



STATEMENT FOR THE RECORD

**TRAGEDY ASSISTANCE PROGRAM FOR SURVIVORS (TAPS)
BEFORE THE
COMMITTEE ON VETERANS AFFAIRS
UNITED STATES SENATE**

August 1, 2018

The Tragedy Assistance Program for Survivors (TAPS) is the national nonprofit 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; and casework assistance, connections to community-based care, online and in-person support groups, and a 24/7 resource and information helpline for all who have been affected by a death in the Armed Forces. Services are provided free of charge.

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 80,000 bereaved surviving family members. For more information, please visit TAPS.org.

TAPS receives no government grants or funding.

Chairman Isakson, Ranking Member Tester, and distinguished members of the Senate Veterans Affairs Committees, 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), the Department of Veterans Affairs (VA), Department of Education (DoED), Department of Labor, state governments, government contractors, 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 was honored to enter into a new and expanded Memorandum of Agreement with the Department of Veterans Affairs in 2017. This agreement formalizes what has been a long-standing, informal working relationship between TAPS and the VA. The services provided by TAPS and VA are complementary, and in this public-private partnership each will continue to provide extraordinary services through closer collaboration.

Under this agreement, TAPS continues to work with surviving families to identify resources available to them both within the VA and through private sources. TAPS will also collaborate with the VA in the areas of education, burial, benefits and entitlements, grief counseling and other areas of interest.

The VA Office of Survivor Assistance, including Director Moira Flanders and her staff, works closely with TAPS to answer questions and concerns that are raised by surviving family members. We also appreciate the opportunities provided by the DoD/VA Survivors Forum, held quarterly, which works as a clearinghouse for information on government and private sector programs and policies affecting surviving families. This is ably facilitated by Craig Zaroff of the VA Benefits Assistance Service.

Pending Legislation

S. 1990

TAPS applauds Senator Tester and his staff for this legislation which offers an increase to the Dependency and Indemnity Compensation (DIC) provided for surviving spouses of those service members who die on active duty or die of a service connected disability. A second provision provides a graduated scale of benefits and addresses an arbitrary eligibility restriction. The third provision provides equity with other survivor benefits by allowing surviving spouses who remarry after age 55 to retain DIC benefits.

History of DIC

According to the Congressional Research Service (CRS), survivor compensation has been paid in some form to survivors since the Revolutionary War.

During the Civil War, survivor compensation was expanded to cover all service members at a rate that would be payable to totally disabled veterans. The Civil War also led to other changes to survivor compensation, especially for survivors of service members with service-connected disabilities. They were covered under the Act of July 14, 1862, which was referred to as General Law, and amended various times in the 19th century.

In 1917, Congress passed the War Risk Insurance Act to eliminate the need for non-service pensions and highlighted that service-connected payments for death and disability were compensation payments. The act changed the system to meet the current needs of World War I veterans and their survivors and eliminated the pay discrepancy between officers and soldiers.

The Servicemen's Indemnity Act of 1951 replaced this life insurance system with a new system where the service members did not contribute to the insurance program, but the government provided monthly payments to eligible survivors of \$120 with a 2.25% increase per year until a \$10,000 insurance maximum was reached. Potentially eligible survivors included spouses, children, parents, and siblings.

Because legislation had been written in response to need, dependency and indemnity compensation was unorganized and administered by four different administrations by the mid-1950s, and congressional and executive committees were formed to make the issuance of compensation more streamlined and manageable. Death compensation was set up similar to the way it is now by the time the final report of the President's Commission on Veterans' Pensions, Veterans' Benefits in the United States: Report to the President by the President's Commission of Veterans Pensions (hereafter referred to as the Bradley Report) was written in 1956. Death compensation was provided to survivors (except for dependent parents) regardless of income. The rate of compensation depended on whether the veteran served in peacetime or wartime.

