

**BENEFITS FOR SURVIVORS: IS AMERICA  
FULFILLING LINCOLN'S CHARGE TO CARE  
FOR THE FAMILIES OF THOSE KILLED  
IN THE LINE OF DUTY?**

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**HEARING**

BEFORE THE

**COMMITTEE ON VETERANS' AFFAIRS**

**UNITED STATES SENATE**

**ONE HUNDRED NINTH CONGRESS**

**FIRST SESSION**

**FEBRUARY 3, 2005**

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**THURSDAY, FEBRUARY 3, 2005**

UNITED STATES SENATE,  
COMMITTEE ON VETERANS' AFFAIRS,  
*Washington, DC.*

The Committee met, pursuant to notice, at 10:03 a.m. in room 418, Russell Senate Office Building, Hon. Larry E. Craig, Chairman of the Committee, presiding.

Present: Senators Craig, Graham, Burr, Thune, Isakson, Akaka, Murray, Obama, and Salazar.

**OPENING STATEMENT OF HON. LARRY E. CRAIG,  
U.S. SENATOR FROM IDAHO**

Chairman CRAIG. Good morning, everyone. Welcome to the Veterans' Affairs Committee's first oversight hearing of the 109th Congress.

There are few issues more important than what is on our agenda today. The title of the hearing, "Benefits for Survivors: Is America Fulfilling Lincoln's Charge to Care for the Families of Those Who Were Killed in the Line of Duty?" I think presents the question that gets to the heart of why the Department of Veterans Affairs exists and indeed why this Committee exists.

During his 1865 inaugural address, President Lincoln spoke of the need to care for "him who shall have borne the battle and for his widow and his orphan." Those words today and forever reflect the conscience of our Nation. They remind us of a commitment we all have to those who have given, also in Lincoln's words, "the last true measure of devotion for their country."

So we are gathered here this morning to renew that commitment. There are many in this hearing room who are survivors of those who have made the ultimate sacrifice in defense of our freedom, so I would like to ask those who are survivors if you might stand so we could recognize you all. Thank you.

[Applause.]

Chairman CRAIG. Thank you. Thank you very much for doing that.

Let me also recognize that my colleague and Ranking Member, Senator Danny Akaka will be here in a few moments to join me as the hearing progresses.

In the past few months, I have heard the media question the adequacy of benefits provided to survivors of those killed in the line of duty. They have focused in large part on just one benefit, the \$12,420 death gratuity paid by the Department of Defense. As Chairman of this Committee, I have resolved to explore the full range of survivor benefits so that a truer, more comprehensive view of the adequacy of those benefits can be taken.

The chart behind me is an attempt to capture the benefits provided to survivors based on two very real present-day examples. The chart shows the benefits provided to the spouse and two dependent children of a fallen enlisted servicemember and a fallen officer. As you can see, there are at least 13 different benefits provided by three Federal agencies, VA, the Department of Defense, and the Social Security Administration. The chart is colored green where benefits are provided by VA, red where provided by DoD, and yellow where provided by Social Security.

By any standard, understanding these benefits can be overwhelming, especially for a grieving spouse. What this chart does not show is the complexity of navigating the system to access these benefits. A number of survivors have written to me describing the poor quality of service they received after their spouse died. One letter came to me from Lisa Vance, widow of Gene Vance, who was killed in Afghanistan almost 3 years ago. Mrs. Vance told me of the day her Casualty Assistance Officer brought to her an Army manual explaining her benefits. Shockingly, the manual had not been updated since 1989. Yet many important changes have been made since that time that this spouse was eligible for.

I have heard from other survivors who have several similar stories. As we will see and hear from our witnesses today, providing for survivors involves far more than simply increasing the dollar amount of benefits. It involves coordination, communication, and a quality of service with those who are providing the benefits.

One final point. While the face of today's hearing is the survivors of those killed during the war on terror, there are over 330,000 survivors which VA has identified who are alive today. They all have unique stories to tell, regardless of the circumstances. They all have our deepest respect and admiration. This hearing is for them.

I would now turn to my colleague, Senator Akaka. He will be coming in a few moments. So let me turn to other colleagues that have joined us this morning.

First, let me turn to Senator Graham. Do you have any opening comment to make?

**OPENING STATEMENT OF HON. LINDSEY O. GRAHAM,  
U.S. SENATOR FROM SOUTH CAROLINA**

Senator GRAHAM. Thank you, Mr. Chairman. One, I appreciate the hearing. I think this is a timely topic. Mrs. McCollum, welcome to Congress. Welcome to the Senate. She is from South Carolina. Her husband was a Clemson graduate, I think, is that right? We had a ceremony for her husband in Pickens.

As we talk about how to make it more user friendly, as we talk about how to make it fairer in terms of compensation, let us remember that we have said thank you to these people in a heartfelt

way. It is now time to do something. We are talking this stuff to death.

So, Mr. Chairman, I think with your leadership, we are actually going to do something, and that is why I came today, just to echo the sentiment that if there is anything that we can find bipartisan common ground on, it has got to be this, and let us move.

Chairman CRAIG. Thank you very much.

Senator Murray, welcome.

**OPENING STATEMENT OF HON. PATTY MURRAY,  
U.S. SENATOR FROM WASHINGTON**

Senator MURRAY. Thank you very much, Mr. Chairman. I want to thank you and Senator Akaka for calling this extremely important hearing today. You mentioned in your opening statement the words of Abraham Lincoln of 140 years ago that we have to promise to care for the veteran who has borne the battle, his widow, and his orphan, and I think as Members of this Committee, we have a tremendous responsibility and an opportunity to keep that promise still today and I look forward to working with you towards that goal.

I also want to welcome all of our panelists who are here today, the Tragedy Assistance Program for Survivors, Gold Star Wives of America, and National Military Family Association. All of you are to be commended for being such strong advocates for families and I really appreciate the work you do across the country.

But I particularly want to thank the women and the men who have lost loved ones fighting for our freedoms. Mrs. Petty and Mrs. McCollum, you are very brave to be here today and all of us really appreciate your coming today and sharing with us your experience so we can do the right thing for everyone who has lost someone in their service to this country.

Mr. Chairman, my father was a disabled veteran from World War II and I grew up understanding the commitment that he made to this country and the responsibility we carry to make sure that he and others like him are kept the promises that were made to them. During my college internship back in the early 1970s, I worked in the Seattle VA Hospital. I was a senior in college during the Vietnam War and was working with young men and women my age who were coming back from Vietnam. I know the tremendous burden they gave to this country and the responsibility we owed them, and that is one reason why I have served on this Committee for some time and keep the commitment to making sure that those who serve us are kept the commitments that we have given them.

That is why today, a lot of my work is continuing to make sure that our brave soldiers and airmen and women have the tools that they need to accomplish their missions, but that we also make sure that those who have served us get the benefits and services they have earned and don't have to keep fighting for them, to make sure that they get them quickly and honorably, as well, and to make sure that we take care of the families who have lost loved ones who certainly have given the ultimate commitment to our country.

Last year, or several years ago, I fought with a number of Members of this Committee against a VA rule that would have limited the amount of unclaimed benefits that a survivor could receive.

VA's policy said that if a veteran had not received any unclaimed benefits by the time they died, their survivors could only get 2 years of the benefits that they owed the veteran. We made that change 2 years ago and now survivors do receive all the benefits that are owed them.

I am also proud to have worked with my colleagues on this Committee to update the survivor benefits formula. Now, the Senate voted to increase those benefits last year, but unfortunately, it was left out of the defense bill last year, so we have more work to do in that area, as well. That is one of the reasons why your being here today and having this hearing is so important, so that we can make sure that we get benefits timely to the people who deserve them so much.

Mr. Chairman, I look forward to the testimony. I do have another commitment and another hearing that I will attend, but I will be reviewing all the testimony. Mr. Chairman and Ranking Member Akaka, who is now here, I look forward to working with you on this Committee to make sure we keep the promises that we made.

Chairman CRAIG. Senator Murray, thank you very much.

We have now been joined by the Ranking Member of the Committee, Senator Dan Akaka, so I will turn to you, Senator.

**OPENING STATEMENT OF HON. DANIEL K. AKAKA,  
U.S. SENATOR FROM HAWAII**

Senator AKAKA. Thank you very much, Mr. Chairman. I want to thank you for holding this hearing and to tell you again I look forward to working with you and the Committee.

I am pleased to welcome you to this very important and timely hearing of the Committee on Veterans' Affairs. I would like to say a personal thank you to all of the survivors and families of servicemembers who have traveled here for this hearing. It is you who we must not forget when we think of Abraham Lincoln's pledge to care for the families of those who paid the ultimate sacrifice on behalf of our Nation. My thoughts and prayers are with you and your families.

I want to also thank the panelists for being here today. I look forward to hearing the testimony that you have prepared. Many of you have special insight into how VA's system is working. Please share your views with us so that we can better serve you and serve your families, as well.

Last session, this Committee extended education benefits for surviving spouses of those killed on active duty and provided an additional \$250 per month to surviving spouses with children for a 2-year period. Please let us know where there are still gaps in services or areas where VA can be doing better than it is doing now.

There has been much news coverage of late regarding the benefits given to families upon a servicemember's death. This hearing is geared toward answering whether VA benefits are fulfilling the obligation that this Nation has to care for its deceased servicemembers' families.

From the Department of Veterans Affairs, Department of Defense, and Social Security Administration, I hope to hear more about the types of services that are offered and the timeliness of delivery of services and compensation.



Again, I look forward to hearing today's testimony and thank you for your attendance.

Mr. Chairman, I also have a statement from Senator Bill Nelson that I would like to submit for the record.

Thank you very much, Mr. Chairman.

Chairman CRAIG. Senator, without objection, Senator Nelson's statement will be made a part of the record.

[The prepared statement of Senator Nelson follows:]

PREPARED STATEMENT OF HON. BILL NELSON,  
U.S. SENATOR FROM FLORIDA

Thank you, Mr. Chairman. Today I'd like to discuss two glaring inequities in how this country treats the survivors of its military retirees. It is my belief that we owe a solemn debt to those men and women who spend the best years of their lives in military service to their country, and who have dedicated themselves to preserving our freedom. Quite simply, I cannot think of a nobler life's mission.

How we treat our veterans and their families is a reflection of our esteem for their service. As one newsmagazine recently put it, "America's commitment to the survivors of the tsunami is a mark of our generosity. The commitment we make to those who voluntarily put themselves in harm's way to fight our wars is a mark of our character."

Last year the Congress made great progress to benefit military retirees and their families by repealing the law that prohibits concurrent receipt of military retired pay and VA disability compensation for our 100 percent disabled retirees. I have received hundreds of letters in my office from veterans living in my State of Florida, thanking the Congress for treating them with the dignity that their service demands.

Mr. Chairman, despite this success, many military retirees and their survivors still face unfair treatment in receiving the benefits they have earned or purchased. The same sort of unfair benefit reduction that we just eliminated in the last Congress for 100 percent disabled retirees still exists for their survivors—between payments from the Survivors' Benefit Plan (SBP) and the VA Dependency and Indemnity Compensation (DIC). This is the first of the two inequities that are addressed in legislation that I have introduced in S. 185, the Military Retiree Survivor Benefit Equity Act of 2005.

As my colleagues well know, the Survivors' Benefit Plan is a purchased annuity which, after years of premium payments, provides income to the survivors of 100 percent disabled military retirees and those who die in active service. The VA's Dependency and Indemnity Compensation benefit is received by the surviving spouse of an active duty or retired military member who dies from a service-connected cause. Under current law, even if the surviving spouse of such a servicemember is eligible for SBP, that purchased annuity is reduced by the amount of DIC she receives. I recently met with Jennifer McCollum, a Florida widow who is in just this situation. Her husband, a Marine aviator, was killed in Operation Enduring Freedom in 2001. The SBP payment to which his rank entitles her is largely offset by DIC. Officially, she is entitled to both, yet a technicality in the statute prevents her from receiving her due. The survivors of servicemembers who have made the ultimate sacrifice to protect our country deserve better from their Government.

Mr. Chairman, I have conducted some research into this matter, and neither I nor my staff can find another incidence of a purchased annuity benefit being cancelled or reduced on the basis that some other source of income exists. It simply is not fair that this benefit can be taken away due to cause of death. If military service caused a retired member's death, the VA indemnity compensation should be added to the SBP the retiree paid for, not substituted for it. For members killed on active duty, a surviving spouse can avoid the dollar-for-dollar offset only by assigning SBP to children. But that forfeits any SBP claim after the children reach adulthood, leaving the spouse with benefits less than \$1,000 per month in DIC from the Veterans Administration. Mr. Chairman, brave Americans who give their lives for their country deserve fairer treatment for those they leave behind.

Mr. Chairman, the U.S. Government gives DIC to the families of military personnel whose death is related to their service because we feel that such honorable sacrifices merit something extra. Not because we believe that the families of such men and women no longer deserve the SBP benefit they have paid for.

The Military Retiree Survivor Benefit Equity Act of 2005 addresses this situation in two important ways. First, it repeals the offset language in the law, which is the

basis of the problem I have just described. Second, it allows those surviving spouses who have assigned SBP to their children to switch it back to themselves. Together these two changes to the current law will set right the treatment of surviving spouses.

The second serious problem for SBP recipients addressed in the Military Retiree Survivor Benefit Equity Act of 2005 is the effective date for paid-up status. As my colleagues know, the Defense Authorization act for FY 1999 provided that SBP enrollees may stop paying premiums if they have reached 70 years of age and have been paying in for 30 years. The problem with this arrangement is that the effective date was set at Oct 1, 2008. The SBP program was started in 1972, meaning that there were 36 years between the effective date and when the earliest enrollees joined the system. Military enrollees who joined SBP between 1972 and 1978 are therefore required to pay for more than 30 years to reach paid-up status, whereas everyone who came after them is paid-up after just 30.

Mr. Chairman, this effective date of October 1, 2008 forces thousands of "greatest generation" retirees who signed up for SBP at its beginning to pay premiums for up to 36 years. The intention of the law is that retirees will pay into SBP for 30 years, and then reach paid-up status. The letter of the law, however, dictates that while most retirees will pay premiums for 30 years and reach paid-up status, our most aged retirees, many of them World War II combat veterans now in their 80s, will be forced to pay up to 20 percent longer. These early retirees also paid the highest premiums since they were set at 10 percent of retired pay until 1990, when they were reduced to 6.5 percent. I submit to you, Mr. Chairman, that this inequity is not what the 105th Congress had in mind when they allowed paid-up status.

The Military Retiree Survivor Benefit Equity Act of 2005 addresses this second problem very directly, by changing the effective date from October 1, 2008, to October 1, 2005. This will end the waiting now being imposed upon our most aged retirees, beginning in FY 2006.

It is time to provide our military retirees and their families what they have earned and purchased, and restore basic fairness to military widows, widowers, and retirees. I call for support from my Senate colleagues for this important legislation.

Mr. Chairman, my thanks to you and Senator Akaka for your leadership and for the opportunity to address this issue today.

Chairman CRAIG. Now let me turn to our colleague, Senator Burr, for any opening comments he would like to make.

**OPENING STATEMENT OF HON. RICHARD BURR,  
U.S. SENATOR FROM NORTH CAROLINA**

Senator BURR. Mr. Chairman, thank you. I thank the Ranking Member for this hearing.

Mr. Chairman, I would like to take this opportunity this morning to recognize somebody who is in the audience with us, Deborah May. Deborah is the wife of Marine Staff Sergeant Donald May, who died in Iraq in March of 2003, serving in Operation Iraqi Freedom. Deborah is here with her three children, Mariah and two sons, Jack and Will. She currently lives in Jacksonville, North Carolina, and made this trip up today as a woman who has been through the loss of her husband, has worked through the process that surviving spouses must deal with in raising three young children.

Deborah's story, along with the stories of Mrs. Petty and Mrs. McCollum, who will testify this morning, can provide this Committee a first-hand insight into what we should do and how we can make the process better, and specifically what changes need to be made in the benefit structure that we are able to provide.

I personally want to thank Deborah for making the trip up today. I believe I can speak for all of us in saying that we can never thank the individuals that are affected enough for the sacrifices that have been made.

But I ditto the comments of Lindsey Graham. We can act. We can do the things that we have said we should do, the things we know we should do, and to take away the element, the question that surviving spouses have, and that is how do I survive and how do I take care of a family now that we have got one that is not there.

Mr. Chairman, again, I thank our witnesses for their willingness to be here. I thank the Members for the passion that they show. I look forward to the progress under your leadership.

Chairman CRAIG. Senator Burr, thank you very much, and thank you for introducing Deborah.

Deborah, this Committee is here to also hear from you. At any point you would want to visit with me or our staffs or certainly your Senator, and with any additional information, we would be happy to take it and supply it for the record.

Now let me turn to another Senator who has just entered, the Senator from Illinois, Senator Obama. Do you have any opening comments you would like to make?

**OPENING STATEMENT OF HON. BARAK OBAMA,  
U.S. SENATOR FROM ILLINOIS**

Senator OBAMA. Thank you very much, Mr. Chairman, Members of this Committee. I simply want to thank the witnesses here and their families for the enormous service that they have rendered to this country, the sacrifices that have been made.

I am new to this Committee, but one of the advantages, I think, of traveling in a large State like Illinois during the course of the campaign is the opportunity to meet all the military families, members of the National Guard, Reserves, and just get a sense of how significant their sacrifices are. In every small town all throughout Illinois, you will meet people who not only have volunteered, but families who are proud of the services that are rendered.

One of the concerns, I think, that I have had is that although we are very good at honoring our troops during the course of a war when they are in uniform, that oftentimes it seems as if once the spotlight is off of them, they are forgotten. I know that this Committee and the Members of this Committee share my commitment to make sure that that is not the case.

This particular issue of what are we doing for these families when their loved ones are gone is of critical importance. I expect that this Committee will not only use this testimony to inspire our words, but also hopefully inspire our deeds, because ultimately, it is not enough for us just to talk about honoring our troops. We are going to have to also make sure that we follow through on it and that is going to require a commitment of resources that so far has not been forthcoming.

So I congratulate those Members of the Senate who have taken it upon themselves to focus on this issue. I thank you for helping us put a face to these issues and I am very much looking forward to your testimony.

Chairman CRAIG. Thank you very much, Senator. Let me thank all of my colleagues for joining us this morning.

And now, let us turn to our two panels. Our first panel, we have five witnesses. First is a distinguished Idahoan, Mrs. Tiffany Petty,

surviving spouse of Army PFC Jerrick Petty, who was killed in a firefight outside Mosul on December 10, 2003. Mrs. Petty has two children at home in Idaho, 4-year-old Azerdon and 2-year-old Jerrick.

Mrs. Jennifer McCollum, surviving spouse of Captain Dan McCollum, who was killed in a plane crash in Pakistan on January 9, 2002. Mrs. McCollum has one child, Daniel Junior, who was born 5 months after Captain McCollum was killed.

Mrs. Bonnie Carroll, chairman and founder of Tragedy Assistance Program for Survivors. Mrs. Carroll was gracious enough to testify in place of actor and comedian Ben Stein, who had a last-minute conflict, I understand some health problems. So you are an exceptional replacement.

[Laughter.]

Chairman CRAIG. Bonnie, we appreciate you being with us. She is the surviving spouse of Brigadier General Tom Carroll, who died in an Army C-12 plane crash in 1992.

Mrs. Edith Smith, Legislative Committee Member of the Gold Star Wives of America. Senator Murray has already spoken of your phenomenal services and the service of your organization. Mrs. Smith is the widow of Lieutenant Colonel Vincent M. Smith, who died as a result of service-related injuries.

And last, but certainly not least, Kathleen Moakler, Deputy Director within the Government Relations Department of the National Military Family Association.

We welcome all of you, and Tiffany, we will turn to you to offer your testimony. We would ask you to pull the microphone as close as you wish. There is a little button on the bottom of it that you will need to activate. Welcome before the Committee.

#### **STATEMENT OF TIFFANY PETTY, SURVIVING SPOUSE**

Mrs. PETTY. Thank you. Thank you very much. I am very honored to be here. I never thought that I could be able to make a difference in my life, and when I got the phone call to be asked to come up here and speak to the Committee, I was scared to death and now I am just extremely happy. Anything I can do to help to make things different for other people that have to go through the same circumstances, that is why I am here, just to do whatever I can.

There are quite a few things that I really wanted to put focus on. As far as the Casualty Assistance Officers, the first officer that I had was very wonderful to me. He had a very difficult job to tell me about the fact that my husband was dead. Unfortunately, I did not have him for very long.

The second officer that I had did do his absolute best to help me as much as he could, but he was not educated in the things that came after the funeral, the things that I needed to know as far as insurance, Social Security, what kind of benefits were available for my children, and everything that comes afterwards. He tried to do everything that he could. He tried to get to the right people to get me the answers that I needed. Unfortunately, he just couldn't do what he needed to do.

I ended up getting more help from the soldiers that were not obligated to help me. The soldiers that were with my husband in Iraq

are the ones that helped me get my furniture home, the ones that helped me get a new military I.D. card, the ones that had been there just for a phone call, when I needed somebody to cry to, when I needed to hear the good things that my husband did while he was over there. That is when the soldiers were there to help me.

Social Security has been good to me, as much as they could. I have had one incident where I had to make a phone call and the lady I talked to on the phone was not the best to me. She was condescending and rude. Unfortunately, I had to deal with that, but we did get through the problem. We did get it fixed and now I am not having any more problems with Social Security.

Really, I can't think of anything else that was a major problem right off the top of my head. I did not have a speech written. I am not good at those. I usually just look at the paper and look away and start talking on my own. So if I miss anything, I apologize.

Really, the biggest thing that I wanted to put focus on was the fact of the soldiers that were helping me that did not need to help me. I think it is very important that people do know that there are so many soldiers out there that are coming home afterwards that have been injured and their families have to take care of them. It is just like losing your loved one in the war when you have got to take care of one that cannot take care of himself or herself. I believe they need to be taken care of, as well.

The soldiers are very wonderful people and I think they all need to be recognized for that.

Chairman CRAIG. Tiffany, thank you very much for that testimony. We will come back to you for questions and any additional thoughts you might have as the hearing and the panel progresses this morning, but we do appreciate you traveling here from Idaho and offering your heartfelt thoughts to the Committee.

[The prepared statement of Mrs. Petty follows:]

PREPARED STATEMENT OF TIFFANY PETTY, SURVIVING SPOUSE

Thank you for the opportunity to speak. I am very honored that you picked me to represent so many men and women. If what you hear from me makes a difference in the way things are done in the event of another family's loved one's death, then I have accomplished my goals. I could not ask for a better chance to make a difference. Thank you for listening to what I have to say.

The first issue I would like to address is with the notification of Jerrick's death from the Army. I was officially notified from the Army of Jerrick's death the day after his parents were notified. My sister-in-law called me after an officer went to the family. She called me to see if I was doing okay. I was not happy with finding out from my in-laws, hours after they were told, about my husband's death. I believe the Army should make sure they have immediate family's information updated regularly so that the spouse is notified immediately, rather than the day after the parents are notified. The spouse should always be the first notification, even if it has to be delayed.

The first casualty assistance officer that worked with me was good. I do not have any complaints about the way he treated me. Unfortunately I did not work with him long. I was handed over to another officer within a couple of weeks that was not trained or knowledgeable for being an assistance officer. He tried to be as much help as he could, and he was very kind and considerate of my needs, but he was not able to answer questions or help me with certain needs. He would try to get questions answered for me by asking others, but he could not find the right people to talk to.

The casualty assistance officers were very kind and very businesslike, but yet personal. It was obvious that they had feelings about what they had to do, and considered my feelings the entire time, with all information given. I wanted to know what had happened to my husband, and they told me that he was killed almost instantly.

I later learned that he was flown by helicopter to a hospital where he fought for his life for two hours. He was able to communicate to a fellow soldier by squeezing his hand when he was asked questions. All of this information was very important to me. The problem was that I was given information that could be verified later by his fellow soldiers and I should not have been given inaccurate information of any kind. The casualty officers should know all information is verifiable at some time. If they do not know the circumstances surrounding the loved one's death, they need to say that rather than just trying to make the family feel that their loved one did not suffer.

The casualty officer had one very specific task that we know was incredibly difficult for him. At the time he handled it very diplomatically. I had to choose how to send my husband's body home. There was a piece of his body missing, and I had to choose whether to send him home with or without it. It was a terrible question to ask, but I am glad they gave me the choice to have him sent home sooner without it, or later with it. It was the right thing for them to do, even though it was very hard on my part and his. He handled it very honorably, and with compassion and diplomacy.

The casualty assistance officers have a very difficult job, and they treated me with the utmost respect and kindness. I believe they did their best with the information they were given, but they do need to be more educated about the tasks that come after the burial. When I had questions about benefits available, or simple things like moving my furniture to Pocatello from the base in Kentucky, they were not able to help me. They did not have the answers I needed, and they did not know how or where to get the answers. In my opinion, that does need to be remedied.

The monies given to me directly after my husband's death to take care of expenses was not nearly enough. I had to use that money for air fare to get home, funeral flowers, burial plot, and for getting immediate family from areas of Nevada and Idaho to the place of the funeral. A lot of families in this day and age cannot afford to travel long distances to attend their loved one's funeral without assistance. I was told that the initial check after his death was for that reason, but it was not enough to pay for immediate family, for the kids and I to fly from Missouri to Idaho, and the extra funeral expenses.

The Army was very gracious to provide the National Guard Armory free of charge to hold the funeral. Everyone there was very good at helping with all the arrangements. Because of a pending protest, our family felt secure with having the funeral and viewing there where cameras and interviews were not allowed. Anyone that tried to sneak in was quickly removed from the building before the family was bothered. As a result of the Army's cooperation the protest did not happen, and the news media was kept at bay. One of the soldiers, Lieutenant Marsano, also kept a sharp eye at the grave side. We did have some news media sneak in at that point. Lieutenant Marsano very quickly removed them, and again we were not bothered. I am very thankful for the men and women that helped during that time. They volunteered their help, and they were very thorough at keeping the funeral as peaceful as they could.

After the death of my husband, I needed to fly home to take care of the funeral. The Army didn't have anyone to escort me, which in my situation was very important. At the time I was a young mother with two babies, and I was not in any condition, due to major surgery, to travel in a hurry for an undetermined amount of time. I needed accompaniment and the Army should have at least taken care of the airfare for the children and I, and my aunt and uncle to accompany me. My aunt couldn't bring me and the children home because her son had been in an Army accident days before in Iraq, so she should not have been left alone and could not accompany me alone. My uncle had to come with us to help me with the children. If he couldn't make it, someone from Idaho would have had to fly to Missouri to help me and the children get home. The cost would have been more if we had to do that. Keep in mind that most "families" are usually at a base, not near their home, and when given the news of a death they need to find a way home. There are other young mothers that have medical problems as well. The Army needs to be aware and sympathetic to these mothers. I was fortunate enough to have people to help me, but there are others that do not have the same good fortune.

When I spoke at a local Veteran's Day Celebration (October 2004), I learned that the Army had not yet paid for my husband's funeral expenses at a local funeral home. It should not have taken the Army 9 months to pay for this. This is not the kind of thing the family remembers to follow up on during a time of grief and mourning. The Army should have been on top of this, even if the survivor has items they are responsible for. The Army should also be clear with the survivors, so that they know what they are responsible for. If the first initial check was for this, they should have told me at the beginning.

We did have problems with the headstone at Jerrick's grave. Jerrick was buried on December 20, 2003, and when I went up to his grave a little over a week before Memorial Day, the headstone still had not been placed. I was very upset by this. The headstone should have been placed soon after he was buried rather than 5 months later. After some phone calls and a couple of headaches we were able to get the headstone placed a week before Memorial Day. The families would like to visit their loved one's grave and not have to worry about whether or not everything will be done the way it is supposed to be. This is not the kind of thing the families are supposed to worry about. The Army should have been on top of this.

I have had quite a few problems with Social Security. Social Security keeps inconsistently changing my home address for my checks. I purchased a home and put in a change of address immediately. My home address was re-forwarded to my old address, a rented apartment, twice already. When I called the last time to find out why I wasn't receiving my checks I talked to a representative that was very rude and condescending. She told me that the address had been changed and I asked her why. She could not tell me how it had happened. I know that I did not put in the change so I was a little upset that it had happened a second time without my knowledge or permission. I asked what I could do to fix the problem and she could not give me a straightforward answer. I told her that I could not understand what she was trying to explain, so I asked her to go over everything one more time a little slower and more efficiently. She then asked me if I was "stupid", and I was appalled. She then went on to tell me that I should talk to someone else in the home office in Pocatello, Idaho because I was too ignorant to understand her. I couldn't believe that I was being spoken to in such a manner. I had explained to her that I needed to get the problem solved as soon as possible because I have to rely on those checks every month to support my family, and that I couldn't go another month without those checks. She told me that she was not concerned with that. I did not get anything solved with that phone call. The office in my home town wasn't helpful either. I ended up calling again later and got the problem solved within just a few minutes once I got to speak with someone.

I have also had problems with trying to talk to someone with Social Security. I am a single mother of two small children so I don't get a whole lot of time to sit on the phone for long periods of time during calling hours. Children require constant care and attention when they are the age of three and under. I do not have the time to sit on hold for ten to twenty minutes to talk to someone, and sometimes when you do get through the representatives are impatient and rude. Again, I believe this is a problem that needs to be remedied.

I was happy that the Army provided our family with life insurance. That has helped greatly, but I do have a couple of issues that should be addressed.

Before my husband left for Iraq, I learned that he had signed all of the insurance policy over to his parents. I immediately talked to him about it, so he changed it to 60 percent of it to me and the children, and the other 40 percent to his parents. I didn't know how much he left to us until his death. What bothers me most about this situation is that I have quite a few medical problems, and I have not been able to work for the last few years because of them. He knew that I would have to depend on this life insurance to raise the children, but he still left almost half of it to his parents. I did open another life insurance policy on him just days before he left for Iraq. This was after he signed the paperwork for the Army life insurance and before I knew how much he had left to his parents in the event of his death. We were very fortunate that we had that extra life insurance policy, but other families may not have that opportunity.

The question I have about this situation is that is it ethical for soldiers to leave their life insurance policy to parents instead of their spouse and children? The surviving spouse is the one to take care of the children for the rest of their growing years, and they might have to depend on that life insurance policy. Should the soldiers be able to give it away to family not in charge of the care of his or her children? Does the Army educate their soldiers of the importance of additional life insurance and how to distribute it?

I am very thankful for the TRICARE medical insurance. If I did not have the insurance I would not have been able to get a lot of my medical problems taken care of. There are some issues that need to be addressed in this area as well. I do not live close to a VA hospital so there are some things I do not get covered for. For example, I have to wear glasses or contacts. TRICARE insurance does not cover the fees for the doctor's visit, prescription, or the glasses or contacts. From the information I have gotten from friends who are soldiers, I must go to a base or VA hospital to get coverage. Unfortunately the nearest to either places is at least two-and-a-half to three hours away. I do not have the time or means to drive that far just for glasses, contacts or prescription. By doing all of this in my home town it costs more than

what I can really afford. When I have to pay a couple hundred dollars just to see, out of my pocket, it takes away from the regular expenses I need to take care of each month. Where I have only the Social Security and VA checks to depend on each month, I cannot afford to spend so much money on things other than my monthly expenses. If my children were to need glasses, would the insurance pay for them?

Another problem I have with the insurance is the care I get from doctors in this area. I will not go see my primary physician unless I absolutely have to. He misdiagnosed my cancer and he would not immunize my children. I had to take my children to the local Health and Welfare department to get their immunizations, and I ended up in emergency surgery for the cancer and a hernia. I am not at all happy with the care, but I can't get the information I need to know how to change doctors. I do not know how to find out who takes TRICARE in this area either. I have plenty of insurance questions, but I do not know where or who to get the answers from.

I have received a lot of support from the community and from the soldiers that were with my husband in Iraq. I greatly appreciate the help I have received from the people that it is expected from, but the most help and support has been from the people that are not obligated to do so.

The most support I have received altogether has been from the soldiers that were with my husband overseas. The soldiers from Fort Campbell have answered all the questions I ever had about my husband while he was in the Army, and they have been kind enough to share some wonderful stories of the things he did while he was with them.

When I moved to Idaho I left all of our belongings in storage on the base. When I learned of Jerrick's death I came home with my immediate belongings only. Just the things that would fit into luggage bags for the plane ride home. I did not know exactly where any of the items were stored, so I did not know how to get any of it back. For months I did not have a crib for the baby, clothing, beds, etc. The casualty assistance officers did not know how to track any of it down either. After the soldiers got back from Iraq, they called me and asked if I would come visit them. While I was there they got my belongings shipped home, they helped me get a new military identification card, and they answered any questions I had surrounding Jerrick's death.

I have a big military family so I do get to see a lot of what kind of support our soldiers that are coming home are getting. The soldiers that are coming home alive are still heroes. I have seen some problems with how they are dealing with life away from war. I see that they are still living in an idea of war even though they are not overseas. I believe they need to have some extra care when they get home too.

Chairman CRAIG. Now let us turn to Mrs. McCollum. Jennifer, please proceed.

#### **STATEMENT OF JENNIFER McCOLLUM, SURVIVING SPOUSE**

Mrs. McCollum. Chairman Craig, Ranking Member Akaka, Members of the Veterans' Affairs Committee, thank you for the opportunity to appear before you this morning.

Mr. Chairman, before I proceed with my oral remarks, I ask that my written statement, which contains a more detailed accounting of my experience following my husband's death, be made part of the record.

Chairman CRAIG. Thank you, Jennifer. All of your full statements will become a part of the record, and please proceed.

Mrs. McCollum. Thank you, Mr. Chairman. I am honored to be in your presence for the purpose of sharing a little bit of my story as a war widow in hopes to better this road for those unfortunate enough that will follow.

My husband, Captain Dan McCollum, was killed 3 years ago in America's response to the terrorist attacks on our country. Acknowledging that there are simply no words to wrap around the event when a military bride hears, "We regret to inform you," from her husband's commanding officer, I would like to share some of the disconnect and misnomers that currently exist in the survivor



benefit program that our Nation is offering its war widowed and orphaned.

I would like to comment on a report that was published last year, the report to Congress requested in Section 647 of the National Defense Authorization Act of 2005, also known as the SAG Corporation's Review of Military Death Benefits. I would like to highlight that in this report, many things are assumed to be happening, such as transition assistance. Firsthand, I can confirm that the support and services are not consistently reliable, if even present.

Upon the death of my husband, I was assigned what the U.S. Marine Corps calls a Casualty Assistance Calls Officer or CACO for short. I was told that he was my "go-to" guy and that he was assigned to me for 1 year. My CACO was shortly thereafter deployed. My original CACO was first and foremost a Marine Corps pilot. I do not begrudge that. What I do want to highlight is the lack of continuity that the U.S. military has made in almost every casualty assistance of which I am aware.

My situation is not unique, and as a matter of fact, I am discovering that casualty assistance is increasingly failing miserably and sometimes disgracefully. Successful casualty assistance is not the rule. It is quite the exception. Not only is there a lack of continuity, but casualty assistance is a "learn as you go" for officers that otherwise have jobs that need to be done for their unit or squadron.

