# Federal Benefits for Veterans

## Dependents & Survivors

2011 Edition

Department of Veterans Affairs

## Phone Numbers

Bereavement Counseling.....1-202-461-6530
Civilian Health and Medical Program (CHAMPVA).....1-800-733-8387
Caregiver Support ..... 1-855-260-3274
Education.....1-888-442-4551
Federal Recovery Coordination Program .....1-877-732-4456
Foreign Medical Program…….....…….1-888-820-1756
Headstones and Markers.....1-800-697-6947
Health Care.....1-877-222-8387
Homeless Veterans.....1-877-424-3838
Home Loans.....1-888-244-6711
Life Insurance.....1-800-669-8477
National Cemetery Scheduling Office.....1-800-535-1117
National Suicide Prevention Lifeline.....1-800-273-8255
Pension Management Center.....1-877-294-6380
Presidential Memorial Certificate Program.....1-202-565-4964
Special Health Issues.....1-800-749-8387
Telecommunication Device for the Deaf (TDD).....1-800-829-4833
VA Benefits.....1-800-827-1000
Women Veterans.....1-202-461-1070

## Web Sites

Burial and Memorial Benefits .....www.cem.va.gov
Caregier Support ..... www.caregiver.va.gov
CHAMPVA..... www.va.gov/hac/forbeneficiaries/forbeneficiaries.asp
Education Benefits.....www.gibill.va.gov
Federal Jobs.....www.usajobs.opm.gov
Health Care Eligibility.....www.va.gov/healtheligibility
Home Loan Guaranty.....www.homeloans.va.gov
Life Insurance.....www.insurance.va.gov
Memorial Certificate Program.....www.cem.va.gov/pmc.asp
Mental Health.....www.mentalhealth.va.gov
My HealtheVet…….....www.myhealth.va.gov
National Resource Directory .....www.nationalresourcedirectory.gov
Prosthetics……..... www.prosthetics.va.gov
Record.....www.archives.gov/st-louis/military-personnel
Returning Servicemembers.....www.oefoif.va.gov
Women Veterans.....www.publichealth.va.gov/womenshealth
VA Vet Centers…….....……..……www.vetcenter.va.gov
VA Home Page.....www.va.gov
VA Benefit Payment Rates.....www.vba.va.gov/bln/21/rates
VA Forms.....www.va.gov/vaform

# Federal Benefits for Veterans, Dependents and Survivors

**2011 Edition**


## Department of Veterans Affairs

**810 Vermont Ave., N.W.**
**Washington, DC 20420**



**Cover:** U.S. Army photo by Sgt. Kenneth Toole

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# Introduction

Veterans of the United States armed forces may be eligible for a broad range of programs and services provided by the U.S. Department of Veterans Affairs (VA). These benefits are legislated in Title 38 of the United States Code. This booklet contains a summary of these benefits effective Jan. 1, 2011. For additional information, visit the VA Web page at www.va.gov/.

La versión en español de este folleto se encuentra disponible en formato Adobe Acrobat a través de el link: www1.va.gov/opa/feature/index.asp.

## General Eligibility

Eligibility for most VA benefits is based upon discharge from active military service under other than dishonorable conditions. Active service means full-time service, other than active duty for training, as a member of the Army, Navy, Air Force, Marine Corps, Coast Guard, or as a commissioned officer of the Public Health Service, Environmental Science Services Administration or National Oceanic and Atmospheric Administration, or its predecessor, the Coast and Geodetic Survey. Generally, men and women veterans with similar service may be entitled to the same VA benefits.

Dishonorable and bad conduct discharges issued by general courts-martial may bar VA benefits. Veterans in prison and parolees must contact a VA regional office to determine eligibility. VA benefits will not be provided to any veteran or dependent wanted for an outstanding felony warrant.

### Certain VA Benefits Require Wartime Service

Certain VA benefits require service during wartime. Under the law, VA recognizes these war periods:

**Mexican Border Period:** May 9, 1916, through April 5, 1917, for veterans who served in Mexico, on its borders or in adjacent waters.

**World War I:** April 6, 1917, through Nov. 11, 1918; for veterans who

served in Russia, April 6, 1917, through April 1, 1920; extended through July 1, 1921, for veterans who had at least one day of service between April 6, 1917, and Nov. 11, 1918.

**World War II:** Dec. 7, 1941, through Dec. 31, 1946.

**Korean War:** June 27, 1950, through Jan. 31, 1955.

**Vietnam War:** Aug. 5, 1964 (Feb. 28, 1961, for veterans who served "in country" before Aug. 5, 1964), through May 7, 1975.

**Gulf War:** Aug. 2, 1990, through a date to be set by law or Presidential Proclamation.

## Important Documents Needed to Expedite VA Benefits Delivery

In order to expedite benefits delivery, veterans seeking a VA benefit for the first time must submit a copy of their service discharge form (DD-214, DD-215, or for World War II veterans, a WD form), which documents service dates and type of discharge, or give their full name, military service number, and branch and dates of service.

The veteran's service discharge form should be kept in a safe location accessible to the veteran and next of kin or designated representative.

The following documents will be needed for claims processing related to a veteran's death:

1. Veteran's marriage certificate for claims of a surviving spouse or children.

2. Veteran's death certificate if the veteran did not die in a VA health care facility.

3. Children's birth certificates or adoption papers to determine children's benefits.

4. Veteran's birth certificate to determine parents' benefits.

# Abbreviations

ALS – Amyotrophic Lateral Sclerosis
CHAMPVA – Civilian Health and Medical Program of VA
CLC – Community Living Center
C&P – Compensation and Pension
COE – Certificate of Eligibility
CRDP – Concurrent Retirement and Disability Payments
CRSC – Combat-Related Special Compensation
CWT – Compensated Work Therapy
CZTE – Combat Zone Tax Exclusion
DIC – Dependency and Indemnity Compensation
DoD -- Department of Defense
FHA – Federal Housing Administration
FSGLI – Family Servicemembers' Group Life Insurance
HUD – Department of Housing and Urban Development
IRR – Individual Ready Reserve
MGIB – Montgomery GI Bill
MIA – Missing in Action
NPRC – National Personnel Records Center
NSLI – National Service Life Insurance
OEF – Operation Enduring Freedom
OIF – Operation Iraqi Freedom
OPM – Office of Personnel Management
POW -- Prisoner of War
PTSD – Post-Traumatic Stress Disorder
SAH – Specially Adapted Housing
SBA – Small Business Administration
SSI – Supplemental Security Income
S-DVI – Service-Disabled Veterans' Insurance
SGLI – Servicemembers' Group Life Insurance
SSB – Special Separation Benefits
TAP – Transition Assistance Program
TSGLI – Servicemembers' Group Life Insurance Traumatic Injury Protection
USCIS – U.S. Citizenship and Immigration Services
USDA – U.S. Department of Agriculture
VA – Department of Veterans Affairs
VEAP – Veterans Educational Assistance Program
VEOA – Veterans' Employment Opportunities Act
VGLI – Veterans' Group Life Insurance
VHA – Veterans Health Administration
VMET – Verification of Military Experience and Training
VMLI – Veterans' Mortgage Life Insurance
VR&E – Vocational Rehabilitation and Employment
VSI – Voluntary Separation Incentive
WAAC – Women's Army Auxiliary Corps
WASPs – Women Air Force Service Pilots

# *Chapter 1*

# VA Health Care Benefits

VA operates the nation's largest integrated health care system with more than 1,400 sites of care, including hospitals, community clinics, community living centers, domiciliary, readjustment counseling centers, and various other facilities. For additional information on VA health care, visit: www.va.gov/health.

## *Basic Eligibility*

A person who served in the active military, naval, or air service and who was discharged or released under conditions other than dishonorable may qualify for VA health care benefits. Reservists and National Guard members may also qualify for VA health care benefits if they were called to active duty (other than for training only) by a Federal order and completed the full period for which they were called or ordered to active duty.

**Minimum Duty Requirements:** Veterans who enlisted after Sept. 7, 1980, or who entered active duty after Oct. 16, 1981, must have served 24 continuous months or the full period for which they were called to active duty in order to be eligible. This minimum duty requirement may not apply to veterans discharged for hardship, early out or a disability incurred or aggravated in the line of duty.

## *Enrollment*

For most veterans, entry into the VA health care system begins by applying for enrollment. To apply, complete VA Form 10-10EZ, Application for Health Benefits, which may be obtained from any VA health care facility or regional benefits office, on line at www.1010ez.med.va.gov/sec/vha/1010ez/ or by calling 1-877-222-VETS (8387). Once enrolled, veterans can receive health care at VA health care facilities anywhere in the country.

Veterans enrolled in the VA health care system are afforded privacy rights under federal law. VA's Notice of Privacy Practices, which describes how VA may use and disclose veterans' medical information, is also available on line at www.va.gov/vhapublications/viewpublication.asp?pub_ID=1089

The following four categories of veterans are not required to enroll, but are urged to do so to permit better planning of health resources:

1. Veterans with a service-connected disability of 50 percent or more.
2. Veterans seeking care for a disability the military determined was incurred or aggravated in the line of duty, but which VA has not yet rated, within 12 months of discharge.
3. Veterans seeking care for a service-connected disability only.
4. Veterans seeking registry examinations (Ionizing Radiation, Agent Orange, Gulf War/Operation Iraqi Freedom and Depleted Uranium).

## *Priority Groups*

During enrollment, each veteran is assigned to a priority group. VA uses priority groups to balance demand for VA health care enrollment with resources. Changes in available resources may reduce the number of priority groups VA can enroll. If this occurs, VA will publicize the changes and notify affected enrollees. A description of priority groups follows:

**Group 1:** Veterans with service-connected disabilities rated 50 percent or more and/or veterans determined by VA to be unemployable due to service-connected conditions.

**Group 2:** Veterans with service-connected disabilities rated 30 or 40 percent.

**Group 3**: Veterans with service-connected disabilities rated 10 and 20 percent; veterans who are former Prisoners of War (POW) or were awarded a Purple Heart medal; veterans awarded the Medal of Honor (MOH) veterans awarded special eligibility for disabilities incurred in treatment or participation in a VA Vocational Rehabilitation program; and veterans whose discharge was for a disability incurred or aggravated in the line of duty.

