educational workshops to assist survivors in navigating their grief journey. These initiatives demonstrate VHA's commitment to meeting the evolving needs of survivors in an ever-changing digital landscape, ensuring that they receive the care, understanding, and resources they deserve.

Provision of VHA-Related Care

VHA is committed to providing health care services to Veterans, their families, and survivors. Recognizing the unique challenges faced by survivors, VHA is committed to removing barriers and ensuring that all survivors have access to the benefits for which they are eligible. To fulfill VA's mission of caring for survivors, VHA takes pride in offering compassionate and understanding support through various programs and initiatives. Our dedication lies in ensuring that survivors receive the necessary care, resources, and guidance to the extent authorized by law, to navigate their grief, and find a path toward healing and well-being.

Civilian Health and Medical Program of the Department of Veterans Affairs

CHAMPVA is a health care program specifically designed to provide medical care to an eligible spouse or child, surviving spouse or child, or Primary Family Caregiver of certain Veterans.¹ CHAMPVA does not provide direct patient care; rather, CHAMPVA is a cost-sharing program in which the cost of covered services is shared with the CHAMPVA beneficiary. The program covers allowable expenses for medical services and supplies that are medically necessary and appropriate for the treatment of a condition, including both physical and mental health care, subject to certain exclusions.

Under CHAMPVA, eligible survivors can receive coverage for a wide range of medical services, such as hospital visits, doctor appointments, prescription medications, and emergency care.

¹ CHAMPVA benefits are available to individuals who are not eligible for TRICARE through the Department of Defense. They must also be a spouse or child of a veteran who has been adjudicated by VA as having a permanent and total service-connected disability; the surviving spouse or child of a Veteran who died as a result of an adjudicated service-connected condition(s) or who at the time of death was adjudicated permanently and totally disabled from a service-connected condition(s); the surviving spouse or child of a person who died on active military service and in the line of duty and not due to such person's own misconduct; an individual designated as a Primary Family Caregiver, under 38 C.F.R. 71.25(f), who is not entitled to care or services under a health-plan contract (as defined in 38 U.S.C. 1725(f)(2)); or an eligible child who is pursuing a full-time course of instruction approved under 38 U.S.C. Chapter 36, and who incurs a disabling illness or injury while pursuing such course in certain circumstances and up to age 23 if authorized by law.

Bereavement Services

Bereavement counseling has been proven to effectively reduce grief and depression, as well as assist individuals in restoring their social functioning more quickly.² In the case of a Veteran in the Program of Comprehensive Assistance for Family Caregivers (PCAFC) who passes away, the participating family caregiver is eligible to receive 90 days of extended benefits from the date of death, which includes bereavement counseling.

Bereavement services offered by VA are described in 38 U.S.C. § 1783, which includes certain individuals who are already receiving counseling services from VHA under specific circumstances and immediate family members of Service members who died in active duty unrelated to personal misconduct. It is important to note that the number of Veterans covered by these services is relatively small—approximately 1 percent of all those enrolled in VHA. Bereavement counseling may be provided through Vet Centers, and VA is able to provide such counseling to grieving families of Veterans who die by suicide each year. While it is a positive development that VA is able to provide counseling to these additional grieving families, it is important to acknowledge that only a small proportion of the families and survivors in need are able to receive bereavement counseling from VA due to limited legal authorities for VA to provide such care.

Chaplain Services

Recognizing that spirituality plays a significant role in the health of many Veterans and their families, VA has determined that its provision of comprehensive medical and hospital services includes spiritual care. The provision of spiritual care is customized to meet the individual's needs, desires, and voluntary consent. Chaplains³ meet with the families and loved ones of Veterans to provide spiritual care to both inpatient and outpatient Veterans. They play a crucial role within VA, offering consistent spiritual care and support throughout all stages of a Veteran's hospitalization, and even after their passing. Chaplains provide direct spiritual and emotional care to Veterans receiving inpatient or outpatient care from a VA medical facility.

(1) *Bereavement Counseling Services.* Chaplains, as integral participants in facility bereavement programs, contribute significantly to bereavement care. They conduct regular grief support phone calls, send standard mail condolences, and connect individuals with community grief resources as needed. However, there is a gap in providing adequate spiritual care and emotional support during the transition from involvement with VHA to NCA or VBA. The Chaplain Service is implementing a 2-year pilot program at Riverside National Cemetery.⁴ As part of this program, a VHA Central Office (VHACO) Chaplain will provide comprehensive bereavement care coordination with available counseling and support for survivors. This includes offering support and assistance to families from the time of a Veteran's interment and beyond. The chaplain's role is to ensure that grieving families have access to the necessary resources and services during this challenging period. The program aims to provide Veterans and their families with comprehensive spiritual care coordination, ensuring they receive the support they need during this difficult time.

(2) *Suicide Prevention Counseling Services.* VA Chaplains are part of Suicide Postvention Teams at VAMC facilities, providing immediate, short-term, and long-term support to Veterans, their families, friends, and employees. These teams ensure that those affected by suicide receive the necessary care and guidance to navigate the challenging aftermath. Their work creates a compassionate environment

²Stroebe W, Schut H, and Stroebe MS. (2005). "Grief work, disclosure and counseling: Do they help the bereaved?" *Clinical Psychology Review*. 25(4): 395–414. doi.org/10.1016/j.cpr.2005.01.004. See also Stroebe W, Zech W, Storebe MS, and Abakoumkin G. (2005). "Does social support help in bereavement?" *Journal of Social and Clinical Psychology*. 24(7). Doi.org/10.1521/jscp.2005.24.7.1030. See also, generally, Dyregrov K and Dyregrov A. (2008). *Effective grief and bereavement support: The role of family, friends, colleagues, schools and support professionals*. Jessial Kingsley Publishers. London and Philadelphia. ISBN: 978-1-84310-667-8.

³All VHA Chaplains receive comprehensive medical ethics training.

⁴VA has the authority and responsibility to accommodate the religious needs of all individuals within its purview. When family members of interred Veterans visit National Cemetery sites, the pilot program ensures that their freedom of expression is respected and that they receive appropriate religious services or support based on their needs, desires, and voluntary consent. See generally 38 U.S.C. § 7301, 38 U.S.C. § 7401(3), 38 C.F.R. § 17.33(b)(7), OPM GS-0060 series, and VHA Directive 1111. See also *Abington School District v. Schempp*, 374 U.S. 203 (1963); *Theriault v. Silber*, 579 F.2d 302 (5th Cir. 1978); *Marsh v. Chambers*, 463 U.S. 783 (1983); *Katcoff v. Marsh*, 755 F.2d 223 (2d Cir., 1985); and *Carter v. Broadlaubs Medical Center*, 857 F.2d 448 (1988).

where individuals can heal and find solace after such a tragic event, ensuring that those affected receive the necessary care and guidance.

Veterans Crisis Line (VCL)

The Veterans Crisis Line (VCL) recognizes the unique challenges survivors may face in coping with loss and grief. Whether survivors are grappling with the death of their loved one or experiencing mental health challenges, they can reach out to the National Substance Abuse and Mental Health Services Administration (SAMHSA) Helpline and reach a dedicated team of trained professionals, available 24/7, to receive compassionate assistance and guidance as they navigate their journey of healing and well-being.⁵ These calls are instrumental in connecting survivors with specialized services, to the extent authorized by law and subject to applicable eligibility, such as bereavement counseling, survivor benefits information, and referrals to local support groups. The 988 Suicide and Crisis Lifeline also offers confidential phone, chat and text services, ensuring accessibility and convenience for survivors who may prefer these modes of communication when in a crisis.

VCL is also committed to continuously improving its services through data-driven insights. By analyzing call patterns, trends, and feedback from callers, both the Veteran Crisis Line and 988 Suicide & Crisis Lifeline identify areas for improvement, such as expanding services, refining protocols, and enhancing staff training. This data-driven approach ensures the Crisis Line remains responsive to the evolving needs of Veterans and other callers. VCL actively seeks input from callers and collaborates with mental health experts, VSOs, and other stakeholders to gather insights and incorporate best practices into their operations.

Care Management and Social Work Services

Care Management and Social Work Services (CMSW) is supported by over 20,000 VA Social Workers who assist Veterans, their families, and caregivers in addressing social drivers of health challenges that impact their overall health and well-being. Importantly, VA does not currently have the authority to directly offer assessment and treatment services to survivors of Veterans who are not eligible for such care from VA. However, it does provide referrals to non-VA resources to help ensure appropriate connections are made.

In May 2023, CMSW was given the responsibility of creating the Survivors Assistance and Memorial Support Program to better serve survivors. The primary objective of this program is to enhance support for survivors and establish standardized bereavement counseling care on a national scale. The program aims to provide personalized and supportive services to families, caregivers, and survivors during the final stages of a Veteran's life.

National Cemetery Administration

VA's NCA directly supports survivors who seek burial and memorial benefits for their deceased Veteran. NCA administers burial and memorial benefits in 155 national cemeteries in 44 states and Puerto Rico. In addition to the VA national cemeteries, NCA manages the Veterans Cemetery Grant Program, which provides funds aiding the establishment, expansion, or improvement of state and tribal Veterans' cemeteries. There are currently 122 grant-funded cemeteries in 49 states and territories (including Guam, Saipan, and Puerto Rico). VA remains focused on increasing access to burial benefits by developing new national cemeteries, developing additional gravesites at existing national cemeteries, and establishing and expanding State cemeteries for Veterans through the grant program.

In addition, NCA provides memorial benefits to Veterans and their eligible family members. These memorial benefits are provided to survivors all over the world for their eligible Veterans and family members—whether they are buried in a national, grant-funded, or private cemetery. Benefits include headstones and markers, niche covers for columbaria, medallions, and Presidential Memorial Certificates. Every Veteran also receives a Veterans Legacy Memorial (VLM) (vlm.cem.va.gov) page for loved ones to share their tributes online.

⁵ While VCL does not initiate first contact, when a survivor provides initial information about a death of a Veteran by suicide, VCL responders do submit a "Postvention Request" to the local Suicide Prevention Program for further follow-up. The coordinator then offers outreach to survivors, focusing on postvention and providing additional follow-up. Suicide postvention is an essential component that complements prevention efforts. More information on the Suicide Prevention Program can be found through the Office of Mental Health and Suicide Prevention's program guide, available at https://www.mirecc.va.gov/suicideprevention/documents/suicidepreventionprogramguide_06222022.pdf.

VLM offers families an innovative way to remember their loved ones. VLM is the Nation's first digital platform dedicated to the memory of more than 4.5 million Veterans interred in VA's national cemeteries and VA-funded state, territorial, and tribal Veterans cemeteries. VLM allows survivors and family, friends and others to preserve their Veteran's legacy (www.cem.va.gov/videos/Preserving_Veterans_Legacies.asp) by posting tributes. During the November 2023 Veterans Month, the VLM website doubled in size by adding nearly 5 million Veterans and Service members buried in private and other non-VA cemeteries. VLM's interactive features allow survivors, family, friends, and the public to submit tributes (comments), images, biographical information, and historical documents; create their Veteran's military service and personal achievements timeline; and generate a Word Cloud that describes their Veteran. This provides an important resource for survivors to honor, grieve, and celebrate Veterans.

NCA also supports families prior to the death of a Veteran or family member as well. Since 2016, Veterans and families have been able to get a "pre-need" determination of eligibility for burial in a national cemetery. This program assists family members and Veterans with end-of-life planning, helps them understand their burial benefits, and is consistent with private sector practice. More than 330,000 determinations have been completed to date.

In this same vein, NCA has partnered with other VA offices to integrate communications around the part of a Veteran's journey at the end of their life. Talking about end-of-life planning is never easy, but it's essential. From this partnership, VA developed an *End of Life* public service announcement (<https://www.youtube.com/watch?v=XjHzQn8GSXA>), created a new landing page website (<https://www.va.gov/initiatives/end-of-life-benefits/>) with links to all of our related benefits, and developed an integrated overview briefing. We are promoting planning ahead this month. Please visit our website at (www.va.gov/initiatives/end-of-life-benefits/) to learn more.

Improved Delivery of Benefits and Services

Ensuring the efficient and accurate delivery of benefits to survivors is one of VA's key focuses. To improve benefits delivery to survivors, VA has undertaken several projects that are designed to provide enhanced claims processing through updates in forms, procedures, and the use of automated claims processing.

VA continues to review and update forms related to DIC and burial claims, to ensure that the forms are clear and request information needed to process a claim quickly. We substantially updated VA Form 21P-534EZ, Application for DIC, Survivors Pension, and/or Accrued Benefits, to account for the passage of the PACT Act by allowing claimants to elect reevaluation under the PACT Act, and VA Form 21-530EZ, Application for Burial Benefits, to include selections for tribal trust land and state burials to account for changes made by the Johnny Isakson and David P. Roe, M.D. Veterans Healthcare and Benefits Improvement Act of 2020 (Public Law 116-315). In addition, we updated both forms to better align with optical character recognition technology to better use automated claims processing technology in place, to improve readability for claimants, and to improve the instructions for filling out these forms.

VA continues to seek ways to improve and expand the use of automation in its benefits delivery to provide faster, better service to survivors. In some instances, when VA receives a first notice of death of a Veteran, survivor benefit payments to the surviving spouse of record may be automated. This reduces the burden of the surviving spouse from navigating the claims process immediately after the loss of their loved one.

VA is committed to streamlining delivery of DIC and burial benefits using automation. In April 2021, VA completed its most recent delivery of survivor claims automation, which provided the ability to process DIC and burial claims end-to-end. Since then, VA has continued to update and refine the automation process for survivor benefit claims. In FY 2023, these automation processes completed over 62,000 burial claims (60 percent of burial claims received) and over 13,000 DIC claims (19 percent of all DIC claims received). This advancement in technology allows field personnel to focus on more complex claims.

Challenges and Opportunities

VA strives to put Veterans and their survivors at the center of everything we do, but this mission is not met without its challenges and opportunities. While the Survivor's Journey Map project will help us identify pain points and challenges, VA is actively working on resolving some known challenges that we are currently facing. One such challenge that we have heard from our stakeholders recently involves the potential lapse in DIC benefits as a dependent child transitions from high school

to college. VA is reviewing procedures, training, claims processing systems, and workload management strategies to improve timeliness in this area.

To help meet the increasing demands for VA benefits, we have been aggressively expanding our workforce through hiring fairs and other avenues, with thousands of claims processors hired—including an 18 percent staff increase in the Pension Management Centers (PMC), since January 2023. While VBA processed 86,600 survivor-related claims in FY 2023, over 39,400 remain pending. VA aims to further improve service delivery through hiring over 100 additional personnel to the PMCs to increase VA's ability to serve more Veterans' survivors in a timely and efficient manner.

Many survivor benefit claims require VA to obtain Federal records before a claims processor can begin adjudicating the claim—as of January 2, 2024, nearly 2,250 survivor benefit claims required such Federal records. Over the last 3 years, VA has made significant progress modernizing the claims process supply chain, to include brokering several historic agreements that ensured needed records are available as rapidly and as early in the claims process as possible. These efforts are ongoing and VA will continue working to reduce access to barriers to necessary Federal records to support survivor claims processing. Through these efforts, VA hopes to continue to collaborate with necessary Federal entities to obtain all necessary Federal records for survivors on the day a claim is received. Doing so would allow VA to start adjudicating survivor benefit claims on the day VA receives the claim and provide a decision as quickly as possible.

VA is exploring ways to enhance collaboration and identify areas where survivors have encountered questions or hurdles. This will better inform process refinements to ease their potential burdens. We are also working to improve internal alignment within VA administrations to ensure communication and outreach with the survivor community, which reflects the Secretary's vision of VA putting Veterans and their survivors at the center of everything we do.

Conclusion

VA shares the President's and Congress' goal of supporting the survivors of our Service members and Veterans in a caring and compassionate manner that honors their service. I want to express my appreciation for your continued support of our Veterans, their families, caregivers, and survivors. I also want to acknowledge our VSO partners, who do so much to advocate on behalf of Veterans and survivors, as well as other Veteran stakeholders who work with us to provide the best care and services for Veterans and their families. VA continues to work to meet this goal and serves as a resource regarding all benefits and services furnished by the Department to survivors of deceased Veterans and members of the Armed Forces.

Chairman Bost, Ranking Member Takano, this concludes my testimony. I am happy to respond to any questions you or the Committee may have.

Prepared Statement of Gabriella Kubinyi

Chairman Bost, Ranking Member Takano, and members of the committee, on behalf of the men and women of the Veterans of Foreign Wars of the United States (VFW) and its Auxiliary, thank you for the opportunity to provide our remarks on issues related to military and veteran survivors.

The VFW has long advocated for an increase in benefits and services for family members who sacrificed alongside of their loved ones in support of service in the United States military. Many spouses who are survivors require assistance with obtaining the benefits and services needed to sustain a healthy lifestyle and cope with the grief of losing a loved one. As a member of the VFW Auxiliary and president of the Gold Star Wives Arlington Chapter, I made it my mission to support and advocate for survivors. My employment as a case worker for the VFW was instrumental, providing me the means and resources to help survivors access their benefits and maneuver the Department of Veterans Affairs (VA) system. The VFW has strongly advocated for specific changes and supported specific legislation that would help with reducing some of the challenges that survivor families face. I am proud to provide testimony drawing from my years of experience working with this great organization to assist survivors from around the country.

My passion for this work was birthed on April 2, 2012, when my husband of five years died suddenly due to an undiagnosed heart ailment. We were childhood friends and high school sweethearts living in Chesapeake, Virginia, where he was stationed for duty with the United States Navy. My husband was only thirty-one years old, and imagining life without him was something I was not prepared to do. Navigating life as a survivor is challenging. I quickly discovered the negative impact

of unaddressed gaps in the communication process between VA and its outreach to survivors concerning their eligibility for benefits and services made available by their fallen loved ones.

VFW-accredited service officers from across the country have reported common themes that reveal the difficulties survivor spouses and dependents face when attempting to access VA benefits. Common issues pertain to a lack of proper education and understanding of their entitled benefits, limited and confusing communications from VA, and missed opportunities for effective outreach. Also noted over the course of a year is an increase in original Dependency and Indemnity Compensation (DIC) claims considered to be backlogged more than 125 days.

To gain firsthand knowledge on the challenges that survivors face, VFW-accredited service officers work directly with them on their claims for VA benefits, as well as answer questions regarding access to health care education. As a survivor myself, and a former VFW caseworker, I can attest to the work and commitment of this organization on behalf of survivors. The VFW's message is loud and clear, and will remain consistent until the issues that negatively impact survivors are addressed. Its position is not new, but it bears repeating.

Outreach to Survivors

It is critical to ensure that survivors receive the information to understand their eligibility and the processes to apply for VA benefits. Veterans who receive VA disability compensation or health care may assume that VA will automatically award benefits to their surviving spouses or children when they die without identifying the important and necessary paperwork in advance. VFW service officers report that very often surviving spouses do not realize that when their veterans die, the VA disability payments they were receiving will stop and they will need to take the steps to apply for DIC. Survivors also typically expect that DIC payments will be the same amount as the previous disability payments, when in fact DIC is significantly less. Without anticipating this change in compensation, survivors may suddenly find themselves in difficult financial situations.

