

DEPARTMENT OF THE ARMY
 HEADQUARTERS, U.S. ARMY FIELD ARTILLERY CENTER AND FORT SILL
 FORT SILL, OKLAHOMA 73503-5100

USAFACFS Pamphlet
 No. 608-5

5 August 2004

Personal Affairs
**CASUALTY ASSISTANCE TO SPOUSES OF DECEASED,
 RETIRED U.S. ARMY PERSONNEL**

	Paragraph	Page
Purpose	1	2
Scope	2	2
Responsibilities	3	2
Suggested Actions by Surviving Spouse After Death of Military Sponsor – Actions Requested	4	2
Burial Arrangements	5	3
Burial in National or Post Cemeteries	6	4
Military Funerals	7	4
Burial in Private or Civilian Cemeteries	8	4
Headstone or Marker	9	5
Flag	10	5
Burial of Dependents in National Cemeteries	11	5
Financial Assistance	12	5
Death Gratuity for Terminal Retirees	13	5
Veterans Administration Service-Connected Death Compensation	14	6
Dependent Parent(s)	15	8
Veterans Administration Nonservice-Connected Death Pension	16	8
Veterans Administration Decision, Disagreements, and Appeals	17	9
Social Security	18	10
Monthly Social Security Payments (Survivors)	19	10
Income Limitations for Social Security Payments (Except Disability)	20	11
Actions by Retired Pay Operations	21	11
Civil Service Annuities, Life Insurance, and Survivor Benefit Plan	22	12
Types of Government Life Insurance	23	12
Settlement of Commercial Life Insurance Policies	24	13
Counseling	25	14
Miscellaneous Privileges and Benefits - Personal Affairs Records	26	14

*This pamphlet supersedes USAFACFS Pamphlet 608-5, 22 April 2000.

	Paragraph	Page
Important Documents	27	14
Legal Assistance	28	15
Income Tax	29	16
Checking and Savings Accounts	30	17
Safety Deposit Boxes	31	18
United States Savings Bonds	32	18
Travel of Dependents and Movement of Household Goods	33	18
Identification (ID) Cards	34	18
Continuation of Privileges	35	19
Home Loan by the Veterans Administration	36	19
Civil Service Job Preference	37	19
Education of Children	38	19
Officer and NCO Club Membership	39	20
APPENDIX A. SUMMARY OF MONETARY BENEFITS		21
APPENDIX B. FINAL SUMMARY		23
APPENDIX C. FREQUENTLY CALLED TELEPHONE NUMBERS		25

1. PURPOSE. This pamphlet is designed for use by the surviving spouse of deceased, retired Army personnel as a brief written explanation of matters pertaining to their personal affairs and benefits.

2. SCOPE. This pamphlet applies to all surviving spouses of deceased, retired Army personnel within the Fort Sill area of responsibility, currently the states of Oklahoma and Arkansas.

3. RESPONSIBILITIES. The U.S. Army Casualty Area Commander (Commanding General, Fort Sill) is responsible for assisting and counseling the next of kin of retired military personnel on matters pertaining to the deceased. The Commanding General has appointed the Adjutant General (AG) (Building 3164, Room 105) to monitor and assist in the administration of the Army casualty operations program to ensure compliance with policies and mandatory tasks established by the pamphlet.

4. SUGGESTED ACTIONS BY SURVIVING SPOUSE AFTER DEATH OF MILITARY SPONSOR – ACTIONS REQUESTED. To accomplish notification of Army agencies and to have a Casualty Assistance Officer appointed on your behalf, Fort Sill recommends that--

a. Upon the death of a retiree, you should make a telephone call to the Fort Sill Casualty Area Command (Adjutant General Casualty Assistance Office) at (580) 442-6405/ 6706. The surviving spouse will need to provide the following information:

(1) Name of deceased.

- (2) Social Security Number.
- (3) Retired grade.
- (4) Date and time of death.
- (5) Place of death.
- (6) Cause of death.
- (7) Information about the next of kin.
- (8) Name of funeral home having charge of remains.
- (9) Date and place-of-birth of deceased.

b. Consideration should be given to provisions of military honors for the funeral and burial (see paragraph 7 for further details).

5. BURIAL ARRANGEMENTS. The U.S. Army does **not** pay for the funeral of a retired person. It is the responsibility of survivors to make **all** burial arrangements with the funeral home of their choice. Upon contact with the funeral director, AG advises the survivors to request at least two copies of the "Death Certificate" from the funeral home. Additionally, the survivors should order one death certificate for each commercial life insurance policy in existence. At no cost to the widow/widower, the Casualty Assistance Office will reproduce necessary documents to support claims initiated in that office. Casualty Assistance Office advises the surviving spouse to approach funeral arrangements with **discretion, caution, and a realization** that burial expenses incurred in a highly emotional state must be paid for in the realistic and certain future with **limited** assistance from other agencies, as follows:

a. Reimbursement of Burial and Funeral Expenses. Veterans Administration (VA) will pay a burial allowance up to \$2,000 if the veteran's death is service-connected. In some instances, VA also will pay the cost of transporting the remains of a service-disabled veteran to the national cemetery nearest the home of the deceased that has available gravesites. In such cases, the person who bore the veteran's burial expenses may claim reimbursement from VA. There is no time limit for filing reimbursement claims in service-connected death cases. VA will pay a \$300 burial and funeral expense allowance for veterans who, at time of death, were entitled to receive pension or compensation or would have been entitled to compensation, but for receipt of military retirement pay. The surviving spouse may also be able to establish eligibility when the death occurs in a VA facility, a nursing home under VA contract, or a state veteran's nursing home. Surviving spouse may receive additional money for the costs of transportation. In nonservice-connected death cases, the surviving spouse must file claims within 2 years after permanent burial or cremation.

