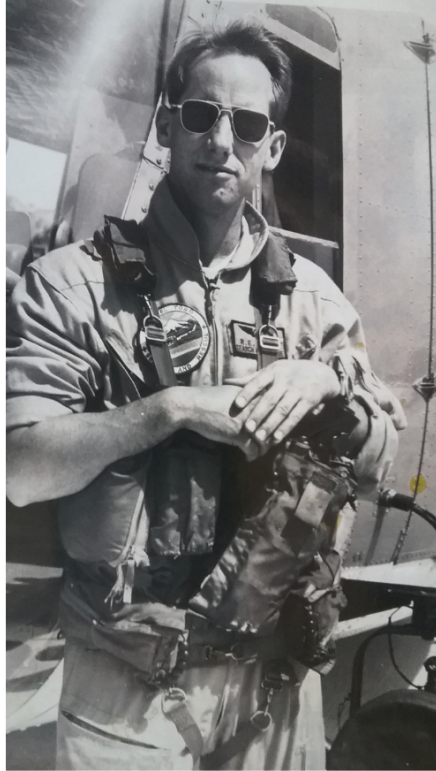


Gold Star Wives of America



JOINT HEARING TO  
RECEIVE THE  
LEGISLATIVE  
PRESENTATION OF THE  
GOLD STAR WIVES OF  
AMERICA



**National President**

Tamra Sipes

Joint Hearing to Receive the Legislative Presentation of the Gold Star Wives of America  
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President  
Gold Star Wives of America

Before a Joint Hearing of the  
House and Senate Committees on Veterans' Affairs  
March 8, 2023

Distinguished Chairman and Members of the Joint Senate and House Committee on Veterans Affairs, I am honored to be here today to testify on behalf of Gold Star Wives of America, to share some of the stories and challenges facing our surviving spouses in this great nation.

My name is Tamra Sipes, and I am the widow of Petty Officer 1st Class Robert Sipes and the President of Gold Star Wives of America. I met my husband in California while working at Disneyland as a young waitress. He was a Navy Search and Rescue Corpsman stationed at the El Toro Marine Corps Air Station.

My husband, my hero, our nation's hero, was killed while attempting to rescue children from a house fire. He was 34 years old, and I was 28. The blaze occurred on October 8, 1995, while we were stationed at Naval Air Station Whidbey Island in Washington State. During his years of service, he was called out on over 55 missions while stationed at El Toro Marine Corps Air Station, including one on Christmas Day. A truck had gone over a cliff, with the cab landing on a ledge. The driver was unconscious, and there were high winds. The helicopter hovered over the canyon while my husband repelled down to the driver. He could not get the driver out of the cab with his safety gear on, so he unhooked himself to crawl into it, pulling the driver out onto the ledge to secure him into the basket. Due to the high winds, he took a beating from the canyon walls to keep his patient secure as the helicopter hoisted him back up. His body was black and blue when he got home that night. He said the bruises weren't that bad; we saved a life. Nothing more. He never told me what happened that night. I read about it in a report almost a year after he came home from work with medals pinned to his flight suit. He had been presented with the highest award you can receive during a non-wartime period: the Navy and Marine Corps Medal for Heroism. My husband lived to save lives for our country.

Most importantly, he was my loving husband and father of three children, ages 10, 2, and 6 months.  
And then it was just me, and three little ones...  
I joined Gold Star Wives in 1996.

Gold Star Wives (GSW) is a national non-profit organization dedicated to supporting surviving spouses of fallen service members. Founded in 1945, GSW is a support and advocacy organization for the surviving spouses of those who sacrificed their lives to serve our country. We work to ensure that the surviving spouses of our fallen heroes receive the benefits they are entitled to and are treated with dignity and respect.

Part of ensuring surviving spouses are treated with dignity and respect is providing benefits and support to help surviving spouses and their families survive financially and emotionally. It is with this mission at the center of our mind that we present our legislative goals.

## Legislative Goals for the 118th Congress

1. Increase VA Dependency and Indemnity Compensation
2. Remove remarriage penalties
3. Update the definition of surviving spouse
4. PACT Act implementation

### **Increase Dependency and Indemnity Compensation**

The most critical legislative issue for Gold Star Wives of America is creating equity between survivor benefits and other federal survivor benefits. Specifically, the Department of Veterans Affairs (VA) Dependency and Indemnity Compensation (DIC) benefit, which pays less in survivor benefits than other federal agency employees. DIC is the benefit surviving spouses receive from the VA when a service member dies in the line of duty while serving on active duty, a veteran dies due to a VA

service-connected disability, or a veteran dies who was rated by VA to be 100% disabled for 10 years or more.

Survivors only receive 43% of the compensation a veteran rated 100% disabled receives. However, if someone who works for a federal agency dies because of their job, their surviving spouse is eligible for up to 55% of their compensation. This is a significant disparity that must be corrected.