When an active duty service member dies, as was my situation, the Department of Defense assigns a Casualty Assistance Officer to assist the survivor with the preparation and submission of necessary claims for VA benefits. When a veteran who is no longer in the military dies, VA needs to be informed of the death and then will attempt to contact the spouse or dependents informing them that they can apply for survivor benefits. Unfortunately, the language used and the information provided in VA's letters can be confusing and frustrating. The wording can be unfamiliar to civilians and lack sufficient explanation. Survivors may not understand how the veteran's time in service equates to eligibility, and some are then surprised when certain service dates "don't count" toward receipt of certain benefits. Denial letters also do not explain well why the survivor did not qualify for a benefit. The lack of clear and effective communication regarding entitlements can make an already distressing situation worse.

The VFW has and will continue to highlight the need for the Veterans Benefits Administration (VBA) and the Veterans Health Administration (VHA) to share data. This should also include National Cemetery Administration (NCA) data. When VA is informed that a veteran has died, this should trigger communications from VA to the spouse and dependents identified in VA records. Much of the required information to effectively reach and communicate with survivors already exists in one of VA's many IT systems, although some survivors are still missed. Upgrades required to facilitate information sharing across existing platforms are long overdue. Investments in these critical technology upgrades or moving to a single IT system will take dedicated staff, planning, and funding. These improvements are critical to ensure the efficiency and accuracy of claims processing for veterans and their survivors.

Pre-planning is key. The VFW recommends that VA create a pre-need process for benefits for families while the veteran is still alive. Those enrolled in the VA Caregiver Support Program are already receiving communications from VA and should be the easiest to reach, though VA should work to contact all families of veterans within its system to provide communications and guidance regarding benefits. NCA currently has an extensive end-of-life planning document intended for any veteran, at any age, to gather all important information in advance of death. This could be promoted more by VA as it contains useful information that could be shared throughout its three administrations to inform and prepare survivors.

The VFW also recommends that VA expand outreach to survivors to connect them with accredited claims representatives for assistance. They can help survivors during the incredibly difficult moment following the death of a loved one by listening

to their situations, informing them of the benefits to which they are eligible, and identifying the necessary paperwork to accomplish a successful claim.

Claims for Survivor Benefits

The VFW continues to urge VA to be more deliberate and transparent with claims quality control. This remains important especially as VA uses automated processes where certain claims, like those for DIC, are reviewed and assessed by IT programs designed to identify required criteria and quickly make a grant or denial determination. Automation has been shown to greatly shorten the processing time for DIC claims. When the VFW last testified on this subject two years ago, its service officers reported observing quicker decision times for both DIC and survivors pension claims, mentioning decisions for many claims were available in one to two weeks. Unfortunately, the VFW has noticed slower processing times by VA for DIC claims over the last year, but the reason is not clear. Backlogged DIC claims have risen from 30.4 percent in January 2023 to 50 percent in January 2024. This could be a result of the growing number of PACT Act claims, though it is unfortunate that VA's automation has not been able to prevent significant delays in processing times.

Survivors also have difficulty gathering other records for claims, including the service records and divorce decrees from any prior marriages. Additionally, VA will look at a death certificate and the stated cause of death but should always obtain a medical opinion regarding how any service-connected disabilities contributed (or not) to a veteran's passing. Unfortunately, VA will typically not take this additional step without the urging of a claims representative. Even when VA does provide a medical opinion, the doctor is often still unwilling to determine that any service-connected condition contributed to the death, and so the risk of a denial of the claim remains. VFW service officers express that they do all they can to encourage survivors to request that the veteran's medical provider correct the death certificate, knowing that this will be the best chance for a favorable claim outcome.

In addition to improving the claims process for survivors, the VFW strongly supports an increase in the rate of DIC payments to survivors. It is an injustice that the DIC benefit has only been minimally increased since it was created in 1993. Currently, DIC is paid at 43 percent of 100 percent permanent and total disability while all other federal survivor programs are paid at 55 percent. The VFW urges Congress to pass H.R. 3402 / S. 976, *Caring for Survivors Act of 2021*, which would increase DIC to 55 percent, finally reaching parity with other federal agencies.

It also time for legislation to update the definition of "surviving spouse" found in title 38, United States Code, to reflect modern legal and social realities. The last time the definition was updated was in 1962, and much has changed in the past sixty years. The current definition is outdated with its reference to marriage being between people of the opposite sex and to the undefined "holding oneself out to be married" clause. The VFW supports updating this language to ensure the definition of survivor is fair and in alignment with marriage requirements of the current era.

Education

After my husband died, I decided to pursue continuing my education and applied for the Graduate Gateway Program at American University. It was a one-semester program where students took two graduate level classes and completed an internship. This was perfect for me to try out graduate school, start a new life in Washington, D.C., and find an internship that could lead me to a fulfilling career.

The only VA education benefit available for survivors at that time was the Dependent Education Assistance Program (DEA). Fortunately, I was able to pay the tuition upfront and then waited for the DEA support to come. While the funding was helpful, the total amount of assistance I received that semester was less than the cost of one month of rent.

In my personal experience, the systems that VA has in place for survivors have worked. Any time I had a question about my benefits I was able to quickly get answers from competent VA employees. It is especially great that survivors have their own number to push on the GI Bill Hotline. Every time I called, they were very pleasant and knowledgeable.

The internship I completed was with the VFW's legislative department. It helped me acquire my next position at Walter Reed, and then I returned to the VFW where I held two different positions over the course of five years.

I had heard from a number of veteran friends over the years that George Washington University (GWU) was very military friendly. So deep was their commitment that no veteran who has attended has had to pay anything as long as they were using their VA education benefits. By this time, the Marine Gunnery Sergeant John David Fry Scholarship existed. Since I was now eligible for the Fry Scholarship, I was also eligible for the Yellow Ribbon Program. It is the funding of the Yellow Rib-

bon Program by GWU that enables students to attend the university with no tuition. If it were not for the Fry Scholarship, and the Yellow Ribbon Program and GWU's commitment to funding theirs, I would not have been able to afford the master's degree in political management I just completed this past May. I am grateful for the VA education benefits that enabled me to continue my studies, find meaningful professional work, and volunteer in my area of passion, making sure the voices of the survivor community are heard.

Health Care

While working at the VFW, I was assigned to participate on the VA Veterans' Family, Caregiver, and Survivor Advisory Committee. In that capacity, I was able to request information from VA regarding laws and policy. This was a resource that would prove to be helpful when I found myself in need of mental health assistance and knew to reach out to a Vet Center for counseling. I quickly understood the need for legislation like the *Vet Center Improvement Act of 2021* that was introduced in the last Congress but never gained traction. I share my Vet Center experience to echo the Government Accountability Office comments in its report from May 17, 2022, *VA Vet Centers: Opportunities Exist to Help Better Ensure Veterans' and Servicemembers' Readjustment Counseling Needs Are Met*. A direct quote reads, "VHA could better assess Vet Center services. For example, it isn't measuring the extent to which Vet Centers are meeting client needs, and it doesn't know whether it isn't minimizing barriers to Vet Center care." I have encountered two very different interactions with Vet Centers. My first experience was prior to the implementation of VHA's Readjustment Counseling Service, and I was extremely satisfied with the results. My second experience after implementation of the Readjustment Counseling Service did not go as well.

After losing my husband at the age of thirty-two in 2012, I had to figure out a new life for myself. I moved back to my parent's house in northern New Jersey. Knowing the importance of therapy, I eventually started going to counseling at the Secaucus location. My therapist had also been a military spouse and her husband was a disabled veteran. The work we did together resulted in my applying for graduate school courses and making the move to Washington, D.C., where I knew one person who was someone I met through Running to Remember with the Tragedy Assistance Program for Survivors. There is no way I would have had the courage and ability to move forward with my life had it not been for that therapist at the Vet Center.

After successfully completing the program at American University, I was still floundering. That is when I knew I needed to go back to counseling. I started counseling with the Washington, D.C. Vet Center. This new therapist and I were able to get me to the point of applying for jobs and finding a passion in helping veterans and survivors. Yet again, a Vet Center therapist helped me find my way to a more fulfilling life.

Next fast forward approximately five years. While I had a great family, friends, job, condominium, and car, I was approaching the ten-year mark of losing my husband. It was especially difficult to reflect on having been alone for a decade and the possibility of that continuing for the rest of my life. And what do I do when I really need help? So far, I had gone to a Vet Center, but this time was different.

I was connected with the Washington, DC. Vet Center and was assigned a female therapist, which I requested. However, there was a gap in time between my initial contact and beginning therapy. Once we started, I thought it was going fine. After some time together, my weekly sessions were reduced to every other week. I was told this was because the Vet Center was trying to accept more patients. I was alright with that because I know how important counseling is and that there is an overwhelming need in our community.

Then, in January 2022, I received a call from my therapist letting me know that she would have to discontinue our sessions. She said survivors were short-term Vet Center customers and that my time had expired. She did let me know that she did not agree with this and thought we were nowhere near finished with our work.

This was the first time I ever heard about any time limit on Vet Center sessions for survivors. I was able to reach out to VA to request information on any law or VA policy change. Once this was brought to the attention of the VA headquarters staff, my therapist called back to tell me that I could continue therapy with no time limit. I was told that this was a policy misinterpretation by middle management and that corrective action would be taken.

A month later my therapist quit. The Washington, D.C. Vet Center then did not have any female therapists to which I could transfer. I asked about nearby Vet Center locations in Virginia and Maryland and was told I could go to them but once a female therapist was hired in Washington, D.C., I would be obligated to switch

to that person. Creating a relationship with a therapist takes time and it is painful to recount certain memories over and over again. I decided I would wait for a female to be hired so I would not have to switch providers again. It is now two years later, and I have not had any counseling since then. I hope this committee will conduct oversight into this problem at the Washington, D.C. Vet Center, in addition to the overall availability of mental health services for survivors to ensure that all Vet Centers are properly staffed and resourced.

Last, the VFW supports surviving spouses regaining their TRICARE benefits if they remarry and that marriage later ends. Survivors who remarry but whose marriages later end can regain DIC and Survivor Benefit Plan payments. TRICARE benefits to which unmarried survivors are entitled should be reinstated if their future marriages end in order to have parity with other survivor benefits.

Year after year, the VFW and advocates like me ask Congress to improve on a variety of survivor issues, and legislation is drafted but never receives the needed attention or votes to enact significant changes. I strongly urge this committee to find pathways necessary to make sure survivor benefits are taken seriously and not pushed off again for the next Congress.

Chairman Bost, Ranking Member Takano, thank you for the opportunity to share my testimony today. I look forward to any questions you may have.

Information Required by Rule XI2(g)(4) of the House of Representatives

Pursuant to Rule XI2(g)(4) of the House of Representatives, the VFW has not received any federal grants in Fiscal Year 2024, nor has it received any federal grants in the two previous Fiscal Years.

The VFW has not received payments or contracts from any foreign governments in the current year or preceding two calendar years.

Prepared Statement of Kaanan Mackey-Fugler

Chairman Bost, Ranking Member Takano, and distinguished members of the House Committee on Veteran Affairs, I thank you for the opportunity to share issues and challenges surviving military families face accessing benefits through the Department of Veterans Affairs.

My Loss

I am the surviving spouse of SSG Matthew Mackey. Matt served in both the Marine Corps and the Army National Guard for nearly two decades. He served four years in the Marine Corps and I was lucky enough to be by his side during the last two of those years. When his enlistment ended, he wanted to spend more time with our growing family while continuing to serve this great country. He did this by joining the Iowa National Guard. We had 12 years together. My family spent nine years and seven months of that time separated by training, schools, or deployments. Getting married at 19, I spent my entire adult life at home, raising our family, while my husband served our country.

In 2010, mere months after returning home from an Operation Iraqi Freedom deployment, Matt died because of an accident, in my arms, while on Title 32 orders. When he died, every hope and dream for OUR future was shattered in a moment. I was left to raise our five young children. Our oldest child was 11 and our youngest turned two a week after the funeral. My children had the last bit of their innocence ripped away from them in a little room off the ICU. It was there I had to tell them that their dad would not be coming home with us. I watched heartbroken as my nine-year-old son ran out of the room bawling, wanting to know who would teach him to be a man now?! I chose to spend my life by my husband's side; my children did not have that choice.

My career had been put on hold to move around and be there for our children during training and deployments. I have spent the last 13 years continuing to put my life on hold while helping our children grieve, grow, and heal. I lost years of being able to vest in my own retirement. Though I utilized my education benefits and obtained a master's degree, the gaps in my education and employment will affect my earning potential and will continue to put me at a disadvantage to my civil-

ian counterparts. My survivor benefits helped not only offset my husband's income, but the loss of my own income because of our military life.

Remarriage Issues

While my husband was on that last deployment, he wrote our children each a "what if" letter. In those letters, he tells my children that he wanted me to find someone to pick up our broken pieces and would love them when he was unable. Matt didn't want me to be alone the rest of my life. He certainly didn't want our children to grow up without a father figure in their lives. I was lucky enough to find someone willing to take on that role. Josh came into our lives and helped mend our broken pieces. He helped remind us that there was still a life to live. In 2017, after years of dating and struggling with the idea of losing my earned benefits, I made the decision to get remarried.

Josh had almost a decade of military service himself. He understood military loss from another perspective and understood what I would give up marrying him. He was willing to wait years to marry me, so that I wouldn't have my earned benefits ripped away by choosing love. That was not fair of me to ask of anyone. It was important for us to show my children that love, and morals, were more important than money. I should never have to be forced by the government to make the decision between love and money.

Based on current law, I would have had to wait another 24 years to remarry; that's almost half of my life. That is what Congress believes is the appropriate amount of time I should be alone, in my grief, to keep my earned benefits. Disallowing surviving spouses to maintain benefits earned during our marriage is an archaic idea of thinking that we should be supported by the "next man." Removing my benefits shows that my time and my contribution are worthless in the eyes of the federal government. The government kept telling me that my loss was a "debt that could not be repaid." However, what they really mean is that my loss is America's debt, until I'm another man's responsibility. My husband died. I didn't get divorced. It certainly was not my choice to be a widow at 31 and faced with the decision of moving forward with love or money. But it was my choice to show my children that life continues and to build a new chapter for my family.

Due to this archaic law, Congress, through the VA and DoD, has made our futures all about ways that we can lose our earned benefits. A piece of paper will never change that I'm Matt's widow; it just also means I am someone else's spouse. It doesn't wipe away the 12 years spent sacrificing my own employment while Matt served, nor the 13 years after his death spent raising our broken family.

VA Education Issues

My remarriage created two files within the VA since I remarried a disabled veteran: one under Matt and another under Josh. This has led to confusion when I applied for CHAMPVA, Chapter 35 upon remarriage, and when calling in regarding my children's benefits. When I was remarried, my Fry Scholarship was stopped under my deceased spouse, as I was no longer eligible. I applied for Chapter 35 under my current husband's VA file due to his disability rating. I was initially denied Chapter 35 under my new spouse and told that since I had elected Fry Scholarship under my deceased spouse I was unable to utilize Chapter 35 under my current spouse. I brought in TAPS policy to assist. We did not find anything in VA policy that prevents me from using a benefit earned by my current husband. The VA policy was reviewed after TAPS inquired, and it was determined that I was eligible to use Chapter 35 under my new spouse. However, this was not before it caused a debt on the Fry side under my deceased husband. Because of this, I had to pay for a semester of college out of pocket. VA did eventually backdate Chapter 35 benefits to the date of my remarriage. This pay was used to pay off the Fry Scholarship debt caused by my remarriage.

My adult children have also had issues in utilizing their education benefits. None of my adult children can access their VA benefits online. ID.me uses their military IDs to verify them but it's connected to their dad's information and not their own. This causes issues with certifying enrollment when changes are made during the semester.

My oldest son, Jon, was denied the Fry Scholarship as the VA determined "his dad was not deceased". This was due to the processor not doing his due diligence and checking the file to see the DD1300 with all 6 names on it. Once we called VA that issue was corrected and they sent out my son's Certificate of Eligibility. Additionally, half of last year, he was unable to even receive the text messages to certify his enrollment at school. He again called VA and was told that he could certify through email. This fall, he was finally able to receive the text messages for certification.

My daughter, Chloe, recently had issues regarding the text messages to certify enrollment. In October she dropped a course but was still a full-time student. When the text message arrived to certify her enrollment, it states if you dropped a class reply "NO." She did as instructed. She was then instructed to go online and certify her enrollment. She is unable to go online as instructed because of the ID.me account linked to her dad's information and not her own. She called VA Education and was told that the account was noted and there would be no problem with her payment. The next month, she wasn't paid. She waited a few days to see if it was just delayed since she had to call. In the meantime, she received the next text to certify the next month of enrollment. This time she typed "YES," as there had been no change in the last month to her enrollment. She did not get the automated reply. Again, she calls VA Education. This time she is told that because she didn't certify her enrollment for two consecutive months that her BAH was suspended. Chloe informed them that she called last month and was informed it had been taken care of and she told him the exact time she replied to the text for this month. This processor certified her enrollment and told her that she would get paid in the next 2 weeks. Thankfully, she had money in her bank account to cover her rent and other bills that were due while she waited on another glitch in VA's processing to be corrected and her to receive payment, but not every student does.

Turning off VA benefits

Remarrying required me to go through the process of stopping all my earned survivor benefits. My experience in stopping my VA benefits was vastly different from Social Security or DoD, which were incredibly simple in comparison.

For VA Education I had to send in a copy of my marriage license and statement asking that they stop my Fry Scholarship. That process took under a month. DIC needed to be stopped for me and transferred to my children. I promptly reported my remarriage within 30 days of receiving my Marriage License. I faxed the VA my statement of remarriage, the VA 21-534a (transferring partial DIC to my children), a copy of my DD 1300, and my new marriage license. I was told this process would take 8 to 12 weeks.

I did my due diligence and provided the required information in a timely manner per VA policy. I then spent the next seven months making phone calls, getting my file flagged multiple times, faxing another copy of my paperwork directly to the processing center, getting TAPS involved, and even a Congressional inquiry, just to get someone to open the file and even begin the process five months later. I did everything short of closing my bank account to stop the payments in my name. There was no way that a reasonable person could look at all these events and say that I did not do my part in a timely manner, acting in good faith, to prevent an overpayment within the VA's own guidelines.

Nearly 10 months after I remarried, my DIC finally stopped. I then received a letter of debt for over \$12,000. I disputed this debt as it occurred not by me failing to do my part, per VA policy, but the VA failing to fulfill their own processing timeline. Five years later, I sat before a Veterans Law Judge for the Board of Veterans' Appeals and laid this all out. I eventually received a letter stating the debt was forgiven since I clearly made every effort possible to stop my benefits. Every surviving spouse that remarries will get a debt from the VA no matter how timely we submit our documents due to the method that VA uses in processing claims. Most of our community trusts that the VA will process their forms in a timely manner and just accepts the thousands of dollars of debt that are incurred while they wait.