In 1969, after review of the Bradley Report, recommendations from a commission headed by Robert M. McCurdy in 1967, and extensive testimony from several other federal administrations and veterans' service organizations, Congress devised a different, more equitable system for survivor compensation that gave fixed rates to each pay grade. The base rate was adjusted for a cost-of-living increase to reflect changes in the cost of living since the last base rate had been determined in 1956, 13 years earlier. In 1969, years of service were no longer a factor in determining DIC. There were no subsequent changes of significance to DIC legislation until 1993, when the rate tables for surviving spouses were eliminated and one flat monthly rate was reinstated. In 2003, surviving spouses who remarried after reaching the age of 57 were able to retain DIC.

DIC, along with other VA disability payments, are usually increased annually by the federal cost of living adjustment (COLA), when there is a COLA. This COLA has been the only increase to the DIC since the new rate tables were established in 1993.

Provision 1

TAPS appreciates the 12 percent increase to the DIC to bring it up to 55 percent of the rate of compensation paid to a totally disabled veteran. It is something that we have supported for many years and, for those survivors whose only recompense is the DIC payment, long overdue.

We also appreciate the provision of an additional \$350 increase to the Special Survivor Indemnity Allowance (SSIA) for those survivors who are in receipt of both DIC and the Survivor Benefit Plan annuity. This would go a long way to make some survivors who are impacted negatively by the DIC offset to SBP whole, i.e. their offset would be completely eliminated when combined with the SSIA they currently receive.

However, we have heard concerns from some survivors. Would the proposed SSIA increase also be tied to COLA? Is there a time limit for this provision? Where would the funding come from? We hope these questions will be addressed.

Provision 2

We support the intent of provision 2.

Provision 3

TAPS fully supports the provision to allow surviving spouses who remarry after age 55 to retain DIC benefits. This makes the DIC program consistent with other federal programs, including the Department of Defense survivor benefit plan and the Federal Employees survivor benefit plan.

H.R 299

TAPS strongly supports H.R 299, the *Blue Water Navy Vietnam Veterans Act of 2018*. We stand with our friends in the Military Coalition and the Association of the United States Navy in encouraging quick passage of this long over due legislation. Many of the families impacted by Agent Orange from time in the Navy have become surviving families now, and TAPS believes those families should be eligible for the same survivor benefits as all other Agent Orange families.

S.2881

TAPS supports S.2881, the *Mare Island Naval Cemetery Transfer Act*, so as to ensure veterans buried in Vallejo, CA are treated with the respect they deserve. As the oldest military cemetery on the West Coast, it should be treated as a national shrine and elevated to a Department of Veterans Affairs national cemetery. We thank Senator Feinstein for bringing this issue to light.

S.2485

TAPS honors the service and sacrifices made by Medal of Honor recipients and their families and is grateful to Senator Sullivan for introducing S.2485 to establish a special pension for surviving spouses of Medal of Honor recipients.

S.541

New and innovative programs have proved time and again to be helpful in treating PTSD/TBI and preventing suicide. If there is a possibility that magnetic EEG/EKG therapy can help in treating veterans with PTSD/TBI and preventing veteran suicide, then TAPS supports the one-year pilot program.

S. 1596

TAPS supports the *BRAVE Act of 2017*, which increases the amount provided for the burial of a veteran from \$300 to \$749 with annual COLA increases.

Draft Text- Cassidy

Suicide prevention is one of TAPS' top legislative priorities. Suicide is the second leading cause of death for active duty service members and the numbers are growing. TAPS currently serves over 12,000 surviving family members whose loved ones died by suicide and we are grateful to Senator Cassidy for

bringing forth the draft legislation to create a grant program through VA for organizations working in suicide prevention.

Draft Text- Transition Assistance Program (TAP)

Veterans who make a good transition into civilian life are less likely to die by suicide, so TAPS is grateful to see such effort put into overhauling the Transition Assistance Program. While many key aspects were updated by the 2019 NDAA, there is still much work to do. TAPS supported the House version H.R.5649, the *Navy Seal Chief Petty Officer Bill Mulder Transition Improvement Act*, and we look forward to seeing the House and Senate versions conferenced to best improve transitions for veterans.

TAPS thanks the committee and the original sponsors of all this important legislation for your thoughtful consideration of the needs of our nation's veterans and surviving families.

It is the responsibility of the nation to provide for the support of the loved ones of those who have paid the highest price for freedom. Thank you for allowing us to speak on their behalf.