



Gold Star Wives of America, Inc.

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Statement of

Gold Star Wives of America, Inc.

Before the Joint Senate and House Committees on

Veterans Affairs Hearing

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Presented By

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“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 have borne the battle, his widow and his orphan.”

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

Introduction

Chairman Senator Moran (R-KS), Chairman Representative Takano (D-CA), Ranking Member Senator Tester (D-MT), Ranking Member Representative Roe (R-TN), and distinguished members of both the Senate and House Committees on Veterans Affairs, I am pleased to be here today to testify on behalf of Gold Star Wives of America, Inc. (GSW) to share our legislative priorities.

My name is Crystal Wenum and I am the widow of SSGT James O Wenum, a Vietnam veteran who served during the Tet Offensive. He died on May 8, 1982 after suffering a massive heart attack while on duty with his US Army Reserve Unit and died 3 days later leaving me to raise our 5 and 3-year old children. His death was determined to be service related 2 years later and I joined Gold Star Wives of America, Inc. that year. But in addition to a Gold Star Wife, I am also a Gold Star Daughter. My father was KIA at the Chosin Reservoir in Korea on November 29, 1950. My mother was 6 months pregnant with me and had a 1-year old son at the time. My mother joined Gold Star Wives in 1951 and I have literally grown up with this wonderful organization. I have remained active with Gold Star Wives and I am proud to have been National President, 2018-2019. I continue to serve on the Board of Directors as the Service Officer.

I knew a lot of the past presidents and members who worked so hard walking the halls of Congress to get the benefits that we have today. I am eternally grateful for all their hard work and sacrifices. I went to college using my Chapter 35 benefits and was able to get a job as an auditor with the state of Minnesota so when my husband died, I was not plunged into poverty like so many of my fellow Gold Star surviving spouses. My salary plus my DIC and Social Security allowed me to raise our children modestly. I was even able to save enough to go to many of the Gold Star Wives National Conventions. My children say they had some interesting vacations going to them.

Gold Star Wives of America, Inc. is grateful for all the public laws that have been passed in the years since 1946. These laws provide much needed benefits for surviving spouses and children of our military service members. We are especially grateful for the elimination of the SBP-DIC offset that affected approximately 65,000 Gold Star Spouses. Before this law was passed, in December of 2019, SBP was offset dollar for dollar by DIC causing the surviving spouse to receive less money on a monthly basis than paid and planned for by the service member. Thank you for eliminating this unfair tax on our surviving spouses.

Gold Star Wives of America, Inc. thanks you for your continued support of education for post 9-11 survivors with the Fry Scholarship. With the passage of the Forever GI Bill in 2017, survivors no longer have a 15-year time limit to use education benefits and are now eligible for the Yellow Ribbon Program.

The mission of the Gold Star Wives of America, Inc. organization is to provide much needed moral support during a surviving spouse's lifelong journey through grief and recovery from the loss of their service member and to protect the needed benefits of the families they left behind. Our organization brings awareness to Congress, the public, and the military community of the inequities that exist in benefits provided to surviving spouses and their children. **We are a non-profit organization and receive no federal grants.**

Our testimony will address some of the inequities and concerns that currently exist:

- 1) Dependency and Indemnity Compensation (DIC)
- 2) Change in Gold Star Wives of America, Inc. Federal Charter
- 3) Eliminate Remarriage Penalty for Young Surviving Spouses
- 4) Education Benefits
- 5) Other Concerns

Dependency and Indemnity Compensation (DIC)

“...to care for him who have borne the battle, and for his widow and orphan....”

These words from Abraham Lincoln's Second Inaugural Address, in 1865, succinctly state the promise our country has made to our veterans and their survivors. Congress has always had an important role in ensuring that this promise is kept. The need to keep this promise, to care for the veterans and their survivors, is critical.

In 1993, Congress established PL 102-568, which resulted in two different pay-tables for recipients of DIC:

The first pay-table is rank-based DIC, which is determined by pay-grade of the deceased military service member. Rank-based DIC is being phased out through attrition.

The second pay-table for DIC recipients is based on a flat rate, not ranked. All surviving spouses whose military spouse died on or after January 1, 1993, receive the monthly flat rate DIC, regardless of rank.

The Fiscal Year 2018, Annual Benefits Report issued by the Veterans Administration, updated in September 2019, states there are 416,438 surviving spouses who receive DIC. The largest group of DIC recipients is the surviving spouses from World War II, the Korean Conflict, and the Vietnam War. Most are well-past their most productive earning years. Subsequent to the Vietnam War, many became caregivers for their disabled veteran spouses.

The Cost-of-Living Adjustment (COLA) has been the only change in DIC since the flat rate was implemented in 1993. When DIC is compared to compensation allotted to surviving spouses of other Federal employees, DIC lags behind nearly 12%. The current DIC flat rate for a surviving spouse is \$1,340.14 per month. This is 43% of the disability compensation rate for a fully disabled single veteran whose rate is \$3,106.04 per month.