DIC for High School Survivors

When surviving children turn 18 while still in high school, they are required to submit VA Form 21-674 60 days before their birthday to prevent a break in pay. This form serves to inform VA that even though they turned 18, they are still in high school and remain dependent. Our children are not filing new claims, they are simply stating that they are still in high school, yet VA cannot figure out how to process these claims in a timely manner. The forms themselves are one of the overall issues. On the form they are required to include their high school graduation date. There is no place on the form to include the date that they would be starting college and utilizing a VA education benefit. There is also not a question asking if they will be going to college and not using VA educational benefits. Additionally, there is no direction regarding who should sign the form, the parent, or the minor child (they are not 18 when the form needs to be submitted).

My four adult children that have gone through the process of turning 18 on DIC have each faced a different barrier to getting DIC continued. My oldest three (2 December and 1 January birthday) did not receive a payment at all until after they

graduated high school and received back pay. Alexis had her form returned because I had signed the form since she wasn't 18 when we had to mail it in 60 days early. Hers took five months to process. Jon was denied his DIC, like his Fry benefits, as the processor determined his dad was not deceased. A few months later I inquired about hardship. We were informed since he was not homeless or behind on his bills, he did not meet the criteria of financial hardship for expedited processing. Our surviving children are losing a large portion of their income for months during the most expensive year of high school; I'd consider that a financial hardship. He received his back pay nine months later. Chloe got her back pay seven months after her birthday. Aiden submitted his paperwork this past August for an October birthday and is still waiting for it to be processed. We called VA at the beginning of December when his payment was not received and were told that VAR put his paperwork in the national queue November 24th and that no one has looked at it. The PCR did put in a request to process the claim, but he told us not to expect it to be processed soon, as claims in that queue aren't regularly checked. This is also causing a debt (that we will have to pay back) on his minor sister's side as her pay has increased by \$200 since his payment stopped.

The biggest surprise that we had during this call was the identity verification questions. Aiden can't even remember his own social security number, and was told that if the representative heard me give him the security answers-what are your dad's service dates, his social security number, or branch of service-they would disconnect the call. At 18 how many of you would be able to provide those answers without prompting?

In addition, Aiden, like many of our surviving children, has been awarded a full tuition scholarship from the University of Alabama. He should be able to save his VA education benefits for graduate school and keep his DIC while attending undergraduate, in lieu of the Fry Scholarship. However, our children are only paid DIC through the month they graduate high school, even though VA policy states that they can receive this benefit until they begin utilizing education benefits.

None of my children have ever been paid past their graduation month. In all my children's cases VA had still not even paid them from the time they turned 18 to graduation, when they actually graduated. Surviving children are losing two to three months of earned DIC just over the gap between graduation and fall semester. Is the VA going to require them to make ANOTHER new claim on their graduation day to cover the summer months or use during college? The process can be simplified by asking the right questions on the form, and not sticking our children's claims in the national queue for months before someone looks in there and processes the claim.

Parental Status

If my testimony is not appalling enough for members of this committee; current laws and policies set forth for surviving spouses, deem that I am no longer my children's parent. Per VA policy, as the only living parent to my children, I am only their fiduciary. Can you imagine what it's like to call into VA or DoD trying to find an answer to a problem with your children's benefits and being told that you are not privileged to any access beyond taking care of their financial needs. Many of the current VA and DoD policies rescinded my access when I remarried, even with having dependent children under my "guardianship" that remains eligible for benefits. This effectively rendered my children benefits inaccessible since they "have access" that they can't access due to being minors. Had I divorced my husband before his death or had children with him and not been married and he had granted me access prior to his death; I would still have this access upon my remarriage.

It's not just the loss of money that a surviving spouse loses when they remarry, it's the ability to advocate for our children. Imagine your child is 9 years old and in the ICU being diagnosed with Type 1 Diabetes. You are obviously concerned, but you can't speak to the insurance about it because you are her guardian, not her parent. This means that you must sign a piece of paper giving yourself permission to discuss her medical issues. This is because since she isn't 18, she can't give you permission, and at 9 she is terrified and wouldn't even know where to start. Additionally, Congress fixed the "Widow Tax" but my children are left in a loophole that requires them to pay SBP taxes at a higher tax rate since it is viewed as unearned income for them. I am unable to take back the tax burden that unmarried widows now can take on themselves.

This is why surviving spouses are so passionate about the need to pass a comprehensive remarriage bill for surviving spouses. Congress has the power to fix so many of the hardships I have described today, in a single comprehensive bill. Passing the Love Lives on Act of 2023 would facilitate access to my children's information, enable me to take on their tax burden at a lower rate, and remove a tremen-

dous income barrier created by my husband's service and death that was subsequently taken away upon remarriage. While the other challenges could be resolved by VA simply fixing its process for processing claims.

Thank you for the opportunity to share some of my experience here today, and I look forward to answering any questions you may have.

Prepared Statement of Ashlynn Haycock-Lohmann

The Tragedy Assistance Program for Survivors (TAPS) is the national provider of comfort, care, and resources to all those grieving the death of a military loved one. TAPS was founded in 1994 as a 501(c)(3) nonprofit organization to provide 24/7 care to all military survivors, regardless of a service member's duty status at the time of death, a survivor's relationship to the deceased service member, or the circumstances of a service member's death.

TAPS provides comprehensive support through services and programs that include peer-based emotional support, casework, assistance with education benefits, and community-based grief and trauma resources, all at no cost to military survivors. TAPS offers additional programs including, but not limited to: a 24/7 National Military Survivor Helpline; national, regional, and community programs to facilitate a healthy grief journey for survivors of all ages; and information and resources provided through the TAPS Institute for Hope and Healing. TAPS extends a significant service to military survivors by facilitating meaningful connections to other survivors with shared loss experiences.

In 1994, Bonnie Carroll founded TAPS after the death of her husband, Brigadier General Tom Carroll, who was killed along with seven other soldiers in 1992 when their Army National Guard plane crashed in the mountains of Alaska. Since its founding, TAPS has provided care and support to more than 120,000 bereaved military survivors.

In 2023 alone, 9,611 newly bereaved military survivors connected to TAPS for care and services, the most in our 30-year history! This is an average of 26 new survivors coming to TAPS each and every day. Of the survivors seeking our care in 2023; 34 percent were grieving the death of a military loved one to illness, including toxic exposures; 30 percent were grieving the death of a military loved one to suicide; and only 3 percent were grieving the death of a military loved one to hostile action.

As the leading nonprofit organization offering military grief support, TAPS builds a community of survivors helping survivors heal. TAPS provides connections to a network of peer-based emotional support and critical casework assistance, empowering survivors to grow with their grief. Engaging with TAPS programs and services has inspired many survivors to care for other more newly bereaved survivors by working and volunteering for TAPS.

Chairman Bost, Ranking Member Takano, and distinguished members of the House Committee on Veterans' Affairs, the Tragedy Assistance Program for Survivors (TAPS) is grateful for the opportunity to provide a statement for the record on issues of importance to the 120,000-plus surviving family members of all ages, representing all services, and with losses from all causes that we have been honored to serve.

The mission of TAPS is to provide comfort, care, and resources for all those grieving the death of a military loved one, regardless of the manner of death, the duty status at the time of death, the survivor's relationship to the deceased, or the survivor's phase in their grief journey. Part of that commitment includes advocating for improvements in programs and services provided by the U.S. federal government—the Department of Defense (DOD), Department of Veterans Affairs (VA), Department of Education (DoED), Department of Labor (DOL), and Department of Health and Human Services (HHS)—and state and local governments.

TAPS and the VA have mutually benefited from a long-standing, collaborative working relationship. In 2014, TAPS and the VA entered into a Memorandum of Agreement that formalized their partnership with the goal of providing earlier and expedited access to crucial survivor services. In 2023, TAPS and the VA renewed and expanded their formal partnership to better serve our survivor community. TAPS works with military and veteran survivors to identify, refer, and apply for resources available within the VA, including education, burial, benefits and entitlements, grief counseling, and survivor assistance.

TAPS also works collaboratively with the VA and DOD Survivors Forum, which serves as a clearinghouse for information on government and private-sector programs and policies affecting surviving families. Through its quarterly meetings,

TAPS shares information on its programs and services as well as fulfills any referrals to support all those grieving the death of a military and veteran loved one.

TAPS President and Founder Bonnie Carroll served on the Department of Veterans Affairs Federal Advisory Committee on *Veterans' Families, Caregivers, and Survivors*, where she chaired the Subcommittee on Survivors. The committee advises the Secretary of the VA on matters related to veterans' families, caregivers, and survivors across all generations, relationships, and veteran statuses. Ms. Carroll is also a distinguished recipient of the Presidential Medal of Freedom, the Nation's highest civilian honor.

DEPENDENCY AND INDEMNITY COMPENSATION FOR HIGH SCHOOL STUDENTS

If a surviving child turns 18 before graduating high school, Dependency and Indemnity Compensation (DIC) should continue to be paid to the child until their high school graduation. This is not happening. TAPS has consistently raised this issue with the VA over the past five years. Unfortunately, the VA has yet to develop a way to process claims for continuation of benefits until graduation in a timely manner, delaying payments for these surviving children for 18 months and longer. **The financial security of our surviving children is fractured** due to the lack of a reasonable process to file these claims and ensure they proceed through the National Work Queue (NWQ).

Approximately six months before a child turns 18, the VA sends them a copy of VA Form 21-674 to complete in order to maintain DIC until graduation. VA has stated they cannot legally begin to process these forms until the day the child turns 18. Theoretically, at this point, the applications should be dropped into the NWQ, but because they are supplemental claims, they are not. When the VA finds the application, usually three months after the child has turned 18, if the parent signed it, they kick it out as they need the child's signature as a legal adult. If the child signed it before turning 18, the VA has kicked it back requesting it be resubmitted and dated after the child's 18th birthday. At this point, the application disappears into the VA system but does not go into a file or the NWQ. The VA does not have an explanation as to why the claim is not progressing beyond it "hasn't dropped into the NWQ."

Approximately six to 12 months later, when the claim is processed, after repeated calls from the survivor or their representative, and usually after the child has graduated high school and started college, it's kicked back for a third time. This happens because the student is now utilizing VA education benefits and is no longer eligible for DIC, despite the claim being for the timeframe between their birthday and before they began utilizing VA education benefits. This is the point where most survivors give up, because they feel it is not worth continuing to try to obtain their benefits.

In order for the Pension Management Center (PMC) to take immediate action to process these student claims, "the claim needs assignment from the NWQ." The problem is that these student claims are supplemental claims and are not typically dropped in the NWQ. On occasion, the PMC has contacted the Office of Field Operations to expedite claim assignments to the PMC, but even so, it is on a case-by-case basis, usually at the request of a VSO or NSO, and still takes months for movement on the claim. Most claims to extend benefits for surviving children who are adults still in school are well over six months to two years.

We have seen three methods to extend the benefits work: complete the 21-674 Approval of School Attendance; complete the 21-534EZ application for DIC; or both. Additionally, sometimes the forms completed by the parent are accepted; other times the requirement of the child's signature is requested by the VA, or vice versa based on the date of the form and the child's 18th birthday. There has been no consistency as to which of the above processes work. There has also been no consistency as to who is required to sign the form that is eventually accepted.

TAPS elevated this issue to the Veterans Benefits Administration (VBA) Under Secretary Josh Jacobs in December 2023. He and his team are working to find a more permanent solution, and are awaiting further review from the Office of General Counsel (OGC) on a legal path forward. We appreciate their attention to resolving this issue impacting our surviving families.

As a temporary solution, TAPS has suggested to survivors that once a student turns 18, to avoid years of extended delays as mentioned above, the student should complete both the 21-534EZ and the 21-674, to bypass the supplemental claim delays in the NWQ. On average, this workaround usually takes three to six months, but this is not a real or permanent fix.

To break it down, a case example of an actual surviving child who “gave up” after three years of trying:

A surviving child’s Army retiree father succumbed to a service-connected illness in November 2018. Prior to turning 18 in August 2019, his mother had been receiving DIC benefits on the child’s behalf.

- September 2019: Because the child was enrolled in school and not accessing VA education benefits, TAPS confirmed with the VA the adult child submitted the VA Form 21–674 Request for Approval of School Attendance, the VA Form 21–674b School Attendance Report, the VA Form 21–686c Application to Request to Add and/or Remove Dependents, and the updated Direct Deposit notice.
 - About a week later the Pension Management Center (PMC) advised TAPS “one of the coaches would review the claim.”
- December 2019: The VA advised that there had been “no activity” regarding the DIC claim.
- January 2020: BVA liaison told TAPS and the survivor “to call the VA hotline” and to involve the liaison “when the matter is urgent or an emergency,” but also confirmed there are “no updates available on the status of the DIC claim.”
- February 2020: The VA advised that the adult student now needed to submit his own VA Form 21–534 Application for Dependency and Indemnity Compensation, Survivors Pension, and Accrued Benefits by a Surviving Spouse or Child to apply for DIC “in his own right.”
- May 2020: The VA confirmed the mother was not receiving benefits for the adult student since he reached the age of maturity. Additionally, the VA advised the VA Form 21–674 could not be used to “continue” his DIC award, but then also said there was no 21–674b on file to show he was enrolled in college. Later that month, the VA then recommended the adult child also submit the VA Form 21–534a Application for Dependency and Indemnity Compensation by a Surviving Spouse or Child In-Service Death Only and stated the original submission of the VA Form 21–674 “only complicated things.”
- July 2020: The VA advised that all the “paperwork” was received in early June and to expect a “few months” to process.
 - While waiting for his DIC to process, the adult student did apply for DEA and started using the benefit.
- August 2020: The VA advised that “no further action had been taken” in regard to the claim.
- September 2020: The VA advised there “was no update as of yet” in regard to the unpaid DIC claim.
- October 2020: The VA advised the claim “was still pending.”
 - Late October: The VA advised because he started using DEA, he was not eligible for DIC. TAPS raised the question of the unpaid months for DIC between the time his father passed before he started using DEA, as he was enrolled in school the entire time and would be eligible.
 - The VA provided the additional response that the family has “missed some time requirements”—that the mother originally submitted the 21–674, but he was already 18. On June 20, the VA received his 21–534EZ along with the 21–674, and the 21–674b which was not signed by the school. The student started using DEA in August 2019, so the VA denied his claim for DIC due to receiving education benefits. TAPS again questioned the unpaid DIC between November 2018 (when the veteran passed) and August 2019 (when the child started using DEA).
- Late October 2020: The adult formally submitted the VA Form 20–0995 Decision Review Request: Supplemental Claim, VA Form 21–4138 Statement in Support of Claim, VA Form 21–674 Request for Approval of School Attendance, and VA Form 21–674b School Attendance Report for the ongoing unpaid DIC benefits prior to accessing DEA benefits. The VBA confirmed receipt on November 4, 2020.
- November 2020: The VA confirmed the documents were “entered into the system on November 17, 2020.” The VA advised it was in the “National Work Queue” and would “likely be resolved within the next several weeks.”
- January 2021: The VA advised the claim had been “assigned to a specific office, however, there was no final determination as of yet.”

- Later that month, the VA advised there were again concerns with the VA Form 21-674b being incomplete and that an updated Direct Deposit form was required.
- The adult student again resubmitted the VA Form 21-674b School Attendance Report and the VA Form 29-0309 Direct Deposit Enrollment/Change.
- February 2021: The VA advised they had sent a letter dated January 19, 2021, which stated, "Since he is already getting his DEA, he can't be back paid for the DIC he didn't receive." This denial was despite his efforts to apply for DIC one week after turning 18, and nine months before he started receiving DEA.
 - After this second denial and 18 months of trying, the student gave up trying to "fight" for the unpaid DIC benefits.

*** VA did pay the child in December 2023 after Under Secretary for Benefits, Josh Jacobs, was provided this case example from TAPS.**

The DOD experienced similar problems with executing benefits for child option, Survivor Benefit Plan (SBP) recipients, which, for years, was a much bigger issue than the DIC issue for transitioning students. The Defense Finance Accounting Service (DFAS) rolled out a new process in 2019 that is heavily based on an honor system. It recognizes that the application and supporting documents required to process benefits are legally binding documents. Survivors are expected to report any changes related to their eligibility statuses, offering more straightforward navigation for survivors and more efficient processing for the agency.

Survivors are no longer required to have their school officially certify forms and instead include signatures acknowledging that they must immediately notify DFAS if any information needs updating. For example, if students transfer schools or discontinue school, reduce school attendance to less than full-time, or change their marital status, they must contact DFAS to update their information. Survivors receive a notification after submission that DFAS received their forms along with a case file number. If survivors file these forms electronically, assigning a processor and notifying the survivor is often a matter of days. If there are any errors with the submitted forms, DFAS will often contact survivors and guide what needs to be corrected. After updating student annuities, survivors receive a final communication confirming the processing of the annuity with the account in "paying status." Now that this process is streamlined and filed electronically, what used to take up to nine months to address is now on average 30 days.

Surviving families have repeatedly told us that navigating only one new form is easy and that electronic filing has prevented payment delays. Thus, TAPS highly recommends VA switch to a similar process.

To help further highlight this important issue, the following are personal testimonials from survivors who have been fighting for DIC while in high school:

Rebecca Eggers, Surviving Spouse of CPT Daniel W. Eggers, U.S. Army

"My son turned 18 in December 2018, during his senior year of high school. In January 2019, we faxed the paperwork to the VA to indicate he was still in school and that his DIC should continue. In August 2019, he began using Chapter 33 benefits for college. We received a letter in March 2020 indicating that his DIC eligibility was approved and he received a retroactive payment for approximately \$3,500 for DIC for January 2019 through July 2019.

"In the spring of 2022, he received notification that an audit was done on his account and that he received DIC while also receiving education benefits. We filed a dispute; however, we still have not received anything back in the mail on whether the debt was resolved. Although the retroactive payment was made in 2020, the payment was for January through July 2019 when he was not receiving education benefits. Had the VA processed the initial student verification in a timely manner, rather than taking over a year, the payment would not have conflicted."

Lisa Luttrell, Surviving Spouse of LTC Stuart Luttrell U.S. Army

"I actually paid my children so I didn't have to fill out or assist them with the paperwork. I just gave them the amount. When I called the VA and was told what I had to do to submit, the sheer amount of 'man hours required' on my part outweighed a few hundred dollars apiece. DIC was already awarded and shouldn't require more than one box to check."

DEPENDENCY AND INDEMNITY COMPENSATION FOR HIGH SCHOOL GRADUATES

Not only is Dependency and Indemnity Compensation (DIC) supposed to be paid until a dependent child graduates high school, they are also to be paid the months between graduation and starting college, if they activate VA education benefits for the following term. VA does not do this but instead, DIC is terminated upon graduation from high school. Most survivors do continue on to post-secondary education, and as eligible surviving students elect VA Education Benefits, that application does not extend the DIC for the summer. However, despite this being the law, we don't see this being carried out.

TAPS has yet to identify a single student who was paid during the summer months. VA has also stated that they do not have a way to track these students as the Education system does not talk with the Pension system to determine dates for when a child has graduated high school and when they have activated education benefits.