Many military spouses give up the opportunity for a career; this is primarily due to the constraints presented by numerous relocations required by the military, the endless deployments, and the often single parenting that takes place as a result of those deployments. The ability to have a career or retain work is much more difficult. Additionally, many veterans required caregiving assistance throughout their lives, which stopped the spouses from being able to work outside the home.

Military survivors have made incredible sacrifices on behalf of our Nation, and I am asking Congress to do the right thing by creating an equitable benefit for them.

Gold Star Wives member, Sharri Briley of Arkansas, lost her husband, CWO3 Donovan Briley, the pilot in the first black hawk helicopter that went down in Mogadishu, Somalia. He died on October 3rd, 1993, 8,300 miles away from his daughter and wife. Sharri received a phone call from Donovan before the mission, and he was able to leave her a voice message. That was the last call Sharri would ever receive from her husband. “This is the kind of sacrifice our men and women in the military, and their families, are asked to make every day. I know Donovan loved his fellow Night Stalkers and the Special Forces operators that fought and died that day on a distant shore. Eighteen very brave men were killed and several more severely wounded.”

She remembers that “even though they received social security, it was only with the additional income provided by DIC that she could remain a stay-at-home mom.” Military families choose to raise their families differently, many deciding to live on one income, for the non-military parent are a stay-at-home parent. Military life, with its constant moves and deployments, is filled with uncertainty. Being able to be a full-time stay-at-home parent is what many military families feel is in the best interests of their families, and clearly, losing your significant spouse immediately changes this dynamic for the family.

DIC on its own is not enough to support the totality of expenses facing surviving spouses.

Sergeant John W. Barbee of the U.S. Marine Corp was a foot soldier for Rev. Dr. Martin Luther King Jr and a minister prior to joining the military. He was stationed aboard the U.S.S. Wasp when he met and married Patricia. In 1968, John was killed in action in Vietnam. He was only 24 years old.

Patricia never remarried and currently lives on a fixed social security income, which she shared was a little over \$800 a month, and her DIC benefit. She doesn't qualify for SBP, even with the recent SBP/DIC offset bill, because it only included active duty widows from the post-911 era. However, she counts her blessings for the state of Georgia, where she resides, as it is one of a handful of states in our country that gives a property tax exemption to un-remarried surviving spouses, regardless of income. If she did not have this state tax exemption and based on her current income, she would not be able to sustain herself monthly and live in her home. A large number of our surviving spouses are living with these same conditions.

The DIC amount has not been equitable with any comparable federal survivors' benefits program, which means our surviving spouses have lived on the edge for many years. With the current inflation and cost of living, most of these spouses will be unable to sustain themselves and must find programs to help offset their basic needs. We receive regular calls asking for help, and the situation only becoming more strained.

An increase in DIC is not only the right thing to do, but it will also result in significant assistance to the men and women suddenly thrust into an incredibly traumatic and economically challenging situation.

GSW is grateful for the work of Chairman Tester and Senator Boozman for cosponsoring the Caring for Survivor Act of 2023 which would increase DIC compensation to 55% of the rate of a 100% disabled veteran compensation as well as lower the threshold for DIC eligibility for survivors of 100% permanently and totally disabled veterans. This bill would ensure that surviving military spouses can live with dignity and respect, knowing their sacrifice is not viewed as less than by our country.

## Removing the Remarriage Penalty

Shortly after my husband died, I remember walking the halls at the Naval Air Station on Whidbey Island, Washington, in a fog, with my children trying to navigate the health records and appointments. I was next in line at a Tricare help window, and the receptionist looked at my ID, which showed I was an un-remarried widow, then looked at my kids and me and said, “don’t ever remarry.” I looked at her and thought, I’m 28 years old. I have no family. No community and nowhere to go back to. How am I going to get through this... She said, “...if you remarry, you will lose your benefits, and you will never get them back.” She was correct at the time, and I didn’t remarry.

Under current law, if surviving spouses remarry before the arbitrary age of 55, we forfeit lifesaving benefits. If we have children, the amount we receive per child is nowhere near the cost of raising that child.

Please help us eradicate the remarriage limitation, especially the age limit on all benefits, including Dependency and Indemnity Compensation (DIC), home loan, educational benefits, Survivor Benefit Plan (SBP), SSIA, burial benefits, and Tricare.

Even in new relationships, our loyalty to our soldiers and this country remains. We are the ones both advocating for the military and often grieving at the graveside. All surviving spouses, regardless of age, should be entitled to keep their benefits if they remarry. Current law prevents this civil right without penalty, and we request your assistance in changing it. Surviving military spouses have suffered enough.

To us, it seems the primary reason Congress has not acted on this blight on our Nation, is the cost it presents to Congress via the Congressional Budget Office. Asking young men and women who have gone through the worst of tragedies and trauma, to risk their family's livelihood due to a budgeting gimmick seems unconscionable. Do the right thing and fix this.