Since 1993, our surviving spouses are falling further and further behind in meeting their financial obligations from month to month. Many surviving spouses of WWII, Korea and Vietnam era wars are receiving only DIC. These DIC recipients struggle monthly with their budget of \$1,340.14 juggling bills to meet the rising costs in health and dental insurance, housing, utilities, food, clothing and other living expenses. Some receive DIC and minimum Social Security benefits. This continued struggle to meet financial obligations leads too often to homelessness, a plight we do not wish to befall anyone, and least of all the surviving spouses of our military veterans.

It is incumbent upon Congress to take action to rectify this inequity by increasing the current amount of DIC to a level comparable to other federal employees. Our widows from WWII, Korea, and the Vietnam era wars are now in their 60's through 90's. These survivors are in dire need for an increase in Dependency Indemnity Compensation.

We are hopeful for the immediate passage of bills in the Senate and House (S. 1047 and HR 3221 to increase DIC from 43% (\$1,340.14), to 55%.

Change in the Gold Star Wives of America, Inc. Federal Charter

We also ask for a change in the Gold Star Wives of America, Inc. Federal Charter: US Code: Title 36>Subtitle II> Part B> Section 80507, Restrictions: (b) Political Activities. The corporation, or a director or officer as such may not contribute in any political activity or in any manner attempt to influence legislation. Gold Star Wives of America, Inc. wishes to eliminate the last few words of Section 80507 (b) "or in any manner attempt to influence legislation." This will reflect the standard practice that Gold Star Wives of America, Inc. officers are often asked by Congress to testify and they should be able to speak to legislative representatives on behalf of the organization, inline with other veteran and military service organizations.

Eliminate Remarriage Penalty for Surviving Spouses

Imagine you die in service to your country. The current law prevents your spouse from moving past deep grief, into a new life they choose for themselves, because they are

afraid to lose benefits that they need. These benefits are because they have personally suffered a military loss. Surviving military spouses and their families should be supported for their service, not penalized.

Gold Star Wives of America, Inc. would like your help in changing current law that binds surviving spouses to widowhood. Under current law, if a surviving spouse remarries before the age of 57, he or she forfeits lifesaving benefits, because their spouse made the ultimate sacrifice. This age is arbitrary and unfair. Please remove the age limit on all available benefits for surviving spouses who remarry.

Other countries have recognized the remarriage penalty. The United Kingdom changed a similar law allowing them to remarry, cohabitate, or form a civil partnership. Gold Star Wives of America, Inc. asks that you do the same here in the United States.

The public is generally unaware that this type of law exists. The compassion shown for affected families is great, but they do not know that surviving spouses are living in fear in addition to grief. A Gold Star Wives of America, Inc. member from Tennessee whose husband died in Afghanistan in 2003, was a young mother of an infant and a toddler. She was breastfeeding at the time and says without her children, she would have never made it through. Sixteen years later, she is afraid to remarry and gave up having more children because she feels that, "the military will only take care of you as long as you promise to never move on with your life." In addition, she has a debilitating neurological disease that requires medical treatment, the risk of losing Tricare is not something she can afford.

Surviving spouses are struggling with this rule. Shockingly, and as the current law stands, if they wait until age 57, not only can they remarry, but they will get additional benefits. It creates undue additional burdens in the life of surviving spouses. Many surviving spouses have had to give up expanding their families and relationships.

The cost of changing this law should be minimal as the awards are already being paid. Please support keeping all survivor benefits intact regardless of marital status. To lose these benefits creates hardships and places surviving spouses at risk.

Improving Survivors' and Dependents' Educational Assistance (DEA)

Gold Star Wives of America, Inc. thanks you for education and training options available to surviving spouses. These benefits make it possible to obtain a post-secondary education and improve technical job skills. This, in turn, allows for greater opportunities for employment in a competitive, highly educated workforce.

Survivors' and Dependents' Educational Assistance (DEA), commonly referred to as Chapter 35, continues to be a very viable program. Beneficiaries include survivors of veterans whose death is rated as service-connected. Dependents of veterans whose service-connected disability is rated as permanent and total, whose dependents may become survivors in the future, are also eligible for Chapter 35 educational benefits.

During FY 2018, 109,760 beneficiaries utilized their Chapter 35 educational benefits. This represents a 9% increase in Chapter 35 beneficiaries over FY 2017, when 100,275 beneficiaries used Chapter 35. Chapter 35 was the only VA educational program that saw an increase between FY17 and FY 18. The number of eligible beneficiaries for Chapter 35 benefits has increased each of the last five fiscal years.