38 CFR 3.667(b) allows continued DIC benefits through summer break when a school child receiving DIC in high school elects DEA/ Fry Scholarship starting with the fall school year. Continued payment of DIC is warranted only if there is no break in school beyond summer. If the child took the fall semester off or a gap year, then DIC ends with high school. Adjudication procedures for VA field stations on this topic are found in M21-1 III.iii.6.C.2.b

To help further highlight this important issue, the following are personal testimonials from survivors who have been fighting for DIC while in high school:

Monica Jaikaran, Surviving Spouse of MA1 Dameshvar Jaikaran, U.S. Navy

"My daughter turned 18 years old, then graduated the next day. So I lost all of her benefits all in the same month. Since she moved out of the State for college, it was very difficult for me financially. It would have helped tremendously to continue receiving DIC since she was still in my home and I had to pay for her housing, food, medical bills, plus moving costs to the university out of state."

Colleen Evans, Surviving Spouse of CW2 Mark Evans Jr., U.S. Army

"My kids definitely did not get paid after graduation. It literally stopped that month. My son, Ronan, used Chapter 35 benefits for a year, but we realized he didn't need to so we applied for DIC his second year and he was denied. I helped with the appeal stating that he was not using any VA education benefits, therefore he was eligible for DIC. Again he was denied, so we gave up."

"My daughter, Zoe, used Chapter 35 benefits for a semester. It was going to supplement whatever Princeton did not. Since it was the first semester, we didn't know what sort of random fees might exist. But it turns out if you use a VA benefit, Princeton lowers the grant amount so she stopped using it. We then applied for her DIC to start again and it was denied. She's a senior now, starting her last semester and I'm still mad they didn't pay her all these years. She could have used that money. Same for Ronan, whose name was even misspelled as Roman on the letters we received."

REMARRIAGE LETTERS

Each year, the VA sends a letter inquiring about remarriage status, and surviving spouses must respond to confirm their marital status. DIC benefits are terminated for those whose letters are incorrectly completed or not received by the VA. Surviving spouses frequently express to TAPS the difficulties they face and the emotional distress they experience upon receiving these letters from the VA to maintain their receipt of Dependency and Indemnity Compensation. The VA's inconsistent practice of sending annual letters to all surviving spouses is stressful and frustrating. Surviving spouses often don't anticipate receiving these letters and lack a straightforward way to confirm whether the VA received their responses. Consequently, many are unaware of any issues until their DIC payments cease. Once benefits are halted, it can take two to four months for the VA to reinstate them, leading to significant financial challenges for surviving spouses reliant on these benefits as their sole source of income.

Here are some stories of surviving spouses who have not remarried and still had their benefits turned off:

Torey Sonka, Surviving Spouse of Cpl David Sonka, U.S. Marine Corps

"I never received my yearly remarriage letter from the VA because they sent it to an address I haven't lived at in almost nine years. I would never have known anything was wrong until they stopped payment. I was informed that I actually had a

debt for the sum total of every payment they had made to me since my husband's death in 2013 because I had not filled out this form.

"My local VA office was incredibly helpful and walked me through the process, but it required me taking the entire day off of work and a large amount of paperwork to file an appeal since I have not remarried. I had used my husband's GI Bill a few years ago, so the education portion of the VA had my correct mailing address, but not the Office of Pension and Fiduciary Services. It took almost four months, but I finally got the appeal approved and was retroactively repaid for the months they stopped payment. A debt of over \$100,000 terrified me, and I lost a payment I rely on each month until it was resolved."

Morgan Zimmerman, Surviving Spouse of SSG Sonny Zimmerman, U.S. Army

"My husband was 'killed in action' in July 2013. By January 2014, my benefits had already stopped because I didn't send back the paperwork that VA mailed to me in September asking if I had remarried yet. I asked them why I would need to fill it out again since I just applied in early August after he died. Needless to say, I filled it out, but was told it could take 60-90 days for my benefits to be reinstated. After that, I looked for the letter every September. A few years later VA did not send a letter, so I called and was told I didn't need to do it anymore. Then they started sending it again. This past year I got two. One for me and one for my daughter, who is a minor. There is no communication, no consistency, and no sympathy."

REMARRIED SURVIVING SPOUSE BENEFITS

When a surviving spouse remarries before the age of 55, they are legally required to notify the VA to discontinue Dependency and Indemnity Compensation (DIC). The VA states that the processing time for these claims is typically eight to 12 weeks, but unfortunately, this is not consistently the case. Numerous surviving spouses experience delays ranging from six to 18 months, with some cases taking up to 42 months, in their efforts to terminate their benefits. They often encounter the need to make multiple calls, resend paperwork repeatedly, and are frequently informed that their file hasn't been reviewed even six months after submission.

As these survivors continue to receive payments, they subsequently receive debt letters demanding the immediate repayment of benefits, often with added interest. This places an undue burden on surviving spouses who followed the required procedures. The challenge is exacerbated by the fact that many surviving spouses, often with minor children, are unaware of the specific portions of the payments they are supposed to retain and which portions should cease. Additionally, they may lack the financial resources to repay the VA promptly.

Here are some stories of surviving spouses who remarried but were unsuccessful in having VA turn off their benefits:

Mandy Dillard Santiago, Surviving Spouse of SGT Anibal Santiago Jr., U.S. Army

"When I remarried, I called and reported the new marriage along with faxing in my marriage certificate. I called several times a month to check on the status. During one phone call a VA representative even told me I was still eligible for my benefits, but I knew this was incorrect. I was paid DIC for a year following my new marriage. I finally received a letter stating I owed a year's worth of DIC along with the options to repay it."

Shannon Mann-Alvarenga, Surviving Spouse of 1st Lt Jason Mann, U.S. Marine Corps

"When I remarried, I notified DFAS and the VA of my remarriage. I had heard that since I had a daughter the payments would pretty much even themselves out, so I didn't think too much of it, because I still needed the payments to provide for my daughter. Two years later I received a letter stating that I owed \$48,000 and I needed to pay within 10 days. Not being able to make that kind of payment and unable to get a hold of someone from the VA in 2014, it went into collections, and on my credit report. At the same time, I was trying to get a job. When I passed the last round of interviews and they pulled my credit score, I was denied the job. In order to secure employment, I pulled money from my retirement savings to pay it off, leaving me in more financial hardship."

Shauna Suflet, Surviving Spouse of SGT Gregory Meyers III, U.S. Army

"It took over six months for the VA to stop paying me after reporting my remarriage. I'm now stuck repaying them for the overage after they calculated my portion

from my children's benefits. Since I still have kids who receive DIC, I had to open fiduciary accounts for each of them. The VA audited the spending after three months of receiving benefits in those fiduciary accounts. Now that I'm remarried, I'm not trustworthy enough to take care of my own children, and I have to jump through time-consuming hoops? I'm quite offended by this in particular, which never happened in the six-years prior to my remarriage."

TAPS recommends immediate passage of the Love Lives On Act which allows surviving spouses to maintain DIC upon remarriage at any age.

ENTRY POINTS INTO VA FOR SURVIVORS

In the event of the death of an active-duty service member, the Department of Defense (DOD) takes the initiative to reach out to the family, guiding them through available benefits and programs. This proactive approach from the DOD ensures that surviving families comprehend the support provided by both the DOD and the VA, along with the appropriate contacts for addressing future concerns. The DOD is able to offer this assistance because it possesses the contact information of family members prior to the service member's passing.

In contrast, the VA lacks a similar capability as it does not track family members who are not currently receiving benefits. Prior to the death of their veteran, family members are generally not receiving VA benefits, so the burden falls on the grieving family member to determine eligibility for benefits, identify the right contacts for inquiries, and navigate the application process.

Non-active-duty surviving spouses are expected to navigate the same entry points as veterans, such as the VA's general helpline. However, they often encounter challenges, receiving inaccurate information or being told they are ineligible for benefits during their initial call. This leads to survivors hesitating to return to the VA for assistance. The issue arises from the fact that survivors represent only one percent of those receiving VA services, resulting in a lack of awareness among VA staff about survivor benefit programs. In cases where staff members are uncertain, they may provide what they "think" is the answer rather than acknowledging their uncertainty.

The VA's **Office of Survivor Assistance (OSA)** would be the logical entry point, but far too many survivors don't even know it exists until organizations like TAPS reach out to OSA on their behalf. Expanding OSA—a small office with only three staff members—would help make the survivor experience more manageable and alleviate many challenges. If the OSA was funded and staffed appropriately, it could easily operate in a similar manner to DOD's Office of Casualty and Mortuary Affairs. OSA could become the gateway for surviving families who should be eligible for VA benefits and programs.

OSA was created in 2008 to serve as a resource for all surviving family members regarding benefits and care provided by the VA. Unfortunately, this office has been bounced around VA for the past 15 years, making it difficult to fulfill that mission. When the office was first created, it was placed within the Office of the Secretary, but has since been moved under the Veterans Benefits Administration in 2015, then The Veterans Experience Office in 2017, followed by a move to The Office of Outreach, Transition and Economic Development in 2021, and most recently the office has been placed under the Pension and Fiduciary Service in June 2023.

OSA has been treated as if the only benefits survivors receive are compensation. Currently, OSA staff only have access to DIC and Pension, therefore they are unable to assist with many issues survivors face, to include burial benefits, education benefits, CHAMPVA, Survivors Group Life Insurance, home loans, or additional programs and benefits survivors are eligible to receive. Because they do not have access to those programs or claims, OSA has to outsource requests related to anything other than DIC and Pension, and primarily outsource them to TAPS and our case-work assistance program as we do have the ability to access those programs on behalf of survivors.

TAPS strongly believes that OSA should be elevated to the Office of the Under Secretary for Benefits and granted access to all programs and services survivors are eligible to receive. With more than 465,000 survivors currently eligible for DIC, OSA staffing should be significantly increased to better serve surviving families. OSA should be the official entry point into VA for survivors, with the bandwidth, expertise, and access needed to answer any and all challenges that survivors face regarding VA benefits and services. There should also be a dedicated survivor helpline to provide access to trained agents with the knowledge to address survivor issues. We applaud VA for implementing an education-specific helpline for survivors in 2019, which has been a huge success.

The limited awareness among survivors regarding OSA highlights the need for VA to more effectively communicate and promote this survivor program to deliver on its sacred mission, **“To fulfill President Lincoln’s promise to care for those who have served in our nation’s military and their families, caregivers, and survivors.”**

Increasing OSA staffing, elevating its status, and establishing it as the official entry point into VA would drastically improve accessibility and increase survivors’ trust in the VA and the care and benefits they receive from them.

Melissa Alex, Surviving Spouse of SSGT Eugene Alex, U.S. Army

“The Office of Survivor Assistance was established in 2008 to serve as an outreach regarding benefits and services for our families. I didn’t know for years that they existed. I found out only because I am a service provider with the Michigan National Guard, not because they reached out to me and my children personally!”

Sadie Clardy, Surviving Spouse of TSgt Michael Clardy, U.S. Air Force

“My husband passed in 2017 and I had never heard of OSA until learning about them from TAPS. I had to Google the Office of Survivor Assistance to find out about their services. Without that search, I would not be able to tell you anything about OSA, not even who they’re affiliated with. I’m still a little hazy as to what role they may be able to play in supporting me and my children.”

PACT ACT-RELATED NUMBERS

The Sergeant First Class Heath Robinson Honoring Our Promise to Address Comprehensive Toxics (PACT) Act was signed into law by President Biden on August 10, 2022. This historic law ensures veterans of multiple generations who were exposed to burn pits, toxins, and airborne hazards while deployed are eligible to apply for immediate, lifelong access to VA health care and benefits for their families, caregivers, and survivors.

The passage of the PACT Act is a victory, but the work does not stop. Each year, more survivors whose loved ones died due to toxic exposure-linked illness connect with TAPS for grief support and help navigating their benefits. Of the survivors seeking our care in 2023, 34 percent were grieving the death of a military loved one due to illness, including toxic exposures. TAPS remains committed to promoting a better shared understanding of illnesses that may result from exposure to toxins and ensuring survivors of illness loss receive the benefits they deserve.

TAPS is working with the VA to encourage toxic-exposed veterans and survivors to file a claim for PACT-related benefits or apply for VA health care. The VA began accepting veteran and survivor PACT-related claims on August 10, 2022 and began processing claims on January 1, 2023. To date, the VA has received a total of 1,336,334 PACT-related claims from veterans and survivors (08/10/2022–01/13/2024).¹

The VA estimates there are 382,000 potential survivors who may be eligible for PACT-related benefits:

- 146,000 potential DIC claims based on previously denied deceased veterans’ claims
- 236,000 potential DIC claims based on previously denied survivors’ claims

As of January 13, 2024, the total number of survivor PACT-related claims that have been submitted to the VA is 22,582; of those, 14,873 have been completed and 7,976 have been approved.²

TAPS renewed our Memorandum of Agreement (MOA) with the VA and is partnering with them to continue to help identify, educate, and encourage survivors who lost their loved ones as a result of toxic exposure to submit PACT-related claims. We remain committed to working with Congress and the VA to ensure toxic-exposed veterans and their survivors receive their earned benefits and health care.

The VA has conducted extensive outreach and messaging campaigns across the country to reach both veterans and survivors. The number of veterans applying for PACT-related benefits has well surpassed one million (1,313,752 as of 01/13/2024), but the number of survivors applying for PACT-related benefits still remains lower than expected considering the potential survivor number of 382,000. The VA has

¹ https://department.va.gov/pactdata/wp-content/uploads/sites/18/2024/01/VA-PACT-Act-Dash-board-Issue-25-011924_final-508.pdf

² https://department.va.gov/pactdata/wp-content/uploads/sites/18/2024/01/VA-PACT-Act-Dash-board-Issue-25-011924_final-508.pdf

sent letters to 285,000 of these survivors urging them to resubmit a claim for potential benefits.

During a meeting with the VA late last year, we were informed that the VA does not track cause of death, therefore the 382,000 potentially impacted survivors includes all manners of death, including those who died of old age, by suicide, or in car accidents, not just those filing claims related to toxic exposure. This helps to explain why after extensive outreach by the VA and organizations like TAPS, more survivors have not applied for PACT-related benefits. Unfortunately, the potential survivor numbers have also informed the Congressional Budget Office's (CBO) scoring of current survivor legislation, such as the Love Lives On Act and Caring for Survivors Act, almost doubling the cost and creating exorbitant scores, making it difficult to find funding.

FRY SCHOLARSHIP FOR DUAL ELIGIBLE SURVIVING SPOUSES

Many surviving spouses also served in the armed services. This creates a variety of challenges for them when trying to utilize benefits and access files from their own service as well as their late spouses.

One of the most significant challenges the population of dual-service surviving spouses face is in accessing education benefits. The current law states that any months of Montgomery GI Bill (Chapter 30) utilized count against months of the Post 9/11 GI Bill (Chapter 33). In many cases, our dual-service surviving spouses may have utilized their own benefits under Chapter 30 prior to the passing of their spouse but need to retrain and would like to utilize their survivor education benefits under Chapter 33 to do so. They then find out that they cannot utilize the Fry Scholarship because they used their own Montgomery GI Bill benefits.

To make it even more complicated, if that survivor had used benefits under the Post 9/11 GI Bill as a veteran, they can utilize their full entitlement under the Fry Scholarship because veterans Chapter 33 does not count against survivor Chapter 33 if the sponsor is not the same. Additionally, surviving children who are veterans are not penalized either and are allowed to utilize all the education benefits under their late parent and acquire benefits under their own service as well, so this only applies to surviving spouses who specifically used the Montgomery GI bill.

Most of these surviving spouses were in careers that they could no longer continue due to their own loss and trauma or a career that may not be viable as a single parent. In other cases, they are looking to advance their own education and income as they are now the sole breadwinner for their family. While VA does support extending education benefits to our dual-service surviving spouses, they do not have the authority currently, and a technical fix is needed. While we know this is a small population, the fix would be massively significant to those survivors impacted.

Jazmin Ojeda, Surviving Spouse of SPC Ramon Ojeda, U.S. Army

"I was denied the Fry Scholarship because I used my own Montgomery GI Bill benefits, making it very difficult to go to school full time. I used my own benefits because I was told my survivor education benefits expire, if not used after 10 or 15 years after his death. This doesn't make sense since I couldn't use my survivor benefits on active duty. The system is broken."

Laura Youngblood, Surviving Spouse of HM3 Travis L. Youngblood, U.S. Navy

"I was using my own GI Bill when my husband was 'killed in action'. I used up my GI Bill a semester into getting my BSN. I talked to the school, and called the VA and asked why I couldn't use my husband's GI Bill like all the other widows were able to do. The response I got was, 'You are only allocated one GI Bill,' but I served for 'my' GI Bill just like my husband. I feel like dual-active couples are penalized. I paid out of pocket which took me six years to finish school and receive my BSN."

"I enlisted in the Army before my husband was killed, and hearing the VA constantly use the term, 'double dipping' as the reason why I can't use both benefits separately and to their full extent is infuriating. I'm being penalized for something that happened AFTER I enlisted. My benefits are my own, completely separate from those that came from my husband's sacrifice. Why does my husband's death have to be used against me to diminish my own service? Our children don't have these rules if they decide to enlist. They're able to use both benefits fully without any restrictions."

CERTIFICATE OF ELIGIBILITY FOR EDUCATION BENEFITS ERRORS

Under the Forever GI Bill, all Fry Scholarship eligible children whose loss occurred on or after January 1, 2013, OR who turned 18 on or after January 1, 2013,

are not supposed to have a delimiting date, yet in close to half of the Certificates of Eligibility TAPS has seen this past year, the VA is still listing a delimiting date for the students leading to confusion for students on whether their benefits do or do not expire.

In addition, when the removal of the delimiting date for Chapter 35 benefits went into effect in August 2023, neither RPO implemented it nor even seemed aware that it was the new law. TAPS would also like to point out that while we see lots of errors on Certificates of Eligibility for survivors, an overwhelming percentage of those come from the Buffalo RPO, not Muskogee.

TAPS recommends moving all Chapter 35 and Fry Scholarship processing to one RPO with specialized claims processing.

Below are some examples of surviving children who have received inaccurate Certificates of Eligibility:

Lauren Stubenhofer Bennett, Surviving Daughter of CPT Mark Stubenhofer, U.S. Army

"I applied in November 2023 for Chapter 35 benefits to use for graduate school. I recently called to check on the status, and it was denied. The reason was, 'Your beginning date of eligibility was October 8, 2015. Based on this beginning date, your ending date of eligibility was October 8, 2023. We can't pay benefits for any period after this date (38 CFR 21.3040 and 21.3041(a))."

"I was 15 in 2015. It's incredibly frustrating. I've hit roadblock after roadblock trying to use the benefits that they say I'm entitled to use. I've had to argue with people over the phone about my dad being dead, insisting they need to speak to the service member. I never know if my benefits are going to come through or if they are going to randomly stop without notice and result in my classes being dropped. I am grateful to receive these benefits, but the system needs updating because I shouldn't have to argue and fight for them."

