

Mrs. Rose Elizabeth Lee Gold Star Wives of America, Inc. Chair, Government Relations  
Committee

Statement of  
Gold Star Wives of America, Inc.

for the

Joint Senate and House  
Committees on Veterans' Affairs  
Hearing

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Presented by

Mrs. Rose Elizabeth Lee  
Gold Star Wives of America, Inc.  
Chair, Government Relations Committee

"With malice toward none; with charity for all; with firmness in the right, as God gives us to see  
right, let us strive to finish the work we are in; to bind up the nation's wounds, to care for him  
who has borne the battle, his widow and his orphan."

...President Abraham Lincoln, Second Inaugural Address, March 4, 1865

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By the Committee

Mr. Chairmen-Senator Akaka and Representative Filner-Senator Craig, Representative Buyer, and Members of both the Senate and House Veterans' Affairs Committees, I would like to thank you for the opportunity to submit testimony to you on behalf of all Gold Star Wives (GSW) to present our legislative agenda for this year.

My name is Rose Lee. I am a widow and the Chair of the Gold Star Wives Committee on Government Relations. I have served as President of the Potomac Area Chapter, and have held the volunteer positions of National President and Chair, Board of Directors for GSW. Off and on, for thirty years now I have been working to achieve the overall goals of the Gold Star Wives, and to assist our young, new widows adapt to their futures and, for those who choose, to help them become advocates for the issues they share in common with other Gold Star Wives.

The Gold Star Wives of America, Inc. was founded in 1945 and is a Congressionally-chartered service organization comprised of surviving spouses of military service members who died while on active duty or as a result of a service-connected disability. We could begin with no better advocate than Mrs. Eleanor Roosevelt, newly widowed, who helped make Gold Star Wives a truly national organization. Mrs. Roosevelt was an original signer of our Certificate of Incorporation as a member of the Board of Directors. Many of our current membership of approximately 10,000 are the widows of service members who were killed in combat during World War II, the Korean War, the Vietnam War and the more recent wars including the one we are currently in, the Global War On Terrorism.

Thank you for this opportunity to testify before you and for your continued support of programs that directly support the well-being of our service members' widows and their families. Gold Star Wives applaud the efforts of these two Committees, knowing we have made some strides toward improving the lives of widows and their children, a group that no one would choose voluntarily to join. Having said that, however, we are gravely disappointed that some issues we have had pending before Congress for years which mean a great deal to the quality of life of many survivors have languished without passage. We will do all we can; we need you to do your part. Here are the shortfalls in law that need correcting.

#### SBP/DIC Offset-Issue Number 1

GSW has no greater priority than to eliminate the offset to the Survivors Benefit Plan (SBP) dollar for dollar by the amount of the Dependency and Indemnity Compensation (DIC) stipend. Yes, we are here before you yet again with this inequity. We believe in one death, one benefit. We ask with all respect that this be your high priority for survivors. In essence a survivor's DIC results in voiding, or reducing, the benefit that the servicemember purchased-the SBP. This is simply wrong. All we are seeking is to assure that Survivor Benefit Plan annuities for survivors of 100% disabled military retirees and those killed on active duty following September 11 will NOT be reduced by the amount of Dependency and Indemnity Compensation to which they are separately entitled. We have attached to our written testimony a copy of our recent testimony before the Veterans Disability Benefit Commission, which has detailed history and justification for the repeal of the current inequitable law. We seek repeal of all sections in Title 38 that require the widow's voluntary waiver of SBP in order to receive the tax-free DIC.

### Remarriage at Age 55

Second, we urge decreasing the remarriage age for retention of survivors' benefits to age 55. The current public law permits surviving spouses who remarry after reaching age 57 to retain their VA survivor benefits. It also provided for a one-year period to apply for reinstatement for those who remarried before the law was signed but that period expired in December, 2004. Because the retroactive period was limited to one year and outreach was limited, many eligible survivors may not have been aware of their eligibility to be reinstated. Other federal agencies use age 55; we seek equity with them. These two connected issues should be rectified immediately.

### DIC at 55% of Disabled Retirees Compensation

We strongly believe that a review of the DIC program to assure that all veterans' survivors are covered adequately and have equity with other federal and military survivor benefits is critical. There are some widows dependent only on their monthly DIC check and living below the poverty level. Current DIC is set at \$1067 monthly which is only 41% of the Disabled Retirees Compensation paid by the VA. Survivors of Federal workers have their monthly annuity set at 55% of the Disabled Retirees Compensation. We seek to raise DIC payments to 55% of the current 100% VA Disability Compensation. That would improve the DIC payment to \$1359 monthly. As you can see, we are not seeking exorbitant amounts; we are simply seeking fairness across the government to modestly help deserving survivors. Therefore, we ask for a review of the DIC program.

### \$250 Child DIC

There are inequities among payments for the child survivor that need attention. The additional monthly \$250 child DIC payment per family only applies to survivors of deaths after January 1, 2005. This should be linked to October 7, 2001. It makes no sense that the survivors of those who died 'first' should be prohibited from accessing a benefit given to survivors of those who died later in the same war. The lack of a COLA has dropped the value of the allowance to about \$227 this year. We request assurance that these inequities be corrected.

### CHAMPVA Dental Plan

We also seek to provide a dental plan to beneficiaries of the Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA). With no coverage now, GSW seeks for widows and all CHAMPVA beneficiaries the ability to purchase a voluntary dental insurance plan. We believe the TRICARE dental program for military retirees provides a good model.

There are other issues that need attending.

### Disabled Under Age 65 Part B Penalties

We seek legislation to remove the disabled under age 65 Part B penalties and interest for late enrollment to CHAMPVA and promote a feasibility study to convert VA facilities to Long Term Care facilities which would welcome widows/widowers.

### Education Benefit

Surviving spouses who are on active duty should be able to use the education benefit derived from her deceased husband while still serving on active duty. Currently, the active duty widow

must resign from the military in order to use the derived educational benefit under Chapter 35. GSW would prefer that the survivor's educational benefits be retained in Chapter 35 rather than Chapter 30 to match the longer eligibility time (45 months vs. 30 months) in order that the survivor not be forced too quickly during the grieving process to pursue the educational benefit.

#### Office for Survivors

Finally, GSW supports the creation of an Office for Survivors with the Department of Veterans' Affairs and the Department of Defense to assure improved delivery of benefit information and benefits to survivors.

#### Conclusion

In conclusion, we want neither our widows nor their children to be forgotten. Again, our priority is for the repeal of the offset to the SBP of the DIC for all widows. Our widows often talk about this being a sorority no one rushes to join. We can understand, and encourage, your attention to the needed services of the servicemember who serves our country, who may return wounded, who may give his life. When the latter occurs, we cannot forget the family left behind. They have made their own personal, life-long sacrifice. Nevertheless, we have widows helping other widows. For example, attached is a paper, "Transition Programs for Surviving Spouses," developed by Vivianne Wersel of North Carolina who is providing assistance to widows at Camp Lejeune. Recently she presented her program to Headquarters, USMC, Quantico, Family Readiness Committee meeting. There is a strong need for this program to be replicated nationwide. We ask you again to show the spirit of this nation by not forgetting these widows and children whose numbers unfortunately grow daily.

I thank you for opening up this opportunity to hear us again and allow for further awareness of issues facing survivors daily. We will be happy to continue to work with you and devote our time and resources on all issues impacting survivors. Thank you.