b. Plot Allowance. VA will pay a \$300 plot allowance when a veteran is not buried in a cemetery that is under U.S. government jurisdiction under the following circumstances: the veteran was discharged from active duty because of disability incurred or aggravated in the line of duty; the veteran was in receipt of compensation or pension or would have been except for receiving military retired pay; or the veteran died in a VA facility. VA may pay the \$300 plot allowance to the state if a veteran is buried without charge for the cost of a plot or interment in a state-owned cemetery reserved solely for veteran burials. VA will not reimburse burial expenses paid by the deceased's employer or a state agency.

c. Social Security. Some retired personnel are covered by Social Security. If a spouse was living with the beneficiary at the time of death, he or she will receive a one-time payment of \$255. The payment may be made to a spouse who was not living with the beneficiary at the time of death if he or she was receiving Social Security benefits based on the deceased's earnings record. If there is no surviving spouse, a child (or children) who is eligible for benefits on the deceased's work record in the month of his or her death may claim the payment. Survivors must apply in person for this benefit at the nearest Social Security Office.

6. BURIAL IN NATIONAL OR POST CEMETERIES. Survivors may bury deceased, retired military personnel in national or post cemeteries on a space-available basis. National cemeteries in Oklahoma are located in Fort Gibson and Elgin. National cemeteries in Arkansas are located in Fayetteville, Fort Smith, and Little Rock. A survivor should request that the funeral director make interment arrangements directly with the superintendent of the national cemetery concerned. The telephone numbers for the national cemeteries are located at appendix C. Do not ship or set the final date and time of the burial until the superintendent concerned has authorized the interment. If a retired person is buried in a national or a post cemetery, there is no cost to the survivor for the grave-site, opening and closing the grave, or the provision of a regulation headstone. If burial will be in the Fort Sill Post Cemetery, the funeral director will make arrangements with the Casualty Assistance Office. Prior to the funeral, survivors must make arrangements with the post cemetery manager to complete appropriate applications concerning the interment and to request a government headstone (if eligible). Survivors can make appointments by calling the post cemetery manager at (580) 442-3608/6331.

7. MILITARY FUNERALS. Government may provide a military funeral if resources are available. If the survivor desires that a military funeral be conducted, notify the funeral director. The funeral director will contact the Casualty Assistance Office, Fort Sill, Oklahoma, (580) 442-6405/6706/4014/8592. If possible, the U.S. Army will provide a military firing party, pallbearers, a bugler and a chaplain. If the deceased is to be buried in a military uniform, the survivor must provide it.

8. BURIAL IN PRIVATE OR CIVILIAN CEMETERIES. Survivors may arrange a burial in private or civilian cemeteries; however, survivors should consider that the fees for

private or civilian cemeteries are expenses that survivors will not incur if interment is made in a national or post cemetery.

9. HEADSTONE OR MARKER. The superintendent will provide the headstone or marker for retired military personnel buried in national cemeteries and will automatically make these arrangements. If interment is made in a cemetery other than a national or post cemetery, the survivors may request a government headstone or marker through the funeral director. The VA will send the marker to a designated cemetery. Any veteran who served in the military and was not dishonorably discharged is authorized a VA furnished headstone or marker.

10. FLAG. The funeral director will obtain the United States Flag to present to the next-of-kin at the grave service as a memento of the deceased, retired person's faithful service to the country.

11. BURIAL OF DEPENDENTS IN NATIONAL CEMETERIES. The surviving spouse (so long as remarriage does not occur), minor children, and in certain instances, unmarried adult children are eligible for burial in the national or post cemetery in which the retired person is interred. No recurring request is necessary for this benefit upon the interment of the retired person. If remarriage is void or terminated by death, annulment, and/or divorce, the surviving spouse will regain eligibility.

12. FINANCIAL ASSISTANCE. The following agencies are available to survivors:

a. Army Emergency Relief (AER). Survivors in immediate financial difficulty should request that the Casualty Assistance Officer schedule an appointment with the Fort Sill Army Emergency Relief Officer. The Army Emergency Relief Officer will evaluate the survivors' financial needs and, if assistance is required, will contact the Army Emergency Relief Headquarters in Washington, DC, for approval. Army Emergency Relief may provide assistance either in the form of an interest free loan or a grant based on the determination made by Army Emergency Relief Headquarters.

b. The American Red Cross. The Home Service Committee of the American Red Cross is organized to provide assistance to widow/widowers and orphans of deceased military personnel during the interim period from the date of death of the retired person until benefits commence from appropriate agencies. In the event that assistance from the Army Emergency Relief or money that survivors currently have on hand is not sufficient until benefits commence, survivors are urged to contact the local County Chapter of the American Red Cross for additional extended assistance.

13. SIX THOUSAND DOLLARS OF DEATH GRATUITY FOR TERMINAL RETIREES. Survivors of retired personnel may receive \$6,000 of death gratuity **only** if VA determines the retired person died of a "**service-connected**" disability within 120 days from the date of retirement. Finance Officer, Indianapolis, Indiana, will make payment to eligible survivor, **only** after the VA certifies that death is "service-connected." If authorized, this payment will take from 3 to 6 months to process.

