



STATEMENT FOR

TRAGEDY ASSISTANCE PROGRAM FOR SURVIVORS (TAPS)

BEFORE THE

SUBCOMMITTEE ON ECONOMIC OPPORTUNITY

COMMITTEE ON VETERANS AFFAIRS

UNITED STATES HOUSE OF REPRESENTATIVES

May 23, 2018

Tragedy Assistance Program for Survivors (TAPS) is the national organization providing compassionate care for the families of America's fallen military heroes. TAPS provides peer-based emotional support, grief and trauma resources, grief seminars and retreats for adults, 'Good Grief Camps' for children, case work assistance, connections to community-based care, and a 24/7 resource and information helpline for all who have been affected by a death in the Armed Forces. Services are provided to families at no cost to them. We do all of this without financial support from the Department of Defense. TAPS is funded by the generosity of the American people.

TAPS was founded in 1994 by Bonnie Carroll following the death of her husband in a military plane crash in Alaska in 1992. Since then, TAPS has offered comfort and care to more than 75,000 bereaved surviving family members. For more information, please visit www.TAPS.org.

TAPS currently receives no government grants or funding.

Chairman Arrington, Ranking Member O'Rourke and distinguished members of the Economic Opportunity Subcommittee of the House Veterans' Affairs Committee, the Tragedy Assistance Program for Survivors (TAPS) thanks you for the opportunity to make you aware of issues and concerns of importance to the families we serve, the families of the fallen.

While the mission of TAPS is to offer comfort and support for surviving families, we are also committed to improving support provided by the Federal government through the Department of Defense (DoD) and the Department of Veterans Affairs (VA), Department of Education (DoED), state governments and local communities for the families of the fallen - those who fall in combat, those who fall from invisible wounds and those who die from illness or disease.

TAPS offers this statement today in support of a draft bill entitled "To amend the Servicemembers Civil Relief Act to provide for the termination by a spouse of a lessee of certain leases when the lessee dies while in military service."

TAPS is the national nonprofit organization providing comfort, care and resources to all those grieving the death of a military loved one. We do this through TAPS' four pillars of support:

Peer-Based Emotional Support brings together military survivors at Seminars, Retreats, Camps, and Expeditions. Since 1994, TAPS has provided over 75,000 grieving military families with a safe and comforting environment where, through peer connections, hope is found, healing begins and critical coping skills are acquired, establishing a healthy foundation for life after loss.

National Military Survivor Helpline stands ready around the clock, staffed by trained peer professionals, as a critical lifeline for military survivors. Over 15,000 per year are given attention and compassionate care, delivering comfort and connection to the comprehensive resources of TAPS.

Community Based Care offers critical connections for the 14+ *new* bereaved survivors who come to TAPS *each day*. In addition to all TAPS provides, comfort is delivered close to home through access to the following:

- appropriate local grief and trauma support services;
- unlimited free clinical grief counseling for all;
- online grief and trauma support groups and services; and access to TAPS publications and resources.

Casework Assistance provides survivors guidance in navigating the often-complex network of government benefits, as well as access to emergency financial assistance in cases of hardship. Families of the fallen can connect to all available public and private

resources, including education benefits for children and widows, state benefits and services, and private assistance for surviving military families.

TAPS keeps an extensive database to track the care and support we provide to surviving families. In researching information for this testimony we discovered only one case where a surviving spouse was not allowed to be released from a lease upon the death of her servicemember husband. TAPS casework assistance connected her with our pro bono legal partner and they were able to get her released from her lease.

We also queried several of our government partners to see if they had encountered any problems with surviving spouses being held to their leases after the active duty death of their servicemember. They had not encountered any spouses who had this problem.

That said, there may be many surviving spouses, including the spouse in Representative Busto's district, who encounter a reluctance on the part of their landlord to release them from their lease after the active duty death of their servicemember and may be forced to pay extra rent or termination fees. We applaud Representative Busto for providing a remedy for this undue burden during a time of grief.

We believe that the language to amend the SCRA included in this proposed legislation "The spouse of the lessee on a lease may terminate the lease during the one-year period beginning on the date of the death of the lessee, if the lessee dies while in military service" serves to codify what should already be an act of kindness and civility towards a recently bereaved military surviving spouse.

The history of the Servicemembers Civil Relief Act dates back to Civil War, when a moratorium was passed to suspend certain actions against Union soldiers and sailors. This included contract enforcement, bankruptcy, foreclosure and divorce proceedings. This was codified in the Soldiers' and Sailors' Civil Relief Act of 1918. That act expired after World War I, but it came back as the Soldiers' and Sailors' Civil Relief Act (SSCRA) of 1940.

The Servicemembers Civil Relief Act of 2003 (SCRA), 50 USC App §§501-596, signed into law on December 19, 2003 and amended December 10, 2004, completely rewrote and replaced the Soldiers' and Sailors' Civil Relief Act (SSCRA) of 1940. The SCRA (and previously the SSCRA) protects those persons who serve on active duty for the nation's defense, from adverse consequences to their legal rights that may result because of such service, so that such persons may devote their full attention and all their energies to the nation's defense. The SCRA strengthens the protections originally granted by the SSCRA, **extends certain protection for dependents of the member on active duty**, and creates new protections for members. The SCRA provides protection for members in civil court and administrative actions. It also provides protections for issues involving taxation, house/apartment leases, car leases, interest rates and insurance.

The SCRA applies to all military members on federal active duty. This includes the regular forces, the reserve forces, and the guard forces in Title 10 active duty. The SCRA also applies to the Coast Guard and officers in the Public Health Service and National Oceanic

and Atmospheric Administration in support of the Armed Forces. **In limited circumstances (i.e., evictions, joint leases), the SCRA may apply to dependents of the military member.** In November 2009, President Obama signed into law the Military Spouses Residency Relief Act (MSRRA) which amends the SCRA to provide additional protections to spouses of servicemembers relating to residency, taxes, and voting rights. The SCRA applies to all 50 states of the United States and to all territories (i.e., Puerto Rico, U.S. Virgin Islands, Guam and the Marianas Islands) subject to U.S. jurisdiction.

Under the terms of the SCRA, a servicemember may terminate a lease earlier than the date named in the lease, if the servicemember gives proper notice and is terminating the lease due to a permanent change of station (PCS) move or a deployment. The lease must be signed by the servicemember, or on behalf of the servicemember (by the use of a power of attorney.) The protection is extended to the dependent spouse if he/she needs to terminate the lease during the service member's deployment or PCS. If a spouse enters into a lease on their own name, without the servicemember, the SCRA does not apply.

TAPS thanks you for the opportunity to provide this statement for the record in support of this important legislation.