



Improving Survivors Benefits

Benefits Protection Team Seminar

July 30, 2021

“NO ONE-NO ONE- HAS GIVEN MORE FOR OUR FREEDOM AND OUR SECURITY THAN OUR GOLD STAR FAMILIES.THEY REPRESENT THE VERY BEST OF OUR COUNTRY.THEY CONTINUE TO INSPIRE US EVERY DAY, EVERY MOMENT.THEY SERVE AS A POWERFUL REMINDER OF THE TRUE STRENGTH OF AMERICA.WE HAVE TO DO EVERYTHING WE CAN FOR THOSE FAMILIES,AND HONOR THEM,AND BE HUMBLLED BY THEM.”
-BARACK OBAMA



Seminar Agenda

- Increasing the DIC rate
- Reducing the “10-year rule” for DIC eligibility
- Eliminating the delimiting date for spouses and surviving spouses for purposes of benefits provided under chapter 35
- Ensuring that service disabled veterans who die from COVID are not wrongfully denied their benefits
- Lowering DIC remarriage age



WHAT IS DIC?

Dependency and Indemnity Compensation (DIC) is a tax-free monetary benefit paid to eligible survivors of military service members who died in the line of duty or eligible survivors of veterans whose death resulted from a service-related injury or disease.

Lowering DIC Remarriage Age

- Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act
- Lowers the DIC Remarriage Age from 57 to 55
- Signed by the President in January 2021
- *DIRECTLY* due to you efforts



LOWERING DIC REMARRIAGE AGE

- Are we done?
- Resolutions No. 360- “strongly supports legislation that improves and reforms DIC benefits to include... lowering the remarriage age for survivors of disabled veterans.”

Increase DIC Amount

- DIC is a monthly benefit paid to eligible survivors/dependents
- Less than 50% from what a veteran who is 100% receives
 - From \$3,321 → \$1,357
- Loses approximately \$24,000 a year
- **Increase DIC benefits to 55% of a 100% disabled veterans compensation**



Reduce the 10-Year Rule for DIC

- A veteran must be rated 100% for 10 years for DIC eligibility
- This time frame is non-negotiable and negatively impacts:
 - Spouses who gave up their careers
 - Dependent Children
 - Caregivers
- **Congress should pass legislation that reduces the 10-year rule**

WHAT IS BEING DONE?

- Caring for Survivors Act of 2021
 - S. 976: Introduced by Sen. Tester in March 2021
 - Senate Veterans Affairs Committee discussed in hearing in April
 - Currently 6 Co-Sponsors
 - H.R. 3402: Introduced by Rep. Hayes in May 2021
 - Currently Co-Sponsors
 - **Contact Your Representatives and Sign Up for the Commanders Action Network (CAN)**

DAVCAN.ORG



What is Dependents' Educational Assistance (Chapter 35)?

- Chapter 35 provides education and training opportunities to eligible dependents of certain veterans for up to 45 months.
- Who is eligible?
 - If you are a spouse
 - Child, between the ages of 18 and 26
- Of a veteran who:
 - Died or is permanently & totally (P&T) disabled as the result of a service-connected disability
 - A veteran who died from any cause while 100% P&T

Delimiting Date for Chapter 35

(SURVIVORS' AND DEPENDENTS EDUCATIONAL ASSISTANCE)

- Recipient of Ch. 35 has 10 years to finish program
- Indifferent to caregivers, family obligations, & extenuating circumstances
- **Remove the 10-year delimiting for Ch. 35**

What is being Done?

- H.R. 2327, To Amend Title 38, U.S.C., to eliminate the time period for eligibility under Survivors' And Dependents' Educational Assistance Program of Department of Veterans Affairs
 - Introduced in April 2021 by Representative Mace
 - Currently I Co-Sponsor
 - Eligibility Date is on or after August 1, 2022



Require COVID-19 Medical Opinions

- As of June 2021, over 12,000 veterans have died from COVID-19
- Certain SC conditions have proven to exacerbate COVID symptoms
- Veteran families may be denied important survivor benefits
- **Enact legislation that would require the Secretary of the VA to seek a medical opinion when a service-connected veteran dies of COVID-19**

WHAT IS BEING DONE?

- Ensuring Survivor Benefits During COVID-19 Act of 2021
 - S. 89
 - Introduced by Sen. Sinema in January 2021
 - Currently has 18 Co-Sponsors
 - Passed out of SVAC on June 24th!
 - Passed by the Senate on July 22nd!!!
 - H.R. 746
 - Introduced by Rep. Davidson in February 2021
 - Currently has 15 Co-Sponsors



*Contact Your Representatives and
Sign Up for DAV CAN!*




Thank You!

JEREMY VILLANUEVA

Assistant National Legislative Director

(202) 554-3501

jvillanueva@dav.org