One widow has reported that her Casualty Officer was informed by his unit that he had a day job and the casualty assistance was to be done after hours. Another widow shares that her Casualty Officer retired 45 days after her husband died and was not replaced. And yet more widows have shared that their Casualty Officers dropped from the radar screen just after the funeral. This is certainly not the military taking care of its own.

Although this isn't a personal experience, it is vital that I share with you that I have been in contact with several widows who are still waiting on payment or reimbursement for their husbands' funerals. I cannot attest to what went wrong or how this even became an issue. It is a clear injustice to our grieving families and requires immediate rectification. This is a prime example of families falling through the cracks in a system that is not working.

Family members or dependents are led to understand that we have 3 years of active duty status in and of the military community following the death of our active duty sponsor. Upon the commencement of the fourth year, the dependent family is then considered retired.

Six months after my husband died, I had emergency dental work that needed to be done. I later found out that the damage was due to grinding my teeth related to stress. At the time of injury, I was informed that I was not eligible to enroll in United Concordia, the active duty service provider. I was told to contact the retiree service that is provided through Delta Dental. Financially, it was not a prudent choice for me to enroll in this unanticipated program. I ended up paying a dentist out of pocket for my dental repair as insurance would have been a bit more costly.

We were also told that we would have legal and tax assistance. As it turned out, the legal department was so apparently overtasked that probate on my husband's estate was not completed and

filed, an issue that I had to revisit unexpectedly 2½ years later. My taxes, having been handed over to the tax office at the local Marine Corps base within a month of my husband's death, were not prepared for filing until over 7 months later.

Also, I explored the option of traveling via space available flights. To my surprise, widows and orphans are one of the very few groups that are excluded from using the service. Space "A" flights are available to active duty, active duty dependents, retirees, and retiree dependents, but not to family members of those who have died in the line of duty.

I was also told that I would be provided a final move. I was not informed that there was a statute of limitations on this provision. Two years after my husband was killed, I prepared to move out of our home, only to find that the time period for this final move had elapsed. Thankfully, a few gracious hearts, a few phone calls, and ultimately a waiver, I was provided the move. Bottom line, I was unaware of this even being a situation until it appeared too late.

Additionally, when I moved from California to Florida, I knew that I needed to contact TRICARE about relocating. However, I did not anticipate the reception, or lack thereof, that I was about to receive. It became immediately clear that I needed to defend the guidelines of 3 years of active duty status. I was told by the lead office clerk that I was not considered active duty, the statute of limitations had passed, and I needed to submit paperwork for retired status of care.

Significant misinformation exists further regarding health benefits once we enter the retired status, a situation of which I have just arrived. I received a warning call, if you will, from another war widow whose husband was killed alongside mine. She informed me that while she was at her local military treatment facility, also called an MTF, for a scheduled appointment, she was informed that she was no longer eligible to receive services there. I called TRICARE upon hearing her story and was shortly thereafter informed that I, as well, was not eligible to receive services at my local MTF.

I additionally discovered that my 2½-year-old son and I had been downgraded in health care coverage from TRICARE Prime to TRICARE Standard. I was then also told that if I wanted to reestablish my coverage with TRICARE Prime, the earliest it would go into effect would be late March, 2 months away.

The most concerning aspect to me was not specifically the continued lack of communication or the generalized lack of knowledge among the TRICARE representatives, but rather the fact that my child was now ineligible to continue to receive services under a medical program in which I moved for. My relocation from San Diego, California, to Jacksonville, Florida, was primarily based on the fact that we would be able to continue to receive care at the local military treatment facility. Imagine my surprise when this was no longer the case.

Also, I fully support the repeal of the SBP/DIC offset, as introduced by Senator Bill Nelson under S. 185. These two benefits do not complement each other in reciprocal dollar-for-dollar purposes and therefore needs to be rectified. Please take note that Federal

Civil Service dependents do not lose SBP benefits when receiving DIC payments.

I additionally request the child option be made retroactive to September 11, 2001, in regards to SBP. As it currently stands, a child option is available if the servicemember died after November 24, 2003. My family, therefore, is ineligible for this option. Furthermore, add the option of turning over the full SBP to a child of that family specifically when and if the unremarried spouse remarries. My concern is that legislation, as it currently stands, does not encourage remarriage for the widowed spouse. Rather, it penalizes a remarried status.

And finally, it is understood that if a spouse were to divorce her husband after 10 years of marriage, all the while being active duty in the U.S. Armed Forces, the spouse is entitled to at least 50 percent of the member's retired pay. A discrepancy exists between that of a widow and that of a divorcee. Upon remarriage, that divorcee is still entitled to half of her husband's retired pay. Upon remarriage, a widow is not entitled to anything, specifically concerning when children are involved. Of course, this is after acknowledging that the widow is not even entitled to her husband's retired pay at all as DIC offsets it.

In closing, these examples are but a mere biopsy of the current conditions. Change is absolutely necessary. On behalf of all war widows, we need your help. Thank you for your time.

Chairman CRAIG. Jennifer, thank you. That is very valuable testimony.

[The prepared statement of Mrs. McCollum follows:]

PREPARED STATEMENT OF JENNIFER MCCOLLUM, SURVIVING SPOUSE

I am honored to share with you a little bit of my story as a war widow in hopes to better this road for those unfortunate enough that will follow.

My husband, Capt. Dan McCollum was killed 3 years ago in America's response to the terrorist attacks on our country. My husband was a KC130 pilot for the United States Marine Corps. Acknowledging that there simply are no words to wrap around the event when a military bride hears, "We regret to inform you . . ." from her husband's commanding officer, I would like to share with you some of the disconnect and misnomers that currently exist in the survivor benefit program that our Nation is offering its war widowed and orphaned.

I would like to comment on a report that was published last year, the report to Congress requested in Section 647.NDAA05. The SAG Corporation finalized a "Review of Military Death Benefits" in April of 2004. Many items highlighted in this report, are none the less important from the other. It is noted that Congress particularly expressed concern that:

- The Government of the United States properly recognize the significant sacrifice entailed in the loss of life by members;
- The death benefits offered to civilian victims of terrorism may outstrip those offered to military members who are also victims of terrorism;
- The death benefits offered to military members have not kept pace with benefits offered by other employers; and
- Servicemembers' Group Life Insurance (SGLI) requires members to pay premiums and does not provide a guaranteed minimum benefit (participation in SGLI is voluntary). [page 5]

Also, I would like to highlight that in this report, many things are assumed to be happening, such as transition assistance. First hand I can confirm that the support and services are not consistently reliable, if even present [see page 6].

Upon the death of my husband, I was assigned what the U.S. Marine Corps calls a "Casualty Assistance Calls Officer," CACO for short. I was told that he was my "go-to guy" and that he was assigned to me for 1 year. My CACO was subsequently deployed, as all Miramar based C130 pilots were during Operation Enduring Freedom. My initial CACO, a dear friend to me and my husband, was first and foremost

a U.S. Marine Corps pilot. I do not begrudge that. What I do want to highlight is the lack of continuity that the U.S. military has made in almost every casualty assistance of which I am aware. My situation is not unique, and as a matter of fact, I am discovering that casualty assistance is increasingly failing miserably and disgracefully. Successful casualty assistance is not the rule, it is quite the exception. Not only is there a significant lack of continuity, but casualty assistance is a "learn as you go" for officers that otherwise have jobs that need to be done for the unit or squadron to continue and maintain. One widow has reported that her casualty officer was informed by his unit that he had a day job and the casualty assistance was to be done after hours. Another widow shares that her casualty officer retired 45 days after her husband died and not replaced. And yet more widows have shared that their casualty officers drop from the radar screen just after the funeral. This is certainly not the military taking care of its own.

Although this is not a personal experience, it is vital that I share with you that I have been in contact with several widows who are still waiting on payment or reimbursement for their husbands' funerals. I cannot attest to what went wrong or how this even became an issue. It is a clear injustice to our grieving families and requires immediate rectification. This is a prime example of families falling through the cracks in a system that is not working.

Family members, or dependents, are led to understand that we have 3 years of "active duty status" in and of the military community following the death of our active duty "sponsor." Upon the commencement of the 4th year, the dependent family is then considered "retired."

Six months after my husband died, I had emergency dental work that needed to be done. I later found out that the damage was due to grinding my teeth, related to stress. At the time of injury, I was informed that I was not eligible to enroll in United Concordia, the active duty service provider. I was told to contact the retiree service that is provided through Delta Dental. Delta Dental's premiums and insurance rates are much more than that of United Concordia. It has been explained to me that the reason for this costly difference is that Delta Dental (the retiree plan) is not subsidized by the Government while United Concordia is. Financially, it was not prudent choice for me to enroll in this unanticipated program at that time. I ended up paying a dentist out of pocket for my dental repair, as insurance would have been more costly. I have come to learn that I am not alone in this as other widows have also been left out of services in which they would otherwise meet eligibility requirements had they enrolled prior to their husband's death.

Also, as I was 15 weeks pregnant with our son at the time of my husband's death, I had the arduous task of enrolling our son into the military health care computer system, DEERS after our son was born. It has also come to my attention that enrollment of these children, born after their fathers have been killed, continues to be wrought with difficulties and bureaucratic red tape.

We were also told that we would have legal and tax assistance. As it turned out, the legal department was so apparently over-tasked that probate on my husband's estate was not completed and filed, an issue that I had to revisit unexpectedly 2½-years later. I would be remiss if I didn't share that most of us were unaware of legalities surrounding a death of a spouse. Legal terms, such as "probate" carry little meaning to a young woman who was previously, as an example, most concerned about which preschool her child should attend or what birthing class she and her husband should sign up for. Additionally, my taxes, having been handed over to the tax office at Miramar within a month of my husband's death, were not prepared for filing until over 7 months later.

Also, I explored the option of traveling via space available flights for CONUS and OCONUS flight operations. To my surprise, widows and orphans are one of the very few groups that are excluded from using this service. Space "A" flights are available to active duty, active duty dependents, retirees and retiree dependents but not to family members of those who have died in the line of duty.

I was also told that I was to be provided a final move. I was not informed that there was a 12 month statute of limitations on the provision. I had made, in retrospect, a very sound decision in the first few days following the death of my husband. I chose not to make any major decisions for at least one whole year. Upon the second anniversary of his death, I prepared to move out of our home, only to find out that the time period for this final move had elapsed. Thankfully a few gracious hearts, a few phone calls and ultimately a waiver, I was provided the move. Bottom line, I was unaware of this even being a situation until it appeared too late. Without a CACO, I relied on friends that luckily had not transferred out of the area or were deployed to assist me on where to go for requests, what paperwork to bring and in some cases, what to fill out on the paperwork. Understand that in the military community, this can be considered rare as it is a transient community to say the least.

Additionally, when I moved from California to Florida, I knew that I needed to contact TRICARE about relocating. However, I did not anticipate the reception, or lack thereof, that I was about to receive. It became immediately clear that I needed to defend the guidelines of “3 years of active duty status.” I was told by the lead office clerk that I was not considered active duty, statute of limitations had passed and that I needed to submit paperwork for a retired status of care. She backed down shortly after I was brought to tears in the waiting room by this banter. It wasn’t until this individual researched her demands and the details that the situation was remedied. However, that didn’t negate the fact that I was immediately put on the defensive and made very well aware of the lack of working knowledge in this department (TRICARE).

Significant misinformation exists further regarding health benefits once we enter the retired status, a situation in which I have just arrived. It was my understanding that within the month of the servicemember’s death, the surviving spouse was to contact TRICARE and re-enroll in the system from active duty to retired. I received a warning call, if you will, from another war widow whose husband was killed alongside mine. She informed me that while she was at her local military treatment facility (MTF) for a scheduled appointment, she was informed that she was no longer eligible to receive services there. I called TRICARE upon hearing her story and was shortly thereafter informed that I, as well, was not eligible to receive services at my local MTF. I additionally discovered that my 2½-year-old son and I had been downgraded in health care coverage from TRICARE Prime to TRICARE Standard. I was then further informed that if I wanted to re-establish my coverage with TRICARE Prime, the earliest it would go into effect would be late March—2 months away. Admittedly, I was in tears at this new revelation and finally was able to focus on just understanding exactly the status of the new terms surrounding our medical coverage. I was told that it would only cost \$115 every 3 months, or \$460 per year, for my son and me to get back into the TRICARE Prime. Irregardless of the program I chose, we are still not eligible to go to the MTF for care as they have stopped taking non-active duty patients. Needless to say, I will not be able to schedule any of the follow-up appointments that I have for current treatments and ongoing care. It took two complete days to reach a local TRICARE representative in the Jacksonville area. I was, at that time, told that it would cost me in upwards of \$4,000 annually to continue in the TRICARE system, a fact that was soon corrected when I questioned the program as it applies to retirees. This is yet another example of the lack of working knowledge of this department. The most concerning aspect of this to me was not specifically the continued lack of communication, or the generalized lack of knowledge among TRICARE representatives, but rather the fact that my child was now ineligible to continue to receive services under a medical program that I moved for. My relocation from San Diego to Jacksonville, FL was primarily based on the fact that we would be able to continue to receive care at the local MTF. Imagine my surprise when this was no longer the case. I’m not sure how much I was understood when I shared with the TRICARE representatives to be aware of what was getting ready to happen in that there will be many, many widows like me soon to follow. (As my husband was one of the first killed in action after the terrorist attacks, I have come to that 3-year mark ahead of most.)

Another thing to highlight is the reported disparity of line of duty death benefits for military personnel and other public services and private sectors. The bottom line appears that the benefit plan that is provided to the families of the men and women who put their country before their family, who put the freedom of this country before their own personal gain and have paid the extreme in ultimate sacrifice merely appears to be just simply a good intention, rather than a reality.

The report generated by the SAG Corporation clearly supports and defends Senators Sessions and Lieberman’s proposals of increased death gratuity and an increase in life insurance policies under the HEROES Act of 2005. It appears to me that this act has made tremendous strides in attempting to catch up to what the other first line defenders of this country are offering to their surviving families.

I would also like to underscore the indexing of cash benefits to the military wage level and request that Cost of Living Allowances, Basic Housing Allowance and other items in a servicemember’s monthly income take in a serious level of consideration, as these items are excluded from the equation when base pay is considered, however they are not excluded when a family prepares a budget. I request a strong level of support for this legislation and further request that the process occurs in an expeditious and efficient manner without unnecessary bureaucracy and needless demands.

I fully support the repeal the SBP/DIC offset as introduced by Senator Bill Nelson under S. 185. These two benefits do not compliment each other in reciprocal, dollar

for dollar purposes and therefore need to be rectified. Please take note that Federal civil service dependents do not lose SBP benefits when receiving DIC payments.

I additionally request the child option be made retroactive to September 11, 2001. As it currently stands, a child option is available if the servicemember died after November 11, 2004. My family, therefore, is ineligible for this option. Furthermore, add the option of turning over the full SBP to a child of that family, specifically when and if the un-remarried spouse remarries. My concern is that the legislation, as it currently stands does not encourage remarriage for the widowed spouse, rather penalizes a remarried status.

It is understood that if a spouse were to divorce her husband after 10 years of marriage, all the while being active duty in the U.S. Armed Forces, this spouse is entitled to at least 50 percent of the member's retired pay. A discrepancy exists between that of a widow and that of a divorcee. Upon remarriage, that divorcee is still entitled to half of her husband's retired pay. Upon remarriage, a widow is not entitled to anything—specifically concerning when children are involved. Of course, this is after acknowledging that the widow is not even entitled to her husband's retired pay at all, as DIC offsets it. (As another example: in a two marriage situation, the first wife can have SBP and the second wife can have DIC without offset.)

I would like to share a situation, although remedied, should be known. Four months following the death of my husband, I, along with the other "next-of-kin" family members to the six other individuals that died alongside my husband, received a survey in the mail. We were asked to rank our experiences, selecting between four to five choices, on a page full of questions surrounding the death of our loved one, notification of the death, the burial and communication of the Casualty Assistance Calls Officers. Not only was this perceived as thoughtless, but at 4 months following the most crushing event in our individual lives, as survey was not the way to go about obtaining information. Communication was made between Headquarters Marine Corps, Commanding General of Manpower. This survey, as we were told, was no longer distributed.

The following are notes from a Casualty Assistance Calls Officer with whom I am familiar. His insight, I feel, will be useful in gaining a more detailed understanding of some frustrations CACOs experience and lack of information flow.

#### CASUALTY ASSISTANCE PROGRAM

1. The Casualty Assistance Program has grown in the USMC since 2002; however, the training is still limited. Normally, an Officer or Staff Non-Commissioned Officer is assigned as a Unit CACO. Then, they are required to go to a class that normally lasts 1 day. The class consists of a long slide presentation and a question and answer period. No Casualty Assistance Drills are completed and the CACO leaves the training only somewhat prepared to support a surviving family or spouse. With the recent deployment schedule, deploying units are normally do not have the manpower to adequately handle the long-term requirements most families and spouses would have for CACO support. Currently, HQMC has a Casualty Support Division, but they also face the same manpower issues that the Fleet Marine Force faces. Suggest restructuring the Casualty Assistance Division by dividing the United States into four sectors (N/S/E/W) to provide better support and tracking. An office in each sector could provide more in depth classes for the unit CACOs, better tracking for changes to benefits and more complete followthrough on payment of all benefits.

2. Changes in Survivor Benefits occur very often and the units are sometimes unaware. A good example is the Death Gratuity, which was increased to from \$6,000 to \$12,000. There needs to be some process involved that identifies when changes in Survivor Benefits occurs and then notifies the families affected by the change. Again, this needs to be handled by an office that has the sole responsibility of supporting Next of Kin. Normally, Marines within units PCS every 3 years or they are deploying and cannot completely focus on the needs of the Next of Kin. Surviving families need to be a priority for the USMC.

3. Newly approved campaign medals are normally not presented to surviving families in the proper manner. Mailing the medals should not be an option. Men and women sacrificed their lives for these medals and in their honor medals should be hand delivered. This shows the most respect for the servicemember's honorable service. This may be difficult to coordinate, but a phone call and a little effort the families will be very appreciative.

4. The military draws a line between who the squadron should be working with in terms of Casualty Assistance. For example, the squadron chose to work directly with you and really did not contact Betty. She did have a CACO in South Carolina, but those CACOs normally follow the process and then lose contact. This seems like

a cold process and it is. There has got to be a better way to do this. Also, in Mary Ellen's case, Beverly was very upset with the squadron, since most of our contact was with Mary Ellen rather than her. Our guidance was to focus on spouses rather than parents.

5. Some of the rules that we are required to follow make little sense. For example, if a widow would have had her husband's funeral locally in San Diego, the USMC would not have paid for the servicemember's parents to fly into San Diego. Since the widow would have declined her option to fly to a funeral, the USMC would not pay for any part of his family to fly in. I understand the USMC is trying to avoid paying for aunts, uncles, etc. In this case, we are talking about immediate family. We need to use more common sense in dealing with next-of-kin. Some rules are too restrictive and they make the USMC look bad.

6. Issues with housing. Surviving families are only given 6 months to remain in Base Housing or they are paid 6 months of BAH. This is another instance where we may need to use common sense. Especially when dealing with children or exceptional family members. Sometimes putting the 6 month restriction may require a family to move during the school year. The children's lives are disrupted enough, now they will be taken away from their friends. As a CACO, I felt at times we were forced to pressure families to make tough decisions (i.e. Where to live the rest of their lives?) within a 6 month period. Most surviving spouses were still grieving after 6 months. Moving away from the unit support structure is not always easy. Suggest possibly looking at each case individually and doing away with the 6 month timeline. It is unrealistic.

7. Military Pay. Immediately when the Personnel Casualty Report (PCR) is released, the servicemember pay is stopped. These families are normally asked to wait 2-3 months for their husband's back pay to be paid in full. For example, Capt Dan McCollum's pay was stopped on 9 Jan (when he died) when the PCR was sent to DFAS Kansas City. It wasn't until late Feb-early March that a check was received for his back pay. (Base Pay 1-9 Jan 02/Flight Pay/Imminent Danger Pay/Family Separation/BAH) It is frustrating that the military immediately expects the families to give up their monthly pay, but allow themselves 2-3 months before they are expected to repay families.

#### OVERVIEW OF SURVIVOR BENEFITS

##### *Death Gratuity*

- An immediate check will be issued by base disbursing office for \$12,000.
- Ensure tax preparer is aware that only one-half is taxable, since disbursing reports that the entire \$6,000 is taxable.

##### *SGLI*

- \$250,000 life insurance policy. OSGLI Phone number (800) 419-1473
- Best option is lump-sum. SGLI is aware of this and they are flexible in awarding the policy.
- Policy will be placed into a bank account and checks will be forwarded to surviving beneficiary.
- Suggestion: Marines should consider more than one life insurance policy. One should be for the purchase of a home. The second policy should be used for monthly interest to complement other benefits received.
- Ernst & Young counseling service can provide beneficial guidance in how to handle the estate. Phone number (800) 425-4425.

##### *Montgomery GI Bill*

- If Marine participated in this program, all unused monies will be refunded.
- Information on participation can be viewed on a Marine's LES.

##### *Arrears of Pay*

- DFAS Kansas City will immediately stop a Marine's pay upon receipt of the Personnel Casualty Report (PCR).
- Surviving families will receive all payments owed to them once the figure is calculated by DFAS.
- This process normally takes 30 to 60 days. In some cases, it may take longer.
- Payment includes travel claims, base pay, flight pay, combat pay, etc—Payment is based on how many duty days elapsed since last pay period.

##### *Basic Allowance for Housing (BAH)*

- Surviving families will receive a payment equaling their spouse's monthly BAH rate multiplied by 6 months.
- Payment will enter checking account via direct deposit.

- If the surviving family resides in base housing, they will be allowed to live there for 6 months rent-free. Extensions can be granted on a case-by-case basis. Extensions will require a monthly payment equal to the BAH rate.

#### *Survivor Benefit Plan (SBP) and Dependency Indemnity Compensation (DIC)*

- Recent Legislation was passed for all deceased Marines' families to receive a SBP payment. Prior to this legislation, this payment was only available for Marines that exceeded 20 years of service upon death.

- SBP will pay 55 percent of 75 percent of the Marine's base salary. (Confusing Calculation)

- This payment will be calculated by HQMC.
- Surviving families will also receive DIC. The Veteran's Administration (VA) will complete all paperwork required for this payment.
- Normally, their representative will meet surviving families in their home to complete the paperwork.
- Spouses will receive approximately \$1,000 and an additional \$234 will be paid per child monthly.
- SBP is rank dependant. DIC is not based on rank.

#### *Burial/Memorial Benefits*

- \$1,750 will be paid by the Federal Government for primary funeral expenses. This includes casket, preparation, and transport to cemetery.

- Secondary expenses will also be paid by the Government. \$4,325—private cemetery or \$3,000—national cemetery. Secondary expenses include funeral home costs, hearse rental, burial plot, etc.

- Military Medical Support Office will normally pay the funeral homes directly. Phone number (800) 876-1131 ext 644/645.

- Arlington Memorial services will allow for \$600 in additional expenses.
- Secondary expenses will normally not cover all expenses.

#### *Headstones/Markers and Flag w/Case*

- VA will provide a headstone and a flag with case at no cost to surviving families.
- Delivery will take about 4-6 months.
- CACO will assist in completion of the forms.

#### *Floral Tribute*

- The Government will pay for a floral tribute for display at the funeral service.
- Re-imbursement will be in the amount of \$81.

#### *Invitational Travel Orders*

- The Government will pay for the immediate family (next-of-kin) to travel to the burial service.

- If next-of-kin chooses not to fly to burial service (i.e. burial is in the vicinity of surviving family's home); Government will not pay for additional relatives to travel to burial.

- Payment includes airfare, 2 days per diem (covers hotel costs), 2 days travel, and rental vehicle.

- HQMC will issue the orders.

#### *TRICARE*

- Surviving families will receive 3 years of medical care at no cost. At the completion of the third year, surviving families will be required to pay retiree benefit costs.

- Dental care will be for 3 years as well, if enrolled in United Concordia. If not enrolled, surviving families can enroll in the Retired Dental Program (RDP). They can provide coverage at the retiree rate.

#### *Personal Effects/Household Goods*

- Traffic Management Office (TMO) will offer one move from the surviving family's current location.

This outline is a very brief overview of all benefits. Marine Corps Order (MCO) 3040.4 should be used to answer specific questions. In addition, the Casualty Branch at HQMC can be reached at (703) 784-9512 for questions.

Chairman CRAIG. Bonnie, before I turn to you, we have been joined by Senator John Thune. Senator Thune, do you wish to make any opening comment?



**STATEMENT OF HON. JOHN THUNE,  
U.S. SENATOR FROM SOUTH DAKOTA**

Senator THUNE. Just simply that I appreciate you holding the hearing on this very important subject and the testimony of our distinguished panel today and look forward to hearing the rest of the testimony and an opportunity to ask questions later. Thank you.

Chairman CRAIG. John, thank you very much.

Now let us turn to Bonnie Carroll, Chairman of Tragedy Assistance Program for Survivors. Bonnie, thank you for being with us.

**STATEMENT OF BONNIE CARROLL, CHAIRMAN, THE TRAGEDY  
ASSISTANCE PROGRAM FOR SURVIVORS**

Mrs. CARROLL. Thank you, Mr. Chairman and distinguished Members of the Committee. On behalf of TAPS and the families of those who have died while serving in the Armed Forces, I am honored to have this opportunity to speak about the care our Nation provides its surviving families.

Ben Stein, a member of the TAPS Honorary Board, was to testify before you today, but due to an illness sends his apologies. He submitted a written statement, which I ask be submitted for the record.

Chairman CRAIG. Without objection.

Mrs. CARROLL. This week's *BusinessWeek* magazine pictures Mr. Stein as the Yahoo.com "know-it-all" engine, and I have to tell you that after reviewing the massive amount of briefing materials I sent him in preparation for this hearing, he wrote me and he said he was rethinking this dubious distinction.

[Laughter.]

Mrs. CARROLL. For the past 11 years, TAPS has been a sanctuary providing hope and healing for all those whose lives have been forever changed by the death of their loved one who served in the Armed Forces. Whether they are parents, children, spouse or sibling, TAPS meets a critical need by offering a national network of peers, the Good Grief Camp for young survivors, casework assistance, bereavement and trauma information and care, and crisis information, all available 24 hours a day, 7 days a week, at no charge to the family and at no expense to the Government.

In partnership with our fellow veterans' service organizations, the Gold Star Wives, Gold Star Mothers, National Military Family Association, and the Society of Military Widows, we meet the need of offering loving emotional support services to all those grieving the death of a loved one who has died serving in the Armed Forces.

We are grateful for the proposed increases in both the death gratuity to \$100,000 and the Servicemens' Group Life Insurance benefits to \$400,000. TAPS supports these proposals and encourages that any increases be made equitably based on the life and the service, not differentiating based on the circumstances or geography of the death. A death in combat is certainly tragic, but the loss to the military family is no greater.

We are also grateful for your support of the grief and trauma counseling now available to the surviving family members of those killed in Iraq and Afghanistan through the Department of Veterans Affairs Readjustment Counseling Service at 206 veterans' centers

across America. This expanded eligibility was granted in August 2003 by former VA Secretary Principi and in conjunction with the emotional support services offered by TAPS. It has had a tremendous impact on the ability of our surviving families to cope and recover.

At the veterans' center, our families find comfort in their local community and obtain counseling from trained therapists who understand the complicating factors of loss in the military. To date, the VA veterans' centers have seen 367 family members, with TAPS providing over a third of those referrals.

As an example of this extraordinary program, just briefly, a young woman whose husband was killed in Iraq by an IED called TAPS, very concerned that her little 6-year-old son had been unable to sleep through the night and was having horrible nightmares, waking up screaming. He had visions of how his father died and had seen these images on television. He feared that his mother would also die, leaving him alone. TAPS partnered this widow with a peer mentor, another young widow who had faced a similar loss, and also arranged for this mom and son to receive trauma counseling at their local veterans' center.

The therapist, a former combat veteran himself, explained to this little boy, man-to-little-man, what war is about, that his father died in combat so that his family would be safe here in America, and reassured him that nothing was going to happen to him or his mom. After they talked and the counselor answered all the little boy's questions with honesty, speaking both as a counselor and a soldier, just like his dad, their precious little boy has slept soundly through the night ever since.

I can think of no greater way to honor our fallen warriors than by caring for their families on such a personal level, and I thank the Committee for ensuring the veterans' center program is fully supported.

From my years of speaking with surviving families, I have repeatedly heard their gratitude for the honors given by our Armed Forces, the support of the Military Casualty and Mortuary Officers, and the compensation received. As the widow of a soldier killed in the crash of an Army C-12 aircraft, I remember all too clearly the day the Casualty Officer told me that while he was unsure of the exact benefits, he was confident that our family would be taken care of. This was a relief at a time when our world seemed to be crashing around us.

Complete, accurate information is so important at this critical time, and for this reason, TAPS encourages the Committee to examine all proposals that would enhance this capability. A professional without the proper tools is ill-equipped to do his or her job. To complement the assistance provided by the Casualty and Mortuary Officers, the emotional support services provided by TAPS, the counseling provided at the veterans' centers, we encourage an examination of modern technology-based tools and systems. While no amount of compensation will bring back a loved one, we owe our surviving families the peace of mind made possible when they receive the very best information about the complex array of benefits due them.

In closing, TAPS appreciates the dedication and commitment of the distinguished Members of the Committee to protect, defend, restore, and improve the benefits earned by those who have served our Nation in peace and in war. Your actions on behalf of today's military members serving at home and abroad and on behalf of its future veterans will send a powerful signal that their service is recognized and honored.

Thank you for the opportunity to submit testimony today.

Chairman CRAIG. Bonnie, thank you for that valuable testimony.

[The prepared statements of Mr. Ben Stein and Mrs. Carroll follow:]

PREPARED STATEMENT OF BEN STEIN, HONORARY BOARD MEMBER, TAPS

I apologize for not being able to be present today in person to testify on behalf of TAPS, the national organization providing compassionate care for our surviving military families, and on which I am proud to serve as an Honorary Board Member. I injured my eardrum badly during a flight last week and cannot fly for a while. As a part time resident of Bonner County, Idaho, I look forward to meeting with my home State Senator from Idaho to personally discuss these important issues.

Perhaps the urgent necessity of making some order and sense about the generous benefits allowed to the families of military men and women killed while in the service can come from this example.

One of my best friends is Corporal John Quinones of Fort Hood, Texas. He is 25 years old. He has been in the Army for 6 years. He is in the "2/7" of the 1st Air Cavalry Division, which is to say, Second Battalion, Seventh Brigade of the 1st Air Cav, which is famous for its exploits in the la Drang Valley in Vietnam. In turn the 1st Air Cav is part of the Third Army, which was the hammer with which George Patton hammered the Third Reich.

When Cpl. Quinones goes out on patrol in Iraq—he has been in Iraq for 19 months, following 6 months in Afghanistan—he goes out unreservedly. He puts his life on the line every instant. He takes no half measures. He carries with him an M-4 short stock assault rifle, a Glock pistol, an M-79 grenade launcher, and a captured AK-47. He wears more than 50 pounds of Kevlar body armor reinforced with steel plates. He wears this in temperatures of close to 150 degrees. He is in fire-fights and ambushes day after day. He has been hit by shrapnel repeatedly and has serious scars behind his left ear and on his left ankle.

The Army is his life. He does not ever want to leave it. He has no hesitation at all about offering up everything he has every day during his service in the Army. He never hedges about his commitment or tries to avoid its most extreme exposure to risk.

Back at Ft. Hood, his wife Yeency—she is a native of EI Salvador—cares for their two children, Samantha, one, and Christopher, two. She is a beautiful, intelligent woman and a devoted mother. She knows very little about laws and regulations and her command of English is not perfect. She is 100 percent behind her husband and behind the Army. Like all military wives, she is the true strength at home, the real backbone of our military defense might.

I pray every night and every morning that nothing bad happens to Cpl. Quinones. But if, God forbid, something did happen, Yeency and Chris and Samantha would be entitled to a wide range of benefits a grateful Nation owes to them. The Congress and the President have been generous in this area and apparently plan to be even more generous.

But how would Yeency understand what all of her rights were? I am a trained lawyer and economist for whom English is my native tongue. I am bound to say I have difficulty in understanding everything that is available, how it applies, what formulas kick in and how long payments for various parts of the package—education, health care, payments for foregone wages, would function. I have spent a good chunk of my life writing about complex corporate transactions for Barron's and other publications and even teaching law. But I still do not understand how the whole benefits package for families of lost servicemen and women works.

In addition to the loving support and care provided by TAPS and the other veterans service organizations, there are tools such as the Servicemembers Benefits Analysis Online that could immediately access complete information on what every service family would be entitled to if that dreaded knock on the door ever came. This information could be made available to the families on a regular basis and they

could be briefed regularly on what was theirs after the burial of the man or woman who was the center of their universe. This seems to me to be a basic necessity for the DoD and the VA in their package of care for the surviving family. I am not here to plead for more money for military families today—although I do find it stunning that Cpl. Quinones risks his life every day, in hardship conditions, for less than \$1900 a month, including combat pay. But that is for another day. What I do want to emphasize is the urgent necessity of immediately communicating to service families just what they are entitled to if their heart's fondest ideal is taken from them.

They have already suffered a totally devastating loss. Let us assuage it to the small extent we can by letting them know that their grateful Nation will provide for them in a range of basic and advanced areas of life. This is no more than simple decency for John and Yeency and Chris and Samantha and the millions like them who defend this glorious shining City on the Hill, this majestic America.

Respectfully submitted, Benjamin J. Stein, West Hollywood, California, and Sandpoint and Priest Lake, Idaho.

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PREPARED STATEMENT OF BONNIE CARROLL, CHAIRMAN,  
TRAGEDY ASSISTANCE PROGRAM FOR SURVIVORS

Mister Chairman and distinguished Members of the Committee: On behalf of TAPS, the Tragedy Assistance Program for Survivors, and the families of those who have died while serving in the Armed Forces, I am honored to have this opportunity to speak about the care our Nation provides its surviving families.

Ben Stein, a member of the TAPS Honorary Board, was to testify before you today, but due to an illness, sends his apologies. He has submitted a written statement which I request be submitted to the record.

The subject of today's hearing references the words of President Abraham Lincoln, which are inscribed on the front of the Department of Veterans Affairs building: ". . . Caring for he who shall have borne the battle, and his widow and his orphan." When a servicemember joins the military community, not only does the member become part of a larger whole, but so does his family. If he is killed, the grieving widow thus loses twice: her immediate loss of life partner, but also the extended military family and way of life which she and her partner have shared, regardless of the circumstances surrounding the death, whether in combat or in a peacetime duty status.

For the past 11 years, TAPS has been a sanctuary providing hope and healing for all those whose lives have been forever changed by the death of their loved one who served in the armed forces. Whether they are parents, children, spouse or sibling, TAPS meets a critical need by offering a national network of peers, the Good Grief Camp for Young Survivors, case work assistance, bereavement and trauma information and care, and crisis intervention, all available 24 hours a day, 7 days a week, at no charge to the family and at no expense to the Government. In partnership with our fellow Veterans Service Organizations—the Gold Star Wives, Gold Star Mothers, Society of Military Widows, National Military Family Association, and others—we meet the need of offering loving emotional support services to all those grieving the death of their loved one in the armed forces.

