

## **Enhance Veterans' Survivor Benefits**

Dependency and Indemnity Compensation (DIC) is a monthly benefit paid to eligible survivors of veterans who pass away due to a service-connected condition or from a nonservice-connected condition if the veteran had a totally disabling service-connected condition for a period of time—generally 10 years, before their death. This benefit was intended to protect against spousal impoverishment after the loss of their veteran spouse. To ensure that these survivor's benefits continue to provide for the financial stability of the veteran's loved ones, DAV urges Congress to: increase DIC rates; eliminate the arbitrary 10-year rule criteria for DIC eligibility; reduce the remarriage age; and remove the 10-year delimiting date for spouses, dependents and surviving spouses to utilize their Dependents Education Assistance benefit.

### **Increase DIC Rates**

While DIC has assisted many survivors of disabled veterans, the value of the current benefit is insufficient to provide meaningful support to survivors of severely disabled veterans. A veteran who is married and receiving 100% disability compensation today would receive approximately \$3,321 a month, whereas the current DIC benefit is only \$1,357 a month.

When a veteran receiving compensation passes away, not only does the surviving spouse have to deal with the heartache of losing their loved one, but they also have to contend with the significant loss of income—approximately \$24,000 a year. This loss of income to a survivor's budget can be devastating, especially if the spouse was also the veteran's caregiver and dependent on that compensation as their sole source of income.

The rate of compensation paid to survivors of service members who die in the line of duty or veterans who die from service-related injuries or diseases was established in 1993 and has only been minimally adjusted since that time. In contrast, monthly benefits for survivors of federal civil service retirees are calculated as a percentage of the civil service retiree's Federal Employees Retirement (FERS) or Civil Service Retirement System (CSRS) benefits, up to 55%. This difference presents an inequity for survivors of our nation's ill and injured veterans compared to survivors of federal employees.

- **Congress should enact legislation that would increase DIC rates to 55% of 100% disability compensation and provide parity with similar federal programs. We also urge Congress to index these rates for inflation.**

### **Eliminate the 10-Year Rule**

If the veteran passes away due to a nonservice-connected condition before the veteran has reached 10 consecutive years of being rated totally disabled, their dependents are not eligible for any DIC benefit, even though many of these survivors were caregivers who sacrificed their own careers to take care of the veteran and could potentially be left destitute. The DIC program would be more equitable for all survivors if they were eligible for a partial DIC benefit starting at five years of the veteran being totally disabled and increasing incrementally until reaching full entitlement at 10 years.

- **We urge Congress to enact legislation to change DIC to a graduated benefit to make survivors eligible at five years for 50% of the full benefit amount, increasing proportionally to 100% at 10 years.**

### **Reduce the Remarriage Age**

- Surviving spouses also face another unfair burden. Under the existing DIC law, a surviving spouse loses their benefit if they remarry before age 55 which mirrors the criteria of the similar benefit for federal employees. However, surviving spouses of active duty service members and veterans are more likely to be widowed at younger age than other professions. Therefore, on average, there is a longer wait period for surviving spouses of service members and veterans to maintain eligibility for DIC benefits than for survivors of federal employees.
  - **Congress should enact legislation that reduces the remarriage age for a surviving spouse to a more reasonable age or institute a new method of retaining eligibility so that surviving spouses do not have to wait an unreasonable length of time to maintain their benefits.**

### **Remove the Dependents Educational Assistance Delimiting Date**

Spouses and surviving spouses eligible for educational benefits under the Dependents Educational Assistance program, also referred to as Chapter 35, only have a 10-year period to apply for and complete these programs of education beginning either from the date the veteran is rated permanently and totally disabled or the date of the veteran's death. In many instances, most notably in the case of caregivers, family obligations and the need to care for the service-disabled veteran, requires spouses and surviving spouses to defer using these benefits for years, leaving many unable to apply or use these benefits within the required period, resulting in a loss of earned educational opportunities.

- **We urge Congress to remove the 10-year delimiting date for spouses and surviving spouses to use their Dependents Educational Assistance benefits.**