Madison Maiorana, Surviving Daughter of TSgt Mark Maiorana, U.S. Air Force

"I began using my Fry Scholarship in 2021 when I turned 18, yet I have a delimiting date on my Certificate of Eligibility (COE) of 2035. Since I turned 18 after January 1, 2013, I should not have a delimiting date. This is unfortunately common in the survivor community because our survivors are unaware of their benefits. We are requesting an updated COE."

CHAPTER 35 SUNSET

Chapter 35 is an outdated education benefit provided by the VA. It has been around since the Vietnam War and has not had any major improvements since then. The Forever GI Bill increased education benefits by \$200 per month; however, that remains nearly half of the amount paid by the Montgomery GI Bill, and far less than the Post-9/11 GI Bill and Fry Scholarship. The current Chapter 35 rate of \$1,488 per month is not enough to cover tuition, fees, and living expenses for most students and leads to surviving spouses and children needing to take out student loans to assist with expenses.

TAPS requests Congress:

- Introduce legislation to consolidate all remaining education benefits for survivors under Chapter 33.

TAPS recommends sunseting Chapter 35 and moving all qualified recipients to Chapter 33, even if it is on a lower scale, such as 70 percent as opposed to 100 percent of the benefit. Benefits under the Survivors' and Dependents' Educational Assistance (DEA) program are significantly lower than the Post-9/11 GI Bill, Fry Scholarship, and Montgomery GI Bill. Those using DEA are limited to dependents of a 100 percent disabled veteran, those who died of a service-connected death, and those who died before 9/11.

Not only would sunseting Chapter 35 simplify the VA approval process, but it would also ensure that all survivors are receiving adequate educational benefits.

The following personal testimonials from survivors help highlight these education benefit issues:

Susan Williams, Surviving Spouse of Maj Thomas M. Williams, Jr., U.S. Air Force, Ret.

"My husband, Tom, started experiencing symptoms of cardiomyopathy after retiring, and while transitioning to the VA medical system. His death was deemed serv-

ice-connected, so we are eligible for Chapter 35/ DEA. He was 138 days post-service when he passed. The difference between the Fry Scholarship and DEA is substantial. My daughter attends Savannah College of Art and Design (SCAD) and has a quarterly tuition of \$13,365, three quarters a year totals \$40,095. This total does not include food and housing, which is another \$5,400 a quarter, totaling \$16,200. The DEA/Chapter 35 only pays a prorated amount of roughly \$10,000 a year. This causes her to take the max student loans and parent PLUS loans, upwards of \$46,000 each year.

“If we qualified for Fry, we likely would not have to take any loans, as SCAD is a Yellow Ribbon school. However, we are both going into debt instead. Our suffering was no less than someone who died on active duty. Maybe it was even more so since we had to watch him suffer through his illness, knowing that he was going to die. The lasting impact of physically watching someone die has scarred my children for life. They deal with the consequences every day. It is a slap in the face that their father’s death is not recognized for full education benefits.”

Renee Monczynski, Surviving Spouse of PO2 Matthew Monczynski, U.S. Navy

“The difference for my daughter between Chapter 35 and Fry for the next two years is the constant worry of how we are going to pay for the next semester. Waiting to see if she has enough scholarships to cover all expenses and scrambling for loans to cover the rest. Every time we fill out an application we are reminded that the Navy and our country don’t care about Matt’s sacrifice because it was in June 2001. He died on the wrong day for our country to care. That care is reserved for those who served and died after 9/11.

“We were dual-active. We were both willing and did serve our country. But according to a document his sacrifice is not worth a college education for our daughter. Nor is my 70 percent VA-rated disability. So I’m not broken enough, and he died on the wrong day for anyone to care about our sacrifices.”

LOVE LIVES ON ACT OF 2023 (H.R. 3651, S. 1266)

TAPS is honored to work with members of this committee to pass one of our top legislative priorities, the **Love Lives On Act of 2023**. This comprehensive legislation will allow surviving spouses to remarry before the age of 55 and retain their benefits. TAPS is grateful to Representatives Dean Phillips (D-MN-3) and Richard Hudson (R-NC-9) and Senators Jerry Moran (R-KS) and Raphael Warnock (D-GA), for introducing this important legislation in the 118th Congress.

We ask Congress to:

- Remove the arbitrary age of 55 as a requirement for surviving spouses to retain benefits after remarrying.
- Allow surviving spouses to retain both the Survivor Benefit Plan (SBP) and Dependency and Indemnity Compensation (DIC) upon remarriage at any age.
- Allow remarried surviving spouses to maintain access to education benefits under the Fry Scholarship and Dependents Education Assistance (DEA).
- Allow remarried surviving spouses to retain Commissary and Exchange benefits (passed in 2024 NDAA).
- Allow remarried surviving spouses to regain their TRICARE benefits if their remarriage ends due to death, divorce, or annulment.
- Remove the “Hold Themselves Out to Be Married” clause from 38 USC, Section 101, paragraph 3.

Current law significantly penalizes surviving spouses if they choose to remarry before the age of 55. Given that most surviving spouses from the post-9/11 era are widowed in their 20’s or 30’s, we are asking them to wait 20-plus years to move forward in their lives. They often have children that they must raise alone. Many surviving spouses choose not to remarry after the death of their service member because the loss of financial benefits would negatively impact them, especially those with children. Many choose to cohabitate instead of legally remarrying. A long-term goal for TAPS is to secure the right for surviving spouses to remarry at any age and retain their benefits. TAPS is leading efforts to pass the **Love Lives On Act of 2023**, which is supported by nearly 40 veteran and military organizations. TAPS spearheaded a letter of support from these organizations that has been shared with every member of this committee.

Military spouses are among the most unemployed and underemployed population in the United States. Due to frequent military moves, absence of the service member, and expensive child care, military spouses face high barriers to employment

and are unable to fully invest in their own careers and retirement. For many families, military retirement pay is treated as the household's retirement pay. These barriers to employment continue when a military spouse becomes a surviving spouse. Many surviving spouses have to put their lives on hold to raise bereaved children. They are reliant on their survivor benefits to help offset the loss of pay for their late spouse and their own lost income as a result of military life.

If a surviving spouse's subsequent marriage ends in death, divorce, or annulment, while most benefits can be restored, TRICARE cannot. If a surviving spouse was previously eligible for CHAMPVA, that benefit can be restored. TAPS is not asking for surviving spouses to maintain TRICARE upon remarriage, only that we provide parity with other federal programs and allow it to be restored if the subsequent marriage ends.

These restrictions are punitive and are only imposed on the military surviving family, but not others who put their lives on the line to protect and defend. For example, in 30 states, including Texas³, Virginia⁴, and Louisiana⁵, first responders' survivors are allowed to legally remarry in the U.S. and maintain all or partial pensions and benefits.

In certain circumstances, divorcees are granted more respect than surviving spouses. If a service member was married for at least 20 years and served 20 years, that spouse is entitled to a portion of that retirement benefit regardless of whether they remarry or not. Surviving spouses should not be penalized for remarrying when we grant the right to retain benefits to certain divorced spouses.

According to the Department of Veterans Affairs (VA), there are approximately 465,000 surviving spouses receiving Dependency and Indemnity Compensation (DIC). Less than 65,000 of those surviving spouses are under the age of 55 and could potentially benefit from this legislation. Currently, less than 5 percent of surviving spouses under the age of 55 have chosen to remarry due to these penalties.

Choosing to remarry should not impact a surviving spouse's ability to pay bills. They should not have to choose between another chance at love, a stable home life for their children, and financial security. They are still the surviving spouse of a fallen service member or veteran, who earned these benefits through their service and sacrifice. Regardless of their marital status, surviving spouses should not be penalized for finding love in the future.

To help highlight many of these important issues, the following are personal testimonials from surviving spouses who have not remarried and a surviving spouse who remarried after the age of 55 and retained her benefits:

Jacqueline Nourse, Surviving Spouse of SPC Andrew Nourse, U.S. Army

"I lost my husband, Andy Nourse, U.S. Army veteran, to PTSD-related suicide in 2014. I was left alone to raise my children for the last nine years. They are now grown and out of the house. I would be alone, however, I am lucky enough to have found love again with Jim. He is a wonderful man who loves me and my children deeply and honors the memory of my husband every chance he gets.

"Passing the Love Lives On Act means that my country will keep its promise to my family—that my husband's death was a debt that could never be repaid, and means that the government will always acknowledge me as Andy's widow even if I am Jim's wife. All we are asking for is to choose how we move forward after the unthinkable happens."

Dena Yllescas-Johnston, Surviving Spouse of CPT Roberto Yllescas, U.S. Army

"When I remarried I knew I would lose my benefits, but I wanted to do the 'right' thing. I notified both the Department of Defense and VA, but because those benefits were not set up by me, and I was in such a daze when they were after my husband passed, I did not know which benefits were just mine versus which were my daughters. I noticed my monthly income had decreased so I thought all was good.

"FIVE YEARS LATER, the VA sent me a letter and asked if I had remarried. I told them yes and that I had notified them. They said they never received it and that I had to pay them back \$60,000. Of course, I couldn't find proof since I had mailed them the documentation. They said if I didn't pay them back SOON that they'd take my house. I was trying to do the right thing by marrying my new husband and not just living with him. We didn't divorce our husbands, they died. Why do they con-

³ <https://www.firehero.org/resources/family-resources/benefits/local/tx/>

⁴ <https://www.firehero.org/resources/family-resources/benefits/local/va/>

⁵ <https://irp-cdn.multiscreensite.com/ac5c0731/files/uploaded/Louisiana.pdf>

tinue to punish us by taking away benefits when we try to move forward and bring back a sense of happiness and normalcy for myself and my daughters?"

Linda Ambard Rickard, Surviving Spouse of MAJ Phil Ambard, U.S. Army

"I became a widow just before my 50th birthday when my husband of 23 years, Major Phil Ambard, was 'killed in action.' For over two decades, we moved every two to four years. While I had multiple master's degrees and a teaching license, I never progressed beyond probation/provisional status at my jobs because we were never in any one place long enough. I never got too attached to a home, people, or a job because everything was so temporary. When I became a widow, I didn't know where to move. I hadn't lived back home in Idaho since 1979. I was too old to go live with my mom and dad, and too young to live with my children, four of whom were in the military. It took me years to get my feet on the ground.

"I didn't date for many years because I just couldn't. At 57, I met the man who would become my husband. I married him just after my 60th birthday. While I maintain my survivor benefits and survivor Social Security, due to my age, I had to give up TRICARE even though I now qualify for CHAMPVA. It is ridiculous that younger widows/widowers lose everything with remarriage; there is a big difference with the magic age of 55."

CARING FOR SURVIVORS ACT OF 2023 (H.R. 1083, S. 414)

TAPS remains committed to improving Dependency and Indemnity Compensation (DIC) and providing equity with other federal benefits. We continue to work with Congress to:

- Pass the **Caring for Survivors Act of 2023**.
- Increase DIC from 43 percent to 55 percent of the compensation rate paid to a 100 percent disabled veteran.
- Reduce the timeframe a veteran needs to be rated totally disabled from 10 to five years, allowing more survivors to become eligible for DIC benefits.

More than 465,000 survivors receive DIC from the VA. DIC is a tax-free monetary benefit paid to eligible surviving spouses, children, or parents of service members whose death was in the line of duty or resulted from a service-related injury or illness.

The current monthly DIC rate for eligible surviving spouses is \$1,612.75 (Dec. 1, 2023), which has only increased due to Cost-of-Living Adjustments (COLA). TAPS is working to raise DIC from 43 percent to 55 percent of the compensation rate paid to a 100 percent disabled veteran; ensure the DIC base rate is increased equally; and protect added monthly amounts, like the eight-year provision and Aid and Attendance.

TAPS and the survivor community have supported increasing DIC for many years, especially for military survivors whose only recompense is DIC. We are grateful to Senate Veterans' Affairs Committee Chairman Jon Tester (D-MT), Senator John Boozman (R-AR), Congresswoman Jahana Hayes (D-CT-5), and Congressman Brian Fitzpatrick (R-PA-1) for introducing the **Caring for Survivors Act of 2023 (S. 414, H.R. 1083)**.

Passing this important legislation in the 118th Congress is a top priority for The Military Coalition (TMC) Survivor Committee, co-chaired by TAPS. TMC consists of 35 organizations representing more than 5.5 million members of the uniformed services—active, reserve, retired, survivors, veterans, and their families.

The following statements from survivors demonstrate that stringent limitations on DIC payments have financial and widespread impacts on housing, transportation, utilities, clothing, food, medical care, recreation, and employment for surviving families:

Katie Hubbard, Surviving Spouse of CSM James Hubbard, Jr., U.S. Army

"Due to his status at the time of my husband's death, the only financial benefit we are eligible for is DIC. CSM James W. Hubbard, Jr. died May 21, 2009, while in treatment for leukemia caused by the burn pits in Iraq. Having your income cut by more than 60 percent while trying to navigate funeral costs, bills that aren't stopping, and unexpected ambulance and ER charges nearly took me out too.

"My mental health was not conducive to returning to the workplace quickly after being his caregiver and dealing with the unexpected loss, yet I had to figure out something to make up the income or lose our home too. My future, my best friend, and my normal were gone. While a 12 percent increase doesn't seem like much, any widow living paycheck to paycheck can tell you it does. The military is a federal entity, yet their survivors are treated less than. Passing the Caring for Survivors Act

would show military widows that their spouse and themselves are cared for and not forgotten.”

Jackie Ferguson, Surviving Spouse of SGT James Ferguson, U.S. Army

“I completed my degree before my husband joined the Army. It was a blessing I finished. We moved several times before he passed, but I found it very difficult to obtain a position using my degree. It seemed no one was interested in hiring me because we would be moving constantly. In order to work in my field, I drove every day from Fort Sill, Oklahoma, to Oklahoma City, which is over an hour each way. I think that raising the DIC to 55 percent would help me offset the earning potential I have lost due to unemployment and underemployment during my husband’s service.”

Melissa Evinger, Surviving Spouse of Sgt Barry Evinger, U.S. Marine Corps

“As a widow and mother of three children, the weight I carry on my shoulders is substantial and often paralyzing as I strategize how to take care of my children. As a Texas public school teacher, my income will never be substantial. I do receive DIC; however, this does not come close to what my husband received in disability compensation. Because of this, I have to supplement my income by working as a tutor before and after school. This all amounts to time I have to be away from my children just to ensure we can afford a basic lifestyle.

“My husband, children, and I have paid a huge price for our country. As the Nation asked my husband to help defend its interests, I now ask for your help in return. I respectfully ask you to consider the possibility of increasing the amount of DIC for the widows and children of the fallen.”

HONOR ALL GOLD STAR FAMILIES

TAPS is working with Congress to:

- Use inclusive language for legislation and establish a standard, legal definition of a Gold Star Family, which includes “died while serving or from a service-connected injury or illness.”

As the national provider of compassionate care and resources for all those grieving the death of a military loved one, TAPS appreciates the use of inclusive language in all legislation referencing Gold Star Families as families of military service members who “died while serving or from a service-connected injury or illness.” The VA does not distinguish by cause of death. There is no differentiation of military headstones, the folding of the flag, playing of taps, or distribution of government benefits based on geography or circumstances of a service member’s death, whether they died in combat, by accident, an illness related to their service, or by suicide. A service member’s death is honored and remembered based on their life and service.

While there is no legal definition of Gold Star Family anywhere in statute, there are over 30 references to Gold Star Families varying from “killed by hostile action” to “died in the line of duty” to our preferred definition, “died while serving or from a service-connected injury or illness.” Congress should establish a definition to ensure all future legislation and programs are consistent, and that all Gold Star Families are honored equally.

The failure to have a legal, consistent definition will continue to cause challenges for lawmakers when writing legislation impacting Gold Star Families as well. TAPS has seen many times Members of Congress introduce bills and either make up their own definitions—which DOD and VA cannot implement, as it is not something they can track—or use too narrow language and unintentionally exclude survivors that we then have to go back and fix. Having a consistent, legal definition would ensure any future legislative proposals improve benefits for all surviving families.

Gold Star Wives of America (GSW) and American Gold Star Mothers, Inc. are both congressionally Chartered Nonprofit Organizations and use the same broad, inclusive language to define Gold Star for their membership criteria. The current GSW President is not a combat loss survivor, and First Lady, Dr. Jill Biden is eligible to join American Gold Star Mothers, Inc. based on her son, Beau Biden’s death being service-connected.

The following testimonials from surviving family members highlight the importance of recognizing *all* Gold Star Families who have lost a loved one to military service:

MaryAnne Kerr, Surviving Spouse of GySgt Cory Kerr, U.S. Marine Corps

“My husband, Corey, was an infantryman in the U.S. Marine Corps and proudly served his country for nearly 19 years. He fought in three wars and was a Purple Heart recipient. His life ended tragically by suicide on June 11, 2022, two days after his 37th birthday. My husband received an honorable military funeral and we were given the ‘Next of Kin’ lapel pins.

“To make matters worse, I am fueled with anger and disgust that we are not considered a ‘Gold Star’ family because my husband did not die in a combat zone. My husband may not have died in those wars physically, but he died there psychologically. He lived the rest of his life with guilt, pain, and sorrow. I am not asking to receive a ‘Gold Star’ lapel pin but rather the title ‘Gold Star Family.’ Give my husband the honor he deserves, and allow his family to live with the comfort of knowing his sacrifice and service to his great nation is recognized and respected.”

Kathy Maiorana, Surviving Spouse of TSgt Mark Maiorana, U.S. Air Force

“I was once asked by another widow, while we looked at a memorial for the fallen, why I was so upset. When I told her it was because my husband’s name will never be on a memorial, she responded, ‘Well, he shouldn’t be.’

“I’ve been a suicide widow for 18 years. During those 18 years, I cannot count how many times my family, including my four children, have been left out of different memorials or events because of the way my husband died. Suicide has been seen as a stigma amongst veterans and their families for as long as I have been part of military life. Suicide has made not only my husband invisible in the eyes of military families, but also deemed his family’s suffering as less than others who have also lost. In the eyes of many, it doesn’t matter how long or to what extent someone has served, but simply how they died. Even though my husband’s life ended a certain way, that does not make his contributions to this country any less.”

Melissa Perritt, Surviving Spouse of William Perritt, U.S. Air Force, Ret.

“I lost my husband of 19 1/2 years, William Barron, on March 13, 2010, from service-connected lung cancer. My husband served on active duty for 20 years. He lost his battle with cancer 20 months after he retired.

“We desperately needed support and resources to assist us as we learned how to move forward without him. We found TAPS, Wounded Warrior Project, and Children of Fallen Patriots the most helpful and supportive for us. Unfortunately, other organizations told us that we did not ‘qualify’ to be a ‘Gold Star Family’ because he did not die while serving on active duty. Hearing this felt like a gut punch. My husband gave ALL in the service of our country, but we were treated as if we were ‘second class’ surviving family members.

“My husband’s wounds from the deployments may not have been visible from the outside, and it certainly did not make the evening news when he died, but they were absolutely as deadly as what takes the life of someone killed in combat. I believe that military members and veterans who die from a service-connected illness deserve to have their surviving family members receive the same honor and support as those who die in combat. Every military member and veteran’s life lost has the same value. Every surviving family member is walking through deep grief and has to learn how to go on without their loved one. Not including service-connected illness deaths as ‘Gold Star’ sends a strong message to those surviving family members: ‘Your loved one’s life was not as valuable.’”