We are grateful for the proposed increases in both the Death Gratuity, to \$100,000, and the Serviceman's Group Life Insurance benefits, to \$400,000. TAPS supports these proposals, and encourages any increases be made equitably based on the life and service, not differentiating based on the circumstances or geography of the death. A death in combat is certainly tragic, but the loss to the military family is no greater.

We are also grateful for your support of the grief and trauma counseling now available to the surviving family members of those killed in Iraq and Afghanistan through the Department of Veterans Affairs Readjustment Counseling Service at the 206 Vet Centers across America.

This expanded eligibility was granted in August 2003 by former VA Secretary Principi, and, in conjunction with the emotional support services offered by TAPS, has had a tremendous impact on the ability of our surviving military families to cope and recover. At the Vet Center, our families find comfort in their local community, and obtain counseling from trained therapists who understand the complicating factors of loss in the military. To date, the VA Vet Centers have seen 367 family members, with TAPS providing over a third of those referrals.

As an example of this extraordinary program, a young widow whose husband was killed in Iraq by an IED, called TAPS very concerned that her 6-year-old son was having horrible nightmares and unable to sleep through the night. He had visions

of how his father died, from seeing images of the war in Iraq on television. And he feared that his mother would also die, leaving him all alone. TAPS partnered this widow with a peer mentor, another young widow who had faced a similar loss, and also arranged for this mom and son to receive trauma counseling at their local Vet Center. The therapist, a former combat vet himself, explained to this little boy, man-to-little-man, what war is about, that his father died in combat so that his family would be safe here in America, and reassured him that nothing was going to happen to him or his mom. They talked for an hour, and the counselor answered all the little boy's questions with honesty, speaking both as a counselor and a soldier, just like his dad. That precious little boy has slept soundly through the night ever since. I can think of no greater way to honor our fallen warriors than by caring for their families on such a personal level, and I again thank the Committee for ensuring the Vet Center program is fully supported.

From my years of speaking with surviving families, I have repeatedly heard their gratitude for the honors given by our armed forces, the support of the military casualty and mortuary officers, and the compensation received. As the widow of a soldier killed in the crash of an Army C-12 aircraft in Alaska, I remember all too clearly the day the casualty officer told me that while he was unsure of all the exact benefits, he was confident that our family would be taken care of. This was a relief at a time when our world seemed to be crashing around us. Complete, accurate information is so important at this critical time, and for this reason, TAPS encourages the Committee to examine all proposals that would enhance this capability.

In 2001, TAPS was present at the Pentagon Family Assistance Center caring for the surviving families and witnessed first hand the capabilities of the Service Members Benefits Analysis Online (SMBAOnline), a tool that enabled the families of those military members killed in the Pentagon on September 11th to immediately see the full picture of the lifetime benefits available to them through the Death Gratuity, DoD Survivor Benefit Plan, the VA Dependency and Indemnity Compensation, Social Security, last pay and allowances, burial benefit, and the Dependent's Education Assistance, including a full calculation of offsets, inflation and options specific to their individual cases.

A professional without the proper tools is ill-equipped to do his or her job. To complement the assistance provided by the Casualty and Mortuary Officers, the emotional support services offered by TAPS, and the counseling provided by the Vet Centers, we encourage an examination of modern technology-based tools and systems.

This investment in training and tools would also help to educate the public and to correct much of the rampant misinformation. For example, and unfortunately, some senior officials in both the Executive and Legislative Branches share the misimpression that the only benefit provided to the surviving families is a "paltry \$12,000 death gratuity." Testimony presented by senior DoD and VA officials on Tuesday to the Senate Armed Services Committee made tremendous strides in correcting these misunderstandings and in removing the inference that the current death gratuity is the sole compensation given by a grateful Nation. Examples of a full survivor benefits analysis, including lifetime benefits available from the Department of Veterans Affairs, Department of Defense, Social Security Administration, Serviceman's Group Life Insurance, Veterans Education Assistance, and other agencies, are included in my written statement, which I submit for the record.

No amount of compensation will bring back a loved one, but we owe our surviving families the peace of mind made possible when they receive the very best information about the complex array of benefits due them. TAPS recommends that the Congress include in the proposed legislation for increased financial benefits the mandate for the Service Members Benefits Analysis Online. Complementing our support of trained casualty assistance professionals, the concepts comprising this tool would make possible an immediate, accurate, consolidated summary of individual benefits due a surviving family. This expenditure will be a sound investment of the public money, and truly do what the deceased warrior would most want for his family—give peace of mind regarding their financial security.

TAPS appreciates the dedication and commitment of the distinguished Members of the Committee to protect, defend, restore, and improve the benefits earned by those who have served our Nation in peace and war.

Your actions on behalf of today's military members serving at home and abroad, and on behalf of its future veterans, will send a powerful signal that their service is recognized and honored. Thank you for the opportunity to submit testimony on behalf of the surviving families of TAPS.

## APPENDIX A

Three examples of total benefits for surviving families of varying rank:

A widow with two children of a Marine Captain (O-3), with 6 years of service, who died on active duty today receives:

- Annual payment first year (adjusted annually)=\$58,920 (\$4,910 per month). (Payments decrease as children grow up and leave home.)
- Lifetime cumulative benefit payments (unremarried widow's life expectancy 75; assumed inflation 3 percent per year)=\$3,227,364.
- Immediate benefits to the widow, including insurance (Death Gratuity of \$12,420 plus Serviceman's Group Life Insurance of \$250,000 and \$255 Social Security Death Benefit)=\$262,675.
- Education benefits for the widow and children (current value)=\$108,405.
- Total lifetime benefit package for widow of captain with 2 children: \$3,598,444.

A widow with three children of a Navy Petty Officer (E-6), with 12 years of service, who died on active duty, receives:

- Annual payment first year (adjusted annually)=\$58,488 (\$4,874 per month). (Payments decrease as children grow up and leave home.)
- Lifetime cumulative benefit of payments (unremarried life expectancy 74; assumed inflation 3 percent per year)=\$1,975,087.
- Immediate benefits to the widow, including insurance (Death Gratuity of \$12,420 plus Serviceman's Group Life Insurance of \$250,000 and \$255 Social Security Death Benefit)=\$262,675.
- Education benefits to widow and children (current value)=\$220,565.
- Total lifetime benefit package for widow of petty officer with 3 children: \$2,458,327.

A widow w/o children of an Army Corporal (E-4) with 3 years of service who died on active duty receives:

- Annual payment first year (adjusted annually)=\$11,916 (\$993 per month).
- Lifetime cumulative benefit of payments (life expectancy 71; assumed inflation 3 percent per year)=\$1,688,220.
- Immediate benefits to the widow, including insurance (Death Gratuity of \$12,420 plus Serviceman's Group Life Insurance of \$250,000 and \$255 Social Security Death Benefit)=\$262,675.
- Education benefits for the widow (current value)=\$36,135.
- Total lifetime benefit package for widow of corporal without children: \$1,987,030.

Chairman CRAIG. Now let us turn to Edith Smith, Member, Legislative Committee, Gold Star Wives of America. Edith, welcome to the Committee.

**STATEMENT OF EDITH G. SMITH, MEMBER, LEGISLATIVE  
COMMITTEE, GOLD STAR WIVES OF AMERICA**

Mrs. SMITH. Mr. Chairman, Senator Akaka, and distinguished Committee Members, the Gold Star Wives of America appreciates the opportunity to participate in this hearing to examine the benefits and quality of services provided to the surviving spouses and children of those who die in the line of duty.

I would like to mention that Rose Lee, our National Legislative Chairman, is here today, well known to your Committee, as she has worked for 27 years on issues affecting the Gold Star Wives.

I am the widow of a 100-percent service-connected disabled retired Marine who died in 1998, and therefore, I am presenting the testimony as it affects the disabled.

Gold Star Wives collected letters that we have brought today from our members expressing their views to the Committee about their situations. Our newer widows have expressed, for the most part, great appreciation for the Casualty Assistance Officer as a person. Many have noted serious frustrations with the system, stemming from a lack of formal training by the military services. It appears to us that the officers' sources for accurate information are very fragmented.

In order to solve this problem and provide our widows with up-to-date uniform benefit information from three Departments of the Government, we suggest the use of the Armed Forces Services Corporation, who has a unique computer software program, to support the Casualty Assistance Officer in helping the surviving spouse and family to present this accurate information. This organization has already demonstrated their successful program when they responded to DoD's request to provide survivor assistance following the 9/11 tragedy.

We believe the purposes of the military survivor benefits appear to have been lost. We are very appreciative of the Dependency and Indemnity Compensation established in 1957, paid to the surviving spouse and children by the Veterans Administration as indemnification for the active duty and service-connected death.

In January of 1993, legislation substantially changed the nature of the DIC program to provide a uniform indemnity payment, cutting the support payments related to military rank.

The Department of Defense established the current survivor benefit program in 1972 to assure that surviving dependents of military personnel who die following retirement that they would continue to receive 55 percent of retired pay. More than 200,000 military widows are recipients of this benefit without offset.

We believe the Gold Star Wives are entitled to be included in the survivor benefits program provided to all other military widows by DoD. It is a purchased benefit of retirement. The cost burden of survivor benefits is then appropriately shared by both the military services, the employer, and the Veterans' Administration with the indemnity payment. Gold Star Wives supports one death benefit paid for all active duty deaths. While the cause of death may be an accident or in a different location, the grief and financial needs of our Gold Star Wives and their children are all similar.

There is legislation proposed that would provide Government-funded benefits to surviving families who, before the death, were not financially dependent on the fallen soldier. We are concerned that these same benefits will be denied to surviving spouses and children who were financially dependent on their fallen soldier.

We were asked to comment on death benefits provided to survivors of the catastrophically disabled retiree. Too many soldiers in this war have horrible permanent injuries. All deaths within 120 days following retirement are provided the benefits of active duty deaths. The disparity in survivor benefits comes after this period. These families face very difficult challenges that most of us cannot even begin to imagine.

We have identified the following differences in death benefits for the retired catastrophically disabled soldiers as best we could. First, there is no Casualty Assistance Officer for retirees. There is no death gratuity. The VA burial allowance drops to \$2,000 and falls far short of the military's allowance of \$6,900 for active duty deaths. It is sad to note that these families of the catastrophically disabled will pay to bury their own.

VA's special compensation for these retirees can be up to \$6,700 monthly. The amount of indemnity compensation paid to his surviving spouse comes to about 15 percent of that amount. The sur-

viving spouse of a 100 percent disabled receives 41 percent with the DIC payment equally provided to all at \$933.

My husband lived more than 8 years with a 100 percent disability, so I receive an additional \$213 for helping to provide his care. Soldiers who suffer the most may not live the 5 years required for their survivors to receive this additional payment.

The Servicemembers' Group Life Insurance must be converted to the Veterans' Group Life Insurance within a short time. The higher cost VGLI is a term insurance, with premiums actuarially increased by age, possibly unsubsidized by the Government, and there is no waiver of premium for permanent disability.

DIC eligibility is not automatic. The cause of death must be service-related or live 10 years with the disability. We believe it is prudent to purchase the military's SBP with a cost of 6.5 percent of his retired pay to assure the surviving spouse, who has placed her career on hold, a minimum guaranteed income.

Surviving family members of retirees are not eligible for the 3-year continuation of active duty medical and dental benefits. This loss is especially devastating to surviving special needs children.

Gold Star Wives asks that the Committee keep these concerns in mind when you are working to improve survivor benefits. We thank you and we are very happy to answer your questions.

Chairman CRAIG, Edith, thank you very much for that very comprehensive view of a different but very important type of situation.

[The prepared statement of Mrs. Smith follows:]

PREPARED STATEMENT OF EDITH G. SMITH, MEMBER, LEGISLATIVE COMMITTEE,  
GOLD STAR WIVES OF AMERICA

"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.*

Mr. Chairman, Senator Akaka, and distinguished Committee Members, The Gold Star Wives of America appreciates the opportunity to participate in this hearing to examine the survivor benefits and the quality of services provided to the family members of those who die in line of duty. Please accept our full statement for the record. My name is Edith Smith and I am the widow of a service connected disabled retired Marine.

The new members of Gold Star Wives, represented by our widows here today, have expressed frustration in their letters to you with the present system of Casualty Assistance as well as unanticipated bills they have received for the funerals of their "Fallen Hero." The Casualty Assistance Officer does not receive training for this duty and their prior knowledge of survivor benefits are generally poor. However, our members do express great appreciation for the officers themselves. In order to have some uniform information in DoD's Casualty Assistance program, we would like to acquaint you with the *Armed Forces Services Corporation*, formerly the benefit department of "Army Air Force Mutual Aid Association" at Ft Myer, Va. This group serves as a lifetime casualty assistance office with its unique computer program to project the family's financial future of integrated Government survivor benefits from three main sources. They notify their members of all changes to these benefits and assist the surviving spouse in applying for those benefits. Gold Star Wives suggest that Armed Forces Services Corporation be contracted to provide the uniform benefit information to the Casualty Assistance Officer who will continue to represent the Military service and assist the family.

Gold Star Wives thanks the Members of the Senate for seeking ways to improve survivor benefits for family members of this war. We are firm in our belief that "one death, one benefit" should be provided to all surviving spouses of active duty deaths regardless of the cause or place of death. Gold Star Wives is confused to learn that some legislation that would provide more generous survivor benefits to family members who had not been financially dependent on the fallen soldier while denying



these same benefits to a financially dependent surviving family of the soldier killed in a "friendly fire" accident in a different location or severely disabled from Iraq.

Gold Star Wives were not included in the legislation last year to which improved the survivor benefit payment. My husband paid for me to have the SBP benefit for 18 years before his death. Were he alive today, our family income would have the disabled retirees offset now eliminated, or if I remarried, my SBP eligibility would be restored. We military widows should not be excluded from the traditional spousal survivor benefit of the Department of Defense.

Gold Star Wives believe the purposes of the SBP and DIC Compensation have been lost. Military widows want the dignity of receiving work related survivor benefits from our husband's employer. We are appreciative of the Indemnity Compensation paid by the Veterans Administration in recognition of their heroic military service and our great sacrifice.

Gold Star Wives was asked to focus our remarks on the death benefits provided to survivors of the catastrophically disabled retiree. Too many soldiers in this war have horrible permanent injuries caused by "Improvised Explosive Devices." My own awareness of this often overlooked group rises from my role as the widow of a retired 100 percent disabled Marine who died in 1998.

Deaths within 120 days of retirement receive the same benefits and services provided for an Active Duty Death.

The disparities in survivor benefits for the catastrophically disabled arise after 120 days. These families must rise to very difficult challenges that most of us can't begin to imagine. The disparities in death benefits that Gold Star Wives have identified are:

- No death gratuity.
- VA Burial allowance for service connected deaths of \$2,000 plus mileage falls far short of the military's \$6900 allowance. It is sad to know these families will pay to bury their own.
- VA's "special compensation" disabled retirees receive up to \$6,709; the surviving spouse receives \$993; that is 15 percent of the family income. The surviving spouse of a 100 percent disabled also receives same indemnity compensation of \$993; or 41 percent. My husband lived more than 8 years with a 100 percent disability, so I received an additional \$213 DIC for assisting with his care. Soldiers who suffer the most may not live 5 years for their surviving spouse to qualify for this extra \$213.
- Casualty Assistance Officers not mandated for retired survivors.
- Life Insurance: the Serviceman's Group Life Insurance must be converted to the Veterans' Group Life Insurance within a short time. The higher cost VGLI is a term insurance with premiums actually increased by age, unsubsidized by the Government, and with no waiver of premium for permanent disability.
- DIC eligibility is not automatic; cause of death must be service related or live 10 years with the disability. It becomes prudent for the retiree to purchase the military's Survivor Benefit Plan with a cost of 6½ percent of retired pay to assure his survivor, who has placed her career on hold, of a guaranteed income.
- Surviving family members of retirees are not eligible for 3-year continuation of active duty medical and dental benefits.

Gold Star Wives suggests that the Committee restructure survivor benefits for surviving family members of the catastrophically disabled.

#### WHO WE ARE

Gold Star Wives of America, Inc., is a Congressionally chartered service organization comprised of surviving spouses of military servicemembers who died while on active duty or as a result of a service-connected disability. Many of our membership of over 10,000 are the widows of servicemembers who were killed in combat during World War II, the Korean War, the Vietnam War and all those military operations up to today's in Iraq and Afghanistan. Almost all of our members are receiving Dependency and Indemnity Compensation (DIC) from the Department of Veterans Affairs (VA). Gold Star Wives has been working on Capitol Hill to help maintain survivors benefits since it was founded in 1945. Today, we continue to fight to maintain those benefits for not only our members, but also for the over 330,000 survivors receiving DIC.

Gold Star Wives has a long history of performing volunteer community service as well as volunteer work in our Nation's Veterans Hospitals and many other places where they are needed. During 2003, 119 of our members volunteered in 49 Veterans Affairs Volunteer Service (VAVS) accredited Hospitals and Medical Centers. Gold Star Wives volunteered at Veterans Hospitals and Medical Centers 11,537 hours valued at \$59,416, drove more than 23,866 miles valued at \$3,341, and do-

nated over \$27,000 in cash and goods. We are currently members of the National VAVS Committee.

The National Legislative Committee of The Gold Star Wives of America is composed of volunteer members. The Committee includes:

- Rose Lee, Chairman, of Arlington, Virginia; widow of U.S. Army active duty death; Korean War, Vietnam War;
- Margaret Murphy Peterson of Remsen, New York; widow of KIA; U.S. Army, Vietnam War;
- Penny Splinter of Dubuque, Iowa; widow of KIA, Operation Iraqi Freedom;
- Edith Smith, of Springfield, Virginia; widow of retired disabled Marine, Vietnam War;
- John Brennan, is our paid Washington Government Relations Representative.

#### SURVIVORS' LEGISLATIVE HIGHLIGHTS IN 108TH CONGRESS

Gold Star Wives worked closely with the Senate Committee on Veterans' Affairs in the 108th Congress to pass legislation that has improved military survivors' benefits. We have always found both Majority and the Minority Committee staff members to work in a bi-partisan and collaborative manner. They have always responded promptly to our requests for information, as well as meetings to discuss our legislative concerns and priorities. Consequently, Gold Star Wives would like to express our gratitude for their efforts in working to improve survivors' benefits during the 108th Congress.

Specific survivors' legislative highlights in the 108th Congress include:

- The Veterans Improvement Act of 2004 (P.L. 108-352)
- Increases survivors' DIC benefits by \$250 per month during the 2-year period following the death of a veteran to further ease the transition of surviving spouses with dependent children;
  - Allows a remarried spouse to be buried in a national cemetery with his or her deceased veteran-spouse and without permission from his or her subsequent husband or wife;
  - Provides for a 10-year extension of delimiting period for Survivors' and Dependents' Educational Assistance (DEA) for spouses of active duty deaths who are now in their first 10-year period of eligibility;
- The Veterans Benefits Act of 2003 (P.L.108-183)
- Includes a provision that permits surviving spouses who remarry after attaining age 57 to retain their VA survivors' benefits. Included in that law was a provision that provides for a one-year period to apply for reinstatement that expired on December 15, 2004, for those who remarried before the law was signed on December 16, 2003. According to the VA, as of last October, 5794 survivors have applied for reinstatement out of more than 32,000 eligible survivors. Consequently, it does not appear that many were aware of their eligibility to be reinstated. So, we would ask that the law be amended to include those survivors over age 55 as the original legislation requested and to enable those survivors who may not be aware of the legislation to become re-enrolled;
  - Increases the rate of monthly Survivors' and Dependents' Education Assistance (DEA) benefits for full time students from \$695 to \$788 for 45 months (the current full time student rate is \$803 per month);
  - Provides for the end the offset of the Survivors Benefit Plan (SBP) payments by DIC payments for survivors who remarry after the age of 57. However, The Department of Defense is refusing to recognize this law and is now seeking to recover payments of the SBP benefits made to survivors who are legally eligible to receive both payments. We would request that the Committee help us with this unfair interpretation of the law.

#### CURRENT SURVIVORS' BENEFITS MONTHLY COMPENSATION

- The VA's Dependency and Indemnity Compensation (DIC)
- DIC is monthly compensation of \$993 paid as indemnity to servicemember's surviving spouse. However, this amount is only 41 percent of the \$2429 paid monthly to the family of a veteran who is 100 percent disabled as a result of a service connected injury. Additionally, the DIC monthly payment of \$993 is only 15 percent of the \$6709 monthly payment paid to the catastrophically disabled veteran. Consequently, upon the death of a veteran of a service-connected injury who falls into either disability category, the veteran's family suffers a substantial unanticipated monthly financial setback.
- The DoD's Survivor Benefit Plan (SBP)
- SBP originally was a military retiree's purchased benefit plan that assures a surviving spouse a monthly payment of 55 percent of the monthly retirement check.

It was expanded in the 108th Congress to include all line of duty deaths without the requirement of 20 years of active duty service after September 10, 2001. However, with the SBP reduced by DIC, practically all active duty deaths result in the survivor receiving only a DIC payment. After November 24, 2003, the Operation Iraqi Freedom survivors have the option to elect the child only SBP. In that case, the SBP benefit is provided to the child without offset of DIC. A sad consequence of the SBP child option is that the survivor who becomes the primary provider for the family, is forced to forego their intended survivor benefit and transfer it for a current income at the unjust loss of a lifetime benefit intended for surviving spouses. No living military retiree is forced to make this option at retirement. We therefore suggest that survivor benefit options provided to the living servicemember should be provided in a similar and equal manner to the deceased member's family. If a divorced spouse is able to obtain SBP benefits for herself as a divorce settlement without offset of any other income, we ask why the survivor cannot be afforded this same benefit as a consequence of their active duty/retired spouse's death?

It is extremely hard to understand, from our survivor's perspective, why two wives of one retiree could possibly collect each survivor benefit without offset. Children can collect each benefit without offset, and their years of SBP payments would be longer than the average 7 years a military survivor is expected to live and collect SBP. Another sad result of the child option is that children who are ages 18-23 and in school are paid directly rather than to the surviving parent. Consequently, the survivor has no legal say over this money and it is possible that this dependent child in college could have an income of some \$2,000 per month resulting in a loss of potential scholarship and the unusual situation of an unearned income provided directly to the surviving "child."

#### RECOMMENDATIONS

- Ending the SBP/DIC offset

A servicemember receiving or entitled to receive retirement pay may participate in the Survivor Benefit Plan (SBP) to ensure a survivor will have some income in the event of their spouse's death. However, for those retired servicemembers who die as a result of a service-connected disability and therefore entitling their survivor to become eligible for DIC, the survivor's SBP will then be offset dollar-for-dollar by their DIC.

This patently unfair offset currently affects approximately 52,000 survivors who are dually eligible for both SBP and DIC. While DIC is non-taxable income and SBP is taxable, survivors of these disabled retirees see little or no SBP funds despite having paid monthly premiums equal to 6.5 per cent of their retired pay; adding up to thousands of dollars over the years. As a consolation for having made these payments, the accumulated premiums are returned to them without interest. This lump sum refund then becomes a taxable event for the survivor. Unfortunately, there was very little tax advantage for the disabled retiree when paying SBP premiums because his income was predominately non-taxable. Consequently, there is no real advantage to SBP for this group of survivors and, in fact, it becomes an unjust survivor's burden. There is a great deal of resentment by some survivors who see that the Federal Government is collecting taxes on refunded SBP contributions for which they gained nothing financially. The net effect of their monthly premium payments is that the retired disabled veteran's survivor pays taxes for having given the Federal Government a tax-free loan.

There is no civilian employer that would be permitted to return many years of survivorship premiums, without interest, should it chose not to pay purchased benefits. Yet, under current law the survivor of a military retiree is denied participation in a cost-sharing benefit that was meant to protect them. Again, had the disabled servicemember retired from Federal Civil Service, the survivor would be entitled to both the Civil Service survivor benefit and DIC, with no offset.

Many SBP/DIC survivors have spent more than 20 years sacrificing and supporting their spouse's military career and then years taking care of them during their years of disability. Retired pay represents deferred compensation for the 20 or more years of military service and disability pay is designed to compensate for a veteran's reduction in quality of life and lost future earnings as a result of his sacrifice for his country. Just as the disabled military retirees are now entitled to both benefits, so should their survivors. Many survivors are in their 50s or older and have not had the opportunity to develop their own careers. The DIC attempts to indemnify them for the loss of a spouse's life and an element of support for their future. The SBP represents completely different income that they have paid for and made a life of sacrifices for like multiple deployments, constant anxiety about their

spouse's well being, frequent moves, and no real chance to invest in a pension of their own.

- Better training for the Casualty Assistance Officers (CAOs)

We raise this issue as we have heard many instances of problems that the new survivors of the conflicts in Iraq and Afghanistan have experienced. For most survivors, the death of their spouse is the most catastrophic event of their lives. Many are literally in shock for many months and are unable to cope with the financial decisions and bureaucratic tangles that a survivor encounters. The CAOs are unfortunately not now adequately trained, nor are any assigned to such duty full time. Yet, they must try to help survivors go through the maze of the VA and DoD benefits. CAOs can not provide the kind of counseling, both grief counseling and financial counseling necessary to meet the needs of a military survivor. There currently is a little guidance for the CAOs. Without training or some DoD/VA/SS integrated brochures, survivors are without proper counseling and guidance at a critical time in their lives. All of the services should have standardized guides.

A suggested solution to provide uniform and accurate information to all survivors would be for DoD to contract with the Armed Forces Services Corporation (AFSC). AFSC specializes in Government survivor benefits and is renowned for its expertise, outstanding service, and its unique computer program that projects the family's future integrated stream of Government survivor benefits and changes that occur to those amounts due to changing ages of the spouse and children. They serve as a lifetime casualty assistance office keeping their members informed of legislative changes that may affect the family's survivor benefits and assist the surviving spouse in applying for those benefits. AFSC assists the surviving spouse in dealing with the Department of Defense, Survivor Benefit Plan, Department of Veterans Affairs, and the Social Security Administration.

- Improved Up-Front Information Needed for Survivors' Decisions  
Survivors need to know up front the following information:
  - Upon remarriage survivors are subject to the following change in benefits:
  - Loss of their military ID card and consequent loss of base privileges including Exchange and Commissary, MWR, and military medical benefits;
  - Their medical benefits can go from TRICARE to CHAMPVA.
  - Military survivors who work for the Federal Government can be barred from receiving their spouse's Social Security benefit;
  - Those not enrolled in Medicare Part B are not eligible for CHAMPVA. The waiver of penalties and interest assessed for late enrollment has been fixed legislatively for TRICARE but not for CHAMPVA. Gold Star Wives would like to respectfully suggest that the plain language of Title 38, Section 1713 gives these CHAMPVA widows the same or similar benefits as TRICARE survivors. We are told that about 60-100 disabled widows may be suffering a loss of medical care because they were unaware of the mandated requirement to purchase Medicare Part B as an additional condition to their eligibility for CHAMPVA. We ask the Committee to inquire as to the welfare of these widows.
  - The Creation of a Survivors' Office Within the Department of Veterans Affairs and/or the Department of Defense

There currently is no central focus or location within either the VA or DoD that a survivor or family member can go to with questions or concerns about their benefits. The VA's regional offices are woefully inadequate at providing information concerning survivors' benefits. DoD likewise has no central location for the new survivor to turn to should their CAO be without such information. There is virtually no coordination between DoD and VA that survivors can count on. Consequently, there is a need for a Survivors' Office that can carry out these critical functions from a central location.

- Future Changes in Survivors' Benefits

There are several bills being introduced concerning proposed changes to survivors' benefits, including an increase in the death gratuity from \$12,000 to \$100,000 and to increase life insurance. We strongly recommend that any changes made to survivors' benefits should not differentiate between active duty deaths and killed in action deaths. Survivors of servicemembers who die on active duty have very similar experiences and needs following their loss. Also, insurance proceeds should go to the servicemember's surviving spouse and any children, rather than to other family members who may not be dependents.

Chairman CRAIG. Now let us turn to Kathleen Moakler, Deputy Director, Government Relations Department, National Military Family Association.

Kathleen.

**STATEMENT OF KATHLEEN B. MOAKLER, DEPUTY DIRECTOR,  
GOVERNMENT RELATIONS, NATIONAL MILITARY FAMILY  
ASSOCIATION**

Mrs. MOAKLER. Chairman Craig, Senator Akaka, and distinguished Members of the Committee, the National Military Family Association is grateful for the opportunity to present testimony about the needs of the surviving families of servicemembers killed on active duty.

NMFA believes the focus should be on the total package of benefits available for them, immediately and for the long term. NMFA strongly believes that all servicemembers' deaths should be treated equally. Servicemembers are on duty 24 hours a day, 7 days a week, 365 days a year.

We make the following recommendations. We recommend that the Dependency and Indemnity Compensation offset to the survivor benefit plan be eliminated. Doing so would recognize the length of commitment and service of the career servicemember and family.

That any funding for the death gratuity be applied to increase it across the board for all active duty deaths.

That spouses be involved in the decision process if the servicemember elects to opt out of the Service Members' Group Life Insurance. We also suggest a trigger mechanism to prompt the servicemember to update survivor information when family status changes. NMFA also recommends that proposals to increase SGLI coverage be designed to ensure that the servicemember takes the maximum amount and that the maximum coverage be available to all servicemembers on active duty.

The surviving family is presented with a large up-front payment of benefits. The management of that large sum of money is a huge responsibility, especially if young children are involved. The young widow with a toddler has too many immediate concerns to think about the child's college education 15 years from now. However, she will be looking one day for information about those benefits. The surviving spouse needs information unique to her family, not a cookie cutter, one-size-fits-all answer. We echo support of the technology offered by the Armed Forces Services Corporation as an already established way for families to acquire this information.

NMFA recommends the establishment of a Survivor Office within the VA to provide long-term information and support for surviving spouses and children and offer individualized information about each surviving family's benefit package. A significant element of that support should be access to professional financial counseling.

The loss of a loved one is a life-changing event. It affects spouses, children, parents, and siblings. While we understand veterans' centers are offering to provide grief counseling, NMFA is concerned about the Department's current capacity to provide that counseling for all who need it. NMFA recommends that DoD and the VA identify the emotional needs of surviving spouses and children, especially in the area of grief counseling, and promote programs and initiatives to support those needs.

Families greatly appreciate the presence of the Casualty Assistance Officer, demonstrating to the family that we take care of our own. NMFA recommends improved and consistent training for the Casualty Assistance Officers and family support providers so they

can better support families in their greatest time of need. It is only fair to families that they have the best help available.

NMFA thanks this Committee for your attention to the well-being of military families who have lost a loved one in service to the Nation. Surviving families deserve the most comprehensive package of benefits that a grateful Nation can provide. It must meet families' short-term needs, provide for their long-term financial stability, and recognize the commitment, service, and sacrifice of the servicemember and family. With this focus, a grateful Nation can continue to fulfill the promise made to military families by President Lincoln.

I stand ready to answer any questions you may have.

Chairman CRAIG. Kathleen, thank you very much.

[The prepared statement of Mrs. Moakler follows:]

PREPARED STATEMENT OF KATHLEEN B. MOAKLER, DEPUTY DIRECTOR, GOVERNMENT RELATIONS, NATIONAL MILITARY FAMILY ASSOCIATION

The National Military Family Association (NMFA) is the only national organization whose sole focus is the military family and whose goal is to influence the development and implementation of policies that will improve the lives of those family members. Our mission is to serve the families of the seven uniformed services through education, information and advocacy.

Founded in 1969 as the National Military Wives Association, NMFA is a non-profit 501(c)(3) primarily volunteer organization. NMFA today represents the interests of family members and the active duty, National Guard, Reserve, and retired personnel of the Army, Navy, Air Force, Marine Corps, Coast Guard, Public Health Service, and the National Oceanic and Atmospheric Administration.

NMFA volunteer representatives in military communities worldwide provide a direct link between military families and NMFA's staff in the Nation's Capitol. Representatives are the "eyes and ears" of NMFA, bringing shared local concerns to national attention.

NMFA receives no Federal grants and has no Federal contracts.

NMFA's website is located at <http://www.nmfa.org>.

Kathleen B. Moakler, Deputy Director, Government Relations

Mrs. Moakler has been associated with the National Military Family Association since 1995 as a member of the headquarters staff. She has served as Legislative Administrative Assistant and Senior Issues Specialist in the Government Relations Department, NMFA Office Manager, and since June 2003, as the Deputy Director, Government Relations. Her job requires a broad knowledge of the range of issues relevant to the quality of life of the families of the seven uniformed services. Mrs. Moakler represents the interest of military families on a variety of advisory panels and working groups, including several committees of The Military Coalition.

An Army spouse of over 28 years, Mrs. Moakler has served in various volunteer leadership positions in civilian and military community organizations in that time. Through the years, Mrs. Moakler has worked with many military community programs including hospital consumer boards, commanders' boards, family readiness groups, church councils, youth programs, and the Army Family Action Plan at all levels. She believes that communication is paramount in the efficient delivery of services and the fostering of a rich community life for military families. She holds a Bachelor of Science degree in Business Administration from the State University of New York at Albany. Mrs. Moakler has been awarded the Army Commanders Award for Public Service.

In addition to her work at NMFA, Mrs. Moakler participates as a member of the Contemporary Choir at the Chapel at Fort Belvoir, Virginia. She has a new role as a military mom. Her daughter is an Army nurse recently returned from a year in Iraq and one son is an active duty Army National Guard member involved in homeland defense in New York. Her oldest son is an aspiring actor in Hollywood, California. Mrs. Moakler and her husband, retired Colonel Martin W. Moakler Jr., reside in Alexandria, Virginia.

Mr. Chairman and distinguished Members of the Committee, the National Military Family Association (NMFA) appreciates your interest in military families, especially the survivors of those who have made the ultimate sacrifice. NMFA is grateful for the opportunity to present testimony about the needs of those families. We be-

lieve the focus should be on the total package of benefits available for them, immediately and for the long term.

NMFA thanks this Committee for the improvements to survivor benefits passed in the Veterans Improvement Act of 2004 (P.L. 108-454), including the increase to Dependency and Indemnity Compensation (DIC), extension of education benefits from 10 to 20 years for the survivors of those killed on active duty, and providing an additional \$250 monthly to surviving spouses with children under the DIC program for a 2-year transition period. Each of these improvements enhances the benefit package provided to the surviving families.

NMFA realizes that the usual focus of this Committee is on the benefits provided to veterans and all survivors of those killed on active duty or as a result of disabilities incurred as a result of active duty service. We believe that the Government's obligation as articulated by President Lincoln, "to care for him who shall have borne the battle and for his widow and his orphan," is as valid today as it was at the end of the Civil War. The Committee's willingness to provide a forum for discussion of all aspects of benefits for survivors of active duty deaths serves an important purpose. As seen in media reports and in questions we hear from military families and others concerned about military families, NMFA believes there is a lot of misinformation and confusion about what the complete benefit is for those whose servicemembers have made the ultimate sacrifice. We know that there is no way to compensate them for their loss, but we do owe it to these families to help ensure a secure future.