14. VETERANS ADMINISTRATION SERVICE-CONNECTED DEATH

COMPENSATION. Casualty Assistance Officer or VA representative will submit the application for VA benefits on behalf of the widow/widower. A claim is made that the death is “service- connected” to ensure that the VA evaluates this possibility. If VA determines death is service-connected, the widow/widower will receive monthly payments that are called “Dependency Indemnity Compensation (DIC).” The VA uses medical records to determine if death is service-connected.

a. The VA, **not** the U.S. Army, determines whether death is service or nonservice-connected. The VA makes this decision based upon all medical records of the retired person procured by VA and upon the cause of death. The fact that a military person **did not retire for physical disability** from the service or **does not have a percentage** of disability awarded by the VA does not necessarily mean that the death could not be service-connected. Conversely, the fact that a person retired for disability from the service or had a disability awarded from the VA does not mean that the death is service-connected. If medical records indicate that a retired person did incur a disability, injury, or a disease on active duty and this was either the cause of or a contributing factor to the death, then VA would determine that the death was service-connected. The length of service has no specific bearing upon this determination.

b. If the VA determines that death is “service-connected,” regardless of the number of children, income, or the value of the estate, the widow/widower would receive DIC. There is an increase in the rate payable for the surviving spouse with children of the deceased.

c. If the VA issues a 100% service-connected rating for a period of 10 years prior to death, the surviving spouse is eligible for DIC, regardless of what caused the death of the veteran.

d. Generally, to qualify for DIC and/or pension from the VA, the surviving spouse must have married the veteran at least 1 year prior to his or her death unless a child resulted from the union.

e. The surviving spouse must have lived continuously with the veteran from the time of marriage until the veteran’s death, except where separation was not due to the fault of the surviving spouse.

f. Entitlement to DIC is lost if a surviving spouse remarries. If the marriage ends by death, divorce, or annulment, the VA may be able to restore DIC entitlements.

g. In the event the deceased retiree has children by a previous marriage and they are not living with the eligible surviving spouse, the VA will apportion DIC payments. A certain portion will go to the children and the eligible legal surviving spouse will receive the remainder.

h. The processing time for VA claims is from 2-6 months; however, payments will be retroactive to the 1st of the month after the date of death.

i. Normally, there is no indemnity compensation for children under 18 years of age. However, if there is no eligible surviving spouse, children under 18 years of age may receive compensation.

j. VA pays supplemental DIC to minor, handicapped children permanently incapable of self-support as follows:

(1) If a surviving spouse is receiving DIC, the handicapped child will receive an additional amount each month until 18 years of age, then the child will receive payments concurrently with DIC payments to the surviving spouse.

(2) The minor will be paid if the follow conditions apply. There is no surviving spouse, surviving spouse is deceased, or has remarried. The minor must be a handicapped child, unmarried child under age 18, or the child is between the age of 18 and 23 and attending school.

(3) Defense and Accounting Service-DE (DFAS-DE) reduces a surviving spouse's Survivor Benefit Plan (SBP) annuity by the amount of DIC the VA awards and pays the surviving spouse based on the service-connected death of the retiree who provided the SBP. When DIC exceeds the SBP amount, the spouse will receive all SBP premiums paid by the retiree. When the SBP annuity exceeds the DIC payment, the spouse will receive only the amount of SBP premiums paid for the portion of the SBP that is replaced by DIC. A spouse over age 55 who forfeits DIC by remarrying may have the SBP reinstated by repaying the costs that DFAS-DE refunded when the DIC was awarded. The reinstated SBP annuity is effective on the date the DIC expires. The survivor may repay the premiums in a lump sum or installments. DFAS-DE deducts installments payments from the SBP annuity. DIC does not offset an SSBP annuity. The SBP annuity is not reduced by the amount of a child's entitlement.

k. Survivors' and Dependents' Education.

(1) Survivors and children of retirees who died as a result of a "service-connected" disability are entitled to educational assistance from the VA, if the disability was incurred during the period of active duty. VA may award benefits for pursuit of associate, bachelor, or graduate degrees at colleges and universities (including independent study, cooperative training and study abroad programs). Survivors and children of retirees may also take courses leading to a certificate or diploma from business, technical, or vocational schools. Other opportunities include apprenticeship or on-the-job training programs and farm cooperative courses. Benefits for correspondence courses are available to spouses only. Survivors and children of retirees may pursue secondary school programs if the individual is not a high school graduate. The individual may also receive tutorial assistance benefits if he or she is enrolled half-time or more and has a

deficiency in a subject. Remedial, deficiency, and refresher training may also be available.

(2) An eligible child who is handicapped by a physical or mental disability that prevents pursuit of an educational program may receive special restorative training. This may involve speech and voice correction, language retraining, lip reading, auditory training, Braille reading and writing, or anything of this nature. Specialized vocational training is available to an eligible spouse or child over the age of 14 who is handicapped by a physical or mental disability that prevents pursuit of an educational program. On request, VA will provide counseling services, including testing, to help an eligible dependent select an educational or vocational objective, develop a plan to achieve it, and overcome any problems that might interfere with its successful achievement.

(3) Payments are made monthly. The full-time rate is paid for full-time school attendance with lesser amounts paid for part-time training. You may be entitled to receive educational assistance up to a total of 45 months or the equivalent in part-time training.

(4) Benefits to a spouse end 10 years from the date the VA first finds the individual eligible. VA may grant an extension of this period if a physical or mental disability prevented the individual from using some portion of his or her education benefits. The disability must occur during the individual's 10 year period of eligibility. Generally, children must be between the ages of 18 and 23 to receive benefits. VA may grant certain extensions, including for the period of time equal to the time the child spends on active duty. No extension can go beyond the individual's 31st birthday.

15. DEPENDENT PARENT(S). Dependent parents may qualify for indemnity compensation even though surviving spouse and children are receiving benefits. The monthly amount depends upon the income of the parents, whether there is one or two parents, whether surviving parents are living together, or whether a parent has remarried.

