



**STATEMENT OF
TRAGEDY ASSISTANCE PROGRAM FOR SURVIVORS (TAPS)
BEFORE THE
COMMITTEE ON VETERANS' AFFAIRS
UNITED STATES HOUSE OF REPRESENTATIVES**

PRESENTED BY

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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 eight 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 of 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 1stLt 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 casework 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 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.

1

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

2

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

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 sunsetting 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 service-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 20s or 30s, 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.

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>

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 continue 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 ½ 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.