



**STATEMENT FOR THE RECORD**

**TRAGEDY ASSISTANCE PROGRAM FOR SURVIVORS (TAPS)  
BEFORE THE  
COMMITTEE ON VETERANS AFFAIRS  
UNITED STATES HOUSE OF REPRESENTATIVES**

**December 8, 2020**

The Tragedy Assistance Program for Survivors (TAPS) is the leading national nonprofit organization providing comfort, care and resources to all those grieving the death of a military loved one. TAPS provides comfort and hope 24/7 through a national peer support network and connection to grief resources, all at no cost to surviving families and loved ones.

TAPS provides programs to survivors across the nation and worldwide. Since 1994 its National Military Survivor Seminar and Good Grief Camp has been held annually in Washington, D.C. over Memorial Day weekend. TAPS also conducts regional survivor seminars for adults and youth programs at locations across the country, as well as adult retreats around the world. TAPS connects those in need with counseling in their community and helps navigate benefits and resources.

TAPS provides loving support and resources 24/7 through its National Military Survivor Helpline.

TAPS was founded in 1994 by Bonnie Carroll following the death of her husband in a military plane crash in Alaska in 1992. Since then, TAPS has offered care and support to more than 100,000 bereaved surviving family members. For more information, please visit [TAPS.org/mission](https://www.taps.org/mission).

TAPS receives no government grants or funding.

Chairman Levin, Ranking Member Bilirakis, and distinguished members of the House Veterans' Affairs Committee Subcommittee on Economic Opportunity, the Tragedy Assistance Program for Survivors (TAPS) thanks you for the opportunity to make you aware of issues and concerns of importance to the families we serve, the families of the fallen.

The mission of TAPS is to offer comfort and support for surviving families of military loss regardless of the location or manner of their death. Part of that commitment includes advocating for improvements in programs and services provided by the Federal government through the Department of Defense (DoD), the Department of Veterans Affairs (VA), Department of Education (DoED), Department of Labor (DOL), Department of Health and Human Services (HHS), as well as State and local governments.

As their services provided to survivors of military and veteran loss are complimentary, TAPS and the VA have enjoyed a long-standing collaborative working relationship. In 2019, TAPS and the VA entered into a new and expanded Memorandum of Agreement that formalized their partnership intended to provide extraordinary services through closer collaboration.

Under this agreement, TAPS continues to work with surviving families to identify resources available to them within the VA and in the private sector. TAPS also collaborates with the VA in the areas of education, burial, benefits and entitlements, grief counseling and other areas of interest.

### **Allow surviving spouses to maintain education benefits upon remarriage**

Many surviving spouses choose to not remarry after the death of their service member because the loss of financial benefits would have a negative impact on them, especially those with children. To retain their benefits, many choose to cohabitate instead of legally remarry. If a surviving spouse waits until age 57 to remarry, not only do they retain benefits, but they are no longer offset. Most first responders in the United States are also allowed to legally remarry in the US and maintain pensions and benefits - including in New York, Los Angeles, and Louisiana.

A long-term goal for TAPS is to secure the right for surviving spouses to remarry at any age and retain their benefits. Allowing surviving spouses to retain education benefits is a great starting point and will help create precedent. A surviving spouse's ability to afford an education should not be impacted by the fact that they chose to remarry. They are still a surviving spouse of a fallen

service member or veteran, who earned these education benefits through their service and sacrifice.

*“I gave up Fry to get married and it was such a difficult decision. People get remarried for so many reasons. My life has not improved economically — certainly not enough to stay in school. But I wasn’t willing to risk having one of us hospitalized with COVID-19 and facing an uphill legal battle with family members who didn’t approve of our relationship. I hate that I was forced to give up so much just to be married. I am still Mike’s widow. I’m still raising grieving kids. I’m still dealing with the loss myself. We will be affected by losing Mike FOR THE REST OF OUR LIVES. We shouldn’t have to choose between bettering ourselves and marriage. It just feels like such a slap in the face.”* – **Leslie McCaddon Mendoza, surviving spouse of CPT. Michael McCaddon**

*“I traded in my benefits for a chance of happiness and got remarried. I don’t think it is fair to the surviving spouse to have to choose between the benefits their loved ones worked for and being happy. We still have grieving children to raise and will always be John’s widow. There is not a day that goes by when I don’t think of my husband. I was married for 11 years when my husband died and feel that taking away these benefits was a slap in the face. I supported him and his career for 11 years and raised our children. With losing all other benefits when I got remarried, it would have really helped to further my education to help provide for my family.”* – **Verena Burner Yaden, surviving spouse of SGT John Burner III**