16. VETERAN ADMINISTRATION NONSERVICE-CONNECTED DEATH PENSION. Certain surviving spouses and children of deceased wartime retirees may qualify for nonservice connected death pensions. A retiree must have had 90 days or more of active military service, one day of which was during a period of wartime service, unless discharged or retired for service-connected disability, and been discharged under conditions other than dishonorable.

a. Surviving spouses and unmarried children under age 18 (or until 23 if attending a VA approved school) of deceased retirees with wartime service may be eligible for a pension based on need if they meet the applicable income standards.

b. Otherwise qualified children who became permanently incapable of self support because of a mental or physical defect before reaching age 18 may receive a pension from VA as long as the conditions exists or until they marry.

c. A pension is not payable to those whose estates are so large that it is reasonable they will look to the estates for maintenance.

d. A surviving spouse who is a patient in a nursing home or is otherwise determined to be in need of the regular aid and attendance of another person, or is permanently housebound, may be entitled to higher income limitations or additional benefits, depending on the type of pension received.

e. Generally, to qualify, a surviving spouse must have married the retiree at least 1 year prior to his or her death, unless a child resulted from the union.

f. The surviving spouse must have lived continuously with the veteran from the time of marriage until the veteran's death, except where there was a separation not due to the fault of the surviving spouse.

g. Remarriage following the death of the retiree makes the surviving spouse ineligible for pension based on the death of that retiree. A surviving spouse may also be ineligible, if after the death of the retiree she or he has lived with another man or woman, and held herself or himself out openly to the public to be the spouse.

h. If she or he meets the other qualifications, a person who married a veteran without knowing that a legal impediment to the marriage existed, may be eligible for pension in certain cases.

i. The improved pension program provides a monthly payment to bring an eligible person's income to a support level that has been established by law. This support level is reduced by the annual income from other sources such as Social Security that may be payable to the surviving spouse or dependent children. Certain unreimbursed medical expenses may reduce countable income. VA will not pay pension to those who have assets they can use to provide adequate maintenance.

17. VETERANS ADMINISTRATION DECISIONS, DISAGREEMENTS, AND APPEALS.

a. Adverse decisions of the VA are sometimes reversed in favor of claimants. If a decision made by the VA is believed to be incorrect, the claimant should send a statement to VA, along with any supporting evidence, indicating why you believe the decision is believed to be incorrect. If VA does not change their decision after all the evidence is considered, the claimant may then file a letter of disagreement and notice of intent to appeal. VA will then furnish the claimant with a "Statement of the Case." This is a detailed summary of the facts of the law, and the reasoning upon which the VA based the decision. The claimant may then examine the statement, and rebut it by submitting more evidence, or the claimant may file a formal appeal to the Board of Veteran Appeals.

b. Claimant may submit, at any time after the decision is announced, evidence in support of a claim. However, the effective date of any benefit may be controlled by the date the evidence is received. Normally, if the evidence is received within 1 year of the date of the announcement of the decision, the effective date of the claim will be the date on which the evidence was received. Claimant should file a notice of disagreement within 60 days after the date of the announcement of the contested decision.

18. SOCIAL SECURITY.

a. Retired personnel who are generally covered by Social Security are--

(1) Those persons who retired for physical disability prior to 1 January 1957, and who elected to compute their pay on a percentage of disability rather than for years of service.

(2) Those persons who retired for the length of service and who worked under and attained the necessary coverage by working in a job covered by Social Security in a retired status.

(3) Those who retired after 1956 (depends upon age at time of retirement).

(4) Those who retired at-any-time and were on Social Security rolls at time of death.

b. If a retired person was not covered by Social Security, there will be no payment made to the surviving spouse and children if death is not "service-connected." However, if the death is service-connected, VA may make "special payments" in addition to DIC payments.

c. If a retired person was covered by Social Security, all payments will be based upon the "average monthly wage" for Social Security purposes computed by the Social Security Administration at the time application for benefits is made.

19. MONTHLY SOCIAL SECURITY PAYMENTS (SURVIVORS).

a. Monthly Social Security payments are payable to the dependent spouse **only** if--

(1) The applicant is 60 years of age or over.

(2) The applicant (any age) has children under 16 in custody or care.

(3) The applicant (any age) has a disabled child in custody or care. The child must be disabled before age 22 and be dependent upon the applicant for personal services.

(4) The applicant is over the age 50, and disabled with an impairment that occurred within 7 years of the date of spouse's death.

b. When a dependent spouse is entitled to monthly payments because of the conditions outlined in paragraph (2) above, all monthly payments cease when the youngest child reaches the age of 16. Benefits will not start again until the dependent spouse reaches the age of 60, unless the conditions cited in paragraphs (3) and (4) above exist.

c. Social Security monthly payments, in life or death cases, are based upon an average yearly wage of the worker.

d. Unmarried children of a person receiving old age or disability Social Security benefits, or unmarried children of a deceased person, may receive benefits in their own right until they reach age 18 (or 19, provided they are full-time students in high school).

e. An applicant must file for all benefits paid by Social Security. As soon as possible, the applicant should call to schedule an appointment with the local Social Security Office. Applicant will need the following:

- (1) Death certificate.
- (2) Marriage certificate.
- (3) Birth certificates of all eligible children.
- (4) Deceased worker's Social Security Number.
- (5) W-2 Form (from tax records) for prior year.
- (6) Information concerning prior marriages of both parties.
- (7) DD Form 214 (covering all periods of military service).

20. INCOME LIMITATIONS FOR SOCIAL SECURITY PAYMENTS (EXCEPT DISABILITY). In the event the applicant qualifies for monthly Social Security payments, there is a limitation on "earned" income.