TAPS OVERALL RECOMMENDATIONS

While we know these are just a few of the many issues that our surviving families face when accessing care and benefits through the VA, to recap, the following are TAPS recommendations that would help fix some of these issues:

1. Move all Chapter 35 and Fry Scholarship claims to one RPO, preferably Muskogee, and have staff specialized in just those claims. This would help reduce overall processing errors but also help ensure consistency in the Certificates of Eligibility. **(Certificate of Eligibility Challenges)**
2. Allow students to submit a single school certification form, such as or similar to the VA 21-674, upon their 18th birthday, along with a new direct deposit form that will generate a process into the NWQ upon receipt. This will ensure students’ DIC payments continue through their high school graduation. Additionally, if the VA Education Office awards benefits, the Pension Management Center is required to be notified by the Education Office to release additional funds for the summer months between high school graduation and their first day of utilizing the education benefits. **(DIC for High School Students)**

3. Elevate the Office of Survivor Assistance under the Office of the Under Secretary for Benefits and provide them access to more than just Compensation claims to include, but not limited to, the National Cemetery Administration benefits, Education benefits, VA home Loans, Office of Survivor Group Life Insurance Policy (SGLI), VA Life Insurance claims, and Healthcare claims so they can provide more impactful information to survivors. **(Entry Points into VA)**
4. Create an official entry point for survivors into the VA, such as OSA, and provide adequate staffing to assist survivors with questions about their benefits, care, and support. **(Entry Points into VA)**
5. Create an 800 number for survivors at the VA. The use of the veterans' helpline as the entry point oftentimes leads to survivors receiving misinformation since the helpline is not accustomed to speaking with survivors. **(Entry Points into VA)**
6. Passage of the **Love Lives On Act**, which will allow surviving spouses to retain benefits upon remarriage at any age, would alleviate many of the paperwork challenges our surviving spouses currently face.

CONCLUSION

TAPS thanks the leadership of the House Committee on Veterans' Affairs, their distinguished members, and professional staff for holding this important hearing on survivor issues. TAPS is honored to testify on behalf of the thousands of military and veteran surviving families we serve.

Prepared Statement of Kelly Hruska



Statement

by the

NATIONAL MILITARY FAMILY ASSOCIATION

for

Committee on Veterans Affairs

of the

**UNITED STATES HOUSE
OF REPRESENTATIVES**

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The Committee

The National Military Family Association is the leading nonprofit dedicated to serving the families who stand beside the uniform. Since 1969, NMFA has worked to strengthen and protect millions of families through its advocacy and programs. We provide spouse scholarships, camps for military kids, and retreats for families reconnecting after deployment and for the families of the wounded, ill, or injured. NMFA serves the families of the currently serving, retired, wounded, or fallen members of the Army, Navy, Marine Corps, Air Force, Space Force, Coast Guard, and Commissioned Corps of the USPHS and NOAA.

The Association does not have or receive federal grants or contracts.

Our website is: www.MilitaryFamily.org.

Kelly B. Hruska, Government Relations Director

Kelly Hruska became the Government Relations Director of the National Military Family Association in 2015. In this role, she leads the Association's advocacy for the families of the eight Uniformed Services and monitors the range of issues relevant to their quality of life. She began her work with the Association in 2007 as a Government Relations Deputy Director and served as Outreach Coordinator in 2014.

Kelly has represented military families on several committees and task forces for offices and agencies of the Department of Defense (DoD) and military services. She serves as the Families/Survivors Vice President of The Military Coalition (TMC), an organization of 35 military-related associations. She is also co-chair of TMC's Survivor Benefits and Membership and Nomination Committees. From 2008 to 2011, she represented NMFA on the first DoD Military Family Readiness Council.

Prior to joining NMFA, Kelly worked to develop the next generation of entrepreneurs as the chief of staff of CONNECT and the chief of staff of the San Diego Regional Economic Development Corporation.

A Navy spouse for 29 years, Kelly has served in various volunteer leadership positions in civilian and military community organizations including COMPASS mentor, Navy-Marine Corps Relief Society, The Girl Scouts, and various Navy Spouses Clubs. She was also appointed to the City Commission on Children and Youth by the Corpus Christi City Council.

Kelly is a recipient of the Navy's Meritorious Civilian Service Medal in recognition of her work on behalf of service members and their families at Navy Region Center Singapore. She was also named to the 2019 HillVets 100 for her work to eliminate the Widow's Tax.

A Pennsylvania native, Kelly earned her B.A. in Political Science from La Salle University and a Master of Public Administration from Shippensburg University. Ms. Hruska and her husband, Captain Jim Hruska, USN (Ret) reside in Annandale, Virginia with their daughter, Emily.

Chairman Bost, Ranking Member Takano, and Distinguished Members of the Committee, the National Military Family Association (NMFA) would like to thank you for the opportunity to present testimony today on supporting America's surviving military family community.

Over the past 20 years, in response to the wars in Iraq and Afghanistan, many aspects of the survivor benefits package have been changed and enhanced. The result is a multi-faceted array of benefits, provided by multiple federal agencies, designed to help surviving families cope with the loss of their loved one and transition to a new phase of life. Survivor benefits include not only financial assistance but also housing, educational, medical and counseling benefits.

COMMUNICATION

The VA provides surviving family members with an annual summary of benefits letter (Attachment 1) that indicates the amount of the Dependency and Indemnity Compensation (DIC) the survivor should receive. Not only does the letter provide important information for the survivor, but the letter may be used in applying for benefits such as housing entitlements, free or reduced state park annual memberships, state or local property or vehicle tax relief, civil service preference, or any other verification of VA benefits that may be required. This letter is an official record of the survivor's VA entitlement.

Unfortunately, we have heard from some surviving spouses that they don't receive this important letter. The Veterans Benefit Administration (VBA) must ensure that the summary of benefits letter is sent to all beneficiaries annually.

Not only are all surviving family members not receiving the summary of benefits letter, but the information included in the letter is broad and may not be relevant to surviving family members. For example, the VA Benefits information doesn't provide an itemized list of compensation. The DIC is presented as a lump sum. If the surviving spouse is receiving an "add on" to their DIC that add on is included with the DIC payment. The lack of itemization leaves many surviving spouses wondering if they're receiving all their benefits and they may be unprepared when the temporary "add-ons" end without warning, such as the child allowances, aide and attendance, or housebound payments. Our office receives several phone calls a month from surviving spouses asking us to help verify they're getting their VA benefits. If the letter were more specific surviving families wouldn't have to guess or rely on outside organizations for verification.

The reverse side of the letter provides details on VA benefits for veterans and identifies Wartime Service Periods, but not benefits for surviving family members. Why can't VBA print survivor specific VA benefit information on the back of the survivor summary of benefits such as CHAMPVA, Meds by Mail, home loans, and education programs? They could also provide the phone list that is provided in the *Federal Benefits for Veterans, Dependents and Survivors* booklet. This would be helpful to the surviving family members that don't use or don't have access to online resources.

We do appreciate that the summary of benefits instructs the survivor to contact their state or local Office of Veteran's Affairs for information on state or local benefits for which the survivor may be eligible. States and local communities provide valuable resources and benefits to surviving families that are often overlooked. This is an excellent reminder.

Our Association has also heard from surviving spouses, age 57 or older, that they receive the remarriage certification letter. This letter is unnecessary since retention of VA benefits after age 55 for CHAMPVA,

Home Loans, and now for DIC, effective January 1, 2021, permits remarriage after age 55 or 57. **We recommend the VA stop requesting remarriage certification after age 55 or 57, depending on the application of benefit eligibility.**

We ask the VA to verify all surviving family members are receiving the summary of benefits letter annually.

We ask that the VBA itemize any monetary compensation in the summary of benefits letter and that they include survivor-specific benefits and their dedicated phone numbers on the back of the letter.

OUTREACH

Counsel and advice on a continuing basis should be available. The surviving family will have questions as the years go by and their needs change. The young widow with a toddler has too many immediate concerns to think about the child’s college education 15 years from now. However, that family will be looking for information at that time about those benefits. Will they be able to access that information and advice in an easy manner with someone who is an expert in benefits for families? Will they walk into an office where the counselor is more familiar with VA health benefits for veterans than about education benefits for surviving children? The surviving spouse needs information unique to their family, not a cookie cutter, one size fits all answer.

Entities that provide this type of survivor-focused service used to exist. Armed Forces Services Corporation (AFSC) supported the military community for years and was renowned for its expertise in government and military survivor benefits and the unparalleled survivorship services provided to their military members and families. AFSC’s staff were experts in survivor and retirement benefits and provided assistance in matters related to military benefits, Social Security, Veterans Affairs, the military Survivor Benefit Plan, death gratuity, and SGLI/VGLI, among others. This service ensured surviving families were able to understand and coordinate their benefits in the years to come. **Having an office in the Department of Veterans Affairs or organization now that could provide advice and assistance would be very helpful to the surviving families.**

The VBA has done a great job developing online resources for surviving family members. Families can access eligibility information for benefits and services, detailed instructions on how to apply and applications that can be submitted online. They have also developed Frequently Asked Questions for many of the programs so families can find answers to many of their questions before they apply for benefits.

However, when considering how information is shared, it is important to keep in mind the needs of the population being served. According to the FY2022 VBA Annual Report, the surviving spouses’ age breakdown is as follows:

Age 35 and under	3,691	0.9%
36-56	26,213	6.0%
57-75	241,376	51.8%
Over 75	187,794	41.1%

Unfortunately, not everyone has access to online resources. Many of our older surviving spouses – the 74.3% of surviving spouses over age 75 – may not use or don’t have access to a computer. VA needs to

meet surviving family members where they are. The VA needs to deliver information in different ways for surviving family members to get accurate information from trustworthy sources. Dedicated phone lines and trusted individuals to review benefits and help in applying for those benefits would fill a deepening gap.

Our Association often refers surviving spouses to their County Veterans Service Officer (CVSO) to review their benefits. Within the past three years, we have heard complaints that the CVSO wasn't very knowledgeable about VA survivor benefits. They just gave the surviving spouse or family member a stack of applications and sent them on their way. We've also seen a reduction in Veteran Service Officers (VSOs). The VA can't rely on CVSOs and VSOs to continue to provide counsel and advice to survivors any longer. They need to find a more reliable way to ensure surviving families can get the information they need.

OFFICE OF SURVIVOR ASSISTANCE

The Office of Survivor Assistance (OSA) was established by Public Law (P.L.) 110-389 on October 10, 2008. The legislation directed the Secretary of Veterans Affairs to establish the Office in the Department. Congress intended for OSA to serve as a primary advisor to the Secretary on all matters relating to the policies, programs, legislative issues affecting survivors. "The Committees expect, that by placing the Office under the Department, vice the Veterans Benefit Administration, the full spectrum of VA benefits and services for survivors would be addressed." [Attachment 2]. The Compromise Agreement went on to say,

"...the Committees intend that the Office be responsible for ensuring that the surviving spouses, children and parents of deceased veterans, including deceased members of the Armed Forces, have access to applicable benefits and services under title 38. The Committees expect that programs carried out by the Department for such survivors will be conducted in a manner that is responsive to their specific needs. The Committees expect the Office to conduct regular and consistent monitoring of the delivery of benefits and services to this population. The Committees expect the Office to ensure that policies and procedures are such that such survivors will receive appropriate referrals to the relevant administrations and offices of the Department, so that such survivors may receive all of the benefits and services for which they are eligible.

This office would allow for specialized, expert staff to provide internal policy guidance and oversight of benefits for survivors. OSA would provide a resource to the VA, both inter-and intra-agency cooperation as a liaison on survivor issues.

NMFA advocated for the establishment of OSA and attended the first working group meeting held by the OSA on October 15, 2008. We were hopeful that the office would serve as the dedicated resource and advocate for families that Congress intended. However, recent events leave us concerned about the future of OSA and its role within the VA. Despite the specific language of the law, OSA has been moved twice in recent years. First, in February 2021, OSA was shifted to the Office of Outreach, Transition, and Economic Development. In June of 2023, OSA was again moved, this time to the Office of Pension and Fiduciary. This reorganization appears to remove its intended role as the primary advisor to the Secretary. P.L. 110-389 has not been changed to permit these moves. NMFA believes these moves undermine the responsibility and authority of the original mission of the Office to oversee and protect the well-being of survivors. Survivors are a unique group with unique benefits. They deserve an advocate within the VA that is empowered to speak directly to the Secretary on their behalf.

TIME TO UPDATE STATUTES

It has been nine years since the U.S. Supreme Court's decision in *Obergefell v. Hodges* declaring that same-sex couples possess a fundamental right to marry and requiring all fifty states to license marriage to same sex couples. Formal recognition of marriage equality by the Supreme Court was an important first step, while achieving actual marriage equality requires careful implementation.

After the decision the VA updated its forms to reflect the change. Just as VA updated all forms that requested marital status and dependent information in order to clarify that same-sex married couples and their dependents are eligible for benefits, the statutes and [USC] "surviving spouse" in 38 USC §101 Paragraph 3 reads:

(3) The term "[surviving spouse](#)" means (except for purposes of [chapter 19 of this title](#)) **a person of the opposite sex** who was the [spouse](#) of a [veteran](#) at the time of the [veteran's](#) death, and who lived with the [veteran](#) continuously from the date of marriage to the date of the [veteran's](#) death (except where there was a separation which was due to the misconduct of, or procured by, the [veteran](#) without the fault of the [spouse](#)) and who has not remarried or (in cases not involving remarriage) has not since the death of the [veteran](#), and after September 19, 1962, lived with another person and held himself or herself out openly to the public to be the [spouse](#) of such other person.

Because formal marriage equality is now the law of the land, the statutes should be updated to reflect that change. Same-sex surviving spouses are entitled to the same survivor benefits as their opposite-sex counterparts, and this needs to be enshrined in law to provide assurance of this right and continue progress towards full marriage equality. Until same-sex couples can see themselves in the laws, and regulations that implement the law, then they will never feel that they are truly included and treated equal to their opposite-sex peers.

We urge the Congress to update the laws, and the regulations that implement the laws, so they reflect that all marriages are important and respected, and to ensure that the promise of marriage equality becomes a reality for same-sex spouses.

Also found in 38 USC §101 Paragraph 3 is an archaic notion that should be removed. The statute says "...lived with another person and held himself or herself out openly to the public to be the [spouse](#) of such other person." The "hold yourself out to be married" clause is mentioned only once in the *Federal Benefits for Veterans, Dependents and Survivors* booklet, page 41. The VA has only enforced this restriction once in the past decade and even then, they waived the repayment of the DIC. It seems cruel to put an unknowing surviving spouse through an investigation and hearing for more than three years.

We urge the Congress to remove "hold yourself out to be married" clause from 38 USC §101 Paragraph 3.

SURVIVOR'S PENSION

The VA Survivors Pension is paid to widows of veterans of armed conflicts who meet certain minimum income level and net worth requirements set by Congress. The current amount paid to eligible survivors is well below \$15,060, the government established 2024 poverty level for one person. ***NMFA supports a***

legislative change to link death pension benefits to the federal poverty level determined each year by the Department of Health and Human Services.

INCREASE DEPENDENCY AND INDEMNITY COMPENSATION (DIC)

Too many surviving spouses struggle to make ends meet every month. For many surviving spouses of WWII, Korea and Vietnam, DIC and minimal Social Security benefits represent their entire income. Others rely exclusively on DIC. These DIC recipients struggle monthly with their budget of \$1,612.75 juggling bills to meet the rising costs in health and dental insurance, housing, utilities, food, clothing, and other living expenses. The struggle to meet financial obligations leads too often to homelessness. Congress must take action to rectify this inequity by increasing the current amount of DIC to a level comparable to other federal employees. Widows from WWII, Korea, and the Vietnam are now in their 60's through 90's. *These surviving spouses are in dire need for an increase in DIC.*

WHAT'S WORKING

DoD/VA Survivors Forum

The DoD/VA Survivors Forum hosted by the VA's Office of Survivor Assistance is an example of successful outreach. Made up of senior level staff members from DoD, the VA, the Services and other stakeholders including organizations like the Tragedy Assistance Program for Survivors (TAPS), National Military Family Association (NMFA), professionals working with surviving families and surviving spouses, it meets quarterly, reviewing concerns as they arise and providing updates on various government programs of interest to survivors and those who work with them. Meetings often include representatives from federal agencies as well as non-federal entities that work with military survivors, providing an opportunity for them to talk about their programs and provide updates on policy and law. The Survivors Forum is an excellent example of interagency cooperation.

Pre-Need Eligibility Determination

The Pre-Need Eligibility Determination for burial program is another success we'd like to highlight. The program allows veterans and family members to find out if they're eligible for burial in a VA national cemetery. Interested veterans and/or eligible family members can submit VA Form 40-100007, *Application for Pre-Need Determination of Eligibility for Burial in a VA National Cemetery*. Once the application has been reviewed the VA will provide written notice of its determination. The VA will save the determinations and documentation to expedite burial arrangements. This process provides a smooth transition in stressful times. It is a small gesture that makes a big difference for the surviving family.

LEGISLATIVE PROPOSALS UNDER CONSIDERATION

The transition from military to civilian life can be financially fraught for veterans and their families. It can sometimes take months or more for a veteran to find a suitable civilian job. Moving, which might also entail a job loss for the veteran's spouse, can add to the financial pressure. At the same time, we know that military life itself can be financially challenging. Frequent PCS moves and low levels of spouse employment can make it difficult or impossible for families to build up savings that could help them through the transition process.

For that reason, we support proposals to extend the Basic Needs Allowance (BNA) to eligible families for up to six months following transition. The BNA is a targeted pay increase for military families whose

income and household size place them below 150% of federal poverty guidelines. Continuing those payments as families navigate transition would ease the process and help ensure their financial well-being while they seek civilian employment.

CONCLUSION

Thank you for the opportunity to share our thoughts on the VA's programs and services for survivors. We appreciate the Committee holding a hearing to discuss the oversight of these important issues. The VA motto is "To care for him who shall have borne the battle, and for his widow, and his orphan." These families deserve no less for the sacrifice they have made for our Nation.



**Department of
Veterans Affairs**
PO BOX 5365
JANESVILLE WI 53547-5365

ATTACHMENT 1



March 16, 2023

Veteran's Name:

7 P11



This letter is a summary of benefits you currently receive from the Department of Veterans Affairs (VA). We are providing this letter to survivors of Veterans to use in applying for benefits such as housing entitlements, free or reduced state park annual memberships, state or local property or vehicle tax relief, civil service preference, or any other program or entitlement in which verification of VA benefits is required. Please safeguard this important document. This letter replaces VA Form 20-5455, and is considered an official record of your VA entitlement.