## Updating the VA Definition of Surviving Spouse

The definition of a surviving spouse for VA purposes was last updated in 1962, sixty-plus years ago. Today women can participate in society financially, educationally, and socially. In 1962 things were different; women were not legally allowed to participate fully in the community. They could not have a credit card in their name; women could be discriminated against based on their gender in hiring and during their employment with the federal government. In some states, women did not even have the same property rights as their husbands.

Today the definition holds two outdated phrases that, once removed, will lift a significant burden from the shoulders of surviving spouses. The first references that only marriage to someone of the opposite sex construes marriage. This is legally no longer the case; it should be removed to be congruent with federal law.

The second phrase is “has not held himself or herself out openly to the public to be the spouse of such other person.” This phrase causes great conflict for surviving spouses and is no longer applicable. Holding “oneself out” comes from the definition of common law marriage. Essentially implying that a woman would benefit from seeming to be married to a man and still receive survivor support. With the position women held in society in 1962, the “protection” of a man was beneficial to a woman socially and financially. At the time, 38 states recognized common law marriage; today, only 8 states and Washington D.C. do.

One of the GSW members from Charleston, South Carolina who chooses to remain anonymous because of the current law says, “In today’s world, couples living together is a societal norm, and no surviving spouse should have a fear of retribution for continuing their lives when they’ve sacrificed so much. At nearly the 18th anniversary of losing my husband, I have hesitated to be involved in any meaningful relationship for fear it would be construed as holding myself out to be married. Which has deeply and negatively impacted my children and me.”

Even if VA launches an investigation and clears the spouse, they are still forced to go through the process of the investigation and the threat of lost benefits or owing a debt to the federal

government. Unfortunately, some people threaten survivors to file a report with the VA for fraud, which is done with the express purpose of trying to manipulate or hurt the survivor.

The law should not be ambiguous; many survivors do not understand what “holding oneself out to be married” means. Gold Star Wives believes the definition should only reference a marriage recognized by the laws of the state that issues the marriage certificate. It is time to update the definition to follow federal and state laws.

## **PACT Act Implementation**

GSW was heartened to see the passage of the PACT Act at the end of the last Congress. This legislation’s expansion of presumptive service-connected disabilities for veterans exposed to toxic exposures going back decades has expanded eligibility for DIC for more survivors. Many service members and veterans died from these new presumptive conditions. Their survivors were either verbally told their death was not related to their service or their DIC claim was denied. GSW is grateful that VA will be reviewing previously denied DIC claims. We also are standing by to help in any way that we can to help VA with their outreach to the survivor community. We are grateful to VA for their efforts to provide regular updates and educational events regarding the PACT Act rollout.

## **Conclusion**

Issues facing surviving military spouses garner a significant amount of support from the public. In the 2022 midterm election, the state of Colorado had a ballot initiative on Amendment E, which will extend an existing homestead exemption for disabled veterans to the surviving spouses of military personnel and certain veterans. The initiative was passed with an overwhelming 88% of the vote. The public understands the service and sacrifice of service members, veterans, and their families.

GSW wholeheartedly thanks the House and Senate Veterans Affairs Committees for your time and attention to these issues of vital importance to the survivor community. We look forward to working with the Committees in any way we can to move these priorities forward.



## **Tamra Sipes**

Tamra Sipes joined Gold Star Wives in 1996. Her husband, Robert Sipes, was a Navy Search and Rescue Corpsman and was killed while attempting to rescue children during a house fire while stationed at Naval Air Station Whidbey Island on October 8, 1995, at the young age of 34. During his years of service, he was nationally recognized as first runner-up EMT of the year by the National Association of EMTs; completed over 55 missions while stationed at El Toro Marine Corps Air Station; presented with the Navy Commendation and the Navy and Marine Corps Medal for Heroism. He was meritoriously promoted to E6 while stationed at Kaneohe Bay Marine Corps Base, BUT most importantly he was the loving husband of Tamra age 28 and father of three children ages 10, 2 and 6 months when he was killed.

Tamra currently works in the event industry. She used her Chapter 35 benefits to obtain an Associates Degree, which she received at the age of 49, after her children were out of school. She has continued her education through certifications from FEMA, Intl Live Events Association (ILEA), World Health Org. and the Event Leadership Institute (ELI), plus multiple other trainings throughout the years to stay up to date on event industry changes.

Volunteerism plays an important role in Tamra's life. In addition to Gold Star Wives of America, she has served on the board of the Island County Economic Development Council, board of Big Brothers Big Sisters of Island County, is a member of Soroptimist Intl. of the Americas serving in multiple roles including the Soroptimist International of the Americas (SIA Federation board, which includes a membership of over 20 countries..

## **Special Thanks**

A special thanks to these incredible survivors who contributed and shared their stories for this document:

Patricia Barbee, Savannah Georgia

Sharri Briley, Little Rock Arkansas