21. ACTIONS BY RETIRED PAY OPERATIONS. Casualty Assistance Office notifies Retired Pay Operations, Cleveland, Ohio of the death of retired military personnel. All retired pay will **cease** as of the date of death. The named beneficiary will be eligible to receive the portion of the retired pay accrued during the last month that the retired person lived (i.e., if death occurred on the 12th of the month, the beneficiary would receive 12 days of retired pay).

a. When AG notifies Retired Pay Operations of the death, they will report to Casualty Assistance Office all allotments the retired person had in force at the time of death. This includes information pertaining to enrollment in the Survivor Benefit Plan or

the Retired Servicemen's Family Protection Plan, allotments to insurance agencies, and disability paid by the Veterans Administration.

b. Retired Pay Operations will automatically correspond with the beneficiary within 2 to 3 weeks from the date of the retiree's death. They will provide applicable forms with which qualified individuals can apply for Unpaid Pay (the portion of the month during which the retiree was alive), Retired Servicemen's Family Protection Plan (RSFPP) and/or Survivor Benefit Plan (SBP).

(1) Retired Servicemen's Family Protection Plan (RSFPP), formerly known as the Contingency Option Act, is a voluntary plan to provide an annuity for survivors of deceased retired personnel. Only soldiers who retired before 21 September 1972 could take part in this plan. The Survivor Benefit Plan replaced the RSFPP.

(2) Survivor Benefit Plan (SBP), originally enacted in 1972, is a voluntary plan to provide an annuity for survivors of deceased retired personnel. If a retiree elected enrollment into the SBP, upon the retiree's death, the spouse can apply for the annuity. The Defense Authorization Act of 1986 (PL 99-145) introduced a two-tier system of SBP. The two-tier system provides an SBP annuity of 55% of the base amount until the spouse becomes eligible to receive Social Security, at which time it drops to 35% of the base amount. Should survivor remarry before age 55, his/her annuity will stop. If and when that marriage terminates, the annuity will again be payable. If survivor's remarriage occurs after age 55, the annuity continues uninterrupted.

22. CIVIL SERVICE ANNUITIES, LIFE INSURANCE, AND SURVIVOR BENEFIT PLAN.

a. If the deceased was a former Civil Service employee who qualified at the time of death for Civil Service retirement benefits, survivors may be entitled to an annuity. The deceased must have had a minimum of 5 years of Civil Service pay. If the deceased was receiving a Civil Service retirement check in addition to military retired pay, the deceased may have provided an annuity for survivors from Civil Service.

b. If it the survivor believes the deceased qualified under the above criteria; visit the Civilian Personnel Advisory Center (CPAC), Fort Sill, Oklahoma, Building 1721, or call toll free 1-888-767-6738. CPAC will then assist the survivor in making application for benefits that may be payable due to the Civil Service status of the deceased.

23. TYPES OF GOVERNMENT LIFE INSURANCE. There are five types of government life insurance: United States Government Life Insurance (USGLI), National Service Life Insurance (NSLI), Servicemen's Group Life Insurance (SGLI), Veterans Group Life Insurance (VGLI), and Service Disabled Veterans Insurance (SDVI).

a. United States Government Life Insurance (USGLI)/National Service Life Insurance (NSLI). If the retired person retained USGLI, Casualty Assistance Office will make applications for payments. The retired person has previously prescribed the

method of payment of this insurance to the beneficiary, and the beneficiary may or may not be permitted to change the election. The election may be for payment in a lump sum, for a period of 3 to 20 years, or for the rest of the survivor's life. In many cases, beneficiaries who are permitted to do so, elect to receive Government Life Insurance in a lump sum when decisions should actually be made to provide lifetime incomes.

(1) Even though the election may be for payment of government insurance in a lump sum, **AG strongly recommends survivors hold this decision in abeyance until the types of benefits and amounts to be received from either the VA or the Social Security Administration are determined.**

(2) Payments from USGLI policies vary a small amount, but are similar to the National Service Life Insurance (NSLI) "V" policies, and are slightly higher.

b. Servicemen's Group Life Insurance (SGLI). If the retired person was covered by the SGLI on the date of retirement, designated survivors will be entitled to the proceeds **if death occurred within 120 days after date of retirement**, even though the insurance had not been converted to an individual policy prior to death.

c. Veterans Group Life Insurance (VGLI). Application is made within 120 days after release from service and is a 5-year renewable term policy.

d. Service Disabled Veteran Insurance (SDVI). SDVI is insurance limited to veterans who left the service after 24 April 1951. A member who has service-connected disability, but is otherwise in good health may apply to the VA for up to \$10,000 in SDVI life insurance coverage at standard rates. Members rated totally disabled by the VA may apply for a waiver of premiums. For those members eligible for this waiver, additional coverage of up to \$20,000 is available, but the premiums cannot be waived. If the retiree was covered, the appointed Casualty Assistance Officer of the nearest VA office can explain this benefit to help the survivor complete the required claim form.

24. SETTLEMENT OF COMMERCIAL LIFE INSURANCE POLICIES. Commercial life insurance companies require a copy of the death certificate and a complete and signed claim form by the designated beneficiary. To settle commercial life insurance policies, the beneficiary may--

a. Request that the Casualty Assistance Officer contact the insurance company and obtain the required forms.

b. Request a copy of the claim form by writing the insurance company's main office and complete the form as instructed.

c. Request that a representative of the life insurance company personally visit the home – after receiving a copy of the death certificate.

25. COUNSELING. In most cases, AG recommends a representative from the commercial insurance company call the beneficiary's home. The personal counseling and advice received from a trained insurance counselor is invaluable, and beneficiaries are entitled to this service. For example, a widow/widower having minor children should seriously consider additional insurance on themselves as protection for these children. NOTE: If large purchases were recently made (e.g., major appliances, automobile, a home) survivors should contact the lending agencies to determine if insurance was carried against the unpaid balances of loans.