NMFA strongly believes that all servicemembers deaths should be treated equally. Servicemembers are on duty 24 hours a day, 7 days a week, 365 days a year. Through their oath, each servicemember's commitment is the same. The survivor benefit package should not create inequities by awarding different benefits to families who lose a servicemember in a hostile zone versus those who lose their loved one in a training mission preparing for service in a hostile zone. To the family, the loss is the same.

In this testimony, NMFA will focus on the survivor benefits package as it pertains to the survivors of those killed in the line of duty while serving on active duty including those eligible members of the Guard and Reserve. A summary of the Federal benefits provided to survivors is provided in Appendix 1.

#### CONCERNS AND RECOMMENDATIONS

A scene is becoming all too common as America wages the global war against terrorism. Brave servicemembers are sacrificing their lives in service to their country. It may happen on a dusty battlefield or village in Iraq or Afghanistan or may be the result of an unfortunate helicopter crash at Fort Hood, Texas. While specifics vary by service, the overall process is the same. The family is visited by the casualty notification team consisting of the chaplain and a member of the servicemember's unit. This family will never be the same again. A casualty assistance officer is assigned to help the family cope with the trying days ahead. Funeral arrangements are made. The memorial service is conducted with military honors and the spouse is presented a flag on behalf of a grateful Nation. The bugler blows Taps and the family goes home.

The spouse encounters a confusing array of decisions that must be made, the consequences of which will influence his or her life and the lives of the children for years to come. What can be done to alleviate the stress and confusion facing the family? What changes can be made to the present package of benefits to recognize the service and sacrifice of the servicemember and family and provide appropriate compensation that promotes the financial stability of the family?

NMFA believes the benefit change that will provide the most significant long term protection to the family's financial security would be to end the Dependency Indemnity Compensation (DIC) offset to the Survivor Benefit Plan (SBP). The DIC is a special indemnity (compensation or insurance) payment that is paid by the Department of Veterans Affairs (VA) to the survivor when the servicemember's service causes his or her death. It is a flat rate payment, which for 2005 is \$993 for the surviving spouse and \$247 for each surviving child. The SPB annuity, paid by the Department of Defense (DoD) reflects the longevity of the service of the military member. It is ordinarily calculated at 55 percent of retired pay. Military retirees who elect SPB pay a portion of their retired pay to ensure that their family has a guaranteed income should the retiree die. If that retiree dies due to a service connected disability, their survivor is also eligible for DIC.

Two years ago, surviving spouses of all servicemembers killed on active duty were made eligible to receive SBP. The amount of their annuity payment is calculated as if the servicemember was medically retired at 100 percent disability. The equa-

tion is the basic pay times 75 percent times 55 percent. As seen in the examples included at the end of this testimony (pp. 9-12), the annuity varies greatly, depending on the servicemember's longevity of service. As the law is written presently, if the amount of SBP is less than \$993, the surviving spouse receives only the DIC payment of \$993 per month. If the amount of SBP is greater than \$993, the surviving spouse receives the DIC payment of \$993 per month (which is non-taxable) plus the difference between the DIC and the SBP. For example, if the SBP is \$1500, the surviving spouse receives \$993 from DIC (non-taxable) and \$507 from SBP that is subject to tax each month. The DIC payment of \$247 for each child is not offset.

Surviving active duty spouses have the option of several benefit choices depending on their circumstances and the ages of their children. By law, the SBP benefit is awarded to the spouse. As can be seen in the examples, it is paid for the spouse's lifetime unless she remarries. Because SBP is offset by the DIC payment, the spouse whose SBP payment would be less than the amount of DIC may choose to waive her SBP benefit and select the "child only" option. In this scenario, the spouse would receive the DIC payment and her children would receive the full SBP amount until the last child turns 18 (23 if in college), as well as the individual child DIC until each child turns 18 (or 23 if in college). As shown in the examples, once the children have left the house, the spouse who has chosen this option will be left with an annual income of \$11,916 (in 2005 dollars). If there are no dependent children, the surviving spouse whose SBP benefit is less than the \$993 DIC payment will experience this income decline just 6 months following the servicemember's death. In each case, this is a significant drop in income from what the family had been earning while on active duty. The percentage of income loss is even greater for survivors whose servicemembers had served longer on active duty. Those who give their lives for their country deserve fairer compensation for their surviving spouses.

It has only been since the passage of the FY 2002 National Defense Authorization Act that surviving spouses of servicemembers who had not been retirement eligible and were killed on active duty have been entitled to receive the SPB benefit. This eligibility was made retroactive to 10 September 2001. A correction in P.L. 108-136 allows spouses to choose "child only" SBP benefits. This change, effective only for deaths after 24 November 2003, allows some families to recover the SBP benefits the spouse would lose because of the DIC offset, but only temporarily. When the children's eligibility ends because of age, the SBP benefit is lost to the family.

As we have described, the interaction between SPB and DIC is a complex procedure to understand. Consider trying to make decisions about this payment distribution a month after losing your spouse, while still in a state of shock and denial.

NMFA recommends that the DIC offset to SPB be eliminated. Doing so would recognize the length of commitment and service of the career servicemember and spouse and would relieve the spouse of making hasty financial decisions at a time when he or she is emotionally vulnerable.

NMFA believes that the survivor benefits package, as outlined in Appendix 1, needs to be viewed as a whole and each individual benefit be studied in the context of the whole package. The recent emphasis on the death gratuity, for example, leads many of the uninformed to believe that it is the only compensation that the surviving family receives. The death gratuity, currently \$12,420, is paid within 72 hours to help the families meet immediate expenses related to the death of the servicemember. NMFA applauds recent increases to the death gratuity, including the indexing of the payment to increases in basic pay. As with these previous changes, any further increase should be applied equally for all active duty deaths.

NMFA recommends that any increased funding for the death gratuity be applied to increase it across-the-board for all active duty deaths.

The largest payment provided to surviving families soon after the servicemember's death is from the Servicemembers Group Life Insurance (SGLI). The maximum coverage is currently \$250,000. NMFA believes the services must educate young servicemembers on the importance of signing up for maximum coverage under SGLI and especially on updating beneficiary data. Information provided to NMFA indicates that more than 90 percent of active duty servicemembers sign up for the maximum amount. The opt-out system, wherein the servicemember needs to show why he or she does not require SGLI, goes a long way in ensuring this participation. We are, however, less sure that National Guard and Reserve members are signing up at the same high rate. The election of insurance is a family decision. Spouses should be included in the decisionmaking process and no servicemember should be allowed to opt-out without the written consent of his or her spouse. We all have heard of a few unfortunate instances where the servicemember had opted out of SGLI when first offered it, then marries and does not sign up for it. There are also cases where the servicemember does not change beneficiary or primary next-of-kin on the paperwork when he or she marries. While beneficiary information is supposed to be re-



viewed periodically, in actuality some people fall through the cracks. NMFA proposes a trigger mechanism, perhaps tied to DEERS registration, which would prompt the servicemember to update survivor information when he or she has a change in marital status or adds a dependent.

NMFA is aware that proposals to increase the amount of SGLI are currently under discussion. We believe it is paramount that any proposal to increase the maximum SGLI should be designed to create an incentive for the servicemember to take the maximum amount—for example, that an additional \$100,000 in coverage would be premium-free at the back end, not front. The maximum coverage should also be available to all servicemembers.

NMFA recommends that spouses be involved in the decision process if the servicemember elects to opt-out of SGLI. We also suggest a trigger mechanism to prompt the servicemember to update survivor information, i.e. designation of primary next-of-kin, election of SGLI or change of beneficiary, when family status changes. NMFA also recommends that proposals to increase coverage be designed to ensure that the servicemember take the maximum amount and that the maximum coverage be available to all servicemembers on active duty.

Much of the benefit confusion experienced by surviving families could be corrected by educating the servicemember and spouse about the total survivor benefit package. While some commanders or family readiness group leaders are reluctant to talk about this with families because they feel it will induce added stress or concern, the opposite is true. If the families have an overview of what benefits are available in case of the death of the servicemember, this knowledge can help relieve the stress when they go over the “what if” scenarios during a deployment. NMFA has a concise overview of survivor benefits in fact sheet format available on its website. We feel, however, that DoD should provide a more in-depth overview or explanation, like the annually-updated VA benefits, to be made available in pamphlet form and on-line to educate servicemembers and their families. The DoD booklet should focus on the survivor benefits available from all Federal sources and not get caught up in the minutiae of individual service procedures.

NMFA recommends that DoD create a handbook similar to the annual VA Benefits Handbook to provide easy access to survivor benefit information to servicemembers and spouses.

The surviving family is presented with a large payment (\$250,000 SGLI plus the \$12,420 death gratuity) when the servicemember dies. The management of that large sum of money is a huge responsibility, especially if young children are involved. The surviving spouse also needs to make decisions that impact the family for many years. The bereaved spouse may be especially vulnerable to unscrupulous or uninformed advisors, friends or family members who may try to take advantage and “help” the surviving spouse spend or invest the inheritance. The need for unbiased and fair financial counseling has never been greater. At the present time, the VA offers the free services of a financial counseling service “Financial Point” for 1 year after the servicemember is killed. The access to a long term service to counsel the family members about what their options are without a financial stake in the outcome could help the surviving families establish an investment plan and make sound decisions about what they should do that is best for their family.

NMFA believes that surviving spouses need long-term access to counsel and advice concerning the entire benefit package. The surviving family will have questions as the years go by and their benefits and their need for different benefits changes. The young widow with a toddler has too many immediate concerns to think about the child’s college education 15 years from now. However, she will be looking one day for information about those benefits. Will she be able to access that information and advice in an easy manner with someone who is an expert in benefits for families? Or, will she be forced to walk into an office where the counselor is more familiar with VA health benefits for veterans than about education benefits for surviving children? The surviving spouse needs information unique to her family, not a cookie-cutter, one-size-fits-all answer.

Entities that provide this type of survivor-focused service do exist. For example, Armed Forces Services Corporation (AFSC) has supported the military community for years and is renowned for its expertise in Government and military survivor benefits and the survivorship services provided to their military members and families. AFSC’s staff provide assistance in matters related to military benefits, Social Security, Veterans Affairs, and the military Survivor Benefit Plan, death gratuity, SGLI/VGLI, among others. The centerpiece of AFSC’s services is their unique software program that provides a personalized projection of the family’s integrated stream of Government and military survivor benefits, including changes to the benefit amounts throughout the surviving family’s lifetime. A service such as this would help surviving families understand and coordinate their benefits in the years to

come. Such a service is so valued that presently Army Emergency Relief and the Navy Marine Corps Relief Society present all surviving families of those killed on active duty with lifetime memberships in the Armed Forces Services Corporation to guarantee that they receive the counseling and advice they require.

NMFA recommends the establishment of a Survivor Office within the VA to provide long-term information and support for surviving spouses and children and offer individualized information about each surviving family's benefit package. A significant element to that support should be access to professional financial counseling.

To a child, the loss of a parent is a life-changing event. As he or she goes through the process of grieving for the parent some help may be required. The VA states that it offers grief counseling to families through its Vet Centers; however, NMFA is concerned about the Department's current capacity to provide that counseling for all who need it. NMFA hopes the VA and DoD will work together to identify the needs of surviving children and promote adequately-resourced programs and initiatives to support those needs.

NMFA recommends that DoD and the VA identify the emotional needs of surviving spouses and children, especially in the area of grief counseling, and promote programs and initiatives to support those needs.

The military Service Casualty Assistance Officer has received training to help the family through these difficult times. This assistance, however, is performed as an extra duty and the officer is not an expert in survivor issues or financial counseling. Understanding all the benefits and entitlements is a complex process. We have heard from surviving families that they greatly appreciated the help and support provided by the Casualty Assistance Officer in those first days as he or she served as a representative of their parent service. The presence of the Casualty Assistance Officer demonstrates to the family that "we take care of our own" and can be a great comfort to the family as they go through the military funeral and honors. Sometimes, however, training for this extra duty can be hurried or incomplete and may result in misinformation or a missed step in a procedure that is not discovered until months down the road with consequences that are irrevocable. Family readiness group leaders and other volunteer support could also benefit from specific training in the area of benefits and support services available for surviving family members.

NMFA recommends improved and consistent training for the Casualty Assistance Officers and family support providers so they can better support families in their greatest time of need. Training and responsibilities of Casualty Assistance Officers vary by service. It is only fair to families that they have the best help available.

NMFA has also identified some small fixes to legislation and policy that could help surviving families in their transition process. As we all know, it is often the small inconvenience that may be the straw that breaks the camel's back. Each surviving family has a unique situation. The policy as written now allows the surviving family to remain in Government housing for 6 months after the death of the servicemember. This date may come in the middle of a school semester or year. When a child has had to cope with the death of a parent, the consistency and support of their school is important. NMFA recommends that the 6 month limit for occupancy of Government quarters or military housing privatized by DoD be waived to allow the children to finish the school year if the family so chooses. Rent would be charged for the extra time.

Guard and Reserve families may choose to keep their employer sponsored health and dental care when their servicemember is activated and deployed. The family's eligibility for this care may cease if the servicemember is killed on active duty. These families may need information and assistance in making the transition into the TRICARE health system, but they are eligible for the benefit just as if they had been using TRICARE when the servicemember died. However, in the case of the TRICARE Dental Program (TDP), the dental insurance for active duty families, legislative changes are needed to make these families eligible for the benefit available to other survivors. As the law is currently written, only those families enrolled in the TRICARE Dental Program (TDP) at the time of the servicemember's death are eligible to continue enrollment and receive premium-free dental insurance for 3 years. NMFA recommends that in cases where the family has employer sponsored dental insurance they be treated as if they had been enrolled in the TRICARE Dental Program at the time of the servicemember's death.

NMFA thanks this Committee for your attention to the well-being of military families, especially for those who have lost a loved one in service to the Nation. Servicemembers killed on active duty have made the ultimate sacrifice. Their surviving families deserve the most comprehensive package of benefits that a grateful Nation can provide. This package should reflect the obligation of the Government to compensate the survivors of all servicemembers killed on active duty. It must meet families' short-term needs, provide for their long term financial stability, and

recognize the commitment and service of the servicemember and family. With this focus, a grateful Nation can continue to fulfill the promise made to military families by President Lincoln.

## APPENDIX 1

- Benefits paid by the Department of Defense (DoD):
  - Death gratuity—\$12,420, indexed to increases in basic pay. This is paid to the designated next-of-kin and is not taxable. This is supposed to be paid within 24 hours of notification of death. The purpose of this payment is to help the survivors in their readjustment and to aid them in meeting immediate expenses.
  - Burial benefits—DoD will process, transport and inter remains. A casket, vault and headstone are provided or costs of up to \$6,900 may be reimbursed if the family elects to make private arrangements. Transportation costs for the immediate family are reimbursed if they must travel for the funeral.
  - Military Health and Dental Care Benefits—All otherwise eligible spouses and children remain eligible for military health care coverage. For 3 years from the date of death, TRICARE benefits, including co-pays, remain the same as active duty family benefits. After 3 years, the cost of TRICARE and TRICARE co-pays rise to those of retirees. In most cases, the survivors receive dental insurance premium-free for 3 years, before becoming eligible for the premium-based Retiree Dental Program. The spouse loses eligibility for medical and dental benefits upon remarriage and it may not be reinstated. Children have benefits until age 18 or 23 if enrolled in college.
  - Survivor Benefit Plan (SBP)—Surviving spouses of servicemembers who die on active duty are entitled to SBP benefits. SPB payments equal 55 percent of what the member's retired pay would have been had the member been retired at 100 percent disability, i.e. 75 percent of the basic pay (Basic pay times 75 percent times 55 percent). SBP is automatically adjusted annually for cost of living increases. SPB payments are subject to Federal income taxes. The spouse may decide to waive their payment and have payment made to children only until the children reach age 18 or 23 if enrolled in school. If the spouse remarries before age 55, SPB payments cease. If the subsequent marriage ends in death, divorce or annulment, SPB may be reinstated. If the spouse remarries after age 55, the SBP payments continue. SBP payments are offset by Dependency and Indemnity Compensation (DIC) payments.
  - Housing benefit—Surviving families may occupy Government quarters or be paid housing allowances for 180 days. These allowances vary according to rank and geographic location. In addition, the family is eligible for one move at the cost of the Government.
  - Servicemember's Group Life Insurance (SGLI)—All servicemembers are automatically enrolled for \$250,000 of coverage unless they explicitly decline the insurance or purchase lower levels of coverage. SGLI will be paid to the individual designated on the servicemember SGLI election and certificate form. If no beneficiary is elected by the servicemember, the proceeds are paid first to the surviving spouse; if none, the child(ren) (natural, adopted or illegitimate) in equal shares; if none, to the parents (natural or adopted).
  - Other DoD benefits—Spouses are eligible for Commissary, Exchange, and Morale, Welfare and Recreation activities privileges indefinitely unless they remarry. Children maintain eligibility until age 18 or 23, if still enrolled in college.
  - Benefits paid by the Department of Veterans Affairs (VA)
    - Transition Assistance—a monthly payment of \$250 paid to surviving spouses with children for 2 years from the date of death of the servicemember to help with transition.
    - Dependency and Indemnity Compensation (DIC)—Surviving spouses and children (and some dependent parents) are eligible for DIC. The rate has been adjusted annually for cost-of-living increases. The 2005 spouse DIC rate is \$993 monthly. The DIC payment is non-taxable. Additional amounts, also adjusted annually, are authorized for a surviving spouse with minor children. The current monthly benefit is \$247 for each child. Unmarried children are eligible for the benefit until they reach the age of 18 (19 if still in secondary school), between 18 and 23 if they are attending a VA approved institution of higher learning or for life if they are disabled while still eligible for the benefit. Children of a deceased member, who did not have a spouse at the time of death, receive a different monthly benefit. If the spouse remarries before age 57, payment of the spouse's DIC ends. The children's DIC payment continues as long as they are eligible. If the subsequent marriage ends in death, divorce or annulment, DIC will be reinstated.

- **Survivors' and Dependents' Educational Assistance Program**—Surviving spouses and children are eligible for up to 45 months of education benefits. Beginning 1 July 2005, the surviving spouse of a servicemember killed on active duty has an extended eligibility for education benefits of up to 20 years after the date of the member's death. Children are normally eligible to receive the educational benefits between their 18th and 26th birthdays. The current monthly benefit is \$803 per month and increases to \$824 on 1 October 2005.

- **Home Loan Guarantees**—An unremarried surviving spouse is eligible for GI home loans and retains eligibility if remarriage occurs after 57th birthday.

- **Benefits paid by the Social Security Administration:**
  - Social Security monthly benefits are paid to a spouse or a divorced spouse regardless of age if the children of the deceased servicemember are under age 16 or are disabled and meet Social Security requirements. The amount paid can only be determined by the Social Security Administration.

- **Social Security Lump Sum Death Benefit**—a payment of up to \$255 is paid to the surviving spouse living with the member at the time of death or to the oldest surviving child if there is no spouse.

Some States also pay death benefits or provide other support, especially to the survivors of National Guard or Reserve members killed on active duty. The scope of these benefits and eligibility for them varies by State.

EXAMPLE 1

Servicemember, E-4 over 2 years, age 23, 10th Mountain Division, Fort Drum, NY

*Monthly pay and allowances:*

- Basic Pay, \$1,695
- Imminent Danger Pay, \$225
- Family Separation Allowance, \$250
- Basic Allowance for Housing, \$735
- Basic Allowance for Subsistence, \$267
- Total Pay and Allowances, \$3,172;
- \$38,064 (annual).

Killed in Line of Duty in Iraq

Spouse, 22 years old, 2 children ages 1 and 3

*Benefits*

*Lump Sum payment:* Death Gratuity (\$12,420); SGLI (\$250,000); and Social Security Death Benefit (\$255); Total: \$262,675

*Education Benefits*

- Spouse—45 months at \$803 per month—eligible for 20 years
- Children—45 months each at \$803 per month—between ages of 18 and 26.

*Monthly benefits* (under current laws, for first 6 months after servicemember's death)

- DIC for spouse, \$993
- DIC for children, \$247 each, \$494
- SBP for spouse and children, 10<sup>1</sup>
- Social Security, \$1,630, (determined by calculator at [www.ssa.gov](http://www.ssa.gov), based on servicemember's income)
- VA Transition Payment, \$250
- BAH (for Fort Drum), \$735
- Total of monthly benefits*, \$4,102 (\$4802, if choosing "child-only" SBP option)

Changes in Total Annual Benefits

[In 2005 dollars]

Years since servicemember's death	Event Triggering Benefit Change	With DIC offset to spouse SBP (current law)	Spouse chooses Child-only SBP	If DIC offset to spouse SBP would be eliminated
Immediately .....	First 6 months (at annual rate), includes Basic Allowance for Housing (BAH).	\$49,224	\$57,624	\$57,624
6 months .....	End of 1st 6 months (at annual rate): BAH stops.	\$40,404	\$48,804	\$48,804
2 years .....	Beginning of year 3: VA transition payment stops.	\$37,404	\$45,804	\$45,804

<sup>1</sup> SPB spouse annuity payment is \$700 per month but is offset by DIC under current law. The family could choose to receive the \$700, if the chooses the "Child-only SBP" option.

## Changes in Total Annual Benefits—Continued

[In 2005 dollars]

Years since servicemember's death	Event Triggering Benefit Change	With DIC offset to spouse SBP (current law)	Spouse chooses Child-only SBP	If DIC offset to spouse SBP would be eliminated
15 years .....	Oldest child turns 18, but in college: 30 percent of Social Security ends.	\$34,152	\$42,552	\$42,552
15 years .....	Youngest child turns 16: Mother's Social Security ends 75%.	\$26,004	\$34,404	\$34,404
17 years .....	Youngest child turns 18 but in college: Social Security ends.	\$17,844	\$26,244	\$26,244
19 years .....	Oldest child turns 23: DIC of \$247 ends ....	\$14,880	\$23,280	\$23,280
21 years Spouse aged 43 .....	Youngest child turns 23: child DIC and SBP for child-only ends.	\$11,916	\$11,916	\$20,316

## EXAMPLE 2

Servicemember, E-4 over 2 years, age 23, activated Guard from Topeka, KS

*Monthly pay and allowances*

Basic Pay, \$1,695

Imminent Danger Pay, \$225

Family Separation Allowance, \$250

Basic Allowance for Housing, \$701

Basic Allowance for Subsistence, \$267

Total Pay and Allowances, \$3,172; \$37,656 (annual).

This does not take into account what the servicemember might have been making at his civilian job and how this affects the family income.

Killed in Line of Duty in Iraq.

Spouse, 22 years old, no children

## Benefits

*Lump Sum payment:* Death Gratuity (\$12,420); and SGLI (\$250,000)—Total: \$262,420*Education Benefit*

Spouse—45 months at \$803 per month—eligible for 20 years.

*Monthly benefits* (under current laws, for first 6 months after servicemember's death

DIC for spouse, \$993

SBP 0<sup>2</sup>

BAH (for Topeka, KS), \$701

Total of monthly benefits, \$4,102.

## Changes in Total Annual Benefits

[In 2005 dollars]

Years since servicemember's death	Event Triggering Benefit Change	With DIC offset to spouse SBP (current law)	If DIC offset to spouse SBP would be eliminated
Immediately .....	First 6 months (at annual rate) (With BAH).	\$20,328	\$28,728
6 months Spouse aged 23 .....	End of 1st 6 months (BAH stops) .....	\$11,916	\$20,316

## EXAMPLE 3

Servicemember, E-7 over 14 years, age 34, II Marine Expeditionary Force, Camp Lejeune, NC

*Monthly pay and allowances*

Basic Pay, \$3,249

Imminent Danger Pay, \$225

Family Separation Allowance, \$250

Basic Allowance for Housing, \$974

Basic Allowance for Subsistence, \$267

<sup>2</sup>SBP annuity payment is \$700 per month but is offset by DIC under current law.

Total Pay and Allowances, \$4,965; \$59,580 (annual).  
 Killed in Line of Duty in Iraq.  
 Spouse, 33 years old, 2 children ages 11 and 13  
*Benefits*  
*Lump Sum payment:* Death Gratuity (\$12,420), SGLI (\$250,000), and Social Security Death Benefit (\$255)—Total: \$262,675  
*Education Benefits*  
 Spouse—45 months at \$803 per month—eligible for 20 years  
 Children—45 months each at \$803 per month—between ages of 18 and 26  
*Monthly benefits* (under current laws, for first 6 months after servicemember's death)  
 DIC for spouse, \$993  
 DIC for children, \$247 each; \$494  
 Spouse SBP, \$347<sup>3</sup>  
 Social Security, \$3,144  
 VA Transition Payment, \$250  
 BAH (for Camp LeJeune, NC), \$974  
*Total monthly benefits, \$6,202.*

## Change in Total Annual Benefits

[In 2005 dollars]

Years since servicemember's death	Event Triggering Benefit Change	With DIC offset to spouse SBP (current law)	Spouse chooses Child-only SBP	If DIC offset to spouse SBP would be eliminated
Immediately .....	First 6 months (at annual rate) with BAH ..	\$74,424	\$86,340	\$86,340
6 months .....	End of 1st 6 months (at annual rate): BAH stops.	\$62,736	\$74,652	\$74,652
2 years .....	Beginning of year 3: VA transition pay stops.	\$59,736	\$71,652	\$71,652
5 years .....	Oldest child turns 18 but in college: 30 percent of Social Security ends.	\$53,448	\$65,364	\$65,364
5 years .....	Youngest child turns 16: Mother's Social Security ends, 75%.	\$37,728	\$49,644	\$49,644
7 years .....	Youngest child turns 18 but in college: Social Security ends.	\$22,008	\$33,924	\$33,924
9 years .....	Oldest child turns 23: DIC for that child ends.	\$19,044	\$30,960	\$30,960
11 years Spouse aged 44 .....	Youngest child turns 23: DIC & SBP for child only ends.	\$16,080	\$11,916	\$27,996

## EXAMPLE 4

Servicemember, O-5 over 22 years, age 44, 82nd ABN, Fort Bragg, NC

*Monthly pay and allowances*  
 Basic Pay, \$6,997  
 Imminent Danger Pay, \$225  
 Family Separation Allowance, \$250  
 Jump Pay, \$150  
 Basic Allowance for Housing, \$1,399  
 Basic Allowance for Subsistence, \$175  
 Total Pay and Allowances, \$9,196; \$110,352 (annual).  
 Killed in Line of Duty in Iraq.  
 Spouse, 42 years old, 2 children ages 17 and 18  
*Benefits*  
*Lump Sum payment:* Death Gratuity (\$12,420), SGLI (\$250,000) and Social Security Death Benefit (\$255)—Total: \$262,675  
*Education Benefits*  
 Spouse—45 months at \$803 per month—eligible for 20 years  
 Children—45 months each at \$803 per month—between ages of 18 and 26  
*Monthly benefits* (under current laws, for first 6 months after servicemember's death)  
 DIC for spouse \$993

<sup>3</sup>SBP annuity payment is \$1,340 per month but is offset by DIC under current law.

DIC for child under 18 \$247  
 SBP \$2,800<sup>4</sup>  
 Social Security \$1,494  
 VA Transition Payment \$250  
 BAH (for Fort Bragg) \$1,399  
*Total monthly benefits \$7,183*

Changes in Total Annual Benefits  
 [In 2005 dollars]

Years after servicemember's death	Event Triggering Change	With DIC offset to spouse SBP (current law)	Spouse chooses Child only SBP	With DIC offset to Spouse SBP eliminated
Immediately .....	First 6 months (at annual rate) with BAH ..	\$86,196	\$98,112	\$98,112
6 months .....	End of 1st 6 months (at annual rate): BAH stops.	\$69,408	\$81,324	\$81,324
1 year .....	Youngest child turns 18 but in college: Social Security ends.	\$51,480	\$63,396	\$63,396
2 years .....	Beginning of year 3: VA transition pay ends	\$48,480	\$60,396	\$60,396
5 years—Spouse is 47 years old.	Youngest child turns 23: DIC & SBP for youngest child ends.	\$45,516	\$11,916	\$57,432

Chairman CRAIG. We will go to five-minute rounds and I will call upon my colleagues in the order in which they came to the Committee.

Let me turn to both you, Tiffany and Jennifer. You have talked about some of your frustrations and problems that you have experienced with the loss of your husbands. As you look at the universe of the situation now, what would have helped you better understand the benefits available at the time of the notification that you received of the loss of your husband?

Mrs. McCollum. I think to acknowledge that, at the very least, the new widow is in a state of fog. So to inundate him or her with all this information, it won't stay. The fact that we are given that onslaught of information in the very first week, it doesn't retain and then we lose our Casualty Assistance Officer. Some women have moved away, so therefore they are out of touch even with the military community. Three years later, they say, "What is going on?"

So I think there needs to be a consistency that is present, and I also think that there should be one person assigned, and if that person is to transition—well, first of all, I think measures need to be taken that that person does not transition out of that widow's life for the first 3 years. If the active duty status is to remain for 3 years, then that person—the widow needs somebody to be able to access immediately.

Chairman CRAIG. Tiffany, any additional comment on that?

Mrs. PETTY. I do feel a lot of the same way as Jennifer, but also at the same time, she is right. As soon as you get the death of your loved one, the news of the death, they just throw everything at you all at once. You get no time to think about what is next, you know. First, you are trying to think of where am I going to bury my loved one? How am I going to pay for all of it? What am I going to do with the children? What am I going to do from now for the next 5 or 10 years with raising the children?

<sup>4</sup>SBP annuity payment is \$3,793 per month but is offset by DIC under current law

I think they need to take a little bit more time on talking to you, getting you first through the first couple of weeks, and then after that, sit down with you. Instead of giving you a little pamphlet saying this is what you are entitled to, sitting down and saying, okay, what are your questions? What would you like to know? Here is the information that I have for you.

I think it is really important that they do stick with one person for an extended amount of time rather than switching from one person to another. It is understandable that they might assign somebody that is going to end up going overseas. We don't have any bad feelings towards them. That is not their fault or our fault. We just need to know that if somebody is going to be assigned to us, that they are going to stick with us, we are not going to end up in a big cloud of fog again. When we want a question answered, we would like to get it answered.

Chairman CRAIG. I don't want to put words in your mouth, but I am sensing from both of you that you did not find what is currently provided, a single comprehensive source of all the programs that you are eligible for and the timely manner in which they might come to you and how you access them.

Mrs. McCollum. No, sir. If I may, a good example is, like I mentioned in my testimony, that I just exited that 3-year active duty status. As I was preparing my testimony, I kind of approached it as, okay, these are problems that I have already experienced and I want to help the women that are coming behind me. And then the next turn I take is, boom, I am still experiencing them with TRICARE saying that, oh, the rules have changed.

So that is, again, the consistency, and with a concise one resource that we can rely on rather than—you know, I look up and I see all the colors on the board behind you. Truthfully, that is the first time I have seen it outlined that concisely. I didn't understand it to be the bottom line, which is questionable for me, because some of those things I don't know about, like the VA \$250 a month for the 24 months. I am unaware of that. It is new news.

Chairman CRAIG. That is what we are beginning to find out and that is why this hearing is being held, to try to get our arms around total package, total benefits, what is available, how is it coordinated, along with what we are looking at today as additional death gratuity benefits. So your testimony is extremely valuable to all of us as we look at this.

Let me turn to my colleague and Ranking Member, Senator Akaka.

Senator AKAKA. Thank you very much, Mr. Chairman.

I want to again express my thanks to you, Mrs. Petty and Mrs. McCollum, for your testimonies. As you can tell, we are trying to get at how we can better serve you and others in getting the proper information to you in a timely manner. You mentioned during the first 2 weeks it is important for you to get the kind of financial and benefit information that is needed to help you and your families.

We also are looking at the Department of Defense and VA working together. DoD works with servicemembers while they are in active service and VA after they leave the service. We want this transition to be seamless so there will be a continuous kind of coun-



seling and service. So the question that was asked by the Chairman is really helpful and I want to thank you for your testimony.

I want to thank the Gold Star Wives for their advocacy and support of thousands of military spouses over the years who have lost their husbands. Mrs. Smith, your written testimony mentions letters of frustration from widows about the present system of casualty assistance. What are some of the complaints? In your opinion, what can be done to fix the casualty assistance system?

Mrs. SMITH. I will mention a letter I got last night at the last minute because it is fresh in my memory. The Casualty Assistance Officer did not tell the young widow—apparently, she has the Service Family Members, SGLI. She had 120 days to convert. She wasn't informed, didn't convert, and now she has no life insurance for her child. There is a financial consequence where she relied on information from the Government and the Government did not—I don't want that to reflect on the Casualty Assistance Officer, either, because he probably wasn't told. I am finding that the Casualty Assistance Officers are often young men who have no—I didn't have any experience with affairs—I mean, my husband passed away. That was a little simpler. And then when my mother passed away, it was a whole different world in the past few years.

So that is one thing, where she had serious financial consequences and I hope we can somehow maybe find a way to waiver that. I have only had the one letter.

But I think that the program for the Armed Forces Services Corporation is unique and it would provide accurate information, updated. I belong to it and I can rely on them to follow my benefit changes.

Senator AKAKA. Thank you.

Mrs. Moakler, I have long been a proponent of financial literacy. I was interested in your recommendation regarding financial counseling. Is this an area that you have heard a lot about in terms of need from surviving spouses?

Mrs. MOAKLER. Anecdotally, yes, we have. Surviving spouses are vulnerable at that time, right after the loss of a loved one, and the spouse receives a large lump-sum payment right away. They may be swayed by the advice of well-meaning but ill-informed relatives or other advisors who may not have their best interests at heart.

An unbiased counseling service is objective with no products to sell. At this time, survivors who receive SGLI can take advantage of free professional financial counseling for 1 year through the VA Beneficiary Financial Counseling Service. We applaud this program, but we have heard that the usage is low and would like to see it better publicized so that survivors can avail themselves of this service. And we also believe that we might want to extend that counseling for several years.

Senator AKAKA. Thank you.

Mrs. Bonnie Carroll, many in our audience and in Congress are not familiar with your program. Can you tell us which services are most utilized by surviving spouses and their families, and which of these services do you think the Government should be providing but is not currently providing?

Mrs. CARROLL. Thank you. TAPS is a wonderful national peer support program where families can come together and help each

other find hope and healing, but I would like to just really stress to you the importance of this program offered by the Armed Forces Services Corporation.

TAPS was present in the Pentagon Family Assistance Center on 9/11 and it was the Armed Forces Services Corporation model. If you could turn that board around, someone right there, this gives you an example of exactly what Jennifer and Tiffany are talking about wanting so desperately, a single-page printout that would be provided on the day, even on the day of the death, that would show exactly the benefits from across all of the different agencies and sources. This is a tremendous tool. It is available right now by membership. I pay for my membership in this program so that my survivor benefits are monitored on a regular basis and any changes that occur, I am immediately made aware of. This is absolutely invaluable.

When I was out in Fort Lewis at the request of the commanding general, working with the surviving families there after soldiers were killed, one of the Casualty Officers helping two of the families was doing the very best that he could, but really struggling to put it all together. We got him on the phone with the Armed Forces Services folks. Within 30 minutes on Christmas Day, he had copies of this for each of their families and this man literally broke down in tears, he was so relieved to have this in one snapshot.