--America is Grateful to You for Your Sacrifice--

Our records contain the following information:

Personal Claim Information:

The claim number shown on our records is:
You are a survivor of the Veteran

Military Information:

The character(s) of discharge and service date(s) of the Veteran include:

Marine Corps, Honorable, 08-Jun-1960 - 28-Feb-1981



(There may be additional periods of service not listed above)

VA Benefits Information:

You are in receipt of: **DEPENDENCY AND INDEMNITY COMPENSATION**
The effective date of the last change to your current award was: 01-DEC-2022
Your current monthly award amount is: \$2,281.73
The Veteran died as a result of a service-connected disability: **Yes**

You should contact your state or local office of Veterans' affairs for information on any tax, license, or fee-related benefits for which you may be eligible. State offices of Veterans' affairs are available at <http://www.va.gov/statedva.htm>.

Need Additional Information or Verification?

If you have any questions about this letter or need additional verification of VA benefits, please call us at 1-800-827-1000. If you use a Telecommunications Device for the Deaf (TDD), the federal relay number is 711. Send electronic inquiries through the Internet at <https://iris.custhelp.va.gov/>.

Sincerely yours.

Regional Office Director

Enclosure(s): What Things Affect Your Rights To Payment

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VA Benefit Details

SERVICE-CONNECTED DISABILITY: A condition incurred during or aggravated by military service, for which the Veteran is receiving VA benefits.

COMBINED SERVICE-CONNECTED EVALUATION: The Veteran's disability rating for all conditions determined to be service-connected.

CURRENT MONTHLY AWARD AMOUNT: The monthly monetary benefit paid to the Veteran or survivor receiving benefits under a VA program.

NON-SERVICE-CONNECTED PENSION: Benefit for a non-service connected Veteran who meets specific criteria, which include disability or age, wartime service, minimum length of service, and income restrictions. If a Veteran is eligible for service-connected benefits and pension benefits, VA will pay the higher benefit.

INDIVIDUAL UNEMPLOYABILITY (IU): The Veteran is receiving payment at the 100 percent rate, even though the combined service-connected evaluation is not 100 percent. The Veteran's service-connected conditions cause him/her to be unable to obtain or maintain substantially gainful employment because of the Veteran's service-connected conditions. The Veteran must periodically certify continued unemployability, but if there is no scheduled future reduction or medical examination required, he/she may be considered by some states to be permanently and totally disabled.

PERMANENT AND TOTAL (P&T) DISABILITY: The Veteran is considered by VA to be permanently and totally disabled because of his/her service-connected conditions.

SPECIAL MONTHLY COMPENSATION: The Veteran is receiving additional compensation for one or more of the following: a service-connected loss of or loss of use of one or more specific organs or extremities; a combination of severe disabilities; is 100 percent disabled and housebound, bedridden, or in the need of the aid and attendance of another person.

SPECIALLY ADAPTED HOUSING and/or SPECIAL HOME ADAPTATION GRANT: Grants provided by VA to service-connected veterans and service members to help build a new specially adapted house, to adapt a home they already own, or buy a house and modify it to meet their disability-related requirements.

Wartime Service Periods

Mexican Border Period: May 9, 1916, through April 5, 1917, for veterans who served in Mexico, on its borders or in adjacent waters.

World War I: April 6, 1917, through Nov. 11, 1918; for veterans who served in Russia, April 6, 1917, through April 1, 1920; extended through July 1, 1921, for veterans who had at least one day of service between April 6, 1917, and Nov. 11, 1918.

World War II: Dec. 7, 1941, through Dec. 31, 1946.

Korean War: June 27, 1950, through Jan. 31, 1955.

Vietnam War: Aug. 5, 1964 (Feb. 28, 1961, for veterans who served "in country" before Aug. 5, 1964), through May 7, 1975.

*For Pension- Aug. 5, 1964 (Nov. 1, 1955, for veterans who served "in country" before Aug. 5, 1964), through May 7, 1975.

Gulf War: Aug. 2, 1990, through a date to be set by law or Presidential Proclamation.



What Things Affect Your Right to Payment?

Please notify VA *immediately* if there are changes that will affect your right to continued payments. If you do not notify VA of these changes immediately, you may have to return any overpayments.

<p>Active Service Pay or Worker's Compensation: Your payments may be affected by the following, which you must bring to our attention:</p> <ul style="list-style-type: none"> • Receipt of active service or drill pay as a reservist or member of the National Guard. • Return to active duty in the armed forces. • Receipt of armed forces service retirement pay, unless <ul style="list-style-type: none"> ○ your retirement pay has already been reduced because of an award of disability compensation, or ○ you are entitled to the concurrent receipt of retirement pay and disability compensation. • Receipt of Federal Employees' Compensation.
<p>Dependents: If VA provides additional benefits for your spouse, child(ren), and/or parent(s), you must advise VA of any change in their status.</p>
<p>Veterans and Survivors: If you are in receipt of an income-based benefit, and your income or net worth changes, you must notify VA.</p>
<p>Change in Employment Status: If you are receiving compensation at the 100-percent rate based on your inability to secure or follow a substantially gainful occupation because of your service-connected disabilities, but you are now employed (or have been employed in the past 12 months), you must notify VA.</p>
<p>Hospitalization: If your award includes Aid and Attendance benefits, we may discontinue this additional allowance if you are admitted to a hospital, nursing home, or domiciliary for care at VA expense.</p>
<p>Incarceration: Benefits will be reduced if you are incarcerated in a Federal, state, or local penal institution for more than 60 days following conviction of a felony.</p>
<p>Lack of Cooperation: We may stop monthly payments if you</p> <ul style="list-style-type: none"> • Fail to submit evidence we requested, • Fail to attend a VA examination when requested, and/or • Submit false or fraudulent evidence to VA, or cause false or fraudulent evidence to be submitted to VA.
<p>Penalty: The law provides severe penalties which include fine or imprisonment, or both, for the willful submission of any statement or evidence of a material fact, knowing it to be false, or for the fraudulent acceptance of any payment to which you are not entitled. We may verify the information you submit through computer-matching programs with other agencies.</p>

S10448

CONGRESSIONAL RECORD—SENATE

make a determination on the claim. VA is required to comply with these laws before issuing a decision on the claim.

House Bill

Section 107(a) of H.R. 5892, as amended, would require the Secretary to provide for the expeditious treatment of any fully developed claim. A fully developed claim would be defined as a claim for which the claimant received assistance from a veterans service officer, a State or county veterans service officer, an agent, an attorney or for which the claimant submits with the claim an indication that the claimant does not want to submit any additional information and does not require assistance with respect to the claim. The claimant would certify in writing that no additional information is available or needed to be submitted in order for the claim to be adjudicated. The Secretary would be required to decide such claims within 90 days of submittal.

Section 107(b) of H.R. 5892, as amended, would require the Secretary to amend the notice required by section 5103 of title 38 to require the creation of a detailed checklist for claims for specific requests of additional information or evidence.

The checklist would be required to be developed within 180 days of enactment.

Senate Bill

The Senate Bills contain no comparable provision.

Compromise Agreement

Section 221 of the Compromise Agreement accepts the House provision with an amendment that creates two pilot programs to test the effectiveness of providing expedited treatment of fully-developed claims and providing an additional checklist that includes information or evidence required to be submitted by the claimant to substantiate the claim. The pilot program on expedited treatment of fully developed claims would be carried out at 10 VA regional offices for a period of one year beginning 60 days after the date of enactment; the pilot program on the provision of checklists to individuals submitting claims would be carried out at four VA regional offices for a period of one year beginning 60 days after the date of enactment for original claims and for a period of three years beginning 90 days after the date of enactment for reopened claims and claims for increased disability ratings. The Secretary would be required to provide interim reports for each pilot authorized under this section and final reports would be due to Congress upon conclusion of the pilots.

The Compromise Agreement provides that such checklist be construed as an addendum to the notice required by section 5103 of title 38 and shall not be considered as part of the notice for purposes of reversal or remand of a decision of the Secretary. As such, the Committees stress that these checklists are intended to serve only as guidance for claimants and that any errors in these checklists should not be the basis for a remand of the claimant's claim.

The Committees expect that, in selecting locations for the pilot projects, the Secretary shall ensure that regional offices of various size and geographic location are included in the pilot projects. The Committees encourage the Secretary to locate the four pilot programs for the checklist at locations selected for the expedited claims pilot projects.

*OFFICE OF SURVIVORS ASSISTANCE**Current Law*

There is no relevant provision in current law.

House Bill

Section 101 of H.R. 5892, as amended, would require VA to create an Office of Survivors

Assistance (Office) within the Veterans Benefits Administration that would provide policy and program analysis and oversight regarding all benefits and services delivered by the VA to survivors of deceased veterans and servicemembers.

The Office would be responsible for ensuring that survivors and dependents of deceased veterans and deceased members of the Armed Forces have access to applicable benefits and services provided under title 38. The Office would also be responsible for regular and consistent monitoring of benefits delivery to survivors and dependents and ensuring that appropriate referrals are made with respect to various administrations within the VA.

The Office would act as a primary advisor to the Secretary on all matters related to the policies, programs, legislative issues, and other initiatives affecting such survivors and dependents.

The Secretary would be required to identify and include the activities of the Office in the annual report to Congress under section 529 of title 38.

In establishing the Office, the Secretary would have to seek guidance from interested stakeholders, including veterans service organizations and other service organizations.

The Secretary would be required to ensure that appropriate personnel, funding, and other resources are provided to the Office to carry out its responsibilities.

Senate Bill

The Senate Bills contain no comparable provisions.

Compromise Agreement

Section 222 of the Compromise Agreement follows the House language with modifications. In the Compromise Agreement, the Office is established in the Department rather than in the Veterans Benefits Administration (VBA). The Committees expect that, by placing the Office under the Department, the full spectrum of VA benefits and services for survivors would be addressed.

The Compromise Agreement does not specify the duties of the office in the legislation. However, the Committees intend that the Office be responsible for ensuring that the surviving spouses, children and parents of deceased veterans, including deceased members of the Armed Forces, have access to applicable benefits and services under title 38. The Committees expect that programs carried out by the Department for such survivors will be conducted in a manner that is responsive to their specific needs. The Committees expect the Office to conduct regular and consistent monitoring of the delivery of benefits and services to this population. The Committees expect the Office to ensure that policies and procedures are such that such survivors will receive appropriate referrals to the relevant administrations and offices of the Department, so that such survivors may receive all of the benefits and services for which they are eligible.

*COMPTROLLER GENERAL REPORT ON ADEQUACY OF DEPENDENCY AND INDEMNITY COMPENSATION TO MAINTAIN SURVIVORS OF VETERANS WHO DIE FROM SERVICE-CONNECTED DISABILITIES**Current Law*

VA dependency and indemnity compensation (DIC) is a benefit that is paid to survivors of certain veterans. To be eligible, the veteran's death must have resulted from: a disease or injury incurred or aggravated in the line of duty or active duty for training; an injury incurred or aggravated in the line of duty while on inactive duty training; or a service-connected disability or a condition directly related to a service-connected disability.

DIC may also be paid to survivors of veterans who were totally disabled from service-connected conditions at the time of death, even if the death was not caused by their service-connected disabilities. To be eligible for the benefit under this circumstance, the veteran must have been rated totally disabled for the ten years preceding death; rated totally disabled from the date of military discharge and for at least five years immediately preceding death; or, a former prisoner of war who died after September 30, 1998, and who was rated totally disabled for at least one year immediately preceding death.

Surviving spouses of veterans who died on or after January 1, 1993, receive a basic rate, plus additional amounts for dependent children. Surviving spouses of veterans who died prior to January 1, 1993, receive an amount based on the deceased veteran's military pay grade, plus additional amounts for dependents.

Senate Bill

Section 807 of S. 1315, as amended, would require the Comptroller General to report on the adequacy of DIC to maintain survivors of veterans who die from service-connected disabilities. The Comptroller General would be required to submit, to the Committees on Veterans' Affairs of the Senate and House of Representatives, a report regarding the adequacy of the benefits to survivors in replacing the deceased veteran's income. The Comptroller General would be required to include a description of the current system of payment of DIC to survivors, including a statement of DIC rates; an assessment of the adequacy of DIC in replacing a deceased veteran's income; and any recommendations that the Comptroller General considers appropriate in order to improve or enhance the effects of DIC in replacing the deceased veteran's income. The Comptroller General would be required to submit the report not later than ten months after the date of enactment of the provision.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 223 of the Compromise Agreement follows the Senate language.

*INDEPENDENT ASSESSMENT OF QUALITY ASSURANCE PROGRAM**Current Law*

Section 7731 of title 38 requires the Secretary to carry out a quality assurance program within the Veterans Benefits Administration. Under this provision, the Secretary has elected to carry out a separate quality assurance program, the Systematic Technical Accuracy Review (STAR), for measuring compensation and pension claims processing accuracy.

House Bill

Section 106 of H.R. 5892, as amended, would require the Secretary to contract with an independent third-party entity for an annual quality assurance assessment. The assessment would measure a statistically valid sample of VBA employees and their work product to assess quality and accuracy. The provision would also require the production of automated categorizable data to help identify trends. Under this provision, the Secretary would be required to use information gathered through the annual assessment to develop an employee certification as found in section 105 of H.R. 5892, as amended.

Senate Bill

The Senate Bills contain no similar provision.

Compromise Agreement

Section 224 of the Compromise Agreement follows the House bill with modifications.

STATEMENTS FOR THE RECORD

Prepared Statement of Laura Lehigh**INTRODUCTORY STATEMENT**

My name is Laura Lehigh of Kalamazoo, Michigan. I am the widow of 1LT Michael Schmidt, a Vietnam combat veteran whose death in 1971 was directly attributed to complications from combat wounds. As administrator of a vibrant Facebook social media group of more than 2,000 Dependency and Indemnity Compensation (DIC) spouse beneficiaries, I read comments and questions daily about survivor benefits administered through the Department of Veterans Affairs (DVA).

I am one of the few remaining pre-1993 rank-based DIC recipients whose financial dependency on our late spouses was determined and grandfathered in statute in previous DIC reform efforts.

In 1993 DIC was changed from a rank-based payment system to a flat rate system. The purpose behind the change was to improve benefits for the widows of lower-paid servicemembers. Payments were increased for survivors of ranks E1-E6 up to a new “flat rate” that then became the basis for all future DIC payments. Today, new DIC recipients are paid at the same flat rate. Some, depending on circumstances, are eligible to receive “add-ons” that increase their monthly compensation.

Since the 1993 change, a small subset of rank-based DIC recipients remains. By latest count there are about 51,072 pre-1993 rank-based widows. Of that number, 34,452 are survivors of lower ranking servicemembers. For those widows, the DIC payment is the same as that of all new flat-rate beneficiaries. If there is an increase to the DIC flat rate, they will get the increase in full. The remaining 16,572 widows, however, are the rank-based spouses who presently receive DIC at a rate higher than the current flat rate. These DIC spouses are often at risk of losing all, or a portion, of their earlier—grandfathered rank-based dependency amounts whenever changes are made to increase DIC. Congress must ensure that this does not happen. A simple solution would be to recharacterize the grandfathered rank-based dependency amounts as add-ons.

IN MORE DETAIL: IT’S OFTEN A MATTER OF POLICY, BUT IT’S ALWAYS A MATTER OF PRINCIPLE**As a matter of policy, DVA must adhere to and maintain the original intent of its programs.**

In 1993, when Congress replaced the old rank-based system with a new, flat-rate system, DIC became an indemnification payment only.

The intent of the original DIC program was explained in testimony presented to the House Veterans Affairs Subcommittee on Benefits on April 11, 2002. Daniel Cooper, then Under Secretary for Benefits at the Department of Veterans Affairs, described how rank-based payments originally factored in when DIC was created. Excerpt follows:

“... in a 1955 report, H.R. Rep. No. 84–993, that, “these two separate and distinct survivor benefit programs . . . would become one. To this limited extent one of the objectives of the committee, greater simplicity, would be accomplished and the long-term interest and equity of survivors protected.” This Act established a monthly DIC rate for widows consisting of a fixed rate plus a percentage of the basic pay prescribed for the deceased servicemember’s pay grade and length of service. It is apparent from this Committee Report that the fixed rate represented the “indemnity” or reparation element of the compensation and the percentage of the deceased servicemember’s basic pay represented the “dependency” or income-replacement element.”

As a matter of policy, the Department of Veterans Affairs must ensure that new legislation always supports the fair and equitable nature of existing benefits among surviving spouses.

Often, when Congress enacts new laws, disparities in benefits result for military surviving spouses. Even more concerning is when newly written laws have the effect of reducing or removing a grandfathered benefit.

In 1993 “Old Law” DIC recipients had their “dependency” portions grandfathered in statute. Today protected rank-based payments are a combination of both elements of the original program: the “rank based dependency” amount, and the new “indemnification” amount. The indemnification portion, which is equal to the cur-

rent flat rate, is now inherent in the total of each grandfathered rank-based payment.

Because the dependency portion was based on rank, pre-1993 still-existing rank-based payments vary. Pre-1993 rank-based widows are the most elderly and often, the most financially vulnerable DIC recipients. Many of them rely on DIC as a primary source of income. Future Dependency and Indemnity policy changes must always respect the long-term interest and equity of all survivors.

As a matter of policy, Congress should create laws that reflect parity with other Federal survivor programs.

DIC is currently calculated at 43 percent of the 100 percent disabled veteran compensation. Other federal survivor programs provide up to 55 percent of the deceased employee's retired pay. When viewed through the lens of a survivor benefit payment, the well-being of a veteran's surviving spouse appears to be of less concern to policymakers than the well-being of a survivor of a federal retiree.

Keeping faith with veterans and survivors should always be paramount.

When new bills are considered for implementation by the Department of Veterans Affairs, keeping faith with those whom DVA serves should always come first. If new legislation penalizes even a small number of beneficiaries, that legislation breaks faith. The 16,572 pre-1993 rank-based spouses at E7 rank and higher represent only 3.5 percent of all DIC beneficiaries. If that group suffers a monetary disparity in the amount of DIC increase they receive, an injustice occurs. And while the effective "loss" in indemnification increase dollars will differ among those E7 and higher spouses due to the blending in of their varied dependency amounts, an even more insulting injustice will be inflicted upon 1,822 rank-based DIC recipients who will see no increase at all. All DIC spouses should receive the same dollar amount of increase.

Prepared Statement of Disabled American Veterans

Chairman Luttrell, Ranking Member Pappas and Members of the Subcommittee: Thank you for inviting DAV (Disabled American Veterans) to submit testimony for the record of your hearing titled, "The One Percent: Supporting America's Surviving Military Family Community."

DAV is a congressionally chartered and Department of Veterans Affairs (VA) accredited veterans service organization. To fulfill our service mission, DAV directly employs a corps of benefits advisors, national service officers (NSOs), all of whom are themselves wartime service-connected disabled veterans, at every VA regional office (VARO) as well as other VA facilities throughout the Nation, including the Board of Veterans' Appeals (Board).

DAV provides meaningful claims support free of charge to more than 1 million veterans, family members, caregivers and survivors. During calendar year 2023, DAV assisted survivors with Dependency and Indemnity Compensation (DIC) claims totaling over \$214 million in benefits.

Mr. Chairman, for far too long survivors' benefits have taken a backseat to other benefit programs in the VA arena. It is time that more attention be given to survivors, who have sacrificed so much in support of their veterans. We appreciate the survivor benefits and programs administered by the VA, but are they doing enough?