26. MISCELLANEOUS PRIVILEGES AND BENEFITS – PERSONAL AFFAIRS RECORDS. Many retired personnel maintain a personal affairs record. This record may consist of a well-organized book or a series of envelopes, or it may be an unassembled mass of individual papers. Regardless of the organization or appearance of a personal affairs record, survivors should thoroughly screen them. If survivors do not understand certain papers or have questions pertaining to them, they are invited to bring them to the Casualty Assistance Office. In many instances, papers that were at first considered unimportant are of significance when viewed by a person with previous experience in such matters.

27. IMPORTANT DOCUMENTS.

a. Certain documents are required in order to assist in making initial applications for benefits. It is not possible to prepare a list that would be applicable to each specific case; however, the following documents normally are required:

- (1) Death certificate of retired person.
- (2) Marriage certificate of surviving spouse and retired person.
- (3) Birth certificate of all children UNDER 18 years of age.
- (4) Birth certificates of all unmarried children ages 18-23, who are attending college.
- (5) Social Security Number of deceased, retired person.
- (6) VA claim number, or other papers pertaining to correspondence with the VA (may or may not be appropriate).
- (7) Government insurance policy or policy number and forms designating beneficiary and option of settlement.
- (8) All discharges (DD Form 214) or other papers reflecting service of individual and type of retirement.
- (9) If either the surviving spouse or the deceased, retired person was previously married, a divorce decree, death certificate, or annulment that terminated any prior marriage.

(10) Adoption papers, if a minor child is an adopted child.

(11) If a child is handicapped, a statement from a competent authority that the child was handicapped before the age of 18.

(12) Identification cards for eligible members of the family.

(13) Appropriate retirement papers if the retired person was also retired from Civil Service or from another public retirement system.

NOTE: In the event the survivors do not possess all of the above documents, survivors can still file the application and Casualty Assistance Officer will assist in procuring the missing documents.

b. Certain additional documents not required initially, but that may be required by other agencies in the future, are as follows:

(1) Survivor's birth certificate (Only if the survivor elected a lifetime income from insurance proceeds based on age.).

(2) Title(s) for automobile(s).

(3) Deeds for all property.

(4) Wills of both the survivor and the deceased retired person.

(5) Commercial life insurance policies.

(6) Papers pertaining to loans received.

(7) Copies of past 3 years income tax returns.

(8) Tax forms to show income received and tax withheld from both retired pay and civilian pay of the deceased retired person for the year of death.

(9) The initial forms that the survivor will automatically receive from Retired Pay Operations, if the retired person was provided an annuity from retired pay.

28. LEGAL ASSISTANCE.

a. Although a Legal Assistance Officer cannot represent survivors, he or she may advise and counsel survivors regarding legal matters. The Legal Assistance Officer can write new wills for survivors, and the AG recommends that survivors should accomplish this in a reasonable length of time after death of the retired person. Survivors may

contact the Legal Assistance Officer at the nearest military installation with a Staff Judge Advocate Office.

b. If the retired person left a will, it may be necessary to probate it. Check with the Legal Assistance Officer for advice. If a will must be probated, the widow must hire a civilian attorney. Survivors are cautioned not to commit themselves to agreements with attorneys until acceptable stated fees have been agreed upon for desired services.

29. INCOME TAX.

a. Initial Income Tax Return. The surviving spouse is required to file a tax return the year following the death of the retiree, or possibly, the year of death if the retiree had not filed for the preceding year. The Legal Assistance Officer will assist the surviving spouse in filing an initial income tax return following death. While the AG is providing the following important points, they are provided for information only, and in no way do they take precedence over published directives, decisions of the Internal Revenue Service, or advice of qualified tax consultants.

(1) The last year for which the survivor may file a joint return with, or claim an exemption for, the survivor's deceased spouse is the year of death. However, for 2 years after the year of death, the survivor may be able to figure his/her tax using the joint rates. These rates are lower than the rates for single or head of household status. To use the joint rates, the survivor must file as a qualifying widow or widower. The survivor must meet all of the following tests to qualify.

(a) Survivor was entitled to file a joint return with his/her spouse for the year the spouse died (it does not matter whether the survivor actually filed a joint return).

(b) Survivor did not remarry before the end of the current tax year.

(c) Survivor has a child, stepchild, adopted child, or foster child who qualifies as his/her dependent for the year.

(d) Survivor paid more than half the cost of keeping up his/her home, which is the principal home of that child for the entire year, except for temporary absences.

(2) Income received from the following agencies will be income tax exempt because they are considered death payments.

(a) Veterans Administration. All payments from the VA including lump-sum burial payments, monthly pensions, compensation, and government life insurance.

(b) Social Security. All payments from Social Security including lump-sum death payments and monthly payments.

(c) Civilian Life Insurance. All payments from civilian insurance proceeds are paid directly to the surviving spouse as a named beneficiary. However, under certain conditions, States can levy "inheritance taxes" or "estate taxes" when the total estate exceeds certain amounts.

(d) Six Thousand Dollars Death Gratuity. This payment will be received only if the terminally ill retired person died within 120 days from date of terminal retirement due to service-connected causes.

b. Inheritance and Estate Taxes. Although some death benefits may be exempt for Federal Income Tax purposes, when the total estate exceeds certain amounts, the Federal government may levy "inheritance taxes" against the nonexempt portion of the estate that exceeds variable amount. Each state varies as to what constitutes the estate and to the amount that is exempt. Survivors should discuss this matter with their personal attorney.

c. Sick Pay Exclusion. If the retired person was in the hospital for 1 day or more, was earning wages (other than retired pay), and was absent from work for more than 7 days, survivor may or may not be able to apply the "sick pay exclusion" principle to taxable income. Discuss this possibility with the Legal Assistance Officer.

d. Retirement Income Tax Credit. If the retired person was receiving only retired pay and it was taxable, the survivor may apply the "Retirement Income Tax Credit" principle to the taxable portion of the retired pay. Under certain circumstances, the survivor may receive taxable income, in addition to retired pay. Discuss this possibility with the Legal Assistance Officer.

e. Annuity from RSFPP. If the retired person participated in the RSFPP, the annuity from Retired Pay Operations is partially taxable. The form received from Retired Pay Operations with the initial annuity payment is important, and will indicate the amount contributed, and the amount the survivor will receive monthly. The survivor must know these amounts, plus the surviving spouse's age, when filing income tax EACH year following the death of a retired person. Receipt of an annuity from the RSFPP permits the "Retirement Income Tax Credit" principle to be applied to the surviving spouse's yearly income. Since income tax on annuities is a complex subject, AG suggests advice be sought from either the Legal Assistance Officer or from a competent income tax counselor.