They do a beautiful job. My colleagues at DoD and VA have done extraordinary things, as well. But for the Casualty Officer to go to the home of the family with this printout, with accurate, up-to-date benefits information, would be absolutely extraordinary and just so much appreciated. I can't emphasize that enough. Thank you.

Senator AKAKA. Thank you very much, Mrs. Carroll.

Are all of you aware that VA provides free professional financial planning services for recipients of SGLI? Were you offered financial counseling to help you plan your income and expenses? I see you all nodding no. Well, thank you. That is my answer.

Thank you very much, Mr. Chairman.

Chairman CRAIG. Thank you very much.

Now let us turn to Senator Graham.

Senator GRAHAM. Thank you, Mr. Chairman.

I think it is important that one thing I want to do, I understand that there is confusion in compensation issues and I don't want to add to the confusion by over-promising. I have actually been a Casualty Assistance Officer at one time and it was confusing and it was hard. Looking back, I hope I didn't screw up.

Are most of your Casualty Assistance Officers active duty people? Then I think it is important not to over-promise, because people are going to go PCS. People are going to go to professional military education programs where they are gone for 6 months in a year.

Mr. Chairman, I have thought about this a lot. I think it is probably time for us to look at making this job probably a civilian GS person, somebody—

[Applause.]

Senator GRAHAM. That is somebody who wants the job.

[Laughter.]

Senator GRAHAM. I think it would provide continuity. But we do not need to detach the military from the grieving process. So what

I would look at as a proposal for the Committee is to make this a GS function, so you will have continuity, somebody who is trained, and make sure that we have a casualty team. Have any of you been approached by the JAG officers or used any of their legal services upon death? What about the chaplain?

Mrs. McCollum. I was approached in the commissary about 2 years after my husband died by the chaplain.

[Laughter.]

Senator GRAHAM. Anything short of that?

[Laughter.]

Senator GRAHAM. So what I think we might look at, Mr. Chairman, is having a team to assist a GS-type person, a military team, someone from the line who knows what your spouses did and can tell you how well they did it, assigned chaplains who understand military families better than any other group of people. Have the JAGs involved, somebody you can go to when these legal questions pop up, social actions people to help you with the children.

One thing I have learned from listening to this testimony is that the confusion is going to be chronic if you rely on one person who is an active duty military person who has their own career.

Now, when it comes to these offsets, I thought I understood this pretty well until I came here. It is a very complicated formula that we have and there are budgetary impacts that I think need to be addressed.

I have been a big advocate of providing TRICARE for Guard and Reserve members so they would have continuity of health care, because the Guard and Reserve families do not have access to military health care unless they are activated. So put yourself in their shoes. You are in this health care network in the civilian community, if you have it at all. You are called to active duty. You change your doctors and your hospitals. You go back into the civilian world and you bounce around from one set of doctors and hospitals to another. It is just not good for families. It does not make you ready for the fight. TRICARE is a growing program that needs to be dealt with more effectively, but I think it is a good program.

Jennifer, when you were told about TRICARE eligibility, who told you that, what the rules were?

Mrs. McCollum. I was never told the rules. My father is a retired Army officer and I witnessed the difficulties that my family had as retired status, trying to process claims. That observation had a large part in my decision on where to move in that I wanted to stay near a military base to continue to receive services at that base after my husband—3 years after the death.

The initial communication with TRICARE started when I first relocated. I had approximately a year left on active duty status and I went into the TRICARE office—

Senator GRAHAM. And you get 3 years, right?

Mrs. McCollum. That is correct.

Senator GRAHAM. You get 3 years, and after that, you pay a premium like a retiree would pay, is that correct?

Mrs. McCollum. That is correct. I was not informed that, although it didn't surprise me when I learned about it.

What I thought is that basically what retired status meant was that I was going to move to the back of the line, that my priority wasn't as high as it was with an active duty status.

Senator GRAHAM. Right.

Mrs. McCollum. So when I went to the TRICARE office to transfer, this TRICARE representative basically—ultimately just didn't know the facts, so I had to share them with her and she researched them and, in fact, okay, I had a year left.

Well, then I got a phone call, as the third anniversary came about, I got a phone call from the other pilot that was in the plane—his wife, his widow, and she said that she had a problem and that abruptly she was told that she didn't have coverage to go to the military base anymore and didn't really know what to do. So I called the 1-800 number and my first wonderful experience with a TRICARE representative, she helped me guide through it. I will be very honest with you. It shook me to the core and I was a heap of tears. She was very patient with me and explained things to the best of her knowledge.

It was at that point she told me I was ineligible to receive care at the local military base and that I was also—

Senator GRAHAM. For what reason?

Mrs. McCollum. As of August 26 of 2004, which was after I moved to Jacksonville, they were no longer—they, being the military treatment facility—it was no longer accepting anyone other than active duty. I had been able to establish a relationship with a family practice—

Senator GRAHAM. Was that driven by just demand problems?

Mrs. McCollum. I have no idea.

Senator GRAHAM. Okay.

Mrs. McCollum. I had participated in the family practice program there at the hospital and had been seeing the same doctor, for the exception of referrals to others, so I was very comfortable working in that system. I was really hoping to kind of be grandfathered in, so to speak, once I hit the retirement status.

So then when I found out the information that I wasn't able to receive care and then I was told that I was also downgraded from TRICARE Prime to TRICARE Standard and that I still have yet to fully grasp what that means and to make a decision—

Senator GRAHAM. Are you paying a premium now?

Mrs. McCollum. I have until the 20th of the month, I have been told, to enroll, and then it doesn't kick in for another, I have been told—

Senator GRAHAM. Well, don't let that date pass.

Mrs. McCollum. Okay. The other thing was that I called the local TRICARE office. It took a few days to get in touch with them and then they said that—the woman I spoke with said, well, your premium is actually a little over \$4,000 a year, and I mention that to highlight just the lack of knowledge.

Senator GRAHAM. That is not even remotely true.

Mrs. McCollum. No. So, of course, that sent me into an initial, what? And she said—

Senator GRAHAM. That is ridiculous.

Mrs. McCollum. When I asked her about the retired status, she confirmed—

Senator GRAHAM. Mr. Chairman, I know I have gone over. One last thing. They mentioned small things go a long way to families. Space available flights would be a huge benefit, and they are very easily offered. In other words, if there is a flight leaving somewhere, I could go as a Guard or Reservist. I could go as a retired member to travel on that military airplane. I think it would be very easy to fix and change the eligibility to allow these folks to travel, and that would mean a lot, wouldn't it? It would allow you to get around the country and see your family?

Mrs. McCollum. If I may highlight on that, it would allow us to travel the country to see our family, allow us to travel the country to see our husbands' families and also the very close military members that we have become enmeshed with who have also suffered the loss of our loved one.

Senator GRAHAM. Mr. Chairman, you are doing a great job with this hearing. I think we are going to do some good for these families. Thank you very much.

Chairman CRAIG. Senator Graham, thank you, and thank you for those cogent observations and questions that you have brought.

Now let me turn to Senator Obama.

Senator.

Senator OBAMA. Thank you very much, Mr. Chairman.

Thanks again to all of you for your testimony. We are very grateful for it.

Senator Graham's questions and observations were so cogent that I don't have that many left.

[Laughter.]

Senator OBAMA. But I think what I would like to underscore and just confirm with all of you is that we really have two issues here. One is the manner in which information is provided to surviving families. I think, as I was listening, I shared Senator Graham's basic view that we have to have a corps of people who are full-time responsible for working with surviving families on the benefits issue. It sounds like you have got some terrific active duty people who are doing their absolute very best, but it is not their primary job, which means that their training is going to be limited. It means that their availability is going to be sporadic and at any moment, they may end up being deployed overseas or in some other area that does not allow them to interact with you.

So if I am correct about that, and it seems that people are nodding, it seems to me that Senator Graham's basic recommendation that while we still have active duty personnel involved in the grieving process, it sounds that Jennifer and Tiffany both felt that that was very helpful, just having people who knew your husbands and had worked with them and that those people who were on active duty should participate in that process. But when it comes to just sorting through the mechanics of putting your lives back together again, you have got to have somebody in there who knows all the information and can gather it for you in a timely, patient way, and also at your own pace, because part of the problem is that you should not be in a situation—everybody is going to adjust differently to these things and there may just be weeks, I am assuming, where the last thing you want to do is sit there and think about health care insurance.

So it seems to me that there is a second point that was raised by Mrs. Smith and Mrs. Moakler and Mrs. Carroll, as well, and that is it appears that there is a lack of consistency in terms of the actual benefits that are available, that different families in different situations seem to be getting different information about what is available to them, whether they are technically killed in the line of duty, were they not, how is marriage or remarriage handled, and that involves a whole host of technical questions. Like any large Government system, it can get complicated.

But it does seem to me that we have to be consistent and fair to all families whose spouses have offered themselves up for service, and that some of the distinctions that we are making between these families or the status of those who have fallen doesn't make sense. Is that an accurate assessment of some of the concerns that many of you have?

I would just suggest and urge that we examine that carefully and that we then try to level up and bring everybody up to a certain standard and not try to pinch pennies on this. I recognize that we are in a budgetary constraint situation, but it strikes me that the levels of benefits that we are offering to these families is not overly generous at the moment. We can do better. I know there is a bipartisan commitment to do better. I am looking forward to being a part of doing better.

Chairman CRAIG. Thank you very much, Senator Obama.

Senator THUNE.

Senator THUNE. Thank you, Mr. Chairman, and I would echo many of those same sentiments and again say thank you to you. I think this is a very appropriate topic for this hearing at a very appropriate time, and that is whether or not we are fulfilling Lincoln's charge to care for him who shall have borne the battle, and for his widow and his orphan.

It seems to me, too, from listening, and thank you so much for your very insightful and very poignant testimony. It means a lot for us to hear your perspective from a first-hand experience as well as the service organizations represented. Thank you all for your sacrifice and for the tragedy that you have had to endure and for the adversity that has come since that time.

I guess the point of all this is to figure out how do we deal not only with the quality of the benefits that are available out there, and I am looking at the array of things, too, and thinking I had until this point not seen it laid out like that. It seems to me that, one, there is the substance of those benefits and making sure that we don't have programs where these offsets are disqualifying or excluding eligibility for another benefit, but secondly, just the complexity of it and how we go about dealing with that.

So I would hope that, Mr. Chairman, as this process moves forward that we would be able to find some ways to streamline and make more understandable these programs and these benefits and also to take a hard look at the substance and the quality of those benefits and are we really providing the assistance to these people and spouses and family members and dependents of those who have given their lives in the line of duty. There is no higher calling, and the least we can do for the brave people who have fallen de-

fending freedom in this country is to see that their spouses and dependents and loved ones are cared for in an appropriate way.

I have a couple of just very brief questions as follow-up.

Tiffany, you had mentioned in your testimony some questions about being able to know the circumstances surrounding your husband's death. I guess I am curious to know, and this would apply, as well, to Jennifer, the questions that were asked, did you feel like there was information that was being withheld from you? Did you feel like you were being given straight and honest and direct answers to your questions? I certainly would understand the need for closure and you would want to know the answers to some of these questions. Did you feel like that information was forthcoming? Was there information that was withheld by the Casualty Assistance Officer?

Mrs. PETTY. Well, I felt as though the Casualty Assistance Officer was trying to give me what information—what little information he had to me without trying to hurt my feelings. I wanted to know that my husband was not alone, that really, I didn't want to know that he suffered. I wanted to know that he wasn't alone and that he—just everything surrounding his death, as much as I could know to know that he was okay.

I was told that he was killed almost instantly. But then later I found out from the soldiers he was with that that was not at all true. What happened was he was shot once and he fought for his life for two hours and he was awake and he was able to communicate with the soldiers that he was with. He did squeeze their hand. He did moan because of the pain. And so they were able to get him out of the pain.

He did fight. I needed to know that he wasn't alone fighting, and I was pretty upset that I was told that—what felt like a lie, that he was killed instantly when in all actuality he was not. He did fight, and I needed to know that.

Senator THUNE. Were they in your questions and response?

Mrs. McCollum. I wanted to say thank you for acknowledging that that is part of the survivor benefit, is that we do have questions and it goes beyond financially what is tomorrow going to say in my checking account. It is deeper than that.

I had a difficult time getting information about basically personal effects. That was something that it took me a year, and then I am the one that had to end up researching it. I can't tell you why somebody else couldn't do that for me. I had to contact a friend who also was Air Force, obviously outside of the Marine Corps, to contact Dover Air Force Base Mortuary Services myself, and was able to talk with a mortician who gave me more detail than I had previously. It didn't answer all the questions I had, but it certainly was a step forward to closure.

As far as the questions that we may have had about benefits, I am not sure that there was anything being withheld. I think that, if anything, there was a resistance in that they didn't really know all this information. That is tough for a Marine Corps officer to say, I don't know.

Senator THUNE. I would say, Mr. Chairman, it seems to me that that sort of information would be very pertinent in a situation where you are a survivor, and I don't know what the practice of

the military is, but I would think from these ladies' standpoint, I would certainly hope that the Casualty Assistance Officer is giving them all the information that they request with respect to the very issues and the questions that you raise in your testimony. I think that is important from a closure standpoint.

My time is expired, too, but I would also appreciate, I guess, knowing for the record from these ladies about whether or not when it comes to the explanation of the array of benefits and things that are out there, would more visits—is it the amount of time that was spent? Was it just not having the knowledge or dealing with the way that the benefits were explained, the quality of the information, quality of the explanation, that sort of thing? If there is additional information that you could shed on that, that would be very useful.

Mrs. McCollum. I think Senator Obama had a very good point in that we all go through it differently. I mean, it is the same road. It is the same uncharted territory. But there is a different time line for each one of us and we all have initial reactions. I know I stayed in the local area for 2 years. Another widow whose husband died alongside mine left immediately, and 3 years later, she is surfacing, if I may, to ask questions—what is survivor benefit plan and how come I am not getting it? That shouldn't be happening. Granted, she moved away from the military installation so she didn't have a direct point of contact, but she didn't even have a phone number.

We learned so much through the widows, other widows that we talked with. Oh, by the way, have you heard about this? Hey, I just—my neighbor told me that she heard a news report that, for example, the Veterans Administration was giving \$250 a month for the next 24 months if you have a child. Do we want to hear it through neighbors? No.

Senator THUNE. Right.

Mrs. McCollum. We kind of want to be the first person to know what our bank account is going to look like, I guess.

Senator THUNE. Thank you.

Thank you, Mr. Chairman.

Chairman CRAIG. Senator, thank you.

Now let me turn to Senator Ken Salazar, who has joined us. Senator, welcome.

**STATEMENT OF HON. KEN SALAZAR,  
U.S. SENATOR FROM COLORADO**

Senator SALAZAR. Thank you very much, Chairman Craig and Ranking Member Akaka. I do think that we are in some very important times in our country where we have an opportunity to fix many of the issues that you have been talking about. I commend you, Chairman Craig and Senator Akaka, for helping us focus on these veterans' issues.

I have a longer statement as an opening statement, but without objection, I would just submit that for the record.

Chairman CRAIG. Without objection, it will become a full part of the record. Thank you, Senator.

Senator SALAZAR. Thank you, Senator.

[The prepared statement of Senator Salazar follows:]



PREPARED STATEMENT OF HON. KEN SALAZAR,  
U.S. SENATOR FROM COLORADO

Thank you, Mr. Chairman, for calling this hearing on such an important issue. Thanks to you, Senator Akaka, and others on this Committee who have tirelessly brought the challenges that military survivors face to the forefront. Because of your work, the aid that military survivors receive have been increased incrementally over the years. And thanks to your work, and the work of the family members we will hear from today, we are now in the position to significantly increase the aid that the wives, husbands, and children of fallen servicemembers receive.

This week, Colorado laid to rest one of our own. 27-year-old Pfc. George Geer, who grew up in the Dolores and Cortez area, was killed Jan. 17 by a car bomb in Ar Ramadi, Iraq. Pfc. Geer is one of the nearly 1,500 brave men and women who have died in Iraq and in Operation Enduring Freedom.

To us, he is a reminder of the price of freedom, but to his family, his death creates a huge hole that cannot ever be filled. When a soldier dies, his or her family is left behind to face not only their grief, but also major financial hurdles.

No amount of money can replace the loss of a loved one, but survivor aid can help families overcome the economic difficulties they face. For far too long, we have shortchanged not only our heroes in uniform, but also the heroes who wait for them back home.

Now we have an historic opportunity to raise the so-called death gratuity from \$12,420 to \$100,000 and to provide an extra \$150,000 in life insurance payouts. We also have an opportunity to allow full concurrent receipt of the DoD's Survivor Benefit Plan and the VA's Dependency & Indemnity Compensation. We also have the opportunity to improve the help that military survivors get in navigating the bureaucracies of the VA and the DoD to get the benefits they deserve. And finally we have the opportunity to protect military families from predatory life insurance companies. All of these reforms are needed, and all are within our reach this year.

As we prepare to increase survivor benefits, we have to be careful not to foster distinctions between combat zone deaths and other deaths. The Pentagon has long treated all deaths the same. That is the right approach. As the panelists and family members will testify, no matter where it happens, a military death impacts families the same way. I hope that we can work together to make sure that we increase survivor benefits, and increase them for all members of the military, no matter where they serve.

While there are some important differences between the proposals to achieve these goals, I am encouraged by the tremendous amount of bipartisan cooperation I have seen. I am proud to have cosponsored two bills to improve military survivor benefits, including one with my good friend Senator Chuck Hagel from Nebraska. Everyone on this Committee agrees that we need to do more for our veterans. I am confident that we can.

I look forward to hearing from the family members, activists and administration officials today about the challenges they face and their ideas about what we can do to do right by our military families.

Senator SALAZAR. I do have two questions and I will just direct them to whoever from the panel wants to respond to the two questions. One of them is on peer assistance and peer group counseling, and second of all, the major policy debate in terms of some of the bills that I have seen has to do with whether or not the benefits are paid to those who die in combat zones versus those who do not die in combat zones.

Let me ask on the first question, peer assistance counseling and other circumstances where I have worked with victims' groups, it seems to me that that is a significant part of the grieving process and helping people get along the way. My question to all of you, what is it that the VA, the Department of Defense, we can do to help in those efforts, and if you can be specific on that, I would appreciate it.

And then, secondly, your comments on the question of whether or not the limitation that has been put forward in the administration's proposal with respect to veterans, the survivor benefit only

being limited to those who die in combat zones. If you would comment on those two questions, I really would appreciate it.

Mrs. CARROLL. In regard to peer support, TAPS is a national peer support program for all those who have been affected by the death of a loved one serving in the Armed Forces. We not only partner, for example, widows with other widows with similar family dynamics, but also children with children and siblings, brothers talking to brothers, and it has been tremendously powerful.

After the Mosul dining hall attack when I was, as I mentioned, out at Fort Lewis, one of the surviving widows, they had a 12-year-old child on that day. We were able to get that 12-year-old girl on the phone with another surviving 12-year-old girl whose loss was a few years out, and together, they could talk about what it was like to go back to school, what it would be like. It was very healing. So that is in place through our veterans' service organization.

The Department of Veterans Affairs Readjustment Counseling Service has a similar model in the veterans' center program in that their therapists are not only counselors, they are also, for the most part, combat veterans themselves. When they speak to a family, they speak as a therapist, but they also speak for the military experience. And speaking with that peer relationship has been so healing and so validating for our families.

Senator SALAZAR. Bonnie, let me just ask, is there anything that we could do to improve the system or is it working the way that it ought to work?

Mrs. CARROLL. It is absolutely working beautifully. I would really encourage you to support the veterans' center program and ensure that they have the counselors that they need. It is working well. They have not been overtaxed at the current rate and I just thank you so much for your support of that important program. It has been tremendously successful.

Mrs. MCCOLLUM. And again, the important part of that is getting the word out to the surviving families that that is available to them. That is an important part of the package.

In answer to your second question, while the servicemember is on active duty, there are distinctions in pay. If they are in a combat zone, they might get imminent danger pay or jump pay or bonuses for special skill areas. However, when a servicemember is killed on active duty, the compensation that the families receive should not be differentiated because of where the death occurs. Through their oath, each servicemember's commitment is the same. The survivor benefit package should not create inequities by awarding different benefits to families who lose a servicemember in a hostile zone versus those who lose their loved one in a training mission preparing for service in a hostile zone. To the family, the loss is the same.

Senator SALAZAR. Are all of you in agreement on that point?

Mrs. SMITH. All of our families are the same and we have concerns about some of the proposed legislation that groups surviving families by definition of hostile fire instead of dependent and non-dependent survivors. So we would be providing money with some of the legislation that would be going to survivors who were previously not dependent on that soldier, and that is fine to do that, but at the same time, don't leave out the families who were not in

the hostile fire area whose husbands, maybe like Jennifer's, died in a mission that didn't happen to be in that location. But all of our husbands are supposed to be ready for duty anywhere, any place, and any time, and I think that should be remembered.

Senator SALAZAR. Thank you very much.

Chairman CRAIG. Ken, thank you very much.

Now let me turn to Senator Burr. Richard.

Senator BURR. Thank you, Mr. Chairman, and once again to each of you, our sincere gratitude for the sacrifices.

I am curious, Tiffany and Jennifer, is there a process when you enter the military where there is an educational package or program for the entire family on the host of benefits? I sort of sense the reluctance of having something up front that would talk about a process if there were a death, but is there something that encompasses the whole world that is available for the military family?

Mrs. PETTY. Personally, I didn't get any education whatsoever. When we got into the Army, my husband was given a few papers and he was told, sign this and when you die your wife will get some money. We did not know much more than that. It would be very helpful if somebody would sit down with the soldiers and their families before they are deployed or sent out on any kind of mission or training, sit down with them and tell them what is available to them if something does happen. It is important to know that. I know it is hard to think about that kind of situation, but it is important to know it.

Mrs. MCCOLLUM. As far as the Marine Corps goes, I know that there is a LINKS program, and I am sorry, I don't remember what that acronym stands for, but I believe it is for families adjusting to the military life. I never attended a LINKS seminar. If they had them, it was during the weekday while I was working.

Secondary to that, we were required to attend a deployment briefing as the families and we talked specifically information on the deployment, when our husbands were expected to leave, resources available to us such as the chaplain's services as the member was deployed prior to their return. The interesting thing to highlight here is that I was aware of the chaplain when he came to my office to tell me about my husband's death because I had seen him at the pre-deployment brief, that I had familiarity with him there.

Senator BURR. Jennifer, you had the instance of seeking medical care and, I think, at that time being notified that your insurance was no longer recognized as active duty.

Mrs. MCCOLLUM. Correct.

Senator BURR. I take for granted that there was a clarification that somebody came to, they understood that they had made a mistake. Am I correct on that?

Mrs. MCCOLLUM. You are.

Senator BURR. Was that just misinformation on the insurance side?

Mrs. MCCOLLUM. On the representative, the lady who was showing me what paperwork to fill out to transfer from San Diego, California, to Jacksonville, Florida.

Senator BURR. Had you not questioned it, what would have happened?

Mrs. MCCOLLUM. I would have been enrolled into the retired program.

Senator BURR. How many people do you think that happens to, who enrolled in the retired program?

Mrs. MCCOLLUM. Unfortunately, countless.

Senator BURR. Let me ask both of you for your comments as it relates to outside of the Casualty Assistance Officers that are assigned to you and may be transitioned. Is there any type of redundancy in the information that they are there to provide for you via phone, the Internet, where you could go and if they didn't have the answer or they weren't available, 24 hours a day as these questions came up to you, that you could go and search out the information about benefits or where you turn or who you call?

Mrs. MCCOLLUM. Senator Burr, I wish I could use the word redundancy. That would be a welcome word.

[Laughter.]

Mrs. MCCOLLUM. It is more of desperately seeking. When you don't know where to look or who to ask, it is not on your radar screen. If you are a young woman who has a little baby, you are just trying to make ends meet, and trying to figure out heads or tails of benefits and what they say you are owed, and then you get resistance such as I received from TRICARE and you don't have the energy to fight back, you won't. You kind of roll over and roll with the punches as if you have been dealt the biggest fell swoop of your life.

Senator BURR. Tiffany, anything to add?

Mrs. PETTY. I feel the same as Jennifer. If there was a way that we could really get the answers that we needed without having to really search them out, that would just be a godsend. If we could get online and type in "help" and get an answer, that would help, but that is not there. That is not possible. We do have to search. We do have to make phone call after phone call after phone call to find one person that could maybe give us a part of what answer we are looking for.

Senator BURR. Thank you.

Thank you, Mr. Chairman.

Chairman CRAIG. Senator, thank you very much.

Senator Isakson, any comment and/or questions?

Senator ISAKSON. Thank you, Mr. Chairman. I will make a comment. I apologize to you and the Ranking Member and especially to the ladies testifying today for being late, but I had to be on the floor. I thank you, as the other Senators have, for your service, for your sacrifice for our country, and I thank you for being here today.

I could in no way put myself in your place, but having lost two very close friends, one in combat in Vietnam and another in a non-combat-related but military training-related issue, I want to echo the comments of Mrs. Smith and the others in terms of the seamless treatment of our veterans.

I think also I want to say, Mr. Chairman, that I really appreciate the initiative that you are taking, because in just the testimony I have heard, and having read part of Tiffany's statement as I was listening out of the other ear to the questions, seamless is the word. Also we need to provide information and access to information on behalf of these widows and family members. Knowledge is

a powerful thing, and for a young mother in search of the benefits that are rightly hers, communication can make a world of difference, both in the family on that day as well as in their feelings about the way in which they are treated.

So I look forward to working with you on that very end and I thank you again for your service and your commitment and your willingness to be here today, and I yield back.

Chairman CRAIG. Senator, thank you.

We have a second panel, but my colleague here has an additional question and we will go to Senator Akaka before we get to our next panel.

Senator AKAKA. Thank you very much, Mr. Chairman.

I want to ask a question to Tiffany and Jennifer as a follow-up. Can I ask, how long did it take for you to receive your SGLI payment, that is the Servicemembers' Group Life Insurance?

Mrs. PETTY. It was only a few months for me. I do have one military member that is a brigadier general and he was able to help getting some of the things that I needed and that was one of them.

Mrs. MCCOLLUM. There was a little more complexity in my situation. I wonder how much of it had to do with the fact that my husband was one of the first killed in Operation Enduring Freedom. So it was kind of a system that really needed, I guess, to get on par with the fact that we were at war.

My husband had filled out a request to have the lump sum distributed, but it was in his desk drawer and that needed to be re-submitted. So I think for my situation, it was a little bit more stagnant than other cases. It wasn't too terribly long.

Senator AKAKA. Thank you

Mr. Chairman, My comment is, after hearing this panel, I think it is critical that we also focus on challenges faced by surviving spouses of members of the National Guard and Reservists as we continue to examine how to improve casualty assistance and information as we are trying to do here. Thank you, Mr. Chairman.

Chairman CRAIG. Thank you.

To all of you, thank you very, very much. You have been an extremely valuable panel, bringing out a variety of concerns and recognitions of problems that exist within the current system that we will tackle as a Committee and as a Congress to resolve and work in a much more coordinated fashion. So thank you all very much for being here. We will retain you as a valuable resource. How is that? Thank you all.

[Applause.]

Chairman CRAIG. Now let me call our second panel forward, please. Thank you very much, panelists. I will introduce our primary presenters and they can certainly introduce their colleagues who have joined with them if they wish.

The Honorable Daniel Cooper, Under Secretary of Benefits, Department of Veterans Affairs; Mr. Mark Ward, Senior Policy Advisor, Casualty, Mortuary and Funeral Affairs Honors, Office of the Deputy Under Secretary of Defense; and Frederick Streckewald, Assistant Deputy Commissioner for Disability and Income Security Programs, Social Security Administration.

Dan, we will start with you first, please.

**STATEMENT OF HON. DANIEL L. COOPER, UNDER SECRETARY FOR BENEFITS, VETERANS' BENEFITS ADMINISTRATION, DEPARTMENT OF VETERANS AFFAIRS; ACCOMPANIED BY ROBERT J. EPLEY, ASSOCIATE DEPUTY UNDER SECRETARY FOR POLICY AND PROGRAM MANAGEMENT, DEPARTMENT OF VETERANS AFFAIRS; AND THOMAS M. LASTOWKA, DIRECTOR, VA REGIONAL OFFICE AND INSURANCE CENTER**

Mr. COOPER. Thank you, Mr. Chairman. Mr. Chairman and Members of the Committee, thank you for the opportunity to testify today on the very important issue of survivors' benefits. Providing benefits to surviving family members of our veterans is one of the core responsibilities of the Department of Veterans Affairs.

I am joined this morning by Mr. Robert Epley, our Assistant Deputy Under Secretary for Policy and Programs, and Mr. Tom Lastowka, the Director of our Insurance Program.

Mr. Chairman, I respectfully request that my full statement be entered into the record.

Chairman CRAIG. Without objection, it will be. Thank you.

Mr. COOPER. I would like to start out for a second, sir, to say that I was extremely moved this morning by the first panel, and it is in that sense, then, that I go down the various benefits that we administer in the VA.

The VA provides a wide range of benefits, such as for a surviving spouse, dependent children, and dependent parents of deceased service personnel and veterans. The primary benefits that we provide include Dependency and Indemnity Compensation, or DIC, death pension, dependents' education assistance, insurance benefits and financial counseling, health care benefits under CHAMPVA, and several lesser known but individually meaningful benefits. In addition, we have experienced counselors who stand ready to assist survivors in filing claims and helping them understand the types of benefits to which they may be entitled, particularly from the VA.

I would first like to briefly summarize several of these benefits for you and then discuss our outreach program.

One of the VA's largest survivor programs is Dependency and Indemnity Compensation, or DIC. DIC pays a monthly benefit to the surviving spouse, dependent children, and/or dependent parents of a veteran who died in service or who died as a result of a service-related disability. Surviving spouses of veterans receive \$993 a month, with additional amounts for dependent children. Last session, Congress enacted legislation that provides for a transitional benefit of \$250 per month for 2 years, payable to a surviving spouse who has a minor child or children. The VA also pays DIC to parents of deceased veterans, dependent upon their income.

Eligibility for death pension is based on financial need. The general requirement for this benefit is that the veteran has served at least 90 days on active duty and with at least one of those days during a period of war, and VA currently pays this benefit to survivors of 200,000 veterans.

The dependents' educational assistance, these benefits are available for surviving spouses and children. The survivor may use these benefits to pay for college, business, technical, or vocational schooling, or for apprenticeships and on-the-job training. Currently, VA pays \$803 a month for up to 45 months of full-time education

or training, with lesser amounts for part-time training. While a surviving spouse ordinarily must use this benefit within 10 years from the date of the veterans' death, recent legislation granted an extension for usage up to 20 years for the surviving spouse of an individual who died while on active duty.

In Insurance, Servicemen's Group Life Insurance, or SGLI, provides low-cost term insurance protection to servicemembers. For this, we use a group policy purchased by VA from Prudential Life Insurance Company of America. Basic SGLI coverage is automatically provided to those members on active duty, as well as for Reservists and National Guard. However, a serviceman or woman can elect to have less insurance or none at all. Costs of the program are covered by premiums deducted from the insured servicemember's pay. The participation rate at the end of the 2004 policy year was 98 percent for active duty, including those Reservists called to active duty, and 93 percent for the Ready Reserve.

In 1965, the maximum SGLI coverage started at \$10,000. It has increased seven times over the years and it now stands at \$250,000. Similarly, the premiums have steadily declined over the years. In 1965, the premium rate was 20 cents per \$1,000 of coverage. It has been reduced eight times, and today, it is 6.5 cents for each \$1,000 of coverage.

The Veterans' Survivors Benefits Improvement Act of 2001 extended life insurance coverage to families of SGLI members. This new coverage is available to spouses of active duty servicemembers and members of the Ready Reserve. Up to \$100,000 of coverage can be purchased by the member for his or her spouse, and the maximum coverage for a child is \$10,000. I might add, the coverage for a child is free, while the coverage for a spouse is age dependent.

Financial counseling—beneficiary financial counseling services are one-on-one, free, objective financial counseling for SGLI beneficiaries. It includes estate planning, investment planning, budgeting, and income tax planning. This counseling was started in 1999 as an experiment. It has now been adopted as a permanent feature of the SGLI program of benefits.

CHAMPVA, the Civilian Health and Medical Program for the Department of Veterans Affairs, and this is for some family members—CHAMPVA was established in 1973. It provides health care to spouses and dependents of veterans who are permanently and totally disabled due to service-connected disability or veterans who have died from a service-connected disability. It is a comprehensive health care plan that covers every aspect of beneficiaries' medical needs, with a few exceptions.

Spouses are covered for the remainder of their lives unless they divorce the sponsoring veteran, or if widowed, remarry before their 55th birthday. However, an individual who is eligible for TRICARE is not eligible for CHAMPVA.

The most important facet of VA's responsibility is our comprehensive outreach program. Most recently, VA and DoD collaborated on a joint Casualty Assistance Program. Under this program, VA has streamlined all the in-service death claims processing for surviving family members of servicemembers killed on active duty. Our goal is to process the claims within 48 hours of receipt of the

paperwork from the service and we are meeting this goal. We are doing these within 2 days of receiving that information.

VA Casualty Assistance Officers are positioned at each regional office. They work closely with the military Casualty Assistance Officers. At the appropriate time for the family, the military officer will call the VA Casualty Assistance Officers to visit survivors to provide benefits information and assistance, including the availability of bereavement counseling that Mrs. Carroll mentioned earlier. We publish a special packet brochure for these survivors and briefly explain all potential VA benefits and services. It is this pamphlet right here, and it briefly touches on all the benefits that we have—not to a great detail, but at least discusses them and does give telephone numbers that can be used.

We follow up then 6 months later with the beneficiaries to further explain potential benefits available, such as the education benefits, vocational counseling services, financial counseling services, and loan guarantee if they want to then buy a house.

Through our strong working relationship with the Department of Defense, we are able to get information out quickly via e-mail to all military Casualty Assistance Officers to advise them of such things as legislative changes, changes in VA claims procedures. This ensures the military Casualty Assistance Officers are kept up to date about the VA benefits and services.

Mr. Chairman, I want to assure you that VA works diligently not only to provide benefits in a timely manner to the survivors, but also to ensure that our people are mindful of the need for understanding and compassion during a very difficult period in the lives of those we serve.

This concludes my testimony and I will be more than happy to answer any questions.

Chairman CRAIG. Admiral, thank you very much.

[The prepared statement of Mr. Cooper follows:]

PREPARED STATEMENT OF HON. DANIEL COOPER, UNDER SECRETARY FOR BENEFITS,  
VETERANS BENEFITS ADMINISTRATION, DEPARTMENT OF VETERANS AFFAIRS

Mr. Chairman and Members of the Committee, thank you for the opportunity to testify today on the important issue of survivors' benefits. Providing benefits for the surviving family members of our veterans is one of the core responsibilities of the Department of Veterans Affairs (VA).

