

SURVIVOR BENEFITS SUMMARY

JB LANGLEY-EUSTIS LAW CENTER

OVERVIEW

This handout contains basic information regarding available benefits after the death of someone who is serving or who has served in the Air Force. This sheet is not a substitute for seeking legal advice nor for consulting with a Casualty Assistance Representative (CAR).

The CAR at Langley can be reached at commercial 757-764-5231 or DSN 574-5231. A CAR who is trained to assist survivors will be assigned to provide you with information on federal benefits and assist with the completion of paperwork following the death of an Air Force member serving on active duty.

IMPORTANT BENEFITS

Potential monetary benefits include:

- **Death gratuity:** lump sum, tax-free payment if Air Force member dies on active duty, active duty for training or inactive duty for training or full-time National Guard duty. Death gratuity payment is \$100,000. Payments are made to the person the servicemember designates in 10% increments. Payment is delivered by the Casualty Assistance Representative.
- **Unpaid Pay and Allowances:** paid to designated beneficiary named on the member's DD Form 93, Record of Emergency Data. Unpaid pay and allowances may include unpaid basic pay, payment for accrued leave, amounts due for travel, per diem expenses, transportation of eligible family members, shipment of household goods, and unpaid installments of variable reenlistment bonuses. When there is no written designation, any money paid is paid in the following order: spouse, children in equal shares, parents, then the legal representative of the estate.
- **Basic Allowance for Housing:** Family members occupying government housing on the date the member dies may continue to occupy housing without charge for a period of 365 days. If they vacate the government housing before the 365 days are up, the BAH is paid for the remaining unused days. If they do not occupy government housing, they may receive BAH or an overseas housing allowance for 365 days after the member's death. The family is entitled to one

move at government expense within three years following the death of the servicemember.

- **Servicemembers' Group Life Insurance:** This payment is \$400,000 unless the member elected a lesser amount or declined coverage. Monthly premium payments for the coverage selected by the member were automatically deducted from the member's pay.
- **Healthcare:** The spouse and children may stay on TRICARE Prime at the active duty rate for three years at no cost. After three years, the spouse may purchase TRICARE through the retiree family member rate. Children remain eligible until they are 21, or 23 if a full time college or vocational student. Dental coverage also continues for three years followed by eligibility for the TRICARE Retiree Dental Program.
- **Survivor's Benefit Plan:** A monthly annuity paid by the Air Force to the surviving spouse or, in some cases, eligible children, of a member who dies on active duty. The initial annuity paid to a surviving spouse is equal to 55 percent of the retired pay to which the member would have been entitled had he or she been retired at 100% disability. It is suspended upon remarriage before age 55. Survivor annuities are taxable income and may be subject to federal estate taxes.
- **Dependency & Indemnity Compensation (DIC):** This compensation is paid by the Department of Veterans Affairs to eligible survivors of active duty service members and veterans whose deaths are determined to be service-related. This compensation is tax-free and is currently \$1,254. Minor or college enrolled children also receive a lesser benefit. If you receive DIC, your military retired pay is reduced dollar-for-dollar to prevent duplication of benefits.
- **Montgomery GI Bill:** The VA will pay a refund to the designated SGLI beneficiaries of amounts contributed, less any benefits paid.
- **Social Security Payments:** A lump sum death payment of up to \$255, is paid to the surviving spouse (or eldest child if no spouse) living with the member at the time of death. Minor children may also be eligible for payments.

- **Other Benefits:** Several other important benefits exist, which is why it is important to work with a Casualty Assistance Representative. These benefits may include: ID Cards, Commissary and BX privileges, financial counseling, VA home loans, transition assistance, education assistance, posthumous citizenship, bereavement counseling, and state benefits and services offered by the state of residence.

MORTUARY AFFAIRS

The Air Force Mortuary Affairs Personnel can assist with burial arrangements, serving as liaisons with the funeral home and National Cemetery System. They coordinate appropriate military honors.

MILITARY HONORS

If you choose a military funeral, the casualty assistance officer or mortuary affairs officer will help plan the funeral service, arranging for funeral honors, obtaining interment flag(s) and presenting the flags and other awards. You will need to provide a copy of DD Form 214 to prove eligibility. During the funeral honors ceremony, the spouse of the Service member will receive a flag, as will the member's parents and each child of the servicemember.

Private Arrangements:

The Air Force will reimburse you for normal expenses. The maximum reimbursable amount if the family arranges for everything, including burial in a private cemetery, is \$8,800. When the Service arranges for preparation and casket (selected by the family) and burial occurs in a government cemetery, the maximum reimbursable amount is \$1,000.

Should you choose to have the remains buried overseas, the Service's mortuary affairs office will arrange for transportation to the place of final burial. Specific information about burial honors is located at:
<http://www.militaryfuneralhonors.osd.mil>

PRESIDENTIAL MEMORIAL CERTIFICATES

A Presidential Memorial Certificate (PMC) is an engraved paper certificate, signed by the current President, to honor the memory of honorably discharged deceased veterans. The Department of Veterans Affairs (VA) administers the PMC program by preparing the certificates. Eligible recipients include the deceased veteran's next of kin and loved ones. More than one certificate may be provided. Eligible recipients may apply in person at any VA regional

office or by U.S. mail only by providing a copy of the veteran's discharge and death certificate. Further information can be found at 202-565-4259 or <http://www.cem.va.gov/pmc.asp>

THINGS TO REMEMBER

Consulting with a financial counselor or seeking legal advice after any tragedy is wise before making major decisions. You may seek additional assistance from:

- Installation Chaplains
- Legal Assistance Office
- Family Support Centers

IMPORTANT PHONE NUMBERS

Air Force Retirement and Annuity Pay
1-800-321-1080

Military One Source
1-800-342-9647

Department of Veterans Affairs (Survivor Benefits & Burial Information)
1-800-827-1000

Memorial Programs Service
1-800-697-6947

National Military Family Association
1-800-260-0218

National Association for Uniformed Services
1-800-842-3451

Tragedy Assistance Program for Survivors
1-800-959-8277

USAF Mortuary Affairs
1-800-531-5803

Office of SGLI
1-800-419-1473

Social Security Administration
1-800-772-1213

Tricare
1-888-363-5433

Note: The information in this handout is general in nature. It is not to be used as a substitute for legal advice from an attorney regarding individual situations.