Chapter 35 pays a monthly allowance of \$1224 up to 36 months. The Forever GI Bill reduced the number of months of eligibility from 45 months to 36 months, resulting in a net loss of approximately \$2,000 in benefits, even with a \$200/month increase. Usually eligible surviving spouses have 10 years from the date of death of the veteran to use their Chapter 35 benefits. Dependent spouses have 10 years from the date of the veteran's 100% P&T rating to use their Chapter 35 benefits. If not used in that time period, any unused months of benefits are permanently lost.

The Marine Gunnery Sergeant John David Fry Scholarship (Fry Scholarship) is for survivors of servicemembers who die in the line of duty after September 11, 2001. This benefit includes full tuition and fees, a monthly housing allowance and a books/supplies stipend.

The Forever GI Bill removed the time limit in which these surviving spouses must use their Fry Scholarship benefits. These survivors now have their entire life to use their 36 months of benefits. The rationale being that many of the surviving spouses have younger children and are often unable to use their benefits within a time from without hardship.

The Virginia widow of a service member killed on active duty had four children under the age of 10 and was pregnant with her fifth child when her husband was killed. She had started college but left to marry. She had a limited time to return to college to use her educational benefits but was unable to do so because of her small children. Having only DIC and Social Security to live on, returning to school would have been a hardship on her family. She was never able to use her educational benefits.

Surviving spouses with young children is not unique to those whose spouse was killed after September 11, 2001.

An Oklahoma widow of a Vietnam combat veteran, 100% permanently and totally disabled, whose presumptive disease was due to Agent Orange exposure in Vietnam, had been his caregiver for much of their marriage. She returned to college as a non-

traditional student to update her teaching skills. She needed only 30 hours in residence, but her 10 years to use her Chapter 35 benefits expired, leaving her with unused months of benefits. And leaving her to assume the cost for half of her course work herself.

Gold Star Wives of America, Inc. is asking for removal of the determination date for all Chapter 35 beneficiaries so that these beneficiaries, like Fry Scholarship beneficiaries, may have their lifetime to use their 36 months of educational benefits.

This would begin to provide some parity regarding educational benefits for all survivors. This revised benefit would be at little to no cost and would allow these survivors to utilize all their months of educational benefits throughout their lifetime. In this manner, these survivors can meet the needs of their families, while completing their post-secondary education, and making them more marketable.

Other Concerns

Being intimately familiar with the devastation of death, Gold Star Wives of America, Inc. is extremely concerned with the overwhelming number of veterans and active duty service members who die by suicide every day. Tragically, many of these people die without having sought help for common side effects of war, such as PTSD. Often, if there is no diagnosis, benefits are not afforded to the family left behind. Our organization supports any effort to reduce the rate of service-connected deaths by suicide and to expedite the process for survivors to obtain the benefit they desperately need.

HR 95: Homeless Veteran Family Act

To amend title 35, United States Code, to ensure that children of homeless veterans are included in the calculation of the amounts of certain per diem grants. Mr. Chairman, please put HR 95, on your Committee's agenda to be heard – time is running out.

Conclusion

Gold Star Wives of America, Inc. is appreciative for existing laws that provide vital benefits and support for surviving spouses and children of our military members who gave their lives in service for our country. It is our duty to stand together with you and ensure that President Lincoln's words still ring true, that our nation provides for the victims of her wars. We are the families that are left behind, yet another casualty of wars.

With every flag-draped casket that is flown home, another family suffers devastating loss. These brave men and women answered our Nation's call to service, believing that our Nation would properly care for their loved ones, if the ultimate sacrifice came. We honor

their memories by asking for your help in rectifying the inequities we have presented. Our benefits are not 'entitlements', but have been earned through service and sacrifice that never goes away.

President John F. Kennedy said: "A nation reveals itself not only by the citizens it produces, but also by the citizens it honors, the citizens it remembers."

Contributors to Testimony

Government Relations Committee Members:

- Misty Brammer: Widow of Staff Sergeant Kerry J. Brammer, US Army, in line of duty, 2005
- Claire Manning-Dick: Widow of Richard Charles Dick, US Air Force, 2010
- Jeanette Early: Widow of Sergeant First Class, Howard L. Early, US Army, combat death, Vietnam, 1969
- Donna Eldridge: Widow of Colonel Gary W. (Bo) Eldridge, US Army, 2001
- Cyndie Gibson: Widow of Major Parks Gibson, US Air Force in line of duty, 2007
- Lupe MaGuire: Widow of Chief Warrant Officer John Thomas MaGuire, US Army
- Pat Collins Miller: Widow of SGT Danny J. Miller, US Army, Agent Orange, disability death, 2008
- Lars Anderson: Washington DC Advocate, Gold Star Wives of America, Inc.

Crystal Wenum, Gold Star Wives of America, Inc.



Past National President
Presented Oral Testimony