VA provides a wide range of benefits to the surviving spouse, dependent children, and dependent parents of deceased veterans. In addition, we have experienced counselors who stand ready to assist survivors in filing claims, and to help them understand the types of benefits to which they may be entitled. It should be noted that these are not the only death benefits a surviving spouse and children are entitled to. They are also entitled to an array of Defense and Social Security benefits that both complement and in some cases offset each other. As we examine the adequacy of these benefits, we must do so in a holistic manner.

VA supports the Administration's proposals on survivors' benefits as discussed by the Department of Defense representatives. I would like to summarize VA's benefits for you and discuss our most recent efforts focused on the survivors of servicemembers who have died in service to this country in Operation Iraqi Freedom and Operation Enduring Freedom.

DEPENDENCY AND INDEMNITY COMPENSATION

One of VA's largest survivor programs is the Dependency and Indemnity Compensation (DIC) program. DIC is a monthly benefit for the surviving spouse, dependent children, and dependent parents of a veteran who died on active duty or after service as the result of a service-connected or compensable disability. Under



certain circumstances DIC is also paid to the survivors of former POWs and other veterans who were 100 percent disabled, regardless of the cause of death. We are currently paying this benefit to survivors of 318,000 veterans.

Surviving spouses of veterans currently receive \$993 a month with additional amounts for dependent children. Last session, Congress enacted legislation that provides for a transitional benefit of \$250 per month payable to a surviving spouse who has a minor child or children and receives DIC. The surviving spouse receives this additional benefit for 2 years after entitlement to DIC begins or until all of the surviving spouse's children have reached 18 years of age. This benefit is payable for all original DIC awards beginning on or after January 1, 2005.

VA also pays DIC to dependent parents of deceased veterans if their income is below a certain amount. The maximum rate currently payable to a sole surviving dependent parent is \$487 per month.

#### DEATH PENSION

Even if a veteran's survivors do not qualify for DIC because the veteran did not die on active duty or after service as the result of a service-connected or compensable disability, they may still be entitled to death pension. Eligibility for pension is based on financial need. The general requirement for this benefit is that the veteran had served at least 90 days on active duty with at least one of those days occurring during a period of war. The maximum death pension benefit is currently \$6,814 per year for a surviving spouse with no dependents, and \$1,734 for a surviving child not in the custody of a surviving spouse. VA currently pays this benefit to the survivors of over 212,000 veterans.

#### DEPENDENTS' EDUCATION ASSISTANCE

Dependents' Education Assistance benefits are available for surviving spouses and children. Generally, these benefits are available to spouses who have not remarried and to children of persons who died on active duty or as a result of a service-connected disability, or who are permanently and totally disabled due to a service-connected disability. The survivor may use these benefits to pay for college, business, technical or vocational schools, apprenticeships, and on-the job training programs. Currently, VA pays \$803 per month for up to 45 months of full-time education or training with lesser amounts for part-time training. Last year, VA paid educational assistance to nearly 16,000 survivors. While a surviving spouse ordinarily must use this benefit within 10 years from the date of the veteran's death, recent legislation granted an extension for up to 20 years for the surviving spouse of a servicemember who died while on active duty.

#### MONTGOMERY GI BILL REFUND

In the event of the service-connected death of a servicemember while on active duty or within 1 year of discharge or release, VA will refund to a designated survivor an amount equal to the servicemember's contribution for participation in the Montgomery GI Bill program, less any education benefits paid.

#### GUARANTEED HOUSING LOANS

Surviving spouses of servicemembers who died on active duty or who died after service from a service-connected disability are granted VA housing loan benefits. This allows surviving spouses to obtain home loans on favorable terms without the need to make a down payment.

#### INSURANCE

VA is currently the third largest life insurance provider in this country. Servicemembers' Group Life Insurance (SGLI), first established in 1965, provides automatic low-cost term insurance protection to servicemembers through a group policy purchased by VA from Prudential Life Insurance Company of America. The Government pays the claim costs resulting from the extra hazards of service. All other costs of the program are covered by premiums deducted from the insured servicemember's pay.

When SGLI was first established the maximum amount of coverage available was \$10,000. There have been seven coverage increases since the program's inception. In 2001, coverage was increased to the current maximum of \$250,000. One feature of this insurance coverage is that all insureds pay the same premium rates, regardless of their age or military occupational specialty. Since Vietnam through 2002, the program has paid for itself through premiums paid by the insureds. In 2003, pre-

miums were reduced from \$20 per month for the maximum \$250,000 coverage to \$16.25 per month.

Unless they decline to participate, basic SGLI coverage is automatically provided to those members on active duty in the Army, Navy, Air Force, Marine Corps, and Coast Guard, as well as ROTC members, and uniformed members of the Public Health Service and National Oceanic and Atmospheric Administration. The Ready Reserve is also insured by SGLI, including reservists and members of the National Guard. The participation rate at the end of the 2004 policy year was 98 percent for active duty (including reservists called to active duty) and 93 percent for the Ready Reserve.

As of January 2005, the Office of Servicemembers' Group Life Insurance has issued over 1,900 payments to beneficiaries as a result of 1,512 deaths certified by the branches of service in Operations Enduring Freedom and Iraqi Freedom. Claims paid to survivors of these servicemembers total nearly \$342 million.

The Veterans' Survivors Benefits Improvement Act of 2001 extended life insurance coverage to spouses and children of members insured under the SGLI program, effective November 1, 2001. This new coverage is available to the spouses of active duty servicemembers and members of the Ready Reserve of a uniformed service. Up to \$100,000 of coverage can be purchased by the member for a spouse, in increments of \$10,000. The maximum coverage for a child is \$10,000.

#### FINANCIAL COUNSELING

Beneficiary Financial Counseling Services is one-on-one, free, objective financial counseling for SGLI beneficiaries of deceased servicemembers. Services include estate settlement and planning, investment planning, budgeting, and income tax planning. This counseling was started as a pilot project in 1999, and has now been adopted as a permanent feature of the SGLI program of benefits.

#### CHAMPVA (CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE DEPARTMENT OF VETERANS AFFAIRS) FOR SOME FAMILY MEMBERS

Spouses and dependents of veterans also have access to health care benefits.

The Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA) was established in 1973 to provide health care to spouses and dependents of veterans whom VA has determined to be permanently and totally disabled due to service-connected disability or who have died from a service connected disability.

Children may be cared for under the CHAMPVA program until they reach the age of 18, or until the age of 23 if they are enrolled full time in an accredited learning institution. Spouses are covered for the remainder of their lives unless they divorce the sponsoring veteran or, if widowed, remarry before their 55th birthday. In those cases they lose the benefit. For widows/widowers, termination of the second marriage can mean reinstatement. Widows/widowers who remarry after their 55th birthday may keep the benefit. An individual who is eligible for TRICARE is not eligible for CHAMPVA.

The CHAMPVA program is a comprehensive health care plan that covers every aspect of a beneficiary's medical needs with few exceptions. Certain types of care/services require preauthorization, such as dental care, hospice service, and transplants, among others. Beneficiaries are allowed to find their own medical care provider and with very few exceptions, CHAMPVA will pay 75 percent of the allowed amount for covered benefits. As of the end of January 2005, there were over 236,000 beneficiaries enrolled in the CHAMPVA program, of which nearly 150,000 regularly used the program. A total of 5.4 million CHAMPVA claims were received last year at a cost of \$420.5 million.

VA provides other survivor benefits as well, including educational and vocational counseling services. To the extent that the Department of Defense (DoD) does not pay the full amount of funeral expenses, VA is authorized to pay up to \$2,000 to cover burial and funeral expenses in cases of service-connected deaths. In addition, VA provides burial in national cemeteries and also provides burial flags and markers for the graves of deceased servicemembers.

All of these benefits are explained in our booklet entitled Federal Benefits for Veterans and Their Dependents. We also publish plain language pamphlets on each of the available benefits.

#### OUTREACH

A most important facet of VA's responsibilities is our outreach program. The outreach efforts we have developed to explain these benefits to survivors, particularly survivors of servicemembers killed on active duty, are comprehensive. However, our

outreach efforts to survivors of servicemembers killed on active duty are designed to supplement the outreach efforts of DoD's Casualty Assistance Officers.

Most recently, VA and DoD have collaborated on a joint Casualty Assistance Program. During peacetime, about 700 servicemembers die on active duty each year. Of course, these numbers have increased significantly in the last few years and with the onset of Operation Enduring Freedom and Operation Iraqi Freedom.

Under this program, VA has streamlined all claims processing for survivors of servicemembers who die on active duty. In 2002, all DIC claims filed by such survivors were centralized in the Philadelphia Regional Office for processing. Our goal is to process these claims within 48 hours of receipt, and we are meeting this goal except in instances where additional information is required, such as when a fiduciary/guardian must be appointed for a dependent child. Emphasis has also been placed on expeditious processing of Dependents' Education Assistance claims and on the refund of the servicemembers' contributions under the Montgomery GI Bill and Post Vietnam Era Veterans' Educational Assistance programs. Veterans Benefits Administration (VBA) casualty assistance officers, positioned at each VA regional office, work closely with military casualty assistance officers. At a time appropriate for the family, they visit survivors to provide information about VA benefits, such as education benefits, vocational counseling services, financial counseling services, loan guaranty, etc., and the availability of bereavement counseling provided by the Veterans Health Administration. A special tri-fold pocket brochure, "Benefits for Survivors of Servicemembers Who Die on Active Duty" was published as part of this outreach program and is given to these survivors. The brochure contains brief information on all potential VA benefits and services. These casualty assistance officers can advise the surviving spouse of the potential impact of choosing one Federal benefit over another, such as the need to waive DoD's Survivor Benefit Plan benefits in order to receive DIC, or the choices of health care available to them.

We, however, realize that surviving spouses are in an acute stage of grief at the time of our first outreach contact. Therefore, we have implemented a 6-month follow-up contact with surviving spouses. If requested, a second outreach visit is made to assist with filing claims or to provide more detailed benefits information.

#### TRAINING

To ensure consistent delivery of services, VBA representatives at both the national and local level provide training to newly assigned military casualty assistance officers. We must ensure accurate information about VA benefits is available to survivors in the normal event when VBA is not present at the initial family briefing.

VBA has received accolades from the DoD Office of Family Policy and from the Casualty Assistance Program Managers of the military services for our efforts in this program. Since implementation of the streamlined Casualty Assistance Program in July 2002, VBA has received and processed 2,457 DIC awards.

In addition, VA is a full-fledged member of a Casualty Advisory Board along with members from DoD as well the various military service departments. Through this strong working relationship, we are able to get information out quickly via e-mail to all military casualty assistance officers to advise them of changes in VA laws and procedures. This ensures that military casualty assistance officers are kept up to date about VA benefits and services.

Mr. Chairman and Members of the Committee, we assure you that VA not only provides benefits in a timely manner to the survivors of servicemembers, but also that our people are mindful of the need for understanding and compassion during a very sorrowful time in the lives of those we serve.

This concludes my testimony. I would be pleased to answer any questions that Members of the Committee might have.

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#### RESPONSES TO WRITTEN QUESTIONS FOR HON. DANIEL COOPER, SENATE VETERANS AFFAIRS COMMITTEE, COMMITTEE ON VETERANS' AFFAIRS

SENATOR LARRY E. CRAIG, CHAIRMAN.

*Question 1:* One idea to enhance survivor benefits is to increase the amount of insurance coverage available. To what level could Servicemembers' Group Life Insurance (SGLI) coverage be increased without affecting premium rates paid by all servicemembers? Where do servicemembers turn to now if they are interested in purchasing additional amounts of insurance?

*Response:* The SGLI premium rate is currently set at \$.065 per month per \$1,000. For the current maximum coverage of \$250,000, a servicemember pays a monthly premium of \$16.25. If the maximum amount of SGLI coverage were raised to

\$300,000, we would not expect a premium rate increase to be necessary until 2008. If the maximum amount were raised to \$400,000, we expect that a premium rate increase to \$.075 per month per \$1,000 would be necessary in 2006. The premium for the \$400,000 coverage would then be \$30.00 each month. The following table shows the timing of premium rate increases depending on maximum coverage amounts.

SGLI Coverage	Current Premium Rate per \$1000	Expected Premium Rate per \$1000	Year of Increase
\$250,000 .....	\$0.065	\$0.075	2010
\$300,000 .....	\$0.065	\$0.075	2008
\$400,000 .....	\$0.065	\$0.075	2006

For servicemembers interested in purchasing additional insurance, there are several fraternal organizations (also called military benefit associations) in existence that provide a variety of benefits and services to military personnel. In addition, some onbase credit unions and banks also offer insurance products to their members. Five of the major military benefit organizations are: the Military Benefit Association (MBA), the Army and Air Force Mutual Aid Association (AAFMAA), the Armed Forces Benefit Association (AFBA), the Navy Mutual Aid Association (NMAA) and the Uniformed Services Benefit Association (USB).

These associations primarily offer group term life insurance, similar to SGLI coverage. One distinction between the SGLI program and the benefit associations is that the benefit associations underwrite based on such factors as health, tobacco use, and age, while SGLI charges the same premium rate for all members. The maximum amounts of coverage available for the member are shown below.

#### Maximum Coverage Amounts of Benefit Association on Member's Life

SGLI	AAFMAA	NMAA	MBA	AFBA	USBA
\$250,000 .....	\$500,000	\$750,000	\$250,000	\$500,000	\$250,000

The table below shows a comparison between the premiums rates of these five associations and SGLI:

#### Comparison of SGLI and Benefit Association Premium Rates

[Monthly Premiums for \$250,000 of Insurance]

Age Group	Current SGLI Premium	SGLI** Premium @\$.075	AAFMAA Premium	MBA Non-Smoker Premium	MBA Smoker Premium	AFBA Non-Smoker Premium	AFBA Smoker Premium	USBA Non-Smoker Premium	USBA Smoker Premium
Under									
25 ...	\$16.25	\$18.75	\$13.00	\$18.75	\$33.75	\$16.25	\$32.50	\$20.00	\$22.50
25-29 ...	\$16.25	\$18.75	\$13.00	\$18.75	\$33.75	\$16.25	\$32.50	\$22.50	\$27.50
30-34 ...	\$16.25	\$18.75	\$13.00	\$18.75	\$33.75	\$16.25	\$32.50	\$25.00	\$35.00
35-39 ...	\$16.25	\$18.75	\$13.00	\$18.75	\$33.75	\$16.25	\$32.50	\$30.00	\$47.50
40-44 ...	\$16.25	\$18.75	\$13.00*	\$18.75	\$33.75	\$18.30	\$36.60	\$42.50	\$70.00
45-49 ...	\$16.25	\$18.75	\$13.00*	\$18.75	\$33.75	\$18.30	\$36.60	\$62.50	\$107.50
50-54 ...	\$16.25	\$18.75	N/A	\$87.50	\$167.50	\$86.00	\$172.00	\$95.00	\$165.00
55-59 ...	\$16.25	\$18.75	N/A	\$87.50	\$167.50	\$86.00	\$172.00	\$150.00	\$267.50

\*Smokers over age 40 are not eligible; coverage terminates at age 50 for all.

\*\*This would be the monthly SGLI premium if the rate per \$1000 were increased to \$.075.

**Question 2:** On February 1, 2005, the Administration announced its proposal to increase death gratuity payments to \$100,000. I am concerned about the impact increasing the gratuity might have on a young, single servicemember's willingness to remain in the government's group insurance plan. If young, healthy servicemembers decline coverage, what would be the impact on premiums? Have the potential "unintended consequences" of these proposals been thoroughly examined?

**Response:** Servicemembers are automatically insured under the SGLI program for \$250,000 coverage each time they enter into a period of active duty or reserve sta-

tus. If they desire to decline or reduce coverage, they must do so in writing each time their duty status changes. (For example, reservists called to active duty are automatically insured for \$250,000 regardless of whether they had previously declined coverage or elected a lesser amount of coverage.)

Because of this automatic enrollment feature, participation in the program is very high. The participation rate for fiscal year 2004 was 98.3 percent for active duty (including reservists called to active duty) and 93.2 percent for ready reservists. Of those who participate in the SGLI program, 91 percent are covered for the \$250,000 maximum amount.

In order to be financially viable, group life insurance programs require a high degree of participation. This is because no evidence of insurability is usually required and benefit levels can be substantial. Generally speaking, participation should be at least 75 percent.

However, in the case of the SGLI program high participation is especially important due to the additional benefits provided, such as:

- Free 120 days of coverage following separation
- Free one year of coverage following separation if totally disabled
- Free, automatic \$10,000 coverage on all dependent children
- Free professional Beneficiary Financial Counseling
- Guaranteed post-separation conversion to VGLI or a commercial policy

It is difficult to predict whether the proposed increase in the death gratuity would have a significant adverse impact on participation in the SGLI program. If such an increase were coupled with government-paid premiums for \$150,000 of SGLI in designated zones as some have proposed, members would in essence have \$250,000 of "free" survivor benefits and it is conceivable that many would believe they do not need the additional \$250,000 of SGLI coverage that would be available. If participation among younger servicemembers were to decline substantially, it is possible that premium revenue would not be sufficient to cover program costs. This could result in an increase in the SGLI premium rate, or having to charge age-based premium rates in place of the current single rate for all members.

*Question 3:* Mrs. Smith testified about a constituency I am very sensitive to: the survivors of servicemembers who die *after* service due to severely disabling wounds sustained *in* service. I understand that there is a 1-year period after discharge from service during which veterans with severely disabling conditions can convert their life insurance coverage to a VA-run insurance program. In your estimation, is one year adequate?

*Response:* Current law provides up to a one-year free extension of SGLI for individuals who are totally disabled at the time of separation from service. The individual then has that full year to apply for Veterans' Group Life Insurance (VGLI) with no health requirements, as opposed to the normal 120-day period. Since June 2001, as part of a specifically targeted outreach effort, the VA Insurance Service has been contacting recently separated veterans who have received a disability rating of 50 percent or higher from their branch of service and have not converted their SGLI to VGLI. The outreach consists primarily of a personal phone call and mailings that provide information regarding the SGLI Disability Extension and VGLI. The information obtained from this group reveals that many severely disabled veterans are not enrolling in VGLI. Some severely disabled veterans are precluded from coherent post-separation financial planning by the effects of the disabilities themselves or simply did not know about the free 1-year extension.

It should also be noted that, while the SGLI Disability Extension is 1 year, the time period allowed for applying for Service-Disabled Veterans Insurance is 2 years from the date the veteran is rated service-connected by VA.

SENATOR DANIEL K. AKAKA, RANKING MEMBER

*Question 1:* I was happy to hear that 6 months after initial contact with a surviving spouse, VA reconnects with that spouse and provides additional information. How does VA continue to update surviving spouses and their families about benefits or programs that they may be newly eligible for?

*Response:* Information about newly legislated benefits would be provided to surviving spouses through either a news media campaign or by sending letters to the involved individuals. For example, we recently sent letters to surviving spouses who were potentially eligible for restoration of benefits under Public Law 108-183. That mailing and associated news releases resulted in about 5,700 surviving spouses applying for restoration of DIC benefits.

*Question 2:* Is VA currently capable of putting together a benefits analysis for a survivor upon the death of a servicemember? If so, is this analysis similar to the product that the Armed Forces Services Corporation makes available to its cus-

tomers? If not, what are the necessary steps that need to take place for VA to be able to provide this information?

*Response:* VA casualty assistance officers are trained to discuss benefits available from other Federal agencies such as the Social Security Administration to a certain degree, but cannot provide a full benefits analysis similar to that offered by the Armed Forces Services Corporation. VA would need to either develop an application or contract for services to offer a similar full benefits analysis.

*Question 3:* Currently, the Servicemembers' Group Life Insurance program is voluntary. The servicemember can opt-out. Last year's *Review of Military Death Benefits Report* stated that some employers provide a minimum life insurance benefit to their employees. Should the Servicemembers' Group Life Insurance follow the lead of these other employers and provide a minimum benefit?

*Response:* Most private sector employers in the U.S. provide a basic level of life insurance at no cost to their employees, with the most common coverage level being one to two times salary. Most companies also offer supplemental coverage, which can be employer-subsidized or employee-paid.

Last year SAG Corporation, under contract by the Principal Deputy Under Secretary of Defense to assess the sufficiency of death benefits provided to the survivors of military members, recommended in its final report that the Government fund an automatic level of SGLI coverage for all members. While noting that military benefits in their entirety compare favorably with those offered by other public sector and private sector employers, SAG Corporation pointed out that military income replacement benefits could be brought more into line with private sector practices by offering an automatic \$50,000 of SGLI coverage at no cost to the member. The estimated annual cost to the uniformed services of providing this benefit to all active duty and reservist personnel would be about \$90 million. We defer to DoD on the SAG recommendation.

Because of its automatic enrollment feature, participation in the SGLI program is very high. The participation rate for fiscal year 2004 was 98.3 percent for active duty (including reservists call to active duty) and 93.2 percent for ready reservists. Of those who participate in the SGLI program, 91 percent are covered for the \$250,000 maximum amount.

The Administration has proposed increasing death benefits for survivors of servicemembers at no cost to the member by increasing the death gratuity paid by DoD.

*Question 4:* What is your view on the proposal to underwrite increased life insurance benefits only for those servicemembers serving in combat zones?

*Response:* The proposal under consideration is for DoD to pay the premium cost for the additional \$150,000 of coverage for members serving in combat zones. OMB has assessed the FY06 cost of this proposal at \$30 million, based on the current SGLI premium rate and an assumption of 250,000 members serving in combat zones.

We defer to DoD on the desirability of providing such free coverage only to those who serve in combat. The cost would rise substantially if the proposal were expanded to provide such free coverage to all 2.3 million servicemembers. The FY06 cost (based on the current SGLI premium rate) would be \$269 million. If the SGLI monthly premium rate were to increase to \$.075 per \$1,000 (as is projected in year 2010), the annual cost would be \$310 million.

*Question 5:* Is VA engaging in additional outreach to surviving spouses of National Guard and Reserve members? If yes, then what does this outreach consist of?

*Response:* Surviving spouses of National Guard and Reserve members who die on active duty are provided the same personal service that is offered to surviving spouses of active duty personnel. This service is provided regardless of the cause of death (combat, disease/disability, vehicle accident, suicide, etc.). A Casualty Assistance Officer (CAO) is designated at each VBA regional office. In coordination with the military's casualty assistance call officer, the VA CAO personally visits the surviving spouse to provide information about and assistance with benefits administered by the VA. In some instances, personal visits are also made to surviving parents. All claims for dependency and indemnity compensation (DIC) based on an in-service death are faxed to a centralized processing unit at the Philadelphia Regional Office. Our goal is to process DIC in-service death claims within 48 hours of receipt. A 6-month follow up letter is sent to the surviving spouses as a reminder of other benefits such as Dependents Educational Assistance to which they may be entitled.

SENATOR JOHN THUNE

*Question 1:* In the 108th Congress we eliminated the spousal benefit Social Security offset to provide more assistance to surviving spouses. This Congress we have

been asked to eliminate the Disability and Indemnity offset for spousal benefits as well. What are the long term costs associated with such an initiative and how will it affect other veterans or defense spending priorities?

*Response:* The elimination of the spousal offset of payments under the Survivor Benefit Plan (SBP) due to receipt of VA Dependency and Indemnity Compensation (DIC) would have no impact on VA costs. Currently, when making an initial award of DIC benefits, VA coordinates with the Defense Manpower Data Center to determine the amount of SBP that had been paid up to the time VA prepares its award. An accrual is established in the VA DIC award to recoup the amount of SBP already paid from the retroactive award. These recouped benefits are then transferred to the Defense Finance and Accounting Service to be returned to the appropriate account. Therefore, there would be no additional cost to VA if such a change were made. The additional costs would be borne by the Department of Defense.

*Question 2:* Understanding survivor benefits can be a difficult task, particularly when trying to deal with the loss of a loved one. Do you think that survivors adequately understand their options? Does the VA provide assistance to help survivors understand their rights and benefits?

*Response:* VA provides benefits applications to survivors of deceased veterans who had been receiving benefits at the time of their death. If the surviving spouse applies for benefits, a determination is made as to whether the survivor is entitled to DIC and/or death pension, and awards whichever is the greater benefit.

In the case of in-service deaths, working with the Department of Defense, the DD Form 1300 (Report of Casualty) is emailed to VA Central Office and then forwarded to the VA regional office casualty assistance officer (CAO) closest to the residence of the surviving spouse. Outreach visits are scheduled with the families in coordination with the assigned military casualty assistance call officer. During the personal visit, the VA CAO provides information about and assistance with applying for VA benefits. VA Pamphlet 21-02-1, *Benefits and Services for Survivors of Servicemembers Who Die on Active Duty*, is left with the surviving spouse. The pamphlet explains all VA benefits and provides telephone numbers and the address of the VA website for further information and assistance. If requested, the VA CAO will conduct a follow up visit. The pamphlet is a letter size tri-fold with a pocket that can be used to save/store documents.

DIC applications based on an in-service death are faxed to a centralized unit at the Philadelphia Regional Office for processing. Our goal is to process in-service death DIC claims within 48 hours of receipt.

Bereavement counseling is also available through the VA Vet Centers. A follow-up letter is sent to the surviving spouses approximately 6 months after a DIC award is made. Its purpose is to remind surviving spouses of the range of VA benefits available to them.

The VA Insurance Service also has a special outreach program for veterans who are recently separated and are terminally ill and the families of those veterans. Through this outreach, we assure the veterans and their families that the veteran's Servicemembers' Group Life Insurance (SGLI) is still in force during the 120-day conversion period after separation and that the veteran is entitled to the SGLI 1-year disability extension if he/she was totally disabled at separation.

SGLI beneficiaries are entitled to free, personalized, objective financial counseling called Beneficiary Financial Counseling Service (BFCS). BFCS has been in use in the SGLI and Veterans Group Life Insurance programs since October 1999 and provides the services of certified financial planners and other financial professionals who are trained and experienced in handling a wide range of financial situations.

*Question 3:* Based on the 2004 study DoD conducted comparing military survivor benefits to their civilian counterparts, what deficiencies do you believe need to be addressed in order to improve the overall effectiveness of what appears to be a first class program?

*Response:* VA offers a comprehensive array of benefits to survivors of veterans who die in service. These include Servicemember's Group Life Insurance, DIG, Dependents Educational Assistance for the surviving spouse and children over the age of 18, educational counseling, and home loan guaranty benefits. Survivors are also entitled to civil service preference for Federal Government employment opportunities.

The supplemental appropriations request for fiscal year 2005 that the President sent to Congress on February 14, 2005, includes a proposal to increase the maximum amount of SGLI and VGLI coverage to \$400,000.

SENATOR RICHARD BURR

*Question 1:* What are the current availabilities of electronic information that surviving family members can access without having to go through a Casualty Assistance Calls Officer (CACO) or other benefits expert?

*Response:* The VA website includes a special section containing information about survivors' benefits. A survivor can also email a question to VA via the VA website. Such inquiries are directed to the regional office nearest the inquirer's residence through area code identification. Information can also be obtained through the VA's toll free telephone service at 1-800-827-1000.

The VA Insurance website ([www.insurance.va.gov](http://www.insurance.va.gov)) provides information about all VA life insurance benefits. Information available includes an overview of the Beneficiary Financial Counseling Program and how to obtain services, insurance claim forms that can be downloaded, and an "Insurance Needs Calculator" tool to assess life insurance needs, as well as handbooks and brochures that give a comprehensive look at all VA insurance programs. Survivors can also email their specific questions through our site, or use the toll-free numbers provided to speak to an insurance representative.

*Question 2:* What do you plan to do to make information more accessible electronically to surviving family members so they can have an additional resource when benefit and process questions arise?

*Response:* We continually update and add new content to our sites to ensure that all visitors' needs are addressed. We use the sites to keep servicemembers, veterans and their beneficiaries apprised of new programs and events and to provide answers to the most frequently asked questions received by our representatives via phone and e-mail.

Chairman CRAIG. Now let us turn to Mark Ward, Senior Policy Advisor, Casualty, Mortuary and Funeral Affairs Honors, Office of the Deputy Under Secretary of Defense. Thank you.

**STATEMENT OF MARK L. WARD, SENIOR POLICY ADVISOR,  
CASUALTY, MORTUARY AND MILITARY FUNERAL HONORS,  
OFFICE OF THE DEPUTY UNDER SECRETARY OF DEFENSE,  
DEPARTMENT OF DEFENSE**

Mr. WARD. Thank you, sir. Mr. Chairman and Members of this distinguished Committee, thank you for the opportunity to be here today to discuss the Department's policies and procedures on assisting families of the servicemembers who die while on active duty in the Armed Forces. I have a short oral statement and I request that Mr. Abell's statement be entered into the official record.

Chairman CRAIG. Without objection.

Mr. WARD. Mr. Chairman, I have focused my comments on three important areas of Mr. Abell's statement that bear on the substance of this hearing, casualty assistance, the assignment and training of a Casualty Assistance Officer, and death benefits.

I have been privileged to work these important issues for the last 10 years, including the final 6 years of my 26-year active duty Marine Corps career. I have delivered the sad and tragic news to family members, provided casualty assistance, and presented our Nation's flag to the families of the fallen in over 400 instances. There is no assignment or job opportunity that I consider more important or challenging than to assist families during the most tragic times of their lives.

When a military member dies, our first concern is to inform the next-of-kin as promptly as possible in a manner that is dignified, professional, and highly respectful. A uniformed representative of the military service concerned shall make initial notification in person to the primary next-of-kin unless unusual circumstances prevent such procedures. Additionally, whenever a casualty occurs as



a result of either hostile action or a terrorist activity, initial notifications are also made to the parents who are considered secondary next-of-kin. No information concerning the military member will be released to individuals, agencies, the media, or the general public until 24 hours after the appropriate next-of-kin have been notified.

Our Casualty Assistance Program is highly developed and well suited to effectively perform this difficult task. To ensure that our policies and programs stay current and address the needs of our servicemembers and their families, we chair a joint Casualty Advisory Board that meets three times a year to review, assess, and recommend appropriate changes. Attendance at these meetings includes the casualty heads from each of the Military Services, the Joint Staff, representatives from other Federal agencies such as the Department of Veterans Affairs and the Social Security Administration, non-profit organizations, family support groups, and surviving family members. This partnership approach on policy development, especially involving those who have experienced a loss and received the follow-on assistance, guarantees that our program is addressing the required services to meet the needs of our servicemembers and their families.

In each case in which a military member is declared deceased or missing, the Military Service concerned appoints a Casualty Assistance Officer to advise and assist the primary next-of-kin. Among the services, Assistance Officers are referred to by different names, but their roles and responsibilities are essentially the same.

The Assistance Officer maintains contact with the next-of-kin to keep them informed on all matters related to the case until the case has been resolved and all entitlements and benefits are received. There is no time limit on how long assistance will be provided. The families know that they can contact their Assistance Officer at any time for assistance during the days, weeks, months, and sometimes years later for assistance. Once assigned as an Assistance Officer, this becomes their primary responsibility.

Casualty Assistance Officer can be officers, staff noncommissioned officers, or senior civilian employees. A sample listing of the duties and responsibilities of the Assistance Officer include become the family's point of contact with the respective service, provide assistance in making contact with other Federal or State agencies, run interference when problems arise, coordinate the return of personal effects, assist the family with any required travel requirements, assist the family with burial arrangements, and assist in completion of all the required forms for applying for the various benefits or entitlements, including DoD benefits such as the death gratuity benefit.

This benefit provides an immediate source of financial assistance to support the family with unexpected financial requirements. The amount is currently \$12,420 and normally paid within 24 to 48 hours.

Funeral costs—the Government pays the costs of the burial and DoD will reimburse some or all of the expenses the family pays directly. Depending on the options selected by the family, the family can qualify for reimbursement up to \$6,900.

Housing, in-kind, or cash allowance—families of servicemembers who reside in military housing may remain in housing without cost

for up to 6 months after the member's death. If they vacate housing prior to the expiration of the 6-month period, they receive a cash allowance for the remaining time. And for the family members who do not occupy Government quarters, they are paid the 6-month allowance.

The DoD survivor benefit plan is a monthly payment from DoD equal to 55 percent of the retired pay the member would have received if he or she had retired with total disability on the date of death. And community privileges, such as commissary, theater, and exchange, as well as Veterans Administration and Social Security benefits.

It is important to note that Assistance Officers are not experts in all relevant areas in the areas the family members may have questions. If an answer is not known, the Assistance Officer will find an expert and ensure the family gets accurate information.

Assignment as a Casualty Assistance Officer can be one of the most challenging and emotionally charged duties a servicemember will ever assume. Until assigned to an actual case, Assistance Officer duties are normally assigned as an additional responsibility. Therefore, it is extremely important that we train and prepare them as much as possible to succeed. We only get an opportunity to do this right once. As a result of this dedicated and professional assistance and a genuine desire to assist families of a fallen brother or sister, we often hear from families that they consider the Casualty Assistance Officer part of their family.

Assistance Officers can be assigned from the unit of the deceased, from the parent installation, or from the unit closest to where the family is located. The Military Services ensure that their personnel assigned Casualty Assistance or notification responsibilities receive appropriate training. Training is conducted in multiple ways—a review of applicable Service Directives or Instructions, hard-copy Casualty Assistance Guides, courses of instruction in formal schools, classroom instruction, training videos, video teleconferencing, and distance learning via the Web.

When possible, a servicemember who has prior assistance experience normally assists first-time Casualty Assistance Officers. Because this is not always possible, the services and my office are available by phone, fax, and e-mail to provide help to an Assistance Officer facing an unfamiliar situation. This is also the reason why only senior personnel are selected for this responsibility.

Mr. Chairman, thank you again for the opportunity to provide information on the Department's Casualty Assistance Program. Our goal is to provide the very best support and assistance possible to our family members during the worst of times and to assure them that we are there for as long as they need us.

Mr. Chairman, this concludes my statement. I am also accompanied today by Mr. Tom Tower, our expert on DoD survivor benefits. We welcome the opportunity to respond to your questions, sir.

Chairman CRAIG. Mark, thank you very much for that testimony. [The responses of Mark Ward to written questions follows:]

WRITTEN QUESTIONS FOR MARK WARD, SENATE VETERANS' AFFAIRS COMMITTEE,  
COMMITTEE ON VETERANS' AFFAIRS

SENATOR LARRY E. CRAIG, CHAIRMAN

*Question 1:* Getting a good Casualty Assistance Officer assigned to a survivor seems to be a "hit or miss" proposition. How do you explain this? Do the military services have any way to measure the quality of services provided by Casualty Assistance Officers?

*Response:* Characterizing the assignment process for Casualty Assistance Officers (CAO) as a "hit or miss" proposition is inaccurate and unmerited. The Military Services all have sound systems in place to select and train quality assistance officers to accomplish this challenging assignment. Once assigned to a case, the Services monitor the individual Casualty Assistance Officer's interaction with the family and provide a feedback mechanism to assess the quality of the assistance.

In the Army, Navy, and Marine Corps, Casualty Assistance Officers are drawn from officers with at least two years of active duty or from senior enlisted personnel. Each Casualty Assistance Officer is a professional who realizes that he or she represents their Service at a critical moment in a military family's life. They are committed to providing the same high level of support to the grieving family that they would want their own families to receive under similar circumstances.