*“At the time of my remarriage, I had just finished my bachelors degree and wasn’t sure what to do. I had a child who required multiple doctors and therapy appointments, making going to school hard and graduate school impossible. I still had time to use my benefits, which had made it possible for me to return to school as a single parent. After graduation, I was given the opportunity to serve my community as a police officer. My plan had always been to go back to school, as I am now a Ph.D. candidate, and had saved a portion of my education benefits for that purpose but at the time, I had to make a choice. I could stay widowed and risk state intervention if I died on duty or I could remarry to protect my son and lose my benefits. I chose my son. As a result, the benefits that would have helped me get my masters and doctorate disappeared, and I have had to pay for it myself. The assistantship I have barely covers rent and bills,*

*much less anything extra my son may need.” – Samantha Newman Tjaden, surviving spouse of 1LT Gwilym Newman*

### **Guarantee In- State tuition for Chapter 35 recipients**

Chapter 35 is an outdated education benefit provided by the VA. The Forever GI Bill increased the benefit by \$200 per month however that remains nearly half of the amount paid by the Montgomery GI Bill, and far less than the Post 9/11 GI Bill and Fry Scholarship.

TAPS would recommend sunseting Chapter 35 and moving all qualified recipients to Chapter 33, even if it is on a lower scale such as 70% as opposed to 100% of the benefit. That said, TAPS supports guaranteed in-state tuition for those receiving Chapter 35. This will be a low cost lift that will drastically improve the education options for surviving families and reduce student loan debt.

Any survivor using the Fry Scholarship, any dependent using transferred entitlement, and any veteran using the Post 9/11 GI Bill is currently eligible for in-state tuition at any state school in the country. Survivors using Dependents Education Assistance (DEA) under Chapter 35 are excluded.

Benefits under DEA are significantly lower than the Post 9/11 GI Bill, Fry Scholarship and Montgomery GI Bill. Those using DEA are limited to dependents of a 100% disabled veteran or those who died of a service-connected death. Guaranteeing all survivors in-state tuition would help ensure benefits go further and will not limit a student’s school choice.

*“In order to build a life for my daughter and I - I knew I had to go to school and choose a career that would allow me to raise her in a single-parent household. Because I am a pre-9/11 veteran and because Matt died prior to 9/11 as well, myself and my daughter had chapter 35 education benefits. That we are grateful to receive. However, due to the chapter 35 benefits not being updated to include the ability for a veteran or surviving spouse/child to use at any state school- in any state- and receive in-state pricing; I now have student loans for my BS in Psychology degree and am currently paying completely through loans for my MA in Industrial & Organizational Leadership. I paid the difference between in-state and out-of-state tuition - I was penalized because I did not move to my home state of record when I entered service - Pennsylvania. I was not the same person who left for the Marines at 18.” – Renee Monczynski, surviving spouse of AT2 Matthew Monczynski*

TAPS requests Congress pass legislation to guarantee in-state tuition for those using DEA.

### **Eligibility for Survivors who fall in the 120 Day REFRAD period for the Fry Scholarship**

If a veteran dies from a service-connected injury or illness within 120 days from Release from Active Duty (REFRAD) they are considered to have died on Active Duty for all benefits except the Marine Gunnery Sergeant John David Fry Scholarship. These benefits include Survivors Group Life Insurance (SGLI), Dependency and Indemnity Compensation (DIC), Survivors Benefits Plan (SBP), Death Gratuity, TRICARE for Life, Moral, Welfare and Recreation (MWR) privileges, and burial benefits.

The only difference is in the education benefits where these families are eligible for Chapter 35 instead of the Fry Scholarship. As part of TAPS' long term goal to sunset Chapter 35 and move all survivors into Chapter 33, granting access to these families is the logical next step. In some cases, the service member had only been released for a matter of hours or days from active duty at the time of their death.

*“My husband attempted suicide in December 2001 while on Active Duty in the Air Force, he did not die immediately, and the Air Force chose to retire him when he was on life support. A few hours later he died ‘in the line of duty’ but was no longer considered active duty by less than 8 hours. My family received every other active duty benefit, except for the Fry Scholarship because of this. I cannot afford to go to college and wish the benefits would be extended to my children and myself, I would like to be a nurse.” – Astrid Rushford, surviving spouse of TSGT Richard Rushford*

### **Increase IT Funding for the Veterans Benefits Administration**

The failed roll-out of the Forever GI Bill in 2018 highlighted a much larger issue at the VA. The VA is using a 50-year-old technology system that is unable to keep up with the demands of today's students or IHLs. Even while admitting a need for increased funding, VA did not include increased IT funding for the Veterans Benefits Administration in its 2021 budget request.

TAPS recommends that the Congress implement the following:

- Include \$250 million in IT upgrades for VBA in its 2022 budget. Authorize the release of \$30 million in IT upgrades included in Forever GI Bill, Ensure VA is provided with all of the IT resources needed to implement programs.

*Thank you for the opportunity to provide this statement for the record in support of this important legislation.*