



**Gold Star Wives of America, Inc**  
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**Testimony for the Record**

**Of**

**Gold Star Wives of America, Inc.**

**Before the**

**Joint  
Senate and House Committees on  
Veterans Affairs  
Hearing**

**May 13, 2015**

**Presented by**

**Jamie Tomek  
Chair, Government Relations Committee  
Gold Star Wives of America, Inc.**

*"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*

Not for publication  
until released by  
the Committees

Thank you for the opportunity to submit Testimony for the Record for the Joint Senate and House Veterans Affairs Committee hearing on Wednesday, May 13, 2015.

Gold Star Wives of America, Inc. (GSW) was founded in 1945 and is a Congressionally Chartered Veterans Service Organization which serves the surviving spouses of military service members and veterans who died in service to this Great Nation.

## **S. 270 the Charlie Morgan Military Spouses Equal Treatment Act of 2015**

This bill changes the Title 38 requirement that a spouse must be of the opposite sex and amends current law so that the determination of whether or not a marriage is valid is determined by the laws administered by the Secretary of the Department of Veterans Affairs rather than a variety of state, territory and local laws. GSW concurs with this proposed legislation.

### **21st Century Veterans Benefits Delivery Act**

#### **Sec 208. Report on Plans of Secretary of Veterans Affairs to Reduce Inventory of Claims for Dependency and Indemnity Compensation and Claims for Pension**

Congress is requesting that the Department of Veterans Affairs provide a plan to reduce the inventory of claims for Dependency and Indemnity Compensation and Pensions.

Timely processing of Dependency and Indemnity Compensation (DIC) claims and timely receipt of DIC is critical to many surviving spouses. DIC is often the only income a surviving spouse receives and delay in processing and sending DIC causes a significant financial crisis.

GSW concurs with the need for this plan.

### **Discussion Draft**

#### **Sec 102. Treatment of Businesses after Deaths of Servicemember-owners for Purposes of Department of Veterans Affairs Contracting Goals and Preferences** **S. 296 - Sec 102 of the Discussion Draft became S. 296. S.296, Sec 3 (i) reads:**

*“(i) Treatment of businesses after death of servicemember-Owner.—(1) If a member of the Armed Forces owns at least 51 percent of a small business concern and such member is **killed** in line of duty ... “*

The wording “such member is killed in the line of duty” should be amended to read “and such member **dies** in the line of duty”. The word “killed” excludes all those who die on active duty. GSW has encountered this problem with killed vs. died in the past and the error is usually unintentional and due to not understanding the legal difference between the two words. Other than the issue stated above GSW concurs with this legislation.

## **Sec 204. Pilot Program on Treatment of Certain Applications for Dependency and Indemnity Compensation as Fully Developed Claims**

*“(b) (4) in the case that the claimant is the spouse of the deceased veteran, certifies that he or she has not remarried since the date of the veteran’s death.”*

Surviving spouses who remarry at or after the age of 57 may receive Dependency and Indemnity Compensation. The above paragraph should be amended to add this information. Other than the issue stated above GSW concurs.

## **MCRMC Legislative Proposal Recommendations 11 and 12**

### **Sec 1104 and 1105. Post 9-11 GI Bill Transferability**

Servicemembers may transfer their post 9-11 education benefits to a family member but will incur an increase in their service obligation. GSW concurs with this proposal.

## **Reports**

There are numerous provisions in these proposals requiring a variety of different reports. Reports such as those mentioned herein are expensive and after a period of time are no longer needed or used. Such reports should have a termination date stated initially and if the report is still needed after the termination date action may be taken to extend the termination date.

## **Surviving Spouse Issues**

There are numerous issues in the above reports pertaining to education benefits. Since education issues are being addressed the following issue concerning the Gunnery Sergeant John David Fry Scholarship/Post 9-11 GI Bill could easily be addressed with those issues.

### **Gunnery Sergeant John David Fry Scholarships/Post 9-11 GI Bill for Surviving Spouses**

We are very grateful for Congress’ recent approval of the **Gunnery Sergeant John David Fry Scholarships** or Post 9-11 GI Bill for the Post 9-11 surviving spouses of those who died on active duty. The Fry Scholarships became available to surviving spouses effective in January 2015 and are available to a surviving spouse for 15 years after the death of his or her military spouse. If a surviving spouse’s military spouse died early in the post 9-11 era, the surviving spouse does not have enough time to complete a 4 year college degree. Please extend the time limit for using the Fry Scholarship benefits from 15 years after the death of the military spouse to 20 years after the death of the military spouse.