Each Servicemember assigned to this duty receives a standardized block of instruction prior to being assigned to assist a surviving family member. Once a CAO is assigned to a family member, he or she receives an additional briefing tailored to the particular case.

From the time of initial assignment, to submission of the final report to close the case, Casualty Assistance Officers provide many different kinds of support for the grieving military family. Once assigned as a Casualty Assistance Officer, supporting the family is the Casualty Officer's fulltime job. They act as liaisons on behalf of the next-of-kin with service and support agencies (e.g., Department of Veterans Affairs, the Social Security Administration). They assist with the burial, completion of claim forms for benefits/entitlements, and identify/coordinate need for, family support (financial, medical, morale). In performing these duties and others unique to each family, military Casualty Assistance Officers draw on an extensive support system at the local, regional and headquarters level. At the local and regional levels, they can draw on their installation's legal, personnel, and family support services. Questions and issues of greater scope can be referred to Military Department subject matter experts for immediate response.

Authorities in the Military Services monitor the Casualty Assistance Officer's progress. Reports are filed on each case. Surveys, feedback forms, and follow-up visits allow the respective Military Departments to assess the satisfaction of the fallen Servicemember's family and the performance of their Casualty Assistance Officer. Immediate corrective action is taken to address any shortcomings, whether it is with the individual or a process improvement to the system.

*Question 2:* There is unprecedented reliance on Guard and Reserve units to supplement the regular components of the Armed Forces. Who provides casualty assistance services to survivors of an activated Guardsman or Reservist? Are they drawn from the ranks of the deceased's unit? If so, what assistance is given to those units to ensure the information they are providing survivors is current and accurate?

*Response:* Casualty assistance is a total force requirement and the Services treat all duty deaths the same, regardless of the member's component. If a Reserve or Guard component member is on active duty at the time of his/her death, that Servicemember's family is entitled to, and receives, the same support for his or her family regardless of the deceased member's component.

A Casualty Assistance Officer (CAO) is assigned in each case. The selected CAO, whether active duty, Reserve, or Guard, receives the same training and is held to the same high standards in carrying out this critical mission. Proximity of the nearest trained CAO to the family, not component, is the primary factor in assigning a CAO to a family. If an activated Guardsman or Reservist's unit is geographically located in the area of the next-of-kin, a member from that unit is usually assigned.

SENATOR DANIEL K. AKAKA, RANKING MEMBER

*Question 1:* What is being done to ensure the timely return of personal effects from Servicemembers killed overseas?

*Response:* Personal effects of deceased Servicemembers are processed and returned to the Person Eligible to Receive Effects (PERE) as expeditiously as possible. Those personal effects that accompany the remains, such as wedding rings, necklaces, medallions or other items of sentimental value are cleaned and either deliv-

ered to the family by the remains escort officer or processed and sent to the family through their Casualty Assistance Officer.

All other personal effects of deployed Servicemembers who die in theater are immediately secured and inventoried by the unit and shipped through the mortuary affairs collections points to the Theater Personal Effects Depot in Kuwait. In Kuwait the personal effects are staged for trans-shipment through Dover Air Force Base to undergo cleaning and processing at the Joint Personal Effects Depot (JPED) at Aberdeen, Maryland. After final processing, the depot sends the belongings to the Casualty Assistance Officer for delivery to the family.

Prior to deployment, Servicemembers often place additional personal effects in temporary storage. If the Servicemember becomes a casualty, those personal effects are collected, inventoried, and prepared for shipment to the PERE by way of the Casualty Assistance Officer. The Services will honor the PERE request to have personal effects shipped to them directly without the assistance of the Casualty Assistance Officer.

The Services have developed automated tracking systems that continue to improve the accountability and timeliness in returning personal effects to the PERE. Some delays have been experienced when the identification of the PERE is not readily apparent, when family members engage legal authorities to seek ownership of the personal effects, or when a PERE must be appointed by a local magistrate or civilian court as a guardian to receive personal effects. This occurs rarely, when the next-of-kin is a minor.

*Question 2:* What impact would there be to the Army, Navy, and Marine Corps Casualty Assistance Programs if all Casualty Assistance Officers (CAO) were civilian employees? Does DoD have any proposals to address the complaint from survivors about the transient nature of the Casualty Assistance Officer?

*Response:* Changes in the Service casualty assistance programs are constantly being considered to ensure the most effective, thoughtful and timely delivery of services to surviving family members. There are no data available to suggest that the use of civilians to accomplish this important mission would enhance Service programs. Family members have overwhelmingly indicated their acceptance and appreciation of the current assistance officer processes. A strong indication that the current system is working, and working well, is that Navy headquarters has not received a single complaint from surviving family members about the assistance officer or the assistance rendered in more than five years.

Collectively, the Services and the Office of the Deputy Under Secretary of Defense (Military Community and Family Policy) meet formally at least three times a year to review the policies and programs that make up the Department's casualty assistance program and to learn from one another's experiences. Informally, these same offices communicate via phone and e-mail on an almost daily basis to ask questions of one another, exchange ideas, and to work in tandem to enhance the support we provide to the grieving military families.

To describe the CAO assignment process as "transient" is both unfair and inaccurate. Each family is told that it will have a CAO to assist, as long as necessary. This is an open-ended commitment; therefore, it may be necessary on some occasions to change the CAO during the process. However, when this does happen, the new CAO is fully briefed on the requirements of the position as well as particulars of the family. The incoming and outgoing CAOs will meet with the family together to review the still-remaining assistance requirements. The transfer of casualty assistance duties mostly occurs due to relocation of next-of-kin. In these cases, coordination is conducted with the military unit closest to where the family will relocate to provide any necessary follow-on assistance.

*Question 3:* What mechanism exists to inform next of kin of the circumstances surrounding the death of a Servicemember?

*Response:* When a Servicemember dies, every effort is made to provide as much information to the next-of-kin as can be substantiated in fact. Often initial information surrounding the death is sketchy, therefore Casualty Assistance Officers are directed to pass only information that has been absolutely verified, even if minimal, to the families. As a follow on, commanders write condolence letters and usually telephone the family to provide additional details that are available. Some families request to speak with Servicemembers who were with their loved one at the point of death, to know about their last moments and words. When such requests are received, they are relayed to the appropriate Servicemembers, if known, and they decide whether or not to make contact with the requesting family member.

It is Department of Defense (DoD) policy to keep primary next of kin informed on matters relating to DoD investigations. Information is often the most important element of support that DoD can provide in the aftermath of the loss of their loved one. Depending on the circumstances of death, final conclusions on cause and events

surrounding the death may take some time to verify. All Services take great care not to speculate or pass on unverified information. After investigations are completed and reports released, the next-of-kin are provided reports from the Armed Forces Medical Examiner, the unit's collateral investigation and any other pertinent released reports. Families continue to be informed as long as any new information becomes available concerning the death of the Servicemember.

*Question 4:* What impact would there be if widows and dependent children were allowed to utilize "Space A" travel on military aircraft?

*Response:* Space-available travel is a privilege that accrues to active duty military members as an avenue of respite from the rigors of military duty. Although travel is available to other categories of travelers at a lower priority, the principal objective of the privilege is the morale and welfare of those currently serving on active duty.

Unfortunately, the system is limited by mission requirements and resource restraints. Extending full space-available travel privileges could overtax present resources and diminish the limited benefit currently available. Those authorized space-available travel are often already disillusioned by the contrast between the promise of space-available travel as a benefit of military service and the reality of the lack of available seats and the arduous conditions often encountered when they use the system. At this time, any increase in the number of people who are eligible for and seek space-available travel would adversely affect the DoD's ability to support those entitled to the privilege and the ability to effectively accomplish the airlift mission support activities.

*Question 5:* As a result of lessons learned from deaths of Servicemembers in OEF and OIF, what improvements have been made to the military services' Casualty Assistance Programs?

*Response:* All the Services continuously refine and enhance their processes as a result of lessons learned from OEF and OIF. All the Service Casualty Offices aspire to hone their casualty notification and assistance programs to become more responsive to the needs of the family, and they routinely compare notes with one another toward that shared goal. In addition to a consistent sharing of information, Service casualty offices and the OSD oversight offices meet three times a year to review and assess our policies and procedures to ensure they remain current. To further enhance the Department's desire to lean forward on this important issue, these meetings, called Casualty Advisory Boards, include representatives from other Federal Agencies such as the Department of Veterans Affairs and the Social Security Administration, non-profit organizations, family support groups, and surviving family members. This partnership approach on policy development, especially involving those who have experienced a loss and received the follow-on assistance, guarantees our program is addressing the required services and concerns to meet the needs of our Servicemembers and their families.

The deployment of the Defense Casualty Information Processing System (DCIPS) to the theater of operations has significantly streamlined the casualty reporting process. In addition, the enhanced use of DCIPS has ensured more timely notification to and support of the families of the fallen. DCIPS is being improved to better track the wounded in action and monitor their progress from time of injury through the Medical Treatment Facilities, rehabilitation, and final return to duty, medical discharge or medical retirement.

Since the commencement of OEF and OIF, the Services have developed enhanced capabilities through casualty assistance drills, certification courses in grief and bereavement and advanced casualty assistance training. In addition to in-person and casualty assistance handbook training, the Services have developed Web-based training with one Service incorporating video interviews with previously assigned casualty officers that provide insight and advice on how to best provide casualty assistance. After completion of casualty assistance responsibilities, the Services' Casualty headquarters contact the casualty officers to obtain their perspective on the training they received and the available resources. Feedback from these evaluations is passed to other casualty coordinators for use in making continuous program improvements.

The ongoing demands of the Global War on Terrorism have caused the Services to develop innovative ways to train and share qualitative improvements in the casualty assistance process. This includes monthly newsletters, video teleconferences with casualty assistance coordinators, and a collaboration site that encourages discussion forums and sharing of lessons learned. The site also has a growing casualty-related resource reference library.

All of the Services provide information to the families on their benefits and entitlements. This information is both printed and Web-based and includes information for key resources such as, the Department of Veteran Affairs, the Social Security Administration, the U.S. Citizenship and Immigration Service, among others. Infor-

mation for the survivors must be in a flexible format because benefits change based on annual economic adjustment and statutory changes.

*Question 6:* What is being done to ensure that there is a consistent standard for the training of Casualty Assistance Officers across the Services? How is this training being applied to the Reserve components, including the National Guard?

*Response:* The challenge of providing the proper amount of training prior to the necessity of having to use it is recognized by every Service without regard to the component of the Servicemember. The Department of Defense establishes standards and guidance for Casualty Assistance in the Department of Defense Instruction 1300.18, "Military Personnel Casualty Matters, Policies, and Procedures." All Military Services abide by this Instruction. Casualty Assistance Officers (CAO) can be assigned from the unit of the deceased, from the parent installation, or from the unit closest to the family's location. The Military Services ensure that all active, Guard, and Reserve component personnel assigned casualty assistance or notification responsibilities receive appropriate, standardized training. Training is conducted in multiple ways: review of applicable Service Directives and Instructions, hard copy casualty assistance guides, course of instruction at formal schools, classroom instruction, training videos, video teleconferencing, and distance learning via the Web. Service Casualty offices are available at every stage of the training process.

Casualty Assistance Officer training is a commander's responsibility. All Commands are required to identify members (active duty, Guard or Reserve) to support the Services' Casualty Assistance Program. Therefore, the Service Casualty Headquarters routinely monitors training classes conducted throughout their respective Services to ensure standardization to the maximum extent possible. All potential CAOs get the same training.

Collectively, the Services and the Office of the Deputy Under Secretary of Defense (Military Community and Family Policy) meet formally at least three times a year to review the policies and programs that make up the Department's casualty assistance program and to learn from one another's experiences. Informally, these same offices communicate via phone and e-mail on an almost daily basis to ask questions of one another, exchange ideas, and to work in tandem to enhance the support we provide to the grieving military families.

SENATOR RICHARD BURR

*Question 1:* What are the current availabilities of electronic information that surviving family members can access without having to go through a Casualty Assistance Calls Officer (CACO) or other benefits expert?

*Response:* The current availability of electronic information for surviving family members is extensive. During the casualty assistance process, family members are provided a wealth of information that is available to them on-line via the Web that they can access at any time. Specific examples include: Department of Defense Websites and individual Service Websites that explain, among other items, the casualty assistance process including benefits and entitlements, military pay, mortuary benefits, and military funeral honors. Family members are also provided access information to other sites such as TRICARE, Defense Finance and Accounting Service (DFAS), Servicemembers Group Life Insurance Program, Survivors Benefit Plan and other Federal Agencies such as the Department of Veterans Affairs and the Social Security Administration. Additionally, family members are provided Website information on non-profit organizations such as Tragedy Assistance Program for Survivors (TAPS), Gold Star Wives of America, American Gold Star Mothers, and various other Veterans Service Organizations. A phone number, most often toll-free, to each of these organizations, or Websites, is also provided to our family members for their use.

When the Department or the Military Services identify an additional resource that could be of some assistance or benefit to our family members, this information is added to the list and provided to all family members during the casualty assistance process.

*Question 2:* What do you plan to do to make information more accessible electronically to surviving family members so they can have an additional resource when benefit and process questions arise?

*Response:* Family members currently have unlimited access to all known electronic sites that should be able to provide them with the information necessary to answer their questions or address their concerns. The Casualty Assistance Officer or the Service Casualty Headquarters Office is always available to provide any kind of assistance sought by a family.

[The prepared statement of Mr. Abell follows:]

PREPARED STATEMENT OF HON. CHARLES S. ABELL, PRINCIPAL DEPUTY UNDER  
SECRETARY OF DEFENSE, DEPARTMENT OF DEFENSE

Mr. Chairman and Members of this distinguished Committee, it is my privilege to discuss the means by which we care for the severely wounded, as well as the surviving families of deceased military personnel.

SUPPORT TO THE SEVERELY WOUNDED

Each of the services has initiated an effort to ensure that our seriously wounded servicemembers are not forgotten—medically, administratively, or in any other way. To facilitate a coordinated response, the Department has established a Joint Support Operations Center. We are collaborating, not only with the military services, but also with other departments of the Federal Government, non-profit organizations, and corporate America, to assist these deserving men and women and their families.

A number of our severely injured servicemembers will be able to return to duty, thanks to their dedication and commitment, and the phenomenal quality of military medicine. Some, however, will transition from the military and return to their hometowns or become new members of another civilian community. These are capable, competent, goal-oriented men and women—the best of our Nation. We will ensure that during their rehabilitation we provide a “case management” approach to advocate for the servicemember and his or her family. From the joint support operations center here, near the seat of Government, to their communities across America, we will be with them. This will continue through their transition to the Department of Veterans Affairs, and the many other agencies and organizations providing support to them.

I have mentioned that the Joint Support Operations Center is a collaborative effort, both inside and outside the Government. I recognize and appreciate the interest and expressed desire of the Congress to help ensure the success of this effort. As we identify the need for statutory changes, we will be certain to make you aware and seek your assistance.

Twenty-four hours a day, 7 days a week, 365 days a year, we are a toll-free phone call away. We will provide a venue for each of the separate programs to be successful, while ensuring that no one falls through a crack. The Center will be a one-stop location, providing a central point of contact for information and support.

PREVENTING INJURIES

The Department actively pursues all methods to prevent our military members from bodily harm. As technology has dramatically advanced from previous wars, the military has increased its lethality, but our equipment is safer, and our warfighter is more highly skilled.

With your support, we strive to provide the best military equipment in the world and ensure that it is safe to operate. For example, we believe that body armor, helmets and protective vests, are reducing both hostile and accidental serious injuries. This is supported by preliminary analysis, which indicates that most injuries are to the body extremities, arms and legs, with less severe injuries to the head and torso areas.

Secretary Rumsfeld’s initiative to change how the Department of Defense views the safety of its military personnel and civilian employees also has made an impact. Our goal is zero preventable mishaps. We have taken a major step in that direction. We are succeeding: in Operation Iraqi Freedom (OIF). Historically, about half of the Army’s wartime losses were due to accidents; in OIF, about 26 percent of the losses result from preventable mishaps.

When injuries do occur, far-forward medical and surgical resuscitation, en route critical care support and rapid evacuation to definitive care have significantly reduced combat-related deaths. This is very evident in OIF as we have a ratio of only one battle death for every ten wounded in action, compared to ratios for previous wars that ran typically around 1 to 3. With improved treatment we are also seeing 48 percent of the wounded in Iraq return to their units within 72 hours.

Similarly, our Military Health System has made significant advances in the prevention of injury and disease. These include public health measures, immunization of servicemembers, use of early detection techniques against biochemical agents, and pre- and post-deployment assessments. These have been particularly beneficial in prevention and early detection and treatment of disease and non-battle injuries. Consequently, disease/non-battle injury rates have been lower than in any other conflict.

## DEATH BENEFITS

We realize first that no benefits can replace a human life. The lost presence of the family member is what the survivors face. We can't provide that, nevertheless, we must try to address the difficult issue of how to compensate these survivors. Permit me to offer you an overview of what we do in response to the loss of a military member, including personal assistance, as well as cash benefits.

Our system of benefits is generally good, but our recent assessment, in response to your direction, concluded that the overall package could be improved to honor properly the contributions and sacrifices of our servicemembers. We are working within the Department and with other agencies to address these deficiencies, primarily in the area of immediate cash compensation, for those whose death is the result of hostile actions. We are looking at ways to improve the lump sum payments through increased insurance and death gratuity payments. I will address these in more detail later.

## MILITARY CASUALTY ASSISTANCE

When a military member dies, our first concern is to inform the next-of-kin in a manner that is fast, efficient, and highly respectful. Our military casualty assistance program is highly developed and well suited to perform this difficult task effectively. Notification is made in person by Casualty Assistance Office personnel who are customarily accompanied by a chaplain.

Casualty Assistance Office personnel stay with the family following notification of the loss, through funeral preparations, burial, and the entire process of determining benefits and compensation. They provide valuable counsel and support to the families, arranging for the military funeral (if desired), running interference when problems arise, and ensuring that the families receive the benefits and compensation due them. The families know that they can contact their Casualty Assistance Office representative at any time, even long after the servicemember's death. We are proud of our Casualty Assistance program. We often hear from the families that they consider their Casualty Assistance Office representative "part of the family."

The Department continuously explores how it can better support our family members during the most tragic of times, the loss of a loved one in the service to our Nation.

One such initiative is the expedited claims process (ECP) with the Social Security Administration. In March 2003, we partnered with the Social Security Administration to study the possibility of institutionalizing the ECP that was so effective in the tragic aftermath of September 11, 2001. The ECP incorporates post-adjudicative development of evidence, as well as the use of a special toll-free number for applicants and Casualty Assistance Officers to call when they are ready to file. This process has been extremely successful in providing swift financial assistance to our families. The final results of the pilot program showed the average claims processing time dropped from several weeks to an average of just over 2 days time. Accordingly, the ECP was made permanent in January 2004 for surviving family members of all active duty casualties. We established a similar arrangement with the Department of Veterans Affairs several years ago. That program has also significantly expedited the delivery of compensation and benefits to our families.

## BENEFITS FOR SURVIVORS

Benefits for survivors vary significantly in purpose and method of payment. Some are immediate cash payments or reimbursements for costs incurred; others provide long-term monthly income. These benefits are typically available whether the death is a result of hostilities, the result of non-hostile duty-related activities, or even the result of disease or off-duty injuries.

**Death Gratuity Benefit**—The first benefit is to provide an infusion of cash to alleviate immediate financial requirements. This is accomplished by the death gratuity payment (currently \$12,420, indexed to inflation). Our intent is to provide this payment in conjunction with the notification of death or as quickly thereafter as possible. This is done at the local level and normally takes place within 24 hours.

**Funeral Costs**—One of the first expenses survivors encounter is for the funeral. DoD will reimburse some or all such expenses the family pays directly. The amount payable varies depending which Government services are provided. If the family pays all costs, it qualifies for up to \$6,900 in reimbursements for these services.

**Insurance Proceeds**—After the funeral, the most substantial benefit is the life insurance proceeds from personal policies as well as from SGLI, or Servicemembers' Group Life Insurance. This is our principal insurance program and is under the purview of the Department of Veterans Affairs (VA), operated by the Office of



Servicemembers Group Life Insurance (OSGLI), an arm of Prudential. SGLI provides up to \$250,000 of coverage for modest premiums paid by the member. The Department of Defense pays any costs associated with an increased number of deaths attributable to the extra hazards of military service compared to the number of deaths expected in peacetime.

Housing-in-kind or Cash Allowance—A surviving family may continue to live in military housing without cost for up to 6 months after the member's death. This enables the members' family to reorient their lives without undue pressure to relocate immediately. They are able to make choices about the future in an orderly manner. Should the family not occupy military housing or move out of military quarters before the end of those 6 months, they receive a cash allowance in lieu of quarters. In essence, we provide 6 months of transitional rent.

Medical Benefits—Surviving family members continue to qualify for military medical benefits. For the first 3 years, health benefits remain at the same level of care as if the member were still on active duty. Family members are then provided medical coverage at the same level as for the families of retired members. Children remain qualified until age 23, and spouses so long as they do not remarry.

Continued Military Community Privileges—Surviving family members continue to be eligible for use of the Commissary and Exchange, and military morale, welfare, and recreation facilities. These privileges continue under the same qualifying criteria that otherwise apply if the member were retired.

Monthly Cash Compensation—The surviving family typically qualifies for one or more monthly cash benefits under plans administered the DoD, the VA, and by the Social Security Administration. Taken together, the surviving spouse with minor children will typically qualify for monthly benefits that are equal to or even exceed the former income of the member. These payments are reduced in the event of remarriage before a certain age. Although Survivor Benefit Plan payments from DoD are taxable as income, little or any tax will apply if the payments are made to the children. The VA Dependency and Indemnity Compensation (DIC) benefit is not taxable. Social Security payments can be taxable depending on the other income, but would probably be minimal for a survivor with little or no other income. Thus, the income provided the surviving family would carry little or no tax liability.

VA Monthly DIC—DIC is provided by the VA to the surviving spouse with additional payments for children. For a spouse and two children, this benefit is \$993 monthly plus \$247 per Child (Plus if there are children under age 18, \$250/month for 2 years). This equates to \$20,844 of tax-free income annually for the first 2 years, and \$17,844 thereafter so long as the children are not of age (the benefit for a spouse alone is \$11,916 annually for life or until remarriage if before age 57). The DIC is fixed for all veterans regardless of rank in service.

DoD Survivor Benefit Plan (SBP)—The family also qualifies for a monthly payment from DoD equal to 55 percent of the retired pay the member would have received if he or she had retired for total disability on the date of death. This retired pay is computed as 75 percent of the member's average basic pay over the last 3 years. If the spouse alone qualifies for this benefit, the DIC is subtracted from the SBP. However, it may be paid instead to the children and the benefits are then additive for as long as the youngest child qualifies (about age 22).

Social Security Survivor Benefit—Military members participate in Social Security on their basic pay and thus qualify for the same benefits as any other covered worker. This means monthly payments for children as well as to the surviving spouse with young children (up to age 16). These benefits depend on the history of covered wages under the Social Security program.

The table below summarizes these income benefits for married O-3s and E6s with two children as well as a married E6 with no children, and a single E6. For a married E6 with two children (8 years of service), the total of these three programs pays more than 110 percent of the member's final rate of Regular Military Compensation (RMC). For a married O-3 with children, the total equates to 96 percent of RMC. In both cases, much of the income is tax free. Thus, the family's after tax income could actually be higher than RMC.

Education Benefits from the VA—Education benefits from the VA are quite valuable and are available to both the spouse and the children. These benefits are payable for up to 45 months of education time and can easily exceed \$100,000 for a spouse and two children.

## Estimated Death Benefits

Benefit	Amount	O-3 Married with 2 Children	E-6 Married with 2 Children	E-6 Married No Children	E-6 Single	Remarks
RMC at Time of Death	Salary Equivalent	\$77,350	\$51,877	\$52,238	\$49,574	
<b>DoD Payments</b>						
Death Gratuity	\$12,420	\$12,420	\$12,420	\$12,420	\$12,420	One-Time Payment
Burial Expense	\$6,900	\$6,900	\$6,900	\$6,900	\$6,900	Reimbursed Maximum
Housing Cost and Relocation	Housing or Allowance	\$8,378	\$7,316	\$7,316	\$0	Equal to 6 months BAH
Survivor Benefit Plan (SBP)	55% of Total Disability Retired Pay	\$20,166	\$11,028	\$0	\$0	Annual to Children or Spouse net of DIC
<b>VA Administered Benefits</b>						
SGLI	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	Full Coverage
VA DIC	\$993 monthly plus \$247/Child (Plus \$250/month for 2 years)	\$20,844	\$20,844	\$11,916	\$0	Spouse with Added Amounts for Children
VA Education*	\$803/mo for Spouse & Children	\$108,405	\$108,405	\$36,135	\$0	Up to 45 Months Each
<b>Benefits Administered by Social Security Administration</b>						
Social Security Benefits	Based on rules of SSA	\$33,547	\$25,067	\$0	\$0	SSA Calculator
<b>Total Payments</b>						
Total Amounts	Up Front	\$277,698	\$276,636	\$276,636	\$269,320	
Total Amounts	Annual	\$74,557	\$56,939	\$11,916	\$0	
<b>Benefits from DoD*</b>						
Unused Leave	Varies	\$4,586	\$2,604	\$2,604	\$2,604	Assume 30 Days
Health Care First 3 Years	TRICARE health coverage	\$15,000 / Yr	\$15,000 / Yr	\$15,000 / Yr	\$0	Based on FEHBP
Health Care After First 3 Years	TRICARE health coverage	\$12,000 / Yr	\$12,000 / Yr	\$12,000 / Yr	\$0	Plan with Deductibles
Commissary and Exchange	Actual Savings Based on Expenses	\$2,500 / Yr	\$2,500 / Yr	\$2,500 / Yr	\$0	Standard for 3 Persons

\* Not included in Totals Above, value depends on use, the max is equal to \$803 x45 mos. = \$36,135 for spouse alone and \$36,135 x 3 = \$108,405 for spouse and 2 children

**Taxable Payments**  
Member has 8 Years of Service

**Financial Counseling**—A final, but important benefit is the financial counseling available to survivors. There are many associations that provide such benefits, some of them chartered for special status by the Congress, for example, the Mutual Aid Associations. Each has programs that help members and survivors understand their benefits. Anyone who receives proceeds under the SGLI program qualifies to receive continuing financial counseling service through a program set up by the VA. The Beneficiary Financial Counseling Service (BFCS) provides a highly valuable benefit for survivors. This program provides a comprehensive assessment of the lifetime financial plan of beneficiaries, including a full presentation of the benefits described in this paper.

We are currently in the process of testing a Servicemembers Benefit Analysis program through an Army pilot. We are also developing simple spreadsheet tools to help describe available benefits for service personnel. We expect to see rapid improvement in our capability to deliver financial counseling over the next several months.

## ADEQUACY OF BENEFITS

The Fiscal Year 2004 National Defense Authorization Act included a requirement for us to study the totality of all current and projected death benefits for survivors of deceased members of the Armed Forces. The study was to include a comparison of military with other Federal death benefits as well as with commercial and other private sector death benefit plans. The Government Accountability Office (GAO) was to conduct a similar study.

To ensure an independent review, we contracted for the study with the SAG Corporation. SAG completed the study in June 2004. The study concluded that the system of benefits provided to survivors of members who die on active duty to be adequate, substantial and comprehensive. However, it identified areas where improvements could make the benefits more comparable to benefits provided by other employers. For example, many large employers provide some insurance at no cost. The rationale of providing Federal benefits in recognition of deaths in the performance of duty of law-enforcement officers and firefighters, would seem to apply as well to military members.

GAO's report, dated July 2004, "Survivor Benefits for Servicemembers and Federal, State, and City Government Employees" made no recommendations, but

reached findings similar to the SAG report. GAO found servicemembers almost always obtain higher lump sums than do the survivors of 61 civilian Government entities, but the survivors of civilian Government employees in some high-risk occupations may receive supplemental benefits. These supplemental payments generally result in higher benefits to employees in these high-risk occupations than for servicemembers.

As you can see from the foregoing, the benefits provided are substantial. They come from a wide variety of programs and address a variety of concerns. They provide significant continuing income and are of great help to survivors in making their transition through the changes in life that inevitably follow a member's death. A surviving spouse with young children has the potential to receive more than \$2 million over her or his remaining lifetime.

We agree with the findings of the SAG and GAO reports that our benefits, while substantial, do not provide specific recognition of deaths that occur when our members are sent into harms' way in the service of their Nation; so we propose increasing the cash benefits for deaths that occur under these circumstances. We support the principle that the surviving family of a member killed in combat should receive about \$500,000. This compares to the approximately \$262,000 they are able to receive today. We advocate doing this by: (1) Increasing the maximum SGLI to \$400,000 with \$150,000 of insurance funded by the Government when the member is serving in an operation or area designated by the Secretary of Defense, (2) Increasing the current \$12,420 death gratuity to \$100,000 for deaths occurring in these same designated areas, and (3) Applying these improvements retroactively to the beginning of Operations Enduring Freedom and Iraqi Freedom. We intend to fund these enhancements within planned appropriations or budgeted levels.

These improvements I have outlined in benefits are an outgrowth of the conclusions in both the SAG and the GAO reports that I discussed above. We have drafted language to make these improvement and are eager to move this legislation forward. Our bill, while not identical, is broadly consistent with other bills already introduced in the 109th Congress, such as the HEROES Act of 2005.

Our objective is to ensure that we fully support our servicemembers when we send them in harm's way, and that we properly support the family's needs if the servicemember dies on active duty.

Chairman CRAIG. Now let me turn to Frederick Streckewald, Assistant Deputy Commissioner for Disability and Income Security Programs, Social Security Administration. Welcome to the Committee, Frederick.

**STATEMENT OF FREDERICK G. STRECKEWALD, ASSISTANT  
DEPUTY COMMISSIONER FOR PROGRAM POLICY, SOCIAL  
SECURITY ADMINISTRATION**

Mr. Streckewald. Thank you. Chairman Craig, Members of the Committee, thank you for inviting me to testify about Social Security benefits available to the survivors of the brave men and women who serve in our Armed Forces and who have given their lives in service to their country.

I would first like to say that I, too, was moved by the testimony of Mrs. Petty and Mrs. McCollum and I would like to apologize to Mrs. Petty on behalf of the Social Security Administration for any rudeness she received from us. That is completely unacceptable under any situation.

The difficulties they face remind us of how important Social Security is to young surviving families. We admire their courage and we are grateful for their ultimate sacrifice made by their spouses.

I will briefly discuss our procedures to expedite claims for the survivors of the military personnel. These procedures are similar to those implemented following the September 11, 2001, terrorist attack. I will then describe Social Security benefits that are paid to survivors and explain how these benefits are computed.

Last year, the Social Security Administration paid about \$490 billion to over 47 million Social Security beneficiaries. Thirty percent of our beneficiaries are disabled workers and their families and survivors of deceased workers, widows, widowers, and children.

The Social Security Administration has responded quickly to help families who have lost a loved one in the Armed Forces of our great Nation. SSA personnel are well trained to handle these claims in a compassionate, accurate, and timely manner. Working closely with the Department of Defense, SSA implemented special instructions to expedite the processing and payment of claims filed by survivors of all servicemembers who die on active duty.

All claims for survivors' benefits based on the records of military casualties are being processed by a special staff in our Philadelphia payment center. Families of servicemembers calling to apply for survivor benefits using our toll-free number will have their call transferred to this special staff in Philadelphia, where an application will be completed and the necessary evidence will be discussed. In addition, SSA has established a toll-free number to allow these claimants to call this special staff directly in Philadelphia. To prevent any possible loss of benefits, SSA allows a third party, such as the Casualty Assistance Officer, to file applications on behalf of any survivors.

By having these claims expedited through a special central processing unit, SSA is able to process these cases in an average of 2 to 3 days. In many cases, these claims are processed the same day the call is received. And for those who prefer to file in person at their local Social Security office, that option, of course, remains available.

The monthly cash benefit Social Security pays to the survivors of deceased servicemembers are the same benefits paid to the survivors of all insured workers. In 2004, Social Security paid over \$14.5 billion in benefits to over 1.9 billion surviving children and approximately \$1.5 billion to 184,000 widowed mothers and fathers. In December 2004, the average monthly benefit paid to surviving spouses caring for workers' children was \$689 per month. With respect to surviving families, the average monthly benefit paid to a family consisting of a surviving spouse and two or more children was \$1,905 per month.

For survivors to be eligible to receive benefits, the deceased worker must have credit for a certain amount of work that is covered under Social Security. Active duty military service employment has been covered by Social Security since 1957. For servicemembers who die at age 27 or earlier, only six quarters of coverage, basically a year-and-a-half of work are needed for the worker's survivors to be eligible for benefits. This required coverage can be obtained from earnings while in the military and earnings before military employment.

Let me now briefly outline who can qualify for survivor benefit payments. A widow, widower, or a surviving divorced spouse who meets certain duration of marriage requirements can begin receiving benefits at age 60, or if disabled, at age 50. On the other hand, a widow, widower, or surviving divorced spouse who is caring for an entitled child of the worker who is under age 16 or is disabled can qualify for benefits. So if the child is under age 16 or the child

is disabled, the parent caring for the children, can receive benefits, and there is no duration of marriage requirement.

In addition, the child of a deceased worker can receive benefits if the child is under age 18 and unmarried, or is under age 19 and attending elementary or secondary school full time or is disabled.

Social Security benefits are based on the deceased worker's primary benefit, which is based on Social Security covered earnings over the worker's lifetime. Monthly benefits payable on a worker's record are limited to a statutory family maximum. The family maximum ranges from about 150 percent to about 188 percent of the worker's primary benefit and usually applies when more than two survivors are eligible for benefits on the worker's records.

In conclusion, I want to again thank the Committee for inviting me to testify today about the important role that Social Security plays in providing economic security for the families of those in our Armed Forces who have lost lives in the service of our Nation. I will be happy to answer any questions.

Chairman CRAIG. Thank you very much for that testimony.  
[The prepared statement of Mr. Streckewald follows:]

PREPARED STATEMENT OF FREDERICK G. STRECKEWALD, ASSISTANT DEPUTY  
COMMISSIONER FOR PROGRAM POLICY, SOCIAL SECURITY ADMINISTRATION

Chairman Craig and Members of the Committee, thank you for inviting me to testify about Social Security benefits available to the survivors of the brave men and women who serve in our Armed Forces.

In my testimony I will discuss our procedures to expedite claims for the surviving family members of our military personnel who have given their lives in the service of our country and the current conflicts in Iraq and Afghanistan. These procedures are similar to those implemented following the September 11, 2001 terrorist attacks. I will also describe the types of Social Security benefits that are paid to these widows, widowers, and children and how these benefits are computed.

Last year, the Social Security Administration (SSA) paid about \$490 billion in benefits to over 47 million beneficiaries. Social Security is much more than a retirement program. Thirty percent of our beneficiaries are disabled workers and their families and survivors of deceased workers—widows, widowers and children. Among those counting on the protection of Social Security are our young servicemen and servicewomen and their families. They, and the millions joining the system every year, are relying on Social Security for a major portion of their future financial security.