30. CHECKING AND SAVINGS ACCOUNTS. Whether a surviving spouse may be permitted to withdraw monies from a joint checking or savings account for use or for redeposit depends upon the contract that created the "joint" account. Some banks and savings institutions provide contracts and some do not. Survivors utilizing "joint" accounts remain liable for debts owed by the estate. The surviving spouse should check with bankers as soon as possible to close out all joint accounts.

31. SAFETY DEPOSIT BOXES. In the event of a “joint” safety deposit box, the survivor will need a court order to open the box. The survivor can open safety deposit boxes under the supervision of a bailiff or representative of the probate court, a representative of the bank, and a representative of the estate. The survivor may remove only the will and insurance policies, documents verifying dates of birth or marriage, or other documents verifying dates of birth or marriage, or other documents having no value to the estate. The family generally takes the will directly to the probate court, and an inventory of the contents is made for the benefit of the comptroller and the bank, and for the estate. Only a qualified executor or administrator of an estate can remove the complete contents of a safety deposit box.

32. UNITED STATES SAVINGS BONDS. Upon presentation of the bonds and a death certificate to a national bank, the survivor may cash or reissue U.S. Savings Bonds issued in the name of a retired person, but payable on death to a survivor, or bonds indicating “Payable to Mr. or Mrs. John Doe.”

33. TRAVEL OF DEPENDENTS AND MOVEMENT OF HOUSEHOLD GOODS. Dependents of deceased, retired personnel are entitled to shipment of household goods and travel if the retiree has not moved to home of selection subsequent to retirement (can be done within 12 months after retirement or twelve months plus length of hospitalization).

34. IDENTIFICATION (ID) CARDS.

a. The survivor must renew all identification cards of persons eligible as a result of the deceased’s service. Eligible personnel are--

- (1) The surviving spouse.
- (2) Unmarried children, ages 10-21
- (3) Unmarried children, ages 21-23, when attending school full-time.
- (4) Parents or parents-in-law of a deceased, retired person who were dependent upon the soldier prior to death.

b. AG will issue ID cards to surviving spouses of deceased, retired personnel. These ID cards are valid for only 4 years from the date of issue. The survivor must renew his/her ID card every 4 years by visiting the AG ID Card office, Building 3162 Room 101. Provide the following documents to establish eligibility for re-issuance of ID Cards:

- (1) Copy of retiree’s death certificate.
- (2) Copy of retiree’s retirement orders.

(3) Copy of marriage certificate.

(4) Copy of birth certificates of all eligible children.

(5) Copy of acceptance by school of student (applicable only to dependent children, ages 21 to 23, who are attending school).

(6) All old ID cards.

35. CONTINUATION OF PRIVILEGES. The ID card is the instrument authorizing continued privileges. The privileges that the surviving spouse and children of a retired person were entitled to before the soldier's death continue with no change. All privileges extended to survivors are on a "space-available" basis; but-at the present time most installations have space available for their continuation. Should a surviving spouse remarry and later that marriage is dissolved for some reason, the spouse can regain only commissary and Post Exchange privileges as the unmarried surviving spouse of the soldier.

36. HOME LOAN BY THE VETERANS ADMINISTRATION. Unmarried surviving spouses of a retired soldier who served on active duty during a period between 16 September 1940 and the present and who died a service-connected death are eligible for a Veterans Administration Home Loan. Submit applications for a VA Loan with the nearest VA Office.

37. CIVIL SERVICE JOB PREFERENCE.

a. Unmarried surviving spouses are entitled to a 10-point Civil Service preference if the deceased retired person had wartime service. These 10-points will be awarded to eligible surviving spouses only AFTER they have satisfactorily passed a Civil Service Examination or are now currently employed in Civil Service.

b. In either of the above cases, application must be made through the Civilian Personnel Advisory Center. Documentary evidence to include proof of service, marriage certificate, and the death certificate of the retired person is required.

38. EDUCATION OF CHILDREN.

a. Minor children or children of college age may receive certain financial assistance while attending an accredited college. If the death is determined to be "nonservice-connected," no financial assistance is available.

b. There are countless scholarships, assistance programs, and aid for children of deceased military personnel. Regardless of whether financial assistance is available, advise children during high school that there is no reason why they cannot receive a college education if they are willing and able to strive academically. A brochure regarding Army Emergency Relief (AER) educational assistance to a surviving spouse

and children of deceased military personnel is available at the AER Office closest to you.

39. OFFICER AND NCO CLUB MEMBERSHIP. Membership in the Fort Sill Patriot Club and the Fort Sill NCO Club is at no-cost to the surviving spouses of deceased soldiers who were on active duty or in a retired status at time of death.