Based on our 100 years of experience, we are pleased to provide our insight, comments, and recommendations about current DIC rates, the claims process, Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA), as well as the removal of the remarriage age for survivors.

Dependency and Indemnity Compensation

Created in 1993, DIC is a benefit paid to surviving spouses of service members who die in the line of duty or veterans whose death is due to a service-related injury or disease. DIC provides surviving families with the means to maintain some economic stability after the loss of their loved ones.

The rate of DIC payments has only been minimally adjusted since 1993. In contrast, monthly benefits for survivors of federal civil service retirees are calculated as a percentage of the civil service retiree's Federal Employees Retirement or Civil Service Retirement System benefits, up to 55 percent. Currently, VA DIC payments are approximately 41 percent of compensation for a 100 percent service-disabled veteran with a spouse. This difference presents an inequity for survivors of our nation's heroes compared to survivors of federal employees.

For example, a married veteran who is receiving 100 percent disability compensation through the VA is being paid approximately \$3,946 a month, whereas DIC payments for survivors are set at \$1,612.75 a month. As a result, surviving spouses have to not only deal with the heartache of losing their loved one, but also contend with the loss of approximately \$28,000 a year. This particularly affects survivors who depend on that compensation as a primary source of income. As such, we strongly urge Congress to correct this injustice for survivors and their families.

In addition to the DIC rates, our members and survivors are concerned over the restrictions imposed by the 10-year rule. There are two ways for a survivor to receive the full DIC amount: the veteran's death is due to a service-connected disability or the veteran has been evaluated at 100 percent for ten years or longer. H.R. 1083, the Caring for Survivors Act, proposes to replace the 10-year rule by expanding eligibility for DIC with a graduated scale of benefits that begins at five years for initial eligibility at 50 percent and gradually reaches the full benefit at 10 years after determination of disability. DAV strongly supports this legislation which would ease the eligibility criteria for DIC and increase the monthly benefit amount to match benefits provided by other federal survivor programs.

Claims Processing

When a veteran dies the surviving spouse and family are responsible for the regular monthly household expenses, such as mortgage/rent, utilities and car payments. Not only are these families dealing with the loss of the veteran, but many also experience financial hardship due to the loss of the veteran's compensation, and having to wait more than four months for DIC benefits.

Based on the most recent information from VA, 39.2 percent of claims for compensation have been pending over 125 days as compared to 47.5 percent for DIC claims pending over 125 days. In other words, nearly half of the DIC claims have been waiting longer than the national average.

Currently, all DIC claims are handled by the three Pension Management Centers (PMCs) located in Philadelphia, Pennsylvania; Milwaukee, Wisconsin; and St. Paul, Minnesota. As of September 2022, VBA employed 681 pension employees of that number 493 employees are Veterans Service Representatives (VSRs) and Rating Veterans Service Representatives (RVSRs) responsible for developing, adjudicating and promulgating pension, DIC and burial claims. Even with these dedicated resources at the PMCs, it's simply taking too long for a decision.

For 26 years, I have been a VA-accredited DAV benefits advocate providing veterans and their families with claims and appeals representation. During that time, I have seen a great number of DIC claims and appeals come across my desk. A majority of these cases were fairly simple to decide based on the facts of the claim—and I know how important it is for survivors to receive a timely decision during this difficult and stressful time.

Families in need of DIC should not have to wait to receive their benefits and they shouldn't have to wait for their CHAMPVA benefits. Consideration should be given to having initial DIC claims adjudicated at the local office of original jurisdiction or through VBA's National Work Queue to reduce the timeframe needed to process these claims.

CHAMPVA

CHAMPVA is a comprehensive health care program in which the VA shares the cost of covered health care services and supplies with eligible beneficiaries. This important program provides health care to children and spouses of certain veterans, specifically those who died from a VA-rated service-connected disability or who were rated permanently and totally disabled from a service-connected disability at the time of death, or those who died in the line of duty.

DAV members and survivors have two major concerns with CHAMPVA benefits. First, eligibility for CHAMPVA for a dependent child ends at the age of 18, unless that dependent is enrolled in an accredited school as a full-time student until the age of 23 or marries or is a stepchild who no longer lives in the household of the CHAMPVA sponsor. It should be noted that current law requires private health plans and insurers to offer coverage to adult children of beneficiaries to age 26 *regardless* of the child's financial dependency, marital status, enrollment in school, residency or other factors.

To correct this inequity DAV fully supports H.R. 2414, the CHAMPVA Children's Care Protection Act—legislation that would provide survivors of service-disabled veterans parity in the CHAMPVA program by allowing eligible dependent children to maintain their health care benefits until age 26.

The second concern we have is about the high number of CHAMPVA providers being placed on “payment hold” status due to not enrolling in electronic funds transfer or EFT. VA must take further action to ensure these providers are aware of the requirement to enroll in EFT, so that CHAMPVA beneficiaries do not experience disruptions in care.

No surviving spouse should have to worry about health care for themselves or their dependent children, nor should they have to worry about their physician being put on a payment hold because of a lack information between the physician’s office and the VA. Last, let’s discuss the issue of eliminating the remarriage age for surviving spouses.

Eliminating the Remarriage Age

Mr. Chairman, the payment of DIC benefits was intended to provide surviving spouses with economic stability for themselves and their families following the death of their veteran. Surviving spouses were no longer eligible for DIC benefits if they remarried prior to the age of 57. Then in 2021, the remarriage age was lowered to 55.

In VA’s most recent annual report, it is noted that only 7 percent of surviving spouses that are receiving DIC benefits are under the age of 56. There are 3,691 surviving spouses that are 35 years old or younger and 26,213 surviving spouses between the ages of 36 to 56.

Surviving spouses that are currently in receipt of DIC benefits should not have to worry about losing their benefits if they remarry before the age of 55. We need to ensure that survivors and dependents of service-disabled veterans are properly cared for and have the resources they need.

Removing the remarriage age for surviving spouses has been a long-standing priority for DAV and we strongly supports H.R. 3651, the Love Lives On Act. This legislation would eliminate the remarriage age for survivors in receipt of DIC.

Mr. Chairman, DAV believes that survivors have been put on the back burner long enough and they need action now. As we have noted throughout this testimony the concerns about DIC rates, the DIC claims process, CHAMPVA, and the removal of the remarriage age they need immediate attention. This concludes my testimony and we thank you for the opportunity to provide our comments.

Prepared Statement of Fleet Reserve Association

January 23, 2024

The Honorable Mike Bost
Chairman
House Veterans Affairs Committee
U.S. House of Representatives
352 Longworth House Office Building
Washington, DC 20515

Dear Chairman Bost:

The Fleet Reserve Association (FRA) respectfully submits this correspondence as a statement for the record in conjunction with the House Veterans Affairs Committee hearing on military survivor benefits, scheduled for Tuesday, January 30, 2024. This statement provides the Association's recommendations on key survivor issues.

The Association wants to thank this committee for holding this hearing on military survivor benefits. The FRA recognizes the sacrifices Survivors have endured and works to eliminate survivor benefit inequities. The Association also works to improve and protect existing survivor benefits issued by the Department of Defense (DoD) and the Department of Veterans Affairs (VA).

The FRA is a leader in the military/veteran's organization community and represents current and former Navy, Marine Corps, and Coast Guard personnel on compensation, benefits and quality of life programs and works to improve benefits for these service members, their families, and *survivors*.

At the request of the FRA Senators John Cornyn (Tex.) and Elizabeth Warren (Mass.) and Representatives John Garamendi (Calif.) and Mark Amodei (NV) introduced the "Respect for Grieving Military Families Act" (H.R. 3232/S. 1588), which would stop the Department of Defense from clawing back deceased military retirees benefits while their families are still in mourning.

Surviving spouses who are unaware that the Defense Finance and Accounting Services (DFAS) should be notified immediately on the death of the military retiree are surprised to learn of this requirement. Those who had joint bank accounts, in which retirement payments were made electronically, gave little if any thought that DFAS could swoop down and recoup any overpayments of retirement pay from such accounts. This action could easily clear the account of any funds remaining whether they were retirement payments or money from other sources. Instead of withdrawing the payment all at once the bill would allow a gradual repayment over 12 months and gives the Secretary of Defense the option to forgive the over payment.

The FRA supports making the Dependency and Indemnity Compensation (DIC) benefits equal to other federal survivor benefits and is supporting the "Caring for Survivors Act" (H.R. 1083/S. 414). Currently, DIC is approximately 43 percent of a 100 percent disabled retiree's compensation. Survivors of federal civilian workers have their annuity set at 55 percent of their Disabled Retiree's Compensation. FRA supports raising DIC payments to 55 percent of VA Disability Compensation for a 100 percent disabled veteran. Increasing DIC payable to survivors of catastrophically disabled veterans to match other Federal survivor benefit plans is long overdue.

Catastrophically disabled veterans, whose spouses serve as primary care givers, receive additional allowances due to the severity of their service-connected multiple disabilities. These spouses perform full-time duty which precludes them from working towards retirement or Social Security benefits in their own right. When the veteran dies, the surviving spouse's income is reduced to the same Dependency and Indemnity Compensation (DIC) payment that other surviving spouses of veterans receive, whose death was service connected. The percentage of replacement income can be as little as 15 percent. The income replacement of other federal survivor benefit plans is close to 50 percent of the benefit upon which they are based. Congress should provide for survivors of catastrophically disabled veterans on a similar basis.

In closing, allow me to express my sincere appreciation for the opportunity to provide this statement for the record and my best wishes for a productive second year of the 118th Congress. Our leadership and Legislative Team stand ready to work with this distinguished Committee and their staff to improve benefits for survivors.

Sincerely,

John R. Davis

John R. Davis
Director, Legislative Programs

Cc: Ranking Member Mark Takano

Prepared Statement of Paralyzed Veterans of America

Chairman Luttrell, Ranking Member Pappas, and members of the Subcommittee, Paralyzed Veterans of America (PVA), would like to thank you for the opportunity to submit our views on improving support for the survivors of our nations' veterans. PVA members and their families understand the full scope of benefits and care provided by the Department of Veterans Affairs (VA) better than most veterans due to their spinal cord injuries or disorders (SCI/D). The complexities that PVA members experience range from treatment within the SCI/D system of care to the need for relevant and up-to-date benefits such as special monthly compensation and caregiver support. Upon the death of their veteran, survivors often face insurmountable challenges that make accessing relevant VA benefits more difficult.

VA offers many benefits for surviving family members of deceased veterans, such as financial, educational, and emotional support. One critical benefit for service-connected veterans is Dependency and Indemnity Compensation (DIC), a monthly, tax-free cash payment for eligible surviving spouses, children, and dependent parents. Other benefits include survivors' pension, burial assistance, education assistance, and health insurance through the Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA). Eligibility requirements are unique to the benefits offered, but accessing those benefits can often be challenging.

The time immediately following the death of a servicemember or veteran is when most survivors must make significant life decisions, including burial arrangements and consideration of financial and living situations. This is when survivors often need the greatest level of support and ensuring assistance is available from informed professionals is critical. Having help can alleviate some of the stress and uncertainty survivors encounter while also navigating profound grief.

For many of our oldest PVA members, their spouses have served as their primary caregivers for 40 years or more. When a service-connected SCI/D veteran passes away, monthly compensation, which could have been upwards of \$10,000 a month stops, and suddenly the surviving spouse is then reliant on the DIC benefit, currently about \$1600 per month, as their sole income. If the veteran was rated totally disabled for a continuous period of at least eight years preceding death, their eligible surviving spouses can receive an additional amount known as the DIC "kicker." Although the kicker, currently about \$350 per month, is vital and offers some help toward paying the bills and maintaining the household, the overall support provided through DIC is limited. The precipitous drop of revenue into the home following the veterans' passing can be daunting. Also, because caregivers give so much of themselves when supporting and caring for their veterans, many are unable to work outside of their caregiving role, and therefore, lack Social Security retirement credits. As a result, some surviving spouses may be forced to sell their homes and rely on friends or family members for support.

Improving Access to Benefits for Survivors

After being a caregiver to a veteran, possibly for decades, the loss of love, companionship, and purpose is profound. Not only are many survivors of PVA members navigating the application process for benefits, but they may also need to return medical supplies such as hospital beds or Hoyer lifts to the VA and other providers. There may also be ventilators or other necessary medical equipment that must be removed from the home. How is a survivor expected to grapple with the loss of financial support, return medical equipment, and fill out mounds of VA paperwork to access benefits while grieving? Grief is inevitable after loss, but many survivors must put their suffering on pause.

Suppose a PVA member passes away, and our National Service Officers (NSO) have a Power of Attorney (POA) for the deceased veteran. In that case, the NSO may be able to assist the surviving spouse with the DIC application. However, if the survivor notifies the VA upon the death of their veteran or if the veteran passes away at a VA medical center, our NSOs no longer have access to those records in the Veterans Benefits Management System (VBMS). The survivor then must file a separate POA to be represented by our NSOs again. This unnecessary process causes preventable delays and needs to be corrected.

Filing for DIC and burial benefits while grieving a loved one can be a daunting task. The application for DIC alone is 20 pages long; 11 pages of instructions with 9 pages to fill out, and an application for burial benefits, is another 10 pages. Much of the information on either application is already known by the VA, yet survivors are expected to provide this information promptly to access critical benefits. As the VA expands its integration of automated systems, Congress should prioritize streamlining and improving the DIC and burial application process to reduce stress on survivors.

Increasing the Amount of DIC

The rate of compensation paid to survivors of servicemembers who die in the line of duty or veterans who die from service-related injuries or diseases was created in 1993 and has seen little increase since then. However, monthly benefits for survivors of federal civil service retirees are calculated as a percentage of the civil service retiree's Federal Employees Retirement System or Civil Service Retirement System benefits, up to 55 percent. This difference presents an inequity for survivors of our Nation's heroes compared to survivors of federal employees.

DIC payments were intended to provide surviving spouses with the means to maintain some semblance of economic stability after the loss of their loved ones. Survivors who rely exclusively on DIC benefits face significant financial hardships at the time of their spouse's death. PVA strongly believes DIC should be indexed to 55 percent of a 100 percent disabled veteran's compensation. This increase would provide parity between Federal Employee benefits and veteran survivors. This is why Congress should not delay in passing H.R. 1083, the Caring for Our Survivors Act of 2023, which would increase the rate of DIC and reduce the number of years a veteran must be rated totally and permanently disabled for the survivor to qualify for benefits.

Additional Financial Benefits for Surviving Spouses of ALS Veterans

Another complication for spouses is when a veteran's life-limiting diagnosis means there is practically no way for them to access additional DIC benefits once their veteran passes. This is the situation of spouses of veterans diagnosed with Amyotrophic Lateral Sclerosis (ALS). ALS is an aggressive disease that quickly leaves veterans incapacitated and reliant on family members and caregivers. The VA recognizes ALS as a presumptive service-connected disease, and due to its progressive nature, automatically rates any diagnosed veteran at 100 percent once service-connected. As stated before, many spouses stop working to provide care for their loved one, who, once diagnosed with ALS, only has an average lifespan of between three to five years.

Because so few veterans survive beyond five years, the surviving spouses of veterans with ALS rarely qualify for the DIC "kicker." Jann Vasiloff, the surviving spouse of PVA member George Vasiloff, was disqualified for this exact reason. Determined not to let this happen to other spouses, Ms. Vasiloff helped PVA craft H.R. 3790, the Justice for ALS Veterans Act, to make the surviving spouses of future veterans with ALS eligible for the DIC kicker, regardless of how long the veteran had the disease. Congress should not delay the passage of this critical legislation that would provide additional resources to the surviving spouse of a veteran who passes away from ALS.

Parity for Dependent Children in Health Care Coverage

The surviving spouse and eligible children of veterans with service-connected disabilities may qualify for CHAMPVA. Even though an NSO may have a POA to assist surviving family members in filing for this benefit, representatives are not copied on any correspondence from the VA regarding their application. Absent any personal follow up, NSOs are in the dark on the status of their request. It would be beneficial if NSOs were notified about the status of these claims.

There are also parity issues for the children of service-disabled veterans who rely on CHAMPVA. Coverage for children under CHAMPVA currently expires when they turn 18 unless they are full-time students; in this case, they continue to receive care until they turn 23 or stop attending school full-time. In 2010, all commercial health insurance coverage increased the age for covered dependents to 26 years by the provisions of the Patient Protection and Affordable Care Act (ACA) (Public Law 111-148). At this time, the only qualified dependents that are not covered under a parent's health insurance policy up to age 26 are those of 100 percent service-connected disabled veterans covered under CHAMPVA. Congress should pass H.R. 2414, the CHAMPVA Children's Care Protection Act, to achieve parity with the ACA.

Employment Needs for Survivors

PVA's Veterans Career Program maintains an active client list of more than 500 transitioning servicemembers, veterans, spouses and other family members, and caregivers. In recent years, we have seen an increase in the number of surviving spouses, many of whom also served as caregivers, seeking our assistance.

PVA has identified two reasons for increasing survivor engagement with our career program. First, many survivors are concerned about the economy, such as increased housing costs, food prices, and medical care, and there are fears around meeting their financial needs. Second, due to the death of a veteran spouse, the re-

duction in benefits for the household is pushing them into the labor market. In many cases, the survivor has been out of the workforce for years, if not decades, and lacks relevant employment skills. They engage with our career program to gain education or employment opportunities. Many of these survivors have spent years caring for their veteran and may not have other sources of income, such as retirement accounts.

One possible solution to help veterans' survivors transition back into the workforce could be tax credits for employers that prioritize hiring survivors, particularly those who have served as caregivers. Congress could expand the Work Opportunity Tax Credit (WOTC), which offers federal tax credits to employers who invest in workers who have consistently faced barriers to employment. Expanding existing employer incentive programs to include surviving spouses may be one way to help survivors transition back into the workforce.

The issues faced by survivors, particularly those who also served as caregivers, are complex and we must ensure that their service and sacrifice is recognized and celebrated. To ignore the challenges, they face does a disservice to their commitment to our nation's most vulnerable veterans. Many of these challenges can be addressed with simple common-sense solutions that would improve the processes, supports, and benefits for survivors.

PVA would once again like to thank the Subcommittee for the opportunity to submit our views on VA's survivor programs and benefits. We look forward to working with the Subcommittee on this important issue.

Information Required by Rule XI 2(g) of the House of Representatives

Pursuant to Rule XI 2(g) of the House of Representatives, the following information is provided regarding federal grants and contracts.

Fiscal Year 2023

Department of Veterans Affairs, Office of National Veterans Sports Programs & Special Events—Grant to support rehabilitation sports activities—\$479,000.

Fiscal Year 2022

Department of Veterans Affairs, Office of National Veterans Sports Programs & Special Events—Grant to support rehabilitation sports activities—\$ 437,745.

Disclosure of Foreign Payments

Paralyzed Veterans of America is largely supported by donations from the general public. However, in some very rare cases we receive direct donations from foreign nationals. In addition, we receive funding from corporations and foundations which in some cases are U.S. subsidiaries of non-U.S. companies.