At Social Security, we are committed to delivering high quality, citizen centered service. We offer our services in person at our nearly 1,300 field offices located throughout the country, via our toll-free telephone service (1-800-772-1213) and via our website ([www.socialsecurity.gov](http://www.socialsecurity.gov)).

SPECIAL PROCEDURES

The Social Security Administration, in the best tradition of public service, has responded quickly to help families who have lost a loved one in the Armed Forces of our great Nation. We are grateful to our servicemen and servicewomen for the sacrifices they make in defense of our freedom, and we take great care in assisting the families of those who have made the ultimate sacrifice. SSA personnel are well-trained and experienced to handle these claims in a compassionate manner. Further, we are committed to processing these claims in an accurate and timely manner.

Working closely with the Department of Defense, SSA implemented special instructions to expedite the processing and payment of claims filed by survivors of all servicemembers who die on active duty. All claims for survivors benefits based on the records of military casualties are being processed by the Immediate Claims Taking Unit in our Philadelphia payment center.

Families of servicemembers calling to apply for survivor benefits using SSA's toll-free 800 number will have their call transferred to this special staff, where an application will be completed and necessary evidence discussed. In addition, SSA has es-

tablished a toll-free number to allow claimants to call this special staff directly. To prevent any possible loss of benefits, SSA allows a third party, such as the Casualty Assistance Officer, to file applications on behalf of any survivors.

By having these claims expedited through a special central processing unit, SSA is able to process these cases in an average of 2-3 days. In many cases, these claims are processed the same day the call is received. However, for those who prefer to file in person at their local office, that option remains available.

#### SOCIAL SECURITY SURVIVOR BENEFITS

Now, I'd like to turn my focus to the importance of survivor benefits.

Social Security is especially valuable for workers who die before they are able to accumulate additional assets towards providing security for their survivors. By providing a monthly benefit that is inflation adjusted, Social Security benefits also ensure that the purchasing power for the survivors will not erode over time.

The monthly cash benefits Social Security pays to the survivors of deceased servicemembers are the same benefits paid to the survivors of all insured workers. In 2004, Social Security paid over \$14.5 billion in benefits to over 1.9 million surviving children and approximately \$1.5 billion to 184,000 widowed mothers and fathers. In December 2004, the average monthly benefit paid to surviving children was \$625; the average monthly benefit paid to surviving spouses caring for the worker's children was \$689. With respect to surviving families, the average monthly benefit paid to a family consisting of a surviving spouse and two or more children was \$1,905.

For survivors to be eligible to receive benefits, the deceased worker must have credit for a certain amount of work that is covered under Social Security. Active duty military service employment has been covered by Social Security since 1957. Depending upon the worker's age at death, as few as 6 quarters of coverage from any work covered under Social Security may be sufficient for the worker's survivors to be eligible for benefits. (Six quarters of coverage represents 1½ years of work.) The maximum requirement for coverage under Social Security is 40 quarters of coverage.

Social Security benefits for survivors are based on the deceased worker's "primary benefit". The primary benefit is the same benefit amount paid to workers who receive Social Security disability insurance benefits or who wait until the full-benefit retirement age (FRA) to claim benefits. (The FRA is currently age 65 and 6 months for workers reaching age 65 this year, but will gradually increase to age 67.)

The first step in computing the worker's primary benefit is to update (index) the worker's earnings to reflect today's dollars. Then the worker's indexed earnings are averaged over a period of years. (For servicemembers and other workers who die at age 29 or earlier, just the highest 2 years of indexed earnings are counted for this average.) Finally, a benefit formula is applied to the worker's average earnings amount to compute the worker's primary benefit.

Monthly benefits payable on a worker's record are limited to a statutory maximum, known as the family maximum. The family maximum ranges from about 150 percent to about 188 percent of the worker's primary benefit, and usually applies when two or more survivors are eligible for benefits on the worker's record.

The following requirements apply for Social Security survivor benefits:

##### *Widow / Widower (of deceased worker)*

Married to the worker at least 9 months. (If the death is accidental or occurs in the line of duty while the deceased is a member of a uniformed service on active duty, the 9 month requirement is waived.) Or divorced from the worker after 10 years of marriage. Benefits are available at:

- Full-benefit Retirement Age (FRA) (100 percent of the worker's primary benefit)
- Age 60 to FRA (100 percent of worker's primary benefit permanently reduced for each month of the widow/widowers entitlement prior to FRA)
- Age 50-59 and disabled (71.5 percent of the worker's primary benefit)

At any age to a surviving spouse or surviving divorced spouse, without a duration of marriage requirement, if caring for an entitled child of the deceased worker, under age 16 or disabled (75 percent of the worker's primary benefit).

##### *Child (of deceased worker) and Meets One of Following Requirements:*

- Under age 18 and unmarried (75 percent of worker's primary benefit)
- Attending elementary or secondary school full-time at age 18 and through the end of the school term in which age 19 is attained (75 percent of the worker's primary benefit)
- Disabled child, age 18 or over, who was disabled before age 22 (75 percent of the worker's primary benefit).

*Dependent Parent Age 62 or Older (of deceased worker)*

- One surviving parent (82½ percent of worker's primary benefit)
- Two surviving parents (75 percent of worker's primary benefit payable to each parent).

*Lump-Sum Death Payment*

A one-time amount of \$255 is payable, upon the death of an insured worker, to a spouse with whom the worker was living at the time of death or to a spouse or child who is eligible for monthly survivor benefits for the month of the worker's death.

In conclusion, I want to again thank the Committee for inviting me to testify today about the important role that Social Security plays in providing economic security for the families of those in our Armed Forces who have lost their lives in the service of our Nation. For decades, the Social Security program has provided this protection and is as important as ever. Social Security employees reflect the highest ideals and the finest traditions of our Agency in making real our common goal of providing prompt and caring service to those affected by the war on terror.

I will be happy to answer any questions you may have regarding the benefits that the Social Security Administration pays to survivors of our servicemembers.

Chairman CRAIG. All of you were present for the testimony and the questioning of the first panel, I believe, and it is certainly my observation and the observation of some of my colleagues that there is clearly a disconnect in an accurate and complete flow of information to a surviving spouse at a time of a casualty. Recognizing the environment in which that information first comes and then the continuity as that spouse and family move forward becomes very obvious from that testimony.

I guess, Mr. Ward, the thing that all of us try to understand under those circumstances is how do we get a complete amount of information to a surviving spouse in a timely and responsible fashion and bring around them the necessary services and informational flow to allow them, when appropriate, to make the right judgments and decisions?

Senator Graham mentioned, and it was certainly, I think, many of our thoughts as we were listening to this testimony that the military works awfully hard at taking care of its own, and responsibly so, and that responsibility falls under the Casualty Assistance Officer. At the same time, we heard clear testimony that that is sometimes, if I can be blunt, a hit-and-miss proposition, that it doesn't have the continuity that it obviously must or should have, that the information flow isn't as accurate or as timely and that it is only by phenomenal due diligence on the part of the widow that they begin to understand the total array of benefits that might be available to them.

How do we improve this situation?

Mr. WARD. Well, thank you very much for the question, Senator. I can tell you up front that what I heard also this morning in the stories, and I don't know the specifics surrounding each of those specific cases, but they were certainly alarming to me to hear some of the things that they indicated about the lack of getting accurate information in a timely fashion.

One of the things we have heard today also is that this is an extremely complex issue. Our Casualty Assistance Officers are very unique in the respect that some are better than others. We go to great lengths to ensure that they are appropriately trained, provided all the necessary tools to do a good job, but again, delivery

of those services are going to be as best to the individual's individual ability to be able to do that.

What we have done is, in part of our feedback from family members to ensure that our programs are working as intended to, not only do we get feedback from individual Casualty Assistance Officers after they have provided service to the families for as long as necessary, but we also have follow-up mechanisms to ask family members in follow-up letters, survey letters, if you will, are there any additional items pending, again expressing our condolences, and do they have any recommendations on how we can improve our processes.

We want to ensure that if there are any lingering issues out there that we address them appropriately and quickly. We don't want family members to go off with things unanswered, questions still in their minds of things they think they should be entitled to or receive. We want to be able to address them very quickly.

Some of the questions or some of the issues that were brought up this morning about Casualty Assistance Officers assigned and then they move on, you know, there was a disconnect there. We have several issues or policies in place to ensure that when a commander assigns an Assistance Officer to work with a family that that individual is going to be there for as long as possible.

We also understand that, periodically, some cases are going to take longer than others to resolve and those individuals are going to move on, and so we have processes in place to do a warm hand-off, to do a tradeoff, such as if I am leaving, if I am the Casualty Assistance Officer and you are the family I am dealing with, I will bring my replacement in to meet you so that you know exactly who is going to be working with you after that.

What we have to do, an improvement, I think, in our guidebooks that we provide families to encapsulate all their benefits and entitlements and phone numbers that they can call. The services all produce guides that they provide survivors that they can review the benefits that they have been provided or are getting and if they have any additional questions that they can call on, so we can do a little bit better there.

Chairman CRAIG. At the time of contact, certainly—and I am quite sure not in the immediate sense, but in days to follow—is anything as comprehensive as that list over there on the easel that gives the example of the spouse and her family and all of the total benefit packages within DoD, within VA, and within Social Security that are available to them handed to them?

Mr. WARD. No, sir. There is not a single document they are provided. As I indicated earlier, our Casualty Assistance Officers are not experts in all those areas. But what they do, and through their process of working with the families, is to put the family in contact or facilitate that contact with the experts in those various agencies to ensure that the family members get accurate information on the benefits from that particular agency.

Chairman CRAIG. Well, I think that is part of my frustration. I worked with our Government a good many years and sometimes the right hand and the left hand don't communicate until they are forced to or until they are caused to, when, in fact, they make, when joined together, the total picture and the total package. And



certainly to the individual on the outside of Government, we are a very large black hole. And if we are not helping facilitate that, we are not really helping, especially when you can't provide a single clear picture of totality of benefit even though there is a necessary need to hand that individual through the process from agency to agency.

Mr. WARD. If I could defer a little bit to my colleague here, Tom might be able to address some of the things that we are doing in that particular regard.

Chairman CRAIG. Tom.

**STATEMENT OF THOMAS R. TOWER, ASSISTANT DIRECTOR OF COMPENSATION, OFFICE OF THE DEPUTY UNDER SECRETARY OF DEFENSE, DEPARTMENT OF DEFENSE**

Mr. TOWER. Mr. Chairman and other distinguished Members, I would just like to first say how deeply I appreciate the sacrifices made by your earlier panel members and other members of the audience who have lost loved ones. It is very touching to hear their stories and we are moved that we do have some areas where we don't quite measure up and we certainly want to try to do our best to improve. I have talked to Mrs. Smith on numerous occasions at length and it is always a wonderful opportunity to hear from people like her.

We are working in this area. There is a study ongoing to report out this spring to provide this kind of a service. The Army is the lead agency on this. They contracted with a private corporation to look at ways to use technology to bring this kind of information to servicemembers, not only at the time of a casualty and crisis, but to members before that happens, as well. As one of the widows expressed this morning, you need this information to look at beforehand, sort of kind of to think about and be prepared. So we have that ongoing study and hope that will lead to some sort of service that will provide that kind of single document.

I believe all the services also have this service or similar services available through the associations that provide this kind of service, like Navy Mutual Aid and Army-Air Force Mutual Aid Associations, and I think some of the widows were members of that and have availed themselves of that.

We also rely on the VA for the fine service that they are providing through the beneficiary financial counseling service, and I think this can provide exactly what these widows are looking for, maybe not in the exact format that we have seen here, but all of this information, and perhaps our colleagues from the VA could speak to this, should be available through that beneficiary financial counseling service. That is, I believe, like a \$2,000 value that is presented to any SGLI recipient, beneficiary, as being available to them.

If, as I heard this morning from the widows, they are not hearing about it, I think this is where we have a shortfall and need to address why aren't people becoming aware that this counseling service is available, because I think this would help them in understanding how they can manage their proceeds from the insurance as well as the annuity-type benefits that are being provided or edu-

cation-type benefits to best achieve the financial results that they are looking for as surviving families.

So I think we are doing a few things. I think we have some things, but I am a little concerned that they are not quite as visible as we had hoped they would be.

[The responses of Thomas M. Tower to written questions follows:]

WRITTEN QUESTIONS FOR THOMAS M. TOWER, SENATE VETERANS AFFAIRS  
COMMITTEE, COMMITTEE ON VETERANS' AFFAIRS

SENATOR LARRY E. CRAIG, CHAIRMAN

*Question 1:* The survivors' advocates on our first panel all testified about available technology, which shows customized, current and forward-looking information about survivor benefits. Why doesn't the Government have this sort of integrated system available?

*Response:* The Department is monitoring the Army's pilot program to implement a Servicemembers Benefit Analysis Online (SMBA) system. The Army awarded a contract to Resource Consultants, Incorporated (RCI) in September 2004 to conduct a concept validation of SMBA Online. RCI is assessing the effectiveness of existing means of benefits counseling with a focus on deploying personnel and is expected to submit its findings in July 2005.

As the Department continues to pursue technological means to provide accurate and customized benefits information, each of the Armed Services has military casualty assistance programs in place to provide surviving families with counseling on financial assistance, military benefits, and entitlements. The casualty officer assigned to a surviving family provides valuable support and counsel to ensure that they understand the full complement of benefits that will accrue to them. The casualty officers assist the families with completing and submitting the paperwork to ensure expeditious processing of these benefits. During the casualty assistance process, the families are also provided Websites that give additional detailed information on each benefit or entitlement.

*Question 2:* On February 1, 2005, the Administration announced its proposal to increase death gratuity payments to \$100,000. I am concerned about the impact increasing the gratuity might have on a young, single Servicemember's willingness to remain in the Government's group insurance plan. If young, healthy Servicemembers decline coverage, what would be the impact on premiums? Have the potential "unintended consequences" of these proposals been thoroughly examined?

*Response:* The purpose of the death gratuity is to provide immediate cash to meet the needs of survivors. The death gratuity is geared toward helping survivors meet immediate expenses incurred, such as burial costs and/or transportation of family members to funeral locations. The Servicemembers Group Life Insurance (SGLI) is an insurance program that enables Servicemembers to increase substantially the amount available to their beneficiaries in the event of their death. Not only are there different reasons for the two streams of money, many Servicemembers may not be able to obtain affordable life insurance because of their age or military assignments. Some private plans may not insure persons in high-risk groups or may not pay for combat-related death. SGLI has affordable premium rates, giving them the opportunity to provide for their survivors in the event of their death. The VA sets the premium rates to keep the program sound, keeping in mind affordable rates to the member. All members are automatically enrolled in SGLI at the maximum level. Historically more than 90 percent (even higher during times of war) of all members retain the maximum SGLI coverage. Our proposed enhancements would not only increase the maximum coverage to \$400,000, but also would require spousal concurrence to decline or reduce SGLI coverage. We are confident that overall SGLI participation rates will remain at their historically high levels.

SENATOR DANIEL K. AKAKA, RANKING MEMBER

*Question 1:* Is DoD currently capable of compiling a complete benefits analysis for a survivor upon the death of a Service member? If so, is this analysis similar to the product that the Armed Forces Services Corporation makes available to its customers? If not, what are the necessary steps that DoD would need to take to be able to make this information available to survivors?

*Response:* It is not appropriate under current acquisition rules to comment on the capabilities of a commercial product. The Department is monitoring the Army's pilot

program to implement a Servicemembers Benefit Analysis Online (SMBA) system. The Army awarded a contract to Resource Consultants, Incorporated (RCI) in September 2004 to conduct a concept validation of SMBA Online. RCI is assessing the effectiveness of existing means of benefits counseling with a focus on deploying personnel and is expected to submit its findings in July 2005.

Each of the Armed Services military casualty assistance programs provides surviving families a complete analysis on military benefits and entitlements. The casualty officer assigned to a surviving family provides valuable support and counsel. The CAO works closely with the family to ensure that the full complement of benefits is understood. The casualty officers assist the families with completing and submitting the paperwork to ensure expeditious processing of these benefits. During the casualty assistance process, the families are also provided Websites that give additional detailed information on each benefit or entitlement.

SENATOR JOHN THUNE

*Question 1:* In the 108th Congress we eliminated the spousal benefit Social Security offset to provide more assistance to surviving spouses. This Congress we have been asked to eliminate the Disability and Indemnity offset for spousal benefits as well. What are the long term costs associated with such an initiative and how will it affect other veterans or defense spending priorities?

*Response:* The Survivor Benefits Plan (SBP) program, as enacted, ensured that payments from all Federal survivor benefits totaled at least 55 percent of the member's retired pay (or in the case of an active duty death, the amount of retired pay as if the member retired on the date of death). Both SBP and Dependency and Indemnity Compensation (DIC) for active duty deaths are fully funded by the Government. Thus, the offset of DIC from SBP avoids the duplication of Government benefits. Since retirees pay premiums to cover a portion of SBP funding, those premiums attributed to the reduction for DIC are returned to the beneficiary, generally in a lump-sum payment.

The Fiscal Year 2004 National Defense Authorization Act did authorize survivors of members who die on active duty who have children to elect to have the SBP paid to the children. Thus, for Servicemembers who die on active duty, survivors have the option to pay DIC to the spouse and SBP in the children's name, which avoids the offset.

Eliminating the SBP offset for all widows entitled to DIC would cost the Military Retirement Fund more than \$5 billion over 10 years.

*Question 2:* Understanding survivor benefits can be a difficult task, particularly when trying to deal with the loss of a loved one. Do you think that survivors adequately understand their options? Does the VA provide assistance to help survivors understand their rights and benefits?

*Response:* The Department is working to improve access to accurate survivor benefits information. There are initiatives underway to meet this goal. The Department is monitoring the Army's pilot program to implement a Servicemembers Benefit Analysis Online (SMBA) system. The Army awarded a contract to Resource Consultants, Incorporated (RCI) in September 2004 to conduct a concept validation of SMBA Online. RCI is assessing the effectiveness of existing means of benefits counseling with a focus on deploying personnel and is expected to submit its findings in July 2005.

As the Department continues to pursue technological means to provide accurate and customized benefits information, each of the Armed Services has military casualty assistance programs in place to provide Servicemembers and their families with counseling on financial assistance, military benefits, and entitlements. The casualty officer assigned to a surviving family provides valuable support and counsel to ensure that they understand the full complement of benefits that will accrue to them. The casualty officers assist the families with completing and submitting the paperwork to ensure expeditious processing of these benefits. During the casualty assistance process, the families are also provided Websites that give additional detailed information on each benefit or entitlement.

The VA has a comprehensive pamphlet for survivors of Servicemembers who die on active duty. In addition to information on burial benefits, the pamphlet outlines programs including Vocational Rehabilitation and Employment Services, Work-Study Employment, Civil Service Preference, Education Program Refunds, Home Loan Guaranty, Dependency and Indemnity Compensation, and Dependents' Education Assistance.

*Question 3:* Based on the 2004 study DoD conducted comparing military survivor benefits to their civilian counterparts, what deficiencies do you believe need to be

addressed in order to improve the overall effectiveness of what appears to be a first class program?

*Response:* The Department contracted with the SAG Corporation in 2004 to conduct an independent study on the Department's death benefits program. The study found the system of benefits provided to survivors of members who die on active duty to be adequate, substantial and comprehensive. However, it identified a lack of recognition for direct sacrifice of life, as is provided by the Public Safety Officers' Benefit Act (pays over \$267,000 to survivors in recognition of deaths in the performance of duty of law-enforcement officers and firefighters). Additionally, a 2004 GAO report, "Survivor Benefits for Servicemembers and Federal, State, and City Government Employees," found the survivors of civilian government employees in some high-risk occupations may receive supplemental benefits for deaths while performing dangerous duties. The Department's proposed death benefits program enhancements recognize the direct sacrifice of life in service to the Nation.

Chairman CRAIG. Admiral, I will come back to you in a moment to follow up on the question that I think is appropriate from Tom's observations, but first, let me go to my colleague, Senator Akaka.

Senator AKAKA. Thank you very much, Mr. Chairman.

Admiral Cooper, I was impressed with the list of benefits you explained that are provided by VA. What is VA doing to make sure that surviving spouses are aware of these services?

Mr. COOPER. I would say that we made a great deal of progress in the last couple of years because of the push that we have had. First, we are working very closely with DoD on our joint Casualty Assistance Program. I have a very good person who is in charge of our outreach.

We have a VA worker in each regional office who is in charge of casualty assistance. We follow the lead of the CACO, or of the military Casualty Assistance Officer. We give him this trifold pamphlet when he first visits the family. He then gives us the forms necessary to claim the SGLI insurance and to start the DIC. We try to do that within 2 days of getting that paperwork.

When we are told that the family is available for our people then we go to the family to talk to them about VA benefits. But we do wait until we are told that they are ready to talk to us rather than get in too soon.

As far as the financial counseling, when the SGLI insurance is paid we send a letter and pamphlet advising that we have this financial counseling service available. About 2 months later, we will send another letter if the recipient has not taken advantage of the benefit. And 6 months after that, we will send another letter reiterate some of the VA benefits they're entitled to, but may not remember at a time of such great personal loss.

What we have found is a very low percentage of beneficiaries take advantage of this financial counseling. We continue to push it. But only about 3 percent have come back and said we would like to participate and see what help we can get. It is perhaps attributable to the fact that all of us get lots of mail and sometimes we throw that mail away and don't see it. I have very good people who are looking at it on a continuous basis to try to increase participation.

Senator AKAKA. Thank you for those details. I am interested in the 3 percent participation rate and ask why is it only 3 percent. We have been talking about transparency, communicating. It appears to me that is part of that problem. But I am interested in knowing why it is only 3 percent.

Mr. COOPER. And I am, too, but let me mention, I am being told that it is 8 percent.

[Laughter.]

Senator AKAKA. It is growing.

Mr. COOPER. But the fact is, of the 3 percent who make contact, 11 percent of that group completes the financial questionnaires and gets a personalized financial report.

I can't tell you what the reason is. It is something that we will continue working on. It is difficult to find out why somebody doesn't do something. We are planning a survey to help us determine why people are not taking advantage of this benefit.

Senator AKAKA. It is obvious that work needs to be done in that area.

Mr. COOPER. I will mention one more thing. Prudential tells us that this is a much higher return rate than they see on their other group policies. So it is an interesting phenomenon, but it is something we have to work on.

Senator AKAKA. Yes.

Mr. Tower, you advocated that VA's financial counseling service should be better utilized. This is the case here, too. Is this counseling occurring at military installations by VA personnel, and how accessible is this counseling?

Mr. TOWER. I am not sure if the question is for me, Senator, but I am not involved in any of the provision of the counseling, so I would have to defer to our VA colleagues.

Mr. COOPER. The counseling is on an individual basis and so it is a matter of that person, that spouse coming back in and saying, I would like to take advantage of this counseling service. At that point, it is strictly a one-to-one, starting out with paper and then communication verbally as it goes along. So it is not something that they would be made aware of before the time came that they would want to use it. That is, they wouldn't know about it before their spouse had been killed.

Senator AKAKA. Mr. Chairman, I see my time is up.

Chairman CRAIG. Go ahead.

Senator AKAKA. Thank you.

Chairman CRAIG. I have got one more question. I am going to be out of time here in just a few more minutes. Please proceed.

Senator AKAKA. Mr. Ward, what do you think of making the Casualty Officer duty more permanent in terms of conversion to a GS position?

Mr. WARD. One of the services right now has that setup in place, the Air Force. They have trained professionals at all 83 of their installations. They are all GS employees, GS-9 to 11. When they are not performing casualty assistance duties, they also perform duties as SBP counselors, SGLI counselors, passport agents and the like. When they get assigned a casualty assistance case, that becomes their primary responsibility until they are finished with that particular case.

Now, that particular program works exceptionally well for the Air Force. The other services and their programs that they have where they don't utilize civilian personnel out in the field, their programs work exceptionally well for them. The service headquarters, of course, and the Casualty Officers are made up of a

combination of each to ensure that long-term continuity and expertise at the headquarters level and/or at the casualty area commands, if it is broken down by regions around the country.

But to answer your question about what do I feel about having those personnel be more permanent, like GS employees, I think we would have to take that back and look at it a little bit on each individual service basis because we also understand that one size doesn't fit all. The expertise is already resident at the service headquarters level and it needs to be spread out a little bit more around the country.

Senator AKAKA. I hope that expertise also includes up-to-date information on compensation and other services that would be available.

Mr. WARD. Yes, sir.

Senator AKAKA. Mr. Streckewald, at this week's Senate Armed Services hearing, Dr. Chu mentioned that the Social Security Administration has developed an expedited claims process for the delivery of Social Security benefits to the families of deceased servicemembers. You also mentioned this in your written testimony. Would you briefly explain how this system works, and in your opinion, what can be done to improve that program?

Mr. STRECKEWALD. I would be glad to. We saw a need to make sure that the survivor claims for our brave men and women lost in battle were expedited and we put in place procedures that were flexible, similar to the way we did after the 9/11 attacks. We wanted to get the benefits to people right away so we relaxed some of our evidentiary requirements and expedited those cases. In some cases, we got the proofs we needed after we had already processed the case and started the payments. That worked out very well.

So for the military deaths, we have a special unit that is in the Mid-Atlantic Payment Service Center, which is in Philadelphia, and they have an immediate claims-taking unit there. When they receive the Form 1300, from the Casualty Assistance Officer, either faxed or called over to that unit from the Defense Department, that form acts as an indication of death. It has the surviving members listed on the form. It has proof of military service. So we already have a lot of what we need just with that form.

One of our employees will then check to see if a claim has already been filed, because the family may have already gone into a local Social Security office and we don't want to intrude upon them again if they have already taken care of it. Our employees will look in the system. If a claim has not been filed, they will look to see if the serviceperson was insured for Social Security, which in most cases they are, and they would contact the family and offer to take a claim from them over the phone and explain what the benefit payments would be if they were found eligible.

If the serviceperson for some reason was not insured, and this might be because a newly-enlisted person had no prior work and they had not been in the military long enough to get the six quarters of coverage that a young person needs, then we would compute the benefit that they would have received if they had been insured for Social Security. We send information on that amount to the VA and the VA then determines the benefit, which I understand is very close to what our determination was, and then the VA makes

the payment. I don't know a lot about the VA benefit process, but I know we do make that computation and we send it to the VA.

Senator AKAKA. Thank you for your responses.

Mr. STRECKEWALD. We think our current process is working very well. Most payments are processed within 2 or 3 days and the checks are received shortly afterwards.

Senator AKAKA. Thank you for the time, Mr. Chairman.

Mr. WARD. Mr. Chairman, if I could add just one more comment. Chairman CRAIG. Mr. Ward.

Mr. WARD. Thank you, sir. I just want to compliment the Social Security Administration. We formed a partnership with them a little over 2 years ago to work out a partnership based on the model after September 11, and working in partnership with the Social Security Administration, we took a system where a family member would apply for benefits that would normally take several weeks to resolve or for the family members to start receiving those benefits down to just a little over a couple of days that we are hearing today. And family members have told us that they were very grateful, and one, they are astounded they have two different Federal agencies working so closely together in their behalf. But this really was a process improvement to expedite delivery of services and benefits to family members and it is a good thing.

Chairman CRAIG. That is good to hear, Dan, thank you.

Richard.

Senator BURR. Thank you once again, Mr. Chairman. I thank all of you for your willingness to come in.

Mr. Ward, you had an opportunity to hear the testimony especially of Tiffany and Jennifer.

Mr. WARD. Yes, sir.

Senator BURR. Is that the first time you have heard some of the things, the issues they have raised?

Mr. WARD. No, sir, it is not. I am sorry—I am sad to hear that, but the truthful answer is, no, that is not the first time.

Senator BURR. What does it take for us to accomplish what I think every Member said and certainly I think is the spirit of the Committee, and that is let us quit talking and do something to fix it? What does it take?

Mr. WARD. Well, clearly, I think, there is a need for us to ensure that our personnel that are assigned to do the very important casualty assistance duties are sufficiently trained and prepared to go out and do that duty. As I indicated earlier, there are some who do it much better than others, and when we get feedback from family members that tell us that there was a problem in the system, we take a look and listen to their comments very seriously to see if, one, is that a problem in our policies or procedures, or is that a problem with the specific individual. Hopefully, it is the individual that we can work on and maybe ensure that they never get assigned this type of duty again because the families deserve better.

Senator BURR. When Tiffany Petty says, "I was officially notified from the Army of Jerrick's death the day after his parents were notified," whose problem?

Mr. WARD. Well, again, sir, I don't know the specifics of her particular case. I can tell you that the policy is to notify the primary

next-of-kin as expeditiously as possible, and for those casualties that occur in a hostile situation or a terrorist activity, we also notify the parents. When you have family members that are located at various places around the country and the Army or Navy, whatever service is involved, send out Assistance Officers to notify all those family members, we hope that the primary next-of-kin, in this particular case the spouse, will be notified first. A lot of times, the services coordinate their simultaneous notifications.

We do have cases in the past, maybe not in Tiffany's particular case, where the information on the record of emergency data that the servicemember provides us has an inaccurate address, or the address is accurate and the family member may be on travel or visiting relatives elsewhere. So there are a lot of things that go into those cases sometimes where a family member doesn't get notified as expeditiously as we would like.

Senator BURR. I think we all realize that each case is a little bit different.

Mr. WARD. Yes, sir.

Senator BURR. Each case in total shouldn't add up to a lot of reasons why something didn't happen before we sit and look at the system and say, have we constructed it right? I think if there is a message I would like all of you to leave with, I would like you to start with a blank piece of paper and say, in an ideal situation, given what we know today, how would we do it differently? I think many things in this institution, within Government, are done because that is the way we have always done them.

When she says, "When I spoke at a local Veterans' Day celebration in October 2004, I learned the Army had not yet paid my husband's funeral expenses at a local funeral home, it should not have taken 9 months," does that disturb you? Can that happen?

Mr. WARD. It concerns me to the part where, again, I don't know the specifics of the case, but part of the counseling and assistance to family members is an explanation of what burial entitlements and burial benefits they are eligible for. And depending on the options selected by the family will determine what amount of support or money, basically, that the Government will pay for.

Senator BURR. So what happens if they aren't informed of that? What happens if there is a breakdown and nobody shares that? Have we got a survivor that is out there now potentially liable and it is her credit that is at risk?

Mr. WARD. Yes, sir. I can honestly say that I don't know of any case where a family member has never been provided information surrounding mortuary benefits. Part of the process, when the servicemember dies on active duty, is for somebody in the mortuary affairs community to go out and speak with the family regarding disposition, and part of that disposition process is to explain what the entitlements are, whether they are going to have their loved one buried in a national cemetery, whether they are going to have their loved one buried in a private cemetery, who they want to prepare the remains, what they want the Government to do. And based on their options that they select regarding disposition, they can be eligible for reimbursement from \$600 all the way up to \$6,900 if they desire to do all the preparation and taking care of



their loved one's funeral themselves. Anything beyond that, then it is an expense incurred by the family.

Senator BURR. I know my time has run out, Mr. Chairman. I do want to stress with all of you with the same ease that we have a tendency—I include myself with that—to turn and say every situation has a different set of circumstances that affect the outcome, it is important that when you construct what it is we do that you realize each one of these individuals potentially have a different set of circumstances, that there is no black and white situation, and that if we are to construct something that truly does fill the need of what we are trying to do, it has to have flexibility. It has to accept the fact that if our intent is to notify a spouse before we notify a parent, that maybe there is a process we go through that assures us that has been done before we put a spouse through the anguish of wondering not whether his parents were notified, who else knew before I did.

I am particularly sensitive to the fact that my wife still lives in North Carolina. Trust me; I pay when she is the last to know.

[Laughter.]

Senator BURR. Clearly, that doesn't reach the magnitude of what some certainly have been here to explain to us, but I think if we are deficient, I don't think it is we apply to them the same excuse that we use, and that is that each case is unique and potentially different. Therefore, our system has to have the ability to address the uniqueness of it if we want it to work and if we want those individuals to have the compassion, the service, and the help that they are indeed entitled to.

Once again, I thank you. Thank you, Mr. Chairman.

Chairman CRAIG. I have one concluding observation and then one last question before we conclude the hearing.

Mark, you had mentioned that the Air Force was trying a professional person in the sense of a Casualty Assistance Officer different from the other services. You also mentioned that one size does not fit all. I reflected on that thought while others have been asking questions. I understand the tremendous difference in our services. At the same time, I don't think that Marine wives are tougher than Air Force wives or Army wives. I don't think they can macho their way through it.

I do believe that when a death occurs, one size does fit all and there needs to be clear continuity and coordination and the benefit needs to be exactly the same.

[Applause.]

Chairman CRAIG. And if it is working well for the Air Force but we are getting reports of it not being as well done elsewhere or there is a lack of coordination or there is a lack of continuity, maybe we really ought to examine that service-wide.

I am going to pursue that a little more. I want you all to think about that. I know there is a study and work underway to look at that, because I think in death, one size does fit all when it comes to bringing your arms around and making everybody totally aware of what they are eligible for and what is available to them.

Lastly, in our first panel, survivor advocates testified about available technology which shows customized, current, and forward-looking information about survivors' benefits. I can't imagine

today, with the sophistication of our military, that there isn't a software package that at the appropriate time plugs Jennifer into it or somebody else into it and there is a complete printout on what is exactly available through the VA, certainly lost benefits through Social Security, and the timeliness of accessing them.

I can appreciate, obviously, Admiral, the pamphlet you are talking about and the flow of information and contact points. But if I am dealing in the private sector with an insurance company, I am quite confident that that insurance company does provide that service of a complete printout of all that is available and that the surviving spouse expects from that particular policy.

I just think we have arrived at a time where what I am hearing, while there is an effort here in Congress to recognize death benefits and to contemporize them today, what we are also finding is that when you look at the total package, there is a tremendous amount out there already that is available to a surviving spouse and his or her family and their children and that we have built a substantial package over time and that maybe the knowledge of that package, the information flow and the continuity and coordination of that package is as important as other kinds of benefits currently being talked about, and that was partly the purpose of this hearing today and it will be the pursuit of this Committee, to help that happen. So we will be working with you in the immediate future to get that done.

We are also, and I won't pursue it with you now, Admiral, but as we are talking about the Servicemen's' Group Life Insurance coverage and beginning to move that around in value versus, let us say, casualty benefits and upping that, do we create shifts within the makeup of the insurance? Do young, single servicemen decide they don't need insurance anymore? All of those kinds of mechanics and what does that do, could that do to premiums, what I am trying to cause all of my colleagues to do by these hearings is to look at the total package, not to deny the need to modernize and adjust and add, but to recognize that there is a total picture to be seen out there in providing benefits and making sure that they are known, timely, and that the surviving families are treated well.

Gentlemen, thank you very much for your time and your presence here today. We will submit some questions in writing to you to complete our record as we pursue what I think today demonstrates is a clear need to tweak this, modernize it, create some continuity, and to recognize that we are not fulfilling our responsibility as completely and timely as we ought to. Thank you very much.

The hearing will stand adjourned.

[Whereupon, at 12:44 p.m., the hearing was adjourned.]