APPENDIX A

BENEFITS OR ENTITLEMENTS	MEMBER DIES WHILE IN RETIRED STATUS
Emergency financial assistance Valid (Red Cross, AER) financial need	Eligible in time of emergency
Care of remains of soldier provided by military authority	Eligible if continuously hospitalized from the date of retirement to the date of death
Burial allowance for soldier	Same as above/Payable by U.S. Army
Burial in National Cemetery	Eligible
Military Funeral	Eligible as resources permit
Burial allowances payable by VA	Limited to those eligible for VA pension or compensation (Exception: Not eligible is paid by Army)
Burial allowance payable by Social Security Administration	Limited to those who have a surviving child eligible for benefits
Travel of dependents and shipment of household goods and personal effects at Government expense	Eligible if retiree has not moved to home of selection subsequent to retirement (only if death occurs with 12 months plus length of hospitalization)
Death Gratuity (\$6,000.00)	Eligible if retiree dies of service connected disability within 120 days of retirement
Payment of unpaid pay and allowances	Eligible/Payable to designated beneficiary or by law
Payment of VA of Dependency and Indemnity Compensation	Eligible if death is due to service connected cause
Payment by VA of pension to survivor not entitled to DIC	Subject to income limitations
Medical care at military facilities	Eligible if space is available
Medical care from civilian sources	Eligible/Survivor must contact CHAMPUS advisor at nearest military facility
Medicare	Eligible at age 65
Dental Care	Limited eligibility/ Consult nearest military dental facility
Post Exchange Facilities	Eligible
Motion picture theaters	Eligible
Commissary	Eligible
Recreation Facilities	Eligible
Social Security Monthly Benefits	Eligible when survivor reaches age 60 or earlier if 100 percent disabled or immediately if caring for dependent child who is under 26 years of age or disabled
SGIL proceeds (maximum \$250,000 if not reduced or refused by soldier)	Eligible if date of death is prior to the end of 120 th day of release from active duty/retirement or is within 12 months, if retired for total disability

Appendix A (cont)

BENEFITS OR ENTITLEMENTS	MEMBER DIES WHILE IN RETIRED STATUS
VGLI proceeds (same as above)	Eligible if retiree paid premiums
NSLI Proceeds	Eligible if currently insured
Payment of SBP annuity	Eligible if coverage elected by retiree and spouse at time of retirement
Retired Servicemen's Family Protection Plan (RSFPP)	Eligible if currently enrolled
Travel and per diem to burial services	Not eligible

APPENDIX B

FINAL SUMMARY

B-1. GENERAL. The personal counseling received from the Casualty Assistance Officer is only the beginning. There are additional matters you must complete.

a. The CASUALTY ASSISTANCE OFFICER will complete application for the following benefits--

- (1) Financial assistance from the Red Cross or AER if required.
- (2) VA Compensation or Pension (VA Form 21-534).
- (3) Government Life Insurance – USGLI, NSLI, VGLI or SGLI.
- (4) Application for supplemental DIC or Educational Assistance, if applicable.
- (5) Arrears of Retired Pay.
- (6) Annuity from Retired Pay Operations (RSFPP or SBP).
- (7) Commercial Life Insurance.
- (8) New Identification Card.

b. There are many things that the survivor must accomplish. These include, but are not limited to--

- (1) Appointment with Legal Assistance Officer.
- (2) Have Legal Assistance Officer review current will and change it, if necessary.
- (3) Select a civilian attorney, if necessary.
- (4) Have civilian attorney complete the following, if necessary:
 - (a) Probate will.
 - (b) Transfer stocks and bonds to your name.
 - (c) Transfer titles of car(s) to survivor's name.
 - (d) Transfer deeds of all property to your name.
 - (e) Close out all joint savings and checking accounts.

(f) Have Government bonds reissued in the survivor's name or cashed.

(g) Contact any agency the spouse worked for previously, which may have had a retirement or insurance plan.

(h) Make application to Social Security for any benefits payable.

c. If there are minor children, the survivor should evaluate his/her personal insurance program on the basis of need in case of his/her demise and his/her ability to pay.

d. The survivor should evaluate his/her present status based upon KNOWN income in the future and prepare a budget.

B-2. ADDITIONAL ASSISTANCE. The surviving spouse will receive correspondence, forms, and inquiries from many agencies that you may not understand. The Casualty Assistance Office, at Fort Sill, Oklahoma, telephone (580) 442-6405, is open from 7:30 am – 4:30 pm Monday through Friday for additional assistance or counseling.

APPENDIX C

FREQUENTLY USED PHONE NUMBERS	
Casualty Assistance Office	(580) 442-6405/6706
Retired Pay Operations	(580) 428-2290
Veterans Administration	(800) 827-1000
OVDA at Fort Sill VA Out-Patient Clinic	(580) 353-1131, Ext 4071
Fort Sill Legal Assistance	(580) 442-5058/5059
Social Security Office	(580) 772-1213
Fort Sill Cemetery Manager	(580) 442-2426
Army Emergency Relief	(580) 442-2922
American Red Cross (Fort Sill)	(580) 442-2426
Red Cross Comanche County	(580) 355-2480
Directorate of Civilian Personnel	(580) 442-3955
Reynolds Army Community Hospital	(580) 458-2500
Post Chaplain	(580) 442-3319
Fort Gibson National Cemetery	(918) 478-2334
Fort Sill National Cemetery	(580) 492-3200
Fayetteville National Cemetery	(501) 444-5051
Fort Smith National Cemetery	(501) 783-6118
Little Rock National Cemetery	(501) 324-6401

The proponent of this pamphlet is the Adjutant General Office. Fort Sill, Oklahoma. Users are invited to send comments and suggested improvements to Cdr, USAFACFS, ATTN: ATZR-O, Fort Sill, OK 73503-5100

(ATZR-P)

FOR THE COMMANDER:



JAMES M. McDONALD
COL, FA
Chief of Staff

KATHY L. BANKS
Director of Information
Management

DISTRIBUTION:
Fort Sill Internet