**Group 4:** Veterans receiving aid and attendance or housebound benefits and/or veterans determined by VA to be catastrophically disabled.

**Group 5:** Veterans receiving VA pension benefits or eligible for Medicaid programs, and non service-connected veterans and non-

compensable, zero percent service-connected veterans whose gross annual household income and/or net worth are below the VA national income threshold and geographically-adjusted income threshold for their resident area.

**Group 6:** Veterans of World War I; veterans seeking care solely for certain conditions associated with exposure to ionizing radiation during atmospheric testing or during the occupation of Hiroshima and Nagasaki; for any illness associated with participation in tests conducted by the Department of Defense (DoD) as part of Project 112/ Project SHAD; veterans with zero percent service-connected disabilities who are receiving disability compensation benefits; veterans who served in the republic of Vietnam between 1962 and 1975; veterans of the Persian Gulf War that served between August 2, 1990 and November 11, 1998 and veterans who served in a theater of combat operations after Nov. 11, 1998 as follows:

1. Veterans discharged from active duty on or after Jan. 28, 2003, who were enrolled as of Jan. 28, 2008 and veterans who apply for enrollment after Jan. 28, 2008, for 5 years post discharge
2. Veterans discharged from active duty before Jan. 28, 2003, who apply for enrollment after Jan. 28, 2008, until Jan. 27, 2011

**Group 7:** Veterans with gross household income below the geographically-adjusted income threshold (GMT) for their resident location and who agree to pay copays.

**Group 8:** Veterans, enrolled as of January 16, 2003, with gross household income and/or net worth above the VA national income threshold and the geographically-adjusted income threshold for their resident location and who agree to pay copays.
Note: Due to income relaxation rules implemented on June 15, 2009 Veterans with household income above the VA national threshold or the GMT income threshold for their resident location by 10 percent or less, who agree to pay copays, are eligible for enrollment in Priority Group 8.

VA's income thresholds can be located at: http://www4.va.gov/healtheligibility/Library/AnnualThresholds.asp.

## Recently Discharged Combat Veterans

Veterans, including activated reservists and members of the National Guard, are eligible for the enhanced "Combat Veteran" benefits if they served on active duty in a theater of combat operations after November 11, 1998, and have been discharged under other than dishonorable conditions.
Effective Jan. 28, 2008, combat veterans discharged from active duty on or after Jan. 28, 2003, are eligible for enhanced enrollment placement into Priority Group 6 (unless eligible for higher enrollment Priority Group placement) for five-years post discharge.

Veterans with combat service after Nov. 11, 1998, who were discharged from active duty before Jan. 28, 2003, and who apply for enrollment on or after Jan. 28, 2008, are eligible for this enhanced enrollment benefit through Jan. 27, 2011. During this period of enhanced enrollment benefits, these veterans receive VA care and medications at no cost for any condition that may be related to their combat service.

Veterans who enroll with VA under this "Combat Veteran" authority will retain enrollment eligibility even after their five-year post discharge period ends. At the end of their post discharge period, VA will reassess the Veteran's information (including all applicable eligibility factors) and make a new enrollment decision. For additional information, call 1-877-222-VETS (8387).

## Special Access to Care

**Service-Disabled Veterans:** who are 50 percent or more disabled from service-connected conditions, unemployable due to service-connected conditions, or receiving care for a service-connected disability receive priority in scheduling of hospital or outpatient medical appointments.

## Women Veterans

Women veterans are eligible for the same VA benefits as male veterans. Comprehensive health services are available to women veterans including primary care, specialty care, mental health care and reproductive health care services
VA provides management of acute and chronic illnesses, preventive care, contraceptive services, menopause management, and cancer screenings, including pap smear and mammograms, and gynecol-

ogy. Maternity care is covered in the Medical Benefits package to include care for newborn children of women veterans receiving maternity care until discharge and referrals are made to appropriate clinicians in the community for services that VA is unable to provide. .Infertility evaluation and limited treatments are also available. For information, visit www.publichealth.va.gov/womenshealth
Women Veterans Program Managers are available at all VA facilities. See the facility locator at www2.va.gov/directory/guide/home.asp?isFlash=1 to help veterans seeking treatment and benefits. For additional information, visit www.publichealth.va.gov/womenshealth/.

## *Sexual Trauma*

VA health care professionals provide counseling and treatment to help veterans overcome psychological issues resulting from sexual trauma that occurred while serving on active duty, or active duty for training if service was in the National Guard or Reserves. Veterans who are not otherwise eligible for VA health care may still receive these services. Appropriate services are provided for any injury, illness or psychological condition resulting from such trauma. For additional information visit: www.ptsd.va.gov/public/index.asp

## *Financial Assessment*

Most veterans not receiving VA disability compensation or pension payments must provide information on their gross annual household income and net worth to determine whether they are below the annually adjusted financial thresholds. VA is currently not enrolling new applicants who decline to provide financial information unless they have a special eligibility factor exempting them from such disclosure.

This financial assessment includes all household income and net worth, including Social Security, retirement pay, unemployment insurance, interest and dividends, workers' compensation, black lung benefits and any other income. Also considered are assets such as the market value of property that is not the primary residence, stocks, bonds, notes, individual retirement accounts, bank deposits, savings accounts and cash.

## *VA Medical Services and Medication Copays*

Some veterans are required to make copays to receive VA health care and/or medications.

**Inpatient Care:** : Priority Group 7 and certain other Veterans are responsible for paying 20 percent of VA's inpatient copay or $226 for the first 90 days of inpatient hospital care during any 365-day period. For each additional 90 days, the charge is $113. In addition, there is a $2 per diem charge.

Priority Group 8 and certain other Veterans are responsible for VA's inpatient copay of $1,132 for the first 90 days of care during any 365-day period. For each additional 90 days, the charge is $566. In addition, there is a $10 per diem charge.

**Extended Care:** For extended care services, veterans may be subject to a copay determined by information supplied by completing a VA Form 10-10EC. VA social workers can help veterans interpret their eligibility and copay requirements. The copay amount is based on each veteran's financial situation and is determined upon application for extended care services and will range from $0 to $97 a day.

**Outpatient Care:** A three-tiered copay system is used for all outpatient services. The copay is $15 for a primary care visit and $50 for some specialized care. Compensable Service-connected Veterans and Veterans determined to be Catastrophically Disabled are exempt from copay requirements for inpatient and outpatient medical care for service-connected and non-service connected treatment. Non compensable zero percent service-connected Veterans may be required to complete a copay test to determine if copay requirements are required for treatment of their non service-connected conditions.

*Copay amount is limited to a single charge per visit regardless of the number of health care providers seen in a single day. The copay amount is based on the highest level of service received. There is no copay requirement for preventive care services such as screenings and immunizations.

**Outpatient Visits Not Requiring Copays:** Certain services are not charged a copay. Copays do not apply to publicly announced VA health fairs or outpatient visits solely for preventive screening and/or vaccinations, such as vaccinations for influenza and pneumococcal, or screening for hypertension, hepatitis C, tobacco, alcohol, hyperlipidemia, breast cancer, cervical cancer, colorectal cancer by fecal occult blood testing, education about the risks and benefits of prostate cancer screening, HIV testing and counseling, and weight

reduction or smoking cessation counseling (individual and group). Laboratory, flat film radiology, electrocardiograms, and hospice care are also exempt from copays. While hepatitis C screening and HIV testing and counseling are exempt, medical care for HIV and hepatitis C are NOT exempt from copays.

**Medication:** Non-service connected veterans in Priority Group 7 and 8 are charged $9 for each 30-day or less supply of medication provided by VA for treatment of non-service connected conditions. Veterans enrolled in Priority Groups 2 through 6 are charged $8 for each 30-day or less supply of medication; the maximum copay for medications that will be charged in calendar year 2010 is $960 for non-service connected medications The following groups of veterans are not charged medication copays: veterans with a service-connected disability of 50 percent or more; veterans receiving medication for service-connected conditions; veterans whose annual income does not exceed the maximum annual rate of the VA pension; Veterans who are determined to be Catastrophically Disabled; veterans enrolled in Priority Group 6 who receive medication under their special authority; veterans receiving medication for conditions related to sexual trauma related to service on active duty; certain veterans receiving medication for treatment of cancer of the head or neck; veterans receiving medication for a VA-approved research project; and former POWs.

**NOTE:** Copays apply to prescription and over-the-counter medications, such as aspirin, cough syrup or vitamins, dispensed by a VA pharmacy. However, veterans may prefer to purchase over-the-counter drugs, such as aspirin or vitamins, at a local pharmacy rather than making the copay. Copays are not charged for medications injected during the course of treatment or for medical supplies, such as syringes or alcohol wipes.

HSA/HRA: Health Savings Accounts (HSA) cannot be utilized to make VA copays. In addition, if the Veteran receives any health benefits from the VA or one of its facilities, including prescription drugs, in the last three months, he/she will not be eligible for an HSA. Health Reimbursement Arrangements (HRA) is not considered health plans and third party payers cannot be billed.

## *Private Health Insurance Billing*

VA is required to bill private health insurance providers for medical

care, supplies and prescriptions provided for treatment of veterans' non-service-connected conditions. Generally, VA cannot bill Medicare, but can bill Medicare supplemental health insurance for covered services. VA is not authorized to bill a High Deductible Health Plan (which is usually linked to a Health Savings Account).

All veterans applying for VA medical care are required to provide information on their health insurance coverage, including coverage provided under policies of their spouses. Veterans are not responsible for paying any remaining balance of VA's insurance claim not paid or covered by their health insurance, and any payment received by VA may be used to offset "dollar for dollar" a veteran's VA copay responsibility.

## *Reimbursement of Travel Costs*

Certain veterans may be provided special mode travel (e.g. wheelchair van, ambulance) or reimbursed for travel costs when traveling for approved VA medical care. Reimbursement is paid at 41.5 cents per mile and is subject to a deductible of $3 for each one-way trip and $6 for a round trip; with a maximum deductible of $18 or the amount after six one-way trips (whichever occurs first) per calendar month. Two exceptions to the deductible are travel in relation to a VA compensation or pension examination and travel requiring a special mode of transportation. The deductible may be waived when their imposition would cause a severe financial hardship.

**Eligibility:** The following are eligible for VA travel:

1. Veterans whose service-connected disabilities are rated 30 percent or more.
2. Veterans traveling for treatment of service-connected conditions.
3. Veterans who receive a VA pension.
4. Veterans traveling for scheduled compensation or pension examinations.
5. Veterans whose gross household income does not exceed the maximum annual VA pension rate.
6. Veterans in certain emergency situations.
7. Veterans whose medical condition requires a special mode of transportation, if they are unable to defray the costs and travel is pre-authorized. Advance authorization is not

required in an emergency if a delay would be hazardous to life or health.

8. Certain non-veterans when related to care of a veteran (attendants & donors).

Beneficiary travel fraud can take money out of the pockets of deserving Veterans. Inappropriate uses of beneficiary travel benefits include: incorrect addresses provided resulting in increase mileage; driving/riding together and making separate claims; and taking no cost transportation, such as DAV, and making claims. Veterans making false statements for beneficiary travel reimbursement may be prosecuted under applicable laws.

**Reporting Fraud:** Help VA's Secretary ensure integrity by reporting suspected fraud, waste or abuse in VA programs or operations.

VAOIG hotline: 1-800-488-8244
E-mail: vaoighotline@va.gov
Fax: (202) 565-7936

VA Inspector General Hotline
P.O. Box 50410
Washington, DC 20091-0410

## *VA Medical Programs*

**Veteran Health Registries**

Certain veterans can participate in a VA health registry and receive free medical examinations, including laboratory and other diagnostic tests deemed necessary by an examining clinician. VA maintains health registries to provide special health examinations and health-related information. To participate, contact the Environmental Health (EH) Coordinator at the nearest VA health care facility or visit www.publichealth.va.gov/exposures, where a directory of EH Coordinators is maintained.

**Gulf War Registry:** For veterans who served on active military duty in Southwest Asia during the Gulf War, which began in 1990 and continues to the present, including Operation Iraqi Freedom (OIF). The Gulf War examination registry was established after the first Gulf War to identify possible diseases resulting from U.S. military personnel service in certain areas of Southwest Asia. These diseases were endemic to the area or may have been due to hazardous exposures, including heavy metals. Furthermore, air pollutants, i.e., carbon monoxide sulfur oxides, hydrocarbons, particulate matter, and nitrogen

oxides, singly or in combination, could have caused chronic health problems.

**Depleted Uranium Registries:** Depleted uranium is natural uranium left over after most of the U-235 isotope has been removed, such as that used as fuel in nuclear power plants. DU possesses about 60 percent of the radioactivity of natural uranium; it is a radiation hazard primarily if internalized, such as in shrapnel, contaminated wounds, and inhalation. In addition to its radioactivity, DU has some chemical toxicity related to being a heavy metal (similar to lead).

Veterans who are identified by the Department of Defense (DoD) or have concerns about possible depleted uranium (DU) exposure are eligible for a DU evaluation. VA maintains two registries for veterans possibly exposed to depleted uranium. The first is for veterans who served in the Gulf War, including Operation Iraqi Freedom. The second is for veterans who served elsewhere, including Bosnia and Afghanistan.

**Agent Orange Registry:** For veterans possibly exposed to dioxin or other toxic substances in herbicides used during the Vietnam War, between 1962 and 1975, regardless of length of service, or while serving in or near the Korean demilitarized zone (DMZ) between April 1, 1968 through August 31, 1971, or as a result of testing, transporting, or spraying herbicides for military purposes. DoD has provided a list of locations and dates where herbicides, including Agent Orange, were used. This DoD list is available at www.publichealth.va.gov/exposures. For those sites not listed, the Veteran should provide some proof of exposure to obtain a registry examination. Information is also available through VA's Special Issues Helpline at 1-800-749-8387.

**Ionizing Radiation Registry:** For Veterans possibly exposed to and who are concerned about possible adverse effects of their atomic exposure during the following activities -- On-site participation in: an atmospheric detonation of a nuclear device, whether or not the testing nation was the United States; occupation of Hiroshima or Nagasaki from Aug. 6, 1945, through July 1, 1946; or internment as a POW in Japan during World War II, which the Secretary of Veterans Affairs determines resulted in an opportunity for exposure to ionizing radiation comparable to that of Veterans involved in the occupation of Hiroshima or Nagasaki.

In addition, VA regulations provide that “radiation-risk activity” means service at: Department of Energy gaseous diffusion plants at Paducah, Kentucky, Portsmouth, Ohio, or the K-25 area at Oak Ridge, Tennessee for at least 250 days before Feb. 1, 1992. If the Veteran was monitored for each of the 250 days using dosimetry badges to monitor radiation to external body parts or if the Veteran served for at least 250 days in a position that had exposures comparable to a job that was monitored using dosimetry badges; Longshot, Milrow or Cannikin underground nuclear tests at Amchitka Island, Alaska, before Jan. 1, 1974 or Veterans who received nasopharyngeal (NP) – nose and throat - radium irradiation treatments while in the active military, naval, or air service.

## *Readjustment Counseling Services*

VA provides outreach and readjustment counseling services through 232 community-based Vet Centers located in all 50 states, the District of Columbia, Guam, Puerto Rico, American Samoa, and the U.S. Virgin Islands.

**Eligibility:** Veterans are eligible if they served on active duty in a combat theater during World War II, the Korean War, the Vietnam War, the Gulf War, or the campaigns in Lebanon, Grenada, Panama, Somalia, Bosnia, Kosovo, Afghanistan, Iraq and the Global War on Terror. Veterans, who served in the active military during the Vietnam-era, but not in the Republic of Vietnam, must have requested services at a Vet Center before Jan. 1, 2004. Vet Centers do not require enrollment in the VHA Health Care System.

**Services Offered:** Vet Center counselors provide individual, group, and family readjustment counseling to combat veterans to assist them in making a successful transition from military to civilian life; counseling services treatment for post-traumatic stress disorder (PTSD) and help with any other military related problems that affect functioning within the family, work, school or other areas of everyday life; other psycho-social services include outreach, education, medical referral, homeless veteran services, employment, VA benefit referral, and the brokering of non-VA services. The Vet Centers also provide military sexual trauma counseling to Veterans of both genders and of any era of military service.

**Bereavement Counseling related to Servicemembers:** Bereavement counseling is available through Department of Veterans Affairs

(VA's) Vet Centers to all immediate family members (including spouses, children, parents, and siblings) of servicemembers who die in the line of duty while on active service. This includes federally-activated members of the National Guard and reserve components. Vet Center bereavement services for surviving family members of service members may be accessed by calling (202) 461-6530.

For additional information, contact the nearest Vet Center, listed in the back of this book, or visit www.vetcenter.va.gov/.

## *Prosthetic and Sensory Aids*

Veterans receiving VA care for any condition may receive VA prosthetic appliances, equipment and services, such as home respiratory therapy, artificial limbs, orthopedic braces and therapeutic shoes, wheelchairs, powered mobility, crutches, canes, walkers, and other durable medical equipment and supplies.

VA medical services include diagnostic audiology and diagnostic and preventive eye care services. VA will provide hearing aids and eyeglasses to Veterans who receive increased pension based on the need for regular aid and attendance or being permanently housebound; receive compensation for a service-connected disability; are former POWs or a Purple Heart award recipient.

Otherwise, hearing aids and eyeglasses are provided only in special circumstances, and not for normally occurring hearing or vision loss. For additional information, contact the Prosthetic Chief or Representative at the nearest VA health care facility or go to the web site: prosthetics.va.gov

## *Home Improvements and Structural Alterations*

VA provides up to $4,100 lifetime benefit for service-connected veterans and up to $1,200 for non-service-connected veterans to make home improvements necessary for the continuation of treatment or for disability access to the home and essential lavatory and sanitary facilities.

Home Improvement and Structural Alterations grants provide for medically necessary improvements and/or structural changes to the Veteran's residence for the following purposes:

(1) Allowing entrance to, or exit from, the Veteran's residence.

(2) Use of essential lavatory and sanitary facilities.
(3) Allowing accessibility to kitchen or bathroom sinks or counters.
(4) Improving entrance paths or driveways in immediate area of the home to facilitate access to the home by the Veteran.
(5) Improving plumbing or electrical systems made necessary due to installation of dialysis equipment in the home.

For application information, contact the prosthetic representative at the nearest VA health care facility.

## *Special Eligibility Programs*

**Special Eligibility for Children with Spina Bifida:** VA provides comprehensive health care benefits, including outpatient, inpatient , pharmacy, prosthetics, medical equipment, and supplies for certain Korea and Vietnam Veterans' birth children diagnosed with Spina Bifida (except spina bifida occulta).

**Special Eligibility for Veterans Participating in Vocational Rehabilitation:** Veterans participating in VA's vocational rehabilitation program may receive VA health care benefits including prosthetics, medical equipment, and supplies.

**Limitations on Benefits Available to Veterans outside the U.S.:** Veterans outside the U.S. are eligible for prosthetics, medical equipment, and supplies only for a Service-connected disability.

## *Services for Blind and Visually Impaired Veterans*

Blind veterans may be eligible for services at a VA medical center or for admission to an inpatient or outpatient VA blind rehabilitation program. In addition, blind veterans enrolled in the VA health care system may receive:

1. A total health and benefits review as well as counseling on obtaining benefits that may be due to the veteran but have not been received.
2. Adjustment to blindness training and counseling.
3. Home improvements and structural alterations.
4. Specially adapted housing and adaptations.
5. Automobile grant.
6. Rehabilitation assessment and training to improve independence and quality of life.

7. Low-vision devices and training in their use.
8. Electronic and mechanical aids for the blind, including adaptive computers and computer-assisted devices such as reading machines and electronic travel aids.
9. Facilitation and recommendation for guide dogs and training in the use of guide dogs.
10. Costs for veterinary care and equipment for guide dogs.
11. Talking books, tapes and Braille literature.
12. Family support.

Eligible visually impaired veterans (who are not blind) enrolled in the VA health care system may be eligible for services at a VA medical center or for admission to an outpatient VA blind rehabilitation program and may also receive:

1. A total health and benefits review.
2. Adjustment to vision loss counseling.
3. Rehabilitation assessment and training to improve independence and quality of life.
4. Low-vision devices and training in their use.
5. Electronic and mechanical aids for the visually impaired, including adaptive computers and computer-assisted devices, such as reading machines and electronic travel aids, and training in their use.
6. Family support.

## *Mental Health Care Treatment*

Veterans eligible for VA medical care may apply for general mental health treatment including specialty services.Mental health services are available in specialty clinics, primary care clinics, nursing homes, and residential care facilities where veterans receive health care.

Specialized programs, such as mental health intensive case management, day centers, work programs and psychosocial rehabilitation are provided for those with serious mental health problems.

The list of services and programs that Mental Health supports include: inpatient care, residential care, outpatient mental health care, homeless programs, programs for incarcerated veterans, specialized PTSD services, military sexual trauma, psychosocial rehabilitation & recovery services, substance use disorders, suicide programs, geriatrics, violence prevention, evidence-based psychotherapy pro-

grams, mental health disaster response/post deployment activities

For more information on VA Mental Health services visit http://www.mentalhealth.va.gov/VAMentalHealthGroup.asp

## *Suicide Prevention Lifeline*

Veterans experiencing an emotional distress/crisis or who need to talk to a trained mental health professional may call the National Suicide Prevention Lifeline toll-free lifeline number, 1-800-273-TALK (8255). The hotline is available 24 hours a day, seven days a week. Callers are immediately connected with a qualified and caring provider who can help.

On July 3, 2009, the VA launched a pilot on-line Chat Service, in partnership with Lifeline. The Veterans Chat Service is located at the VA National Suicide Prevention Hotline. Veterans Chat enables Veterans, their families and friends to go online where they can anonymously chat with a trained VA counselor. Veterans Chat can be accessed through the suicide prevention Web site www.suicidepreventionlifeline.org. by clicking on the Veterans Chat tab on the right side of the Web page.

## *Work Restoration Programs*

VA provides vocational assistance and therapeutic work opportunities through several programs for veterans receiving VA health care. Each program offers treatment and rehabilitation services to help veterans live and work in their communities.

Participation in the following VA Work Restoration Programs cannot be used to deny or discontinue VA compensation or pension benefits. Payments received from Incentive Therapy and Compensated Work Therapy transitional work are not taxable.

**Incentive Therapy (IT)** provides a diversified work experience at VA medical centers for Veterans who exhibit severe mental illness and/or physical impairments. IT services may consist of full or part time work with nominal remuneration limited to the maximum of one half of the Federal minimum wage.

**CWT/ Sheltered Workshop (CWT)** operates sheltered workshops at approximately 35 VA Medical Centers. CWT sheltered work shop

is a pre-employment vocational activity that provides an opportunity for work hardening and assessment in a simulated work environment. Participating Veterans are paid on a piece rate basis.

**CWT/Transitional Work (CWT/TW)** is vocational assessment program that operates in VA medical centers and/or local community business and industry. CWT/TW participants are matched to real life work assignments for a time limited basis. Veterans are supervised by personnel of the sponsoring site, under the same job expectations experienced by non-CWT workers. CWT/TW participants are not considered employees and receive no traditional employee benefits.

Participants receive the greater of Federal or state minimum wage, or more depending on the type of work. Over forty percent of participants secure competitive employment at the time of discharge.

**CWT/Supported Employment (CWT/SE)** consists of full-time or part-time competitive employment with extensive clinical supports. The focus of CWT/SE is to assist Veterans with psychosis and other serious mental illness gain access to meaningful competitive employment. CWT/SE follow along support services are generally phased out after the Veteran is able to maintain employment independently.

## *Mental Health Residential Rehab Treatment Program*

Mental Health Residential Rehabilitation Treatment Programs (MH RRTP) (including Domiciliary RRTPs) provides residential rehabilitative and clinical care to Veterans who have a wide range of problems, illnesses, or rehabilitative care needs which can be medical, psychiatric, substance use, homelessness, vocational, educational, or social.

The MH RRTP provides a 24-hour therapeutic setting utilizing a milieu of peer and professional support. The programs provide a strong emphasis on psychosocial rehabilitation and recovery services that instill personal responsibility to achieve optimal levels of independence upon discharge to independent or supportive community living. MH RRTP also provides rehabilitative care for veterans who are homeless.

**Eligibility:** VA may provide domiciliary care to veterans whose annual gross household income does not exceed the maximum annual

rate of VA pension or to veterans the Secretary of Veterans Affairs determines have no adequate means of support. The copays for extended care services apply to domiciliary care. Call your nearest benefits or health care facility to obtain the latest information.

## *Outpatient Dental Treatment*

Dental benefits are provided by the Department of Veterans Affairs (VA) according to law. In some instances, VA is authorized to provide extensive dental care, while in other cases treatment may be limited by law. This Fact Sheet table describes dental eligibility criteria and contains information to assist Veterans in understanding their eligibility for VA dental care.

By law, the eligibility for Outpatient Dental Care is not the same as for most other VA medical benefits. It is categorized in classes. If you are eligible for VA dental care under Class I, IIC, or IV you are eligible for any necessary dental care to maintain or restore oral health and masticatory function, including repeat care. Other classes have time and/or service limitations.

| If you: | You are eligible for: | Through |
|---|---|---|
| Have a service-connected compensable dental disability or condition. | Any needed dental care. | Class I |
| Are a former prisoner of war. | Any needed dental care. | Class IIC |
| Have service-connected disabilities rated 100% disabling, or are unemployable and paid at the 100% rate due to service-connected conditions. | Any needed dental care.<br><br>[note: Veterans paid at the 100% rate based on a temporary rating, are not eligible for comprehensive outpatient dental services. | Class IV |
| Apply for dental care within 180 days of discharge or release from a period of active duty (under conditions other than dishonorable) of 90 days or more during the Persian Gulf War era. | One-time dental care if your DD214 certificate of discharge does not indicate that a complete dental examination and all appropriate dental treatment had been rendered prior to discharge.* | Class II |

| | | |
|---|---|---|
| Have a service-connected noncompensable dental condition or disability resulting from combat wounds or service trauma. | Needed care for the service-connected condition(s). A Dental Trauma Rating (VA Form 10-564-D) or VA Regional Office Rating Decision letter (VA Form 10-7131) identifies the tooth/teeth eligible for care. | Class IIA |
| Have a dental condition clinically determined by VA to be associated with and aggravating a service-connected medical condition. | Dental care to treat the oral conditions that are determined by a VA dental professional to have a direct and material detrimental effect to your service connected medical condition. | Class III |
| Are actively engaged in a 38 USC Chapter 31 vocational rehabilitation program | Dental care to the extent necessary to:<br>• Make possible to enter, achieve goals, and prevent interruption of a rehabilitation program, or<br>• Hasten the return to a rehabilitation program for leave status, or placed in discontinued status because of a dental condition, or<br>• Secure and adjust to employment during employment assistance, or enable to achieve maximum independence in daily living | ClassV |
| Are receiving VA care or are scheduled for inpatient care and require dental care for a condition complicating a medical condition currently under treatment. | Dental care to treat the oral conditions that are determined by a VA dental professional to complicate your medical condition currently under treatment. | Class VI |
| Are an enrolled Veteran who may be homeless and receiving care under VHA Directive 2007-039. | A one-time course of dental care that is determined medically necessary to relieve pain, assist in gaining employment, or treat moderto severe gingival and periodontal conditions. | Class IIB |

***Note:** Public Law 83 enacted June 16, 1955, amended Veterans' eligibility for outpa-

tient dental services. As a result, any Veteran who received a dental award letter from VBA dated before 1955 in which VBA determined the dental conditions to be noncompensable are no longer eligible for Class II outpatient dental treatment.

Veterans receiving hospital, nursing home, or domiciliary care will be provided dental services that are professionally determined by a VA dentist, in consultation with the referring physician, to be essential to the management of the patient's medical condition under active treatment.

For more information about eligibility for VA medical and dental benefits, contact VA at 1-877-222-8387 or www.va.gov/healtheligibility

## *Nursing Home Care*

VA provides nursing home services to veterans through three national programs: VA owned and operated Community Living Centers (CLC), state veterans' homes owned and operated by the states, and the contract community nursing home program. Each program has admission and eligibility criteria specific to the program.

**VA Community Living Centers:** Community Living Centers (CLC) provide a dynamic array of short stay (less than 90 days) and long stay (91 days or more) services. Short stay services include but are not limited to skilled nursing, respite care, rehabilitation, hospice, and maintenance care for veterans awaiting placement in the community. Short stay services are available for veterans who are enrolled in VA health care and require CLC services. Long stay services are available for enrolled veterans who need nursing home care for life or for an extended period of time for a service-connected disability, and those rated 60 percent service-connected and unemployable; or veterans or who have a 70 percent or greater service-connected disability. All others are based on available resources.

**State Veterans' Home Program:** State veterans homes are owned and operated by the states. The states petition VA for grant dollars for a portion of the construction costs followed by a request for recognition as a state home. Once recognized, VA pays a portion of the per diem if the state meets VA standards. States establish eligibility criteria and determine services offered for short and long-term care. Specialized services offered are dependent upon the capability of the home to render them.

**Contract Community Nursing Home Program:** VA health care facilities establish contracts with community nursing homes. The pur-

pose of this program is to meet the nursing home needs of veterans who require long-term nursing home care in their own community, close to their families and meet the enrollment and eligibility requirements.

**Admission Criteria:** The general criteria for nursing home placement in each of the three programs requires that a resident must be medically stable, i.e. not acutely ill, have sufficient functional deficits to require inpatient nursing home care, and is assessed by an appropriate medical provider to be in need of institutional nursing home care. Furthermore, the veteran must meet the specific eligibility criteria for community living center care or the contract nursing home program and the eligibility criteria for the specific state veterans home.

**Non-Institutional Long-term Care Services**: In addition to nursing home care, VA offers a variety of other long-term care services either directly or by contract with community-based agencies. Such services include adult day health care, respite care, geriatric evaluation and management, hospice and palliative care, home based skilled nursing, and home based primary care. Veterans receiving these services may be subject to a copay.

## *Emergency Medical Care in U.S. Non-VA Facilities*

In the case of medical emergencies, VA may reimburse or pay for emergency non-VA medical care not previously authorized that is provided to certain eligible Veterans when VA or other federal facilities are not feasibly available. This benefit may be dependent upon other conditions, such as notification to VA, the nature of treatment sought, the status of the Veteran, the presence of other health care insurance, and third party liability.

Because there are different regulatory requirements that may affect VA payment and Veteran liability for the cost of care, it is very important that the nearest VA medical facility to where emergency services are furnished be notified as soon as possible after emergency treatment is sought. If emergency inpatient services are required, VA will assist in transferring the Veteran to a Department facility, if available. Claim timely filing limitations apply. For additional information, contact the nearest VA medical facility. Please note that reimbursement criteria for Veterans living or traveling outside the United States fall under VA's Foreign Medical Program (FMP), and differ from the criteria for payment of emergency treatment received

in the United States. Please refer to the section below VA's Foreign Medical Program.

## *Foreign Medical Program*

VA will pay for medical services for service-connected disabilities or any disability associated with and found to be aggravating a service-connected disability for those veterans living or traveling outside the United States. This program will also reimburse for the treatment of foreign medical services needed as part of an approved VA vocational rehabilitation program. Veterans living in the Philippines should register with the U.S. Veterans Affairs office in Pasay City, telephone 011-632-838-4566 or by email at manlopc.inqry@vba.va.gov. All other veterans living or planning to travel outside the U.S. should register with the Denver Foreign Medical Program office, P.O. Box 469061, Denver, CO 80246-9061, USA; telephone 303-331-7590. For information visit: www.va.gov/hac/forbeneficiaries/fmp/fmp.asp.

Some veterans traveling or living overseas can telephone the Foreign Medical Program toll free from these countries: Germany 0800-1800-011; Australia 1800-354-965; Italy 800-782-655; United Kingdom (England and Scotland) 0800-032-7425; Mexico 001-877-345-8179; Japan 00531-13-0871; Costa Rica 0800-013-0759; and Spain 900-981-776. (Note: Veterans in Mexico or Costa Rica must first dial the United States country code.)

## *Online Health Services*

**My HealtheVet (www.myhealth.va.gov)** is VA's award-winning online Personal Health Record. Access is easy and convenient anywhere the Internet is available. My HealtheVet is for Veterans, active duty Service members, their dependents, and caregivers. With My HealtheVet users access trusted and secure VA health information to better manage their health care and facts about other VA benefits and services to which they may be entitled. My HealtheVet helps users to partner with their health care teams and provides them opportunities and tools to make informed decisions.

To register, simply go to www.myhealth.va.gov and follow the directions. Users can then record and track health information and history for their family and themselves; enter past and present military service events; keep activity and food journals; record, track, and graph vital signs; and, maintain other health measures.

Veterans enrolled at a VA health care facility can also access advanced features of My HealtheVet and can link their Personal Health Record with information from their VA electronic health record. To access the advanced features, Veterans must complete a one-time process called In-Person Authentication or "IPA." This includes making a visit to their VA facility to verify their identity in person. After completing the IPA, VA patients can use My HealtheVet to:

- Refill their VA prescriptions by name, not just by the prescription number
- Record non-VA medications
- Receive VA Wellness Reminders
- Access new features as they become available

Expected in 2010, VA patients who complete the IPA also will see their VA appointments, VA lab test results, and VA list of allergies. They may also communicate with their health care teams through "Secure Messaging" as this feature becomes available at their local VA facility.

Register for My HealtheVet today at www.myhealth.va.gov. If you are a VA patient and want to access advanced features, don't forget to complete the one-time IPA process which takes only a few minutes. Start now and benefit from using My HealtheVet. It's quick, easy and it's for you. My HealtheVet: 24/7 Access to VA Health Care Services and Information.

## *Caregiver Programs and Services*

VA has long advocated for caregivers as vital partners in providing care worthy of the sacrifices by America's Veterans and Servicemembers with each VA medical center containing a designated Caregiver Support point of contact to coordinate caregiver activities and serve as a resource expert for Veterans, their families and VA providers. Several programs are available for all Veteran caregivers including:

- **In-Home and Community Based Care:** Skilled home health care, homemaker/home health aide services, community adult day health care and Home Based Primary Care.
- **Respite Care:** Designed to relieve the family caregiver from the constant burden of caring for a chronically ill or disabled Veteran at home. Services can include in-home care, a short stay in an institutional setting or adult day health care.
- **Caregiver Education and Training Programs:** VA currently provides multiple training opportunities which include pre-discharge

care instruction and specialized caregiver programs in multiple severe traumas such as Traumatic Brain Injury (TBI), Spinal Cord Injury/Disorders, and Blind Rehabilitation. VA has a caregiver assistance healthy living center on My HealtheVet, www.myhealth.va.gov, as well as caregiver information on the VA's main Web page health site; both Web sites include information on VA and community resources and caregiver health and wellness.

- **Family Support Services:** These support groups can be face-to-face or on the telephone. They include family counseling, spiritual and pastoral care, family leisure and recreational activities and temporary lodging in Fisher Houses.
- **Other Benefits:** VA provides durable medical equipment and prosthetic and sensory aides to improve function, financial assistance with home modification to improve access and mobility, and transportation assistance for some Veterans to and from medical appointments.

On May 5, 2010, President Barack Obama signed the Caregivers and Veterans Omnibus Health Services Act of 2010 into law. Title I of the Act will allow VA to provide unprecedented benefits to eligible caregivers who support the Veterans who have given so much for this Nation. The law distinguishes between Veterans who incurred or aggravated a serious injury or illness in the line of duty on or after Sept. 11, 2001 (post-9/11 Veterans), and those Veterans whose injuries or illnesses were incurred prior to Sept. 11, 2001 (pre-9/11 Veterans). Post-9/11 Veterans are eligible for three levels of caregivers: one primary caregiver, one or more family caregivers, and one or more general caregivers.

- General caregivers for both pre- and post-9/11 Veterans may be eligible to receive educational sessions in person and online, training in how to provide caregiver services, counseling and other services, and information about supportive services available from other public, private and non-profit agencies.
- Family caregivers may be eligible for all general caregiver benefits plus may be eligible for ongoing technical support, counseling, lodging, subsistence, and travel benefits.
- Primary caregivers may be eligible to receive these same benefits, as well as, a stipend, mental health services, and access to health care coverage, if they are not already entitled to care or services under a health plan contract, including Medicare, Medicaid or worker's compensation. Primary caregivers must be a family mem-

ber or a person who resides with the Veteran.

- Respite services of not less than 30 days per year, are made available to primary and family caregivers while attending appointments or undergoing caregiver training for post-9/11 Veterans.
- All caregivers of both pre- and post-9/11 Veterans are eligible to receive respite care under VA's existing program, which provides up to 30 days per year.

The Caregiver support line (1-855-260-3274 ) and Web site (www.caregiver.va.gov ) provides general information on caregiver services. For questions on caregiver eligibility or to apply for benefits, contact the VA Health Administration Center for information at 1-877-733-7927, or visit www.va.gov/hac.

# Chapter 2

## Service-Connected Disabilities

**Disability Compensation**
Disability compensation is a monetary benefit paid to veterans who are disabled by an injury or illness that was incurred or aggravated during active military service. These disabilities are considered to be service-connected.

Disability compensation varies with the degree of disability and the number of a veteran's dependents, and is paid monthly. Veterans with certain severe disabilities may be eligible for additional special monthly compensation. The benefits are not subject to federal or state income tax.

The payment of military retirement pay, disability severance pay and separation incentive payments, known as SSB (Special Separation Benefits) and VSI (Voluntary Separation Incentives) affects the amount of VA compensation paid to disabled veterans.

To be eligible, the service of the veteran must have been terminated through separation or discharge under conditions other than dishonorable. For additional details, visit the Web site at www.vba.va.gov/bln/21/.

**Receiving Disability Benefit Payments**
Most veterans receive their disability benefit payments by direct deposit to a bank, savings and loan or credit union account. Other veterans may still be receiving benefits by paper check. Compensation and pension beneficiaries can establish direct deposit through the Treasury's Go Direct helpline. Call toll-free 1-800-333-1795, or enroll online at www.GoDirect.org.

Veterans also have the option of receiving their benefits via a prepaid debit card, even if they do not have a bank account. There is no credit check, no minimum balance required, and basic services are free. To sign up for the debit card program, call toll-free 1-888 544-6347.

| 2011 VA Disability Compensation Rates for Veterans | |
|---|---|
| **Veteran's Disability Rating** | **Monthly Rate Paid to Veterans** |
| 10 percent | $123 |
| 20 percent | $243 |
| 30 percent* | $376 |
| 40 percent* | $541 |
| 50 percent* | $770 |
| 60 percent* | $974 |
| 70 percent* | $1,228 |
| 80 percent* | $1,427 |
| 90 percent* | $1,604 |
| 100 percent* | $2,673 |

*Veterans with disability ratings of at least 30 percent are eligible for additional allowances for dependents, including spouses, minor children, children between the ages of 18 and 23 who are attending school, children who are permanently incapable of self-support because of a disability arising before age 18, and dependent parents. The additional amount depends on the disability rating and the number of dependents.

**Presumptive Conditions for Disability Compensation**
All veterans who develop Amyotrophic Lateral Sclerosis (ALS), also known as Lou Gehrig's Disease, at any time after separation from service may be eligible for compensation for that disability.

Certain veterans are eligible for disability compensation based on the presumption that their disability is service-connected

**Prisoners of War:** For former POWs who were imprisoned for any length of time, the following disabilities are presumed to be service-connected if they are rated at least 10 percent disabling anytime after military service: psychosis, any of the anxiety states, dysthymic disorder, organic residuals of frostbite, post-traumatic osteoarthritis, atherosclerotic heart disease or hypertensive vascular disease and their complications, stroke and its complications, residuals of stroke

and effective October 10, 2008, osteoporosis if the veteran has post-traumatic stress disorder (PTSD).

For former POWs who were imprisoned for at least 30 days, the following conditions are also presumed to be service-connected: avitaminosis, beriberi, chronic dysentery, helminthiasis, malnutrition (including optic atrophy associated with malnutrition), pellagra and/or other nutritional deficiencies, irritable bowel syndrome, peptic ulcer disease, peripheral neuropathy except where related to infectious causes, cirrhosis of the liver, and effective September 28, 2009, osteoporosis.

**Veterans Exposed to Agent Orange and Other Herbicides: :** A veteran who served in the Republic of Vietnam between Jan. 9, 1962, and May 7, 1975, is presumed to have been exposed to Agent Orange and other herbicides used in support of military operations.

Fourteen illnesses are presumed by VA to be service-connected for such veterans: AL amyloidosis, chloracne or other acneform disease similar to chloracne, porphyria cutanea tarda, soft-tissue sarcoma (other than osteosarcoma, chondrosarcoma, Kaposi's sarcoma or mesothelioma), Hodgkin's disease, multiple myeloma, respiratory cancers (lung, bronchus, larynx, trachea), non-Hodgkin's lymphoma, prostate cancer, acute and subacute peripheral neuropathy, diabetes mellitus (Type 2), all chronic B-cell leukemias (including, but not limited to, hairy-cell leukemia and chronic lymphocytic leukemia), Parkinson's disease, and ischemic heart disease.

**Veterans Exposed to Radiation:** For veterans who participated in "radiation risk activities" as defined in VA regulations while on active duty, active duty for training, or inactive duty training, the following conditions are presumed to be service-connected: all forms of leukemia (except for chronic lymphocytic leukemia); cancer of the thyroid, breast, pharynx, esophagus, stomach, small intestine, pancreas, bile ducts, gall bladder, salivary gland, urinary tract (renal pelvis, ureter, urinary bladder and urethra), brain, bone, lung, colon, and ovary; bronchiolo-alveolar carcinoma; multiple myeloma; lymphomas (other than Hodgkin's disease), and primary liver cancer (except if cirrhosis or hepatitis B is indicated).

To determine service connection for other conditions or exposures not eligible for presumptive service connection, VA considers factors such as the amount of radiation exposure, duration of exposure, elapsed time between exposure and onset of the disease, gender and family history, age at time of exposure, the extent to which a non service-related exposure could contribute to disease, and the relative sensitivity of exposed tissue.

**Gulf War Veterans with Chronic Disabilities** may receive disability compensation for chronic disabilities resulting from undiagnosed illnesses and/or medically unexplained chronic multi-symptom illnesses defined by a cluster of signs or symptoms. A disability is considered chronic if it has existed for at least six months.

The undiagnosed illnesses must have appeared either during active service in the Southwest Asia Theater of Operations during the Gulf War period of Aug. 2, 1990, to July 31, 1991, or to a degree of at least 10 percent at any time since then through Dec. 31, 2011. This theater of operations includes Iraq, Kuwait, Saudi Arabia, the neutral zone between Iraq and Saudi Arabia, Bahrain, Qatar, the United Arab Emirates, Oman, the Gulf of Aden, the Gulf of Oman, the Persian Gulf, the Arabian Sea, the Red Sea, and the airspace above these locations.

Examples of symptoms of an undiagnosed illness and medically unexplained chronic multi-symptom illness defined by a cluster of signs and symptoms include: chronic fatigue syndrome, fibromyalgia, irritable bowel syndrome, fatigue, signs or symptoms involving the skin, skin disorders, headache, muscle pain, joint pain, neurological signs or symptoms, neuropsychological signs or symptoms, signs or symptoms involving the respiratory system (upper or lower), sleep disturbances, gastrointestinal signs or symptoms, cardiovascular signs or symptoms, abnormal weight loss, and menstrual disorders.

**Presumptive service connection may be granted for the following infectious diseases:** Brucellosis, Campylobacter jejuni, Coxiella burnetti (Q fever), Malaria, Mycobacterium tuberculosis, Nontyphoid Salmonella, Shigella, Visceral leishmaniasis, and West Nile virus. Qualifying periods of service for these infectious diseases include active military, naval, or air service in the above stated Southwest Asia theater of operations during the Gulf War period of August 2, 1990, to July 30, 1991, or active military, naval, or air service on or after September 19, 2001, in Afghanistan.

**Eligibility:** To qualify, veterans must also meet all three of the following criteria:

1. Have 20 or more years of active duty, or full-time National Guard duty, or satisfactory service as a reservist, or
2. Be in a retired status.
3. Be receiving retired pay (must be offset by VA payments).

Retirees do not need to apply for this benefit. Payment is coordinated between VA and the Department of Defense (DoD).
**Combat-Related Special Compensation** (CRSC) provides tax-free monthly payments to eligible retired veterans with combat-related injuries. With CRSC, veterans can receive both their full military retirement pay and their VA disability compensation if the injury is combat-related.

**Eligibility:** Retired veterans with combat-related injuries must meet all of the following criteria to apply for CRSC:

1. Active or Reserve component with 20 years of creditable service or medically retired.
2. Receiving military retired pay.
3. Have a 10 percent or greater VA-rated injury.
4. Military retired pay is reduced by VA disability payments (VA Waiver).

In addition, veterans must be able to provide documentary evidence that their injuries were a result of one of the following:

- Training that simulates war (e.g., exercises, field training)
- Hazardous duty (e.g., flight, diving, parachute duty)
- An instrumentality of war (e.g. combat vehicles, weapons, Agent Orange)
- Armed conflict (e.g. gunshot wounds, Purple Heart)

For information, visit www.defenselink.mil, or call the toll free phone number for the veteran's branch of service: (Army) 1-866-281-3254; (Air Force) 1-800-616-3775; (Navy) 1-877-366-2772. The Army has its own Web site at https://www.hrc.army.mil/site/crsc/index.html and e-mail at crsc.info@us.army.mil.

## *Programs for Service-Connected Disabilities*

**Vocational Rehabilitation and Employment** (VR&E)Program assists veterans who have service-connected disabilities obtain and maintain suitable employment. Independent living services are also available for severely disabled veterans who are not currently ready to seek employment. Additional information is available on VA's Web site at www.vetsuccess.gov.

**Eligibility:** A veteran must have a VA service-connected disability rated at least 20 percent with an employment handicap, or rated 10

percent with a serious employment handicap, and be discharged or released from military service under other than dishonorable conditions. Servicemembers pending medical separation from active duty may also apply if their disabilities are reasonably expected to be rated at least 20 percent following their discharge.

**Entitlement:** A VA counselor must decide if the individual has an employment handicap based upon the results of a comprehensive evaluation. After an entitlement decision is made, the individual and counselor will work together to develop a rehabilitation plan. The rehabilitation plan will specify the rehabilitation services to be provided.

**Services:** Rehabilitation services provided to participants in the VR&E program are under one of five tracks. VA pays the cost of approved training that is included in an individual's rehabilitation plan. Subsistence allowance may also be provided. The tracks are:

**Reemployment with Previous Employer:** For individuals who are separating from active duty or in the National Guard or Reserves and are returning to work for their previous employer.

**Rapid Access to Employment:** For individuals who either wish to obtain employment soon after separation or who already have the necessary skills to be competitive in the job market in an appropriate occupation.

**Self-Employment:** For individuals who have limited access to traditional employment, need flexible work schedules, or who require more accommodation in the work environment due to their disabling conditions or other life circumstances.

**Employment Through Long-Term Services:** For individuals who need specialized training and/or education to obtain and maintain suitable employment.

**Independent Living Services:** For veterans who are not currently able to work and need rehabilitation services to live more independently.

**Period of a Rehabilitation Program:** Generally, veterans must complete a program within 12 years from their separation from military service or within 12 years from the date VA notifies them that

they have a compensable service-connected disability. Depending on the length of program needed, veterans may be provided up to 48 months of full-time services or their part-time equivalent. These limitations may be extended in certain circumstances.

**VetSuccess on Campus:** The VetSuccess on Campus Program was started in June 2009 as a pilot at the University of South Florida. The program is designed to provide on-campus benefits assistance and adjustment counseling to assist veterans in completing their college educations and entering the labor market in viable careers. Pilot sites have been expanded to include Cleveland State University, San Diego State University, Rhode Island Community College, Rhode Island College, Texas A&M, Salt Lake City Community College, and Arizona State University.

**Work-Study:** Veterans training at the three-quarter or full-time rate may participate in VA's work-study program and provide VA outreach services, prepare/process VA paperwork, work at a VA medical facility, or perform other VA-approved activities. A portion of the work-study allowance equal to 40 percent of the total may be paid in advance.

## *Specially Adapted Housing Grants*

Certain veterans and servicemembers with service-connected disabilities may be entitled to a Specially Adapted Housing (SAH) grant from VA to help build a new specially adapted house, to adapt a home they already own, or buy a house and modify it to meet their disability-related requirements. Eligible veterans or servicemembers may now receive up to three grants, with the total dollar amount of the grants not to exceed the maximum allowable. Previous grant recipients who had received assistance of less than the current maximum allowable may be eligible for an additional SAH grant.

**Eligibility for up to $63,780:** VA may approve a grant of not more than 50 percent of the cost of building, buying, or adapting existing homes or paying to reduce indebtedness on a currently owned home that is being adapted, up to a maximum of $63,780. In certain instances, the full grant amount may be applied toward remodeling costs. Veterans and servicemembers must be determined eligible to receive compensation for permanent and total service-connected disability due to one of the following:

1. Loss or loss of use of both lower extremities, such as to

preclude locomotion without the aid of braces, crutches, canes or a wheelchair.
2. Loss or loss of use of both upper extremities at or above the elbow.
3. Blindness in both eyes, having only light perception, plus loss or loss of use of one lower extremity
4. Loss or loss of use of one lower extremity together with (a) residuals of organic disease or injury, or (b) the loss or loss of use of one upper extremity which so affects the functions of balance or propulsion as to preclude locomotion without the use of braces, canes, crutches or a wheelchair.
5. Severe burn injuries

**Eligibility for up to $12,756:** VA may approve a grant for the cost, up to a maximum of $12,756, for necessary adaptations to a veteran's or servicemember's residence or to help them acquire a residence already adapted with special features for their disability, to purchase and adapt a home, or for adaptations to a family member's home in which they will reside.

To be eligible for this grant, veterans and servicemembers must be entitled to compensation for permanent and total service-connected disability due to one of the following:
1. Blindness in both eyes with 5/200 visual acuity or less.
2. Anatomical loss or loss of use of both hands.
3. Severe burn injuries.

***Temporary Residence Adaptation (TRA):*** Eligible veterans and servicemembers who are temporarily residing in a home owned by a family member may also receive a TRA grant to help the veteran or servicemember adapt the family member's home to meet his or her special needs. Those eligible for a $63,780 grant would be permitted to use up to $14,000 and those eligible for a $12,756 grant would be permitted to use up to $2,000. Grant amounts will also be adjusted annually based on a cost-of-construction index.

The first adjustment occurred on Oct. 1, 2009, with future adjustments each Oct. 1 thereafter. These adjustments will increase the grant amounts or leave them unchanged; they will not decrease the grant amounts. The maximum amount for a TRA grant is not indexed and remains unchanged. The property may be located outside the United States, in a country or political subdivision which allows

individuals to have or acquire a beneficial property interest, and in which the Secretary of Veterans Affairs, in his or her discretion, has determined that it is reasonably practicable for the Secretary to provide assistance in acquiring specially adapted housing. For more information on the use of such grants, contact Brian Bixler, Specially Adapted Housing via e-mail at brian.bixler@va.gov.

**Supplemental Financing:** Veterans and servicemembers with available loan guaranty entitlement may also obtain a guaranteed loan or a direct loan from VA to supplement the grant to acquire a specially adapted home. Amounts with a guaranteed loan from a private lender will vary, but the maximum direct loan from VA is $33,000. Additional information about the Specially Adapted Housing Program is available on VA's Web site at http://www.benefits.va.gov/homeloans/sah.asp.

## *Automobile Allowance*

Veterans and servicemembers may be eligible for a one-time payment of not more than $11,000 (effective October 1, 2011, the maximum payment is $18,900) toward the purchase of an automobile or other conveyance if they have service-connected loss or permanent loss of use of one or both hands or feet, permanent impairment of vision of both eyes to a certain degree, or ankylosis (immobility) of one or both knees or one or both hips.

They may also be eligible for adaptive equipment, and for repair, replacement, or reinstallation required because of disability or for the safe operation of a vehicle purchased with VA assistance. To apply, contact a VA regional office at 1-800-827-1000 or the nearest VA health care facility.

## *Clothing Allowance*

Any veteran who is service-connected for a disability for which he or she uses prosthetic or orthopedic appliances may receive an annual clothing allowance. This allowance also is available to any veteran whose service-connected skin condition requires prescribed medication that irreparably damages outer garments. To apply, contact the prosthetic representative at the nearest VA medical center.

### *Additional Allowances for Veterans who Need Aid and Attendance are Housebound*

A veteran who is determined by VA to be in need of the regular aid

and attendance of another person, or a veteran who is permanently housebound, may be entitled to additional disability compensation or pension payments. A veteran evaluated at 30 percent or more disabled is entitled to receive an additional payment for a spouse who is in need of the aid and attendance of another person.

***Vocational Rehabilitation & Employment Rates***

In some cases, a veteran requires additional education or training to become employable. A subsistence allowance is paid each month during training and is based on the rate of attendance (full-time or part-time), the number of dependents, and the type of training. The charts below show the rates as of Oct. 1, 2010.

**Subsistence allowance is paid at the following monthly rates for training in an institution of higher learning.**

| Training Time | Veterans With No Dependents | Veterans With One Dependent | Veterans With Two Dependents | Additional Dependent |
|---|---|---|---|---|
| Full-time | $554.22 | $687.47 | $810.13 | $59.05 |
| 3/4-time | $416.43 | $516.35 | $605.69 | $45.41 |
| 1/2-time | $278.64 | $345.23 | $405.81 | $30.30 |

**Subsistence allowance is paid at the following monthly rates for full-time training only in non-pay or nominal pay on-the-job training in a federal, state, local or federally recognized Indian tribe agency; training in the home; and vocational training in a rehabilitation facility or sheltered workshop.**

| Training Time | Veterans With No Dependents | Veterans With One Dependent | Veterans With Two Dependents | Additional Dependent |
|---|---|---|---|---|
| Full-time | $554.22 | $687.47 | $810.13 | $59.05 |

**Subsistence allowance is paid at the following monthly rates for full-time training only in farm cooperative, apprenticeship, and other on-job training. Payments are variable, based on the**

**wages received. The maximum rates are:**

| Training Time | Veterans With No Dependents | Veterans With One Dependent | Veterans With Two Dependents | Additional Dependent |
|---|---|---|---|---|
| Full-time | $484.57 | $585.99 | $675.36 | $43.93 |

**Subsistence allowance is paid at the following monthly rates for non-pay or nominal pay work experience in a federal, state, local or federally recognized Indian tribe agency.**

| Training Time | Veterans With No Dependents | Veterans With One Dependent | Veterans With Two Dependents | Additional Dependent |
|---|---|---|---|---|
| Full-time | $554.22 | $687.47 | $810.13 | $59.05 |
| 3/4-time | $416.43 | $516.35 | $605.69 | $45.41 |
| 1/2-time | $278.64 | $345.23 | $405.81 | $30.30 |

**Subsistence allowance is paid at the following monthly rates for training programs that include a combination of institutional and on-job training.**

| Greater Than Half-Time | Veterans With No Dependents | Veterans With One Dependent | Veterans With Two Dependents | Additional Dependent |
|---|---|---|---|---|
| Institutional | $554.22 | $687.47 | $810.13 | $59.05 |
| On-job | $484.57 | $585.99 | $675.36 | $43.93 |

**Subsistence allowance is paid at the following monthly rates for full-time training only for non-farm cooperative institutional training and non-farm cooperative on-job training.**

| Training Time | Veterans With No Dependents | Veterans With One Dependent | Veterans With Two Dependents | Additional Dependent |
|---|---|---|---|---|
| Institiontional | $554.22 | $687.47 | $810.13 | $59.05 |
| On-job | $484.57 | $585.99 | $675.36 | $43.93 |

**Subsistence allowance is paid at the following monthly rates during the period of enrollment in a rehabilitation facility when a veteran is pursuing an approved independent living program**

**plan.**

| Training Time | Veterans With No Dependents | Veterans With One Dependent | Veterans With Two Dependents | Additional Dependent |
|---|---|---|---|---|
| Full-time | $554.22 | $687.47 | $810.13 | $59.05 |
| 3/4-time | $416.43 | $516.35 | $605.69 | $45.41 |
| 1/2–time | $278.64 | $345.23 | $405.81 | $30.30 |

**Subsistence allowance is paid at the following monthly rates during the period of enrollment in a rehabilitation facility when a veteran requires this service for the purpose of extended evaluation.**

| Training Time | Veterans With No Dependents | Veterans With One Dependent | Veterans With Two Dependents | Additional Dependent |
|---|---|---|---|---|
| Full-time | $554.22 | $687.47 | $810.13 | $59.05 |
| 3/4-time | $416.43 | $516.35 | $605.69 | $45.41 |
| 1/2-time | $278.64 | $345.23 | $405.81 | $30.30 |
| 1/4–time | $139.30 | $172.63 | $202.90 | $15.11 |

**Fiduciary Program**

VA's Fiduciary Program is designed to protect the benefits paid to Veterans and beneficiaries who are unable to manage their own financial affairs. To qualify for this service, a VA beneficiary must be either a minor or an adult who has been determined to be unable to manage their financial affairs by VA, or under legal disability by reason of court action. When VA benefits are payable to an individual who meets the above criteria, then a third party payee or fiduciary is appointed to ensure the beneficiary's funds are expended for the care, support, welfare, and needs of the beneficiary and their recognized dependents. The Fiduciary Program's duty, mandated by Congress, is to provide oversight to fiduciaries by ensuring that they are providing the proper services for those beneficiaries who have shown a need of the program's protection. For more information please visit the VA Fiduciary Program webpage at http://www.vba.va.gov/bln/21/Fiduciary/index.htm.

# *Chapter 3*
# VA Pensions

**Eligibility for Veterans Pension**
Veterans with low incomes who are either permanently and totally disabled, or age 65 and older, may be eligible for monetary support if they have 90 days or more of active military service; at least one day of which was during a period of war. The 90-day active service requirement does not apply to veterans with a service-connected disability justifying discharge from the military. (Veterans who entered active duty on or after Sept. 8, 1980, or officers who entered active duty on or after Oct. 16, 1981, may have to meet a longer minimum period of active duty). The veteran's discharge must have been under conditions other than dishonorable and the disability must be for reasons other than the veteran's own willful misconduct.

Payments are made to bring the veteran's total income, including other retirement or Social Security income, to a level set by Congress. Un-reimbursed medical expenses may reduce countable income for VA purposes.

**Protected Pension**
Pension beneficiaries, who were receiving a VA pension on Dec. 31, 1978, and do not wish to elect the Improved Pension, will continue to receive the pension rate received on that date. This rate generally continues as long as the beneficiary's income remains within established limits, or net worth does not bar payment, and the beneficiary does not lose any dependents.

Beneficiaries must continue to meet basic eligibility factors, such as permanent and total disability for veterans. VA must adjust rates for other reasons, such as a veteran's hospitalization in a VA facility.

**Medal of Honor Pension**
VA administers pensions to recipients of the Medal of Honor. Congress set the monthly pension at $1,194.

**Improved Veterans Pension**
Congress establishes the maximum annual improved Veterans pension rates. Payments are reduced by the amount of countable

income of the veteran, spouse and dependent children. When a veteran without a spouse or a child is furnished nursing home or domiciliary care by VA, the pension is reduced to an amount not to exceed $90 per month after three calendar months of care. The reduction may be delayed if nursing-home care is being continued to provide the veteran with rehabilitation services.

| 2010 VA Improved Disability Veterans Rates | |
|---|---|
| **Status of Veteran's Family Situation and Caretaking Needs** | **Maximum Annual Rate** |
| Veteran without dependents | $11,830 |
| Veteran with one dependent | $15,493 |
| Veteran permanently housebound, no dependents | $14,457 |
| Veteran permanently housebound, one dependent | $18,120 |
| Veteran needing regular aid and attendance, no dependents | $19,736 |
| Veteran needing regular aid and attendance, one dependent | $23,396 |
| Two veterans married to one another | $15,493 |
| Increase for each additional dependent child | $2,020 |

* Additional information can be found in the Compensation and Pension Benefits section of VA's Internet pages at www.vba.va.gov/bln/21/index.htm.

# *Chapter 4*
# Education and Training

This chapter provides a summary of VA educational and training benefits. Additional information can be found at www.gibill.va.gov/ or by calling 1-888-GI-BILL-1 (1-888-442-4551).

## *Post – 9/11 GI Bill*

**Eligibility:** The Post- 9/11 GI Bill is a new education benefit program for servicemembers and veterans who served on active duty on or after Sept.11, 2001. Benefits are payable for training pursued on or after Aug. 1, 2009. No payments can be made under this program for training pursued before that date.

To be eligible, the servicemember or veteran must serve at least 90 aggregate days on active duty after Sept. 10, 2001, and remain on active duty or be honorably:

1. Discharged from active duty status;
2. Released from active duty and placed on the retired list or temporary disability retired list;
3. Released from active duty and transferred to the Fleet Reserve or Fleet Marine Corps Reserve;
4. Released from active duty for further service in a reserve component of the Armed Forces.

Veterans may also be eligible if they were honorably discharged from active duty for a service-connected disability after serving 30 continuous days after Sept. 10, 2001. Generally, servicemembers or veterans may receive up to 36 months of entitlement under the Post-9/11 GI Bill.

Eligibility for benefits expires 15 years from the last period of active duty of at least 90 consecutive days. If released for a service-connected disability after at least 30 days of continuous service, eligibility ends 15 years from when the member is released for the service-connected disability.

If, on Aug.1, 2009, the servicemember or veteran is eligible for the Montgomery GI Bill; the Montgomery GI Bill – Selected Reserve; or

the Reserve Educational Assistance Program, and qualifies for the Post-9/11 GI Bill, an irrevocable election must be made to receive benefits under the Post-9/11 GI Bill.

In most instances, once the election to receive benefits under the Post-9/11 GI Bill is made, the individual will no longer be eligible to receive benefits under the relinquished program.

Based on the length of active duty service, eligible participants are entitled to receive a percentage of the following:

1. Cost of tuition and fees, not to exceed the most expensive in-state undergraduate tuition at a public institution of higher education (paid directly to the school);
2. Monthly housing allowance equal to the basic allowance for housing payable to a military E-5 with dependents, in the same zip code as the primary school (paid directly to the servicemember or veteran);
3. Yearly books and supplies stipend of up to $1000 per year (paid directly to the servicemember or veteran); and
4. A one-time payment of $500 paid to certain individuals relocating from highly rural areas.

* The housing allowance is not payable to individuals on active duty and to those pursuing training at half time or less.

Benefits may be used for any approved program offered by a school in the United States that is authorized to grant an associate (or higher) degree. Call 1-888-442-4551 or visit www.gibill.va.gov for information about attending school in a foreign country.

If entitlement to the Post-9/11 GI Bill was the result of transferring from the Montgomery GI Bill; the Montgomery GI Bill – Selected Reserve; or the Reserve Education Assistance Program, recipients may also receive Post-9/11 GI Bill benefits for flight training, apprenticeship or on-the-job training programs, and correspondence courses.

Individuals serving an aggregate period of active duty after Sept. 10, 2001 can receive the following percentages based on length of service:

| Active Duty Service | Maximum Benefit |
|---|---|
| At least 36 months | 100% |
| At least 30 continuous days and discharged due to service-connected disability | 100% |
| At least 30 months < 36 months | 90% |
| At least 24 months < 30 months | 80% |
| At least 18 months < 24 months | 70% |
| At least 12 months < 18 months | 60% |
| At least 6 months < 12 months | 50% |
| At least 90 days < 6 months | 40% |

**Transfer of Entitlement** (TOE): DOD may offer members of the Armed Forces on or after Aug.1, 2009, the opportunity to transfer benefits to a spouse or dependent children. DOD and the military services must approve all requests for this benefit. Members of the Armed Forces approved for the TOE may only transfer any unused portion of their Post-9/11 GI Bill benefits while a member of the Armed Forces, subject to their period of eligibility.

**The Yellow Ribbon G.I. Education Enhancement Program** was enacted to potentially assist eligible individuals with payment of their tuition and fees in instances where costs exceed the most expensive in-state undergraduate tuition at a public institution of higher education. To be eligible, the student must be: a veteran receiving benefits at the 100% benefit rate payable, a transfer-of-entitlement-eligible dependent child, or a transfer-of-entitlement eligible spouse of a veteran.

The school of attendance must have accepted VA's invitation to participate in the program, state how much student tuition will be waived (up to 50%) and how many participants will be accepted into the program during the current academic year. VA will match the school's percentage (up to 50%) to reduce or eliminate out-of-pocket costs for eligible participants.

**Work-Study Program:** Veterans and eligible transfer-of-entitlement recipients who train at the three-quarter rate of pursuit or higher may be eligible for a work-study program in which they work for VA

and receive hourly wages. Students under the work-study program must be supervised by a VA employee and all duties performed must relate to VA. The types of work allowed include:

1. VA paperwork processing at schools or other training facilities.
2. Assistance with patient care at VA hospitals or domiciliary care facilities.
3. Work at national or state veterans' cemeteries.
4. Various jobs within any VA regional office.
5. Other VA-approved activities.

**Marine Gunnery Sergeant John David Fry Scholarship:** This scholarship entitles children of those who die in the line of duty on or after September 11, 2001, to use Post-9/11 GI Bill benefits.

**Eligible children:**

- are entitled to 36 months of benefits at the 100% level
- have 15 years to use the benefit beginning on their 18th birthday
- may use the benefit until their 33rd birthday
- are not eligible for the Yellow Ribbon Program

**PL 111-377, "Post 9/11 Veterans Educational Assistance Improvements Act of 2010"**

On Jan. 4, 2011, President Obama signed into law the "Post 9/11 Veterans Educational Assistance Improvements Act of 2010". A summary of the changes is outlined below.

**Effective now but not payable until October 1, 2011:**

The Post-9/11 GI Bill is expanded to include Active Service performed by National Guard members under title 32 U.S.C. for the purpose of organizing, administering, recruiting, instructing, or training the National Guard; or under section 502(f) for the purpose of responding to a national emergency.

**Effective March 5, 2011**:

Active duty members pursuing a degree at more than half-time are limited to the net cost for tuition and fees prorated based on the eligibility tiers (40%-100%) previously established for Veterans.

**Effective August 1, 2011:**

The new law simplifies the tuition and fee rates for those attending a public school and creates a national maximum for those enrolled in a

private or foreign school

- All public school in-state tuition and fees are covered
- Private and foreign school costs are capped at $17,500 annually
- The Yellow Ribbon Program still exists for out-of-state fees and costs above the cap

Allows VA to pay MGIB (chapter 30) and MGIB-SR (chapter 1606) "kickers", or college fund payments, on a monthly basis instead of a lump sum at the beginning of the term

Prorates housing allowance by the student's rate of pursuit (rounded to the nearest tenth)

- A student training at a rate of pursuit of 75% would receive 80% of the BAH rate

Break or interval pay is no longer payable under any VA education benefit program unless under an Executive Order of the President or due to an emergency, such as a natural disaster or strike.

- This means that when your semester ends (e.g. December 15th), your housing allowance is paid for the first 15 days of December only and begins again when your next semester begins (e.g. January 10th) and is paid for the remaining days of January.
- Students using other VA education programs are included in this change. Monthly benefits will be pro-rated in the same manner.
- Entitlement that previously would have been used for break pay will be available for use during a future enrollment.

Allows reimbursement for more than one "license or certification" test (previously only one test was allowed).

Allows reimbursement of fees paid to take national exams used for admission to an institution of higher learning (e.g., SAT, ACT, GMAT, LSAT)

Allows those who are eligible for both Vocational Rehabilitation and Employment (chapter 31) benefits and Post-9/11 GI Bill (chapter 33) benefits to choose the Post-9/11 GI Bill's monthly housing allowance instead of the chapter 31 subsistence allowance.

**Effective October 1, 2011:** Allows students to use the Post-9/11 GI Bill for—

- Non-college degree (NCD) programs: Pays actual net cost for in-State tuition and fees at public NCD institutions. At private and foreign institutions, pays the actual net costs for in-state tuition and fees or $17,500, whichever is less. Also pays up to $83 per month for books and supplies.

On-the-job and apprenticeship training: Pays a monthly benefit amount prorated based on time in program and up to $83 per month for books and supplies.

- Flight programs: Per academic year, pays the actual net costs for in-state tuition and fees assessed by the school or $10,000, whichever is less. This limit is applicable to flight programs at both IHLs and non-IHLs.
- Correspondence training: Per academic year, pays the actual net costs for in-state tuition and fees assessed by the school or $8,500, whichever is less.

Allows students on active duty to receive a books and supplies stipend.

**Educational and Vocational Counseling Services:** Refer to Chapter 10, “Transition Assistance”, for detailed information on available services.

## *Montgomery GI Bill*

**Eligibility:** VA educational benefits may be used while the servicemember is on active duty or after the servicemember’s separation from active duty with a fully honorable military discharge. Discharges “under honorable conditions” and “general” discharges do not establish eligibility.

Eligibility generally expires 10 years after the servicemember’s discharge. However, there are exceptions for disability, re-entering active duty, and upgraded discharges.

All participants must have a high school diploma, equivalency certificate, or have completed 12 hours toward a college degree before applying for benefits.

Previously, servicemembers had to meet the high school requirement before they completed their initial active duty obligation. Those who

did not may now meet the requirement and reapply for benefits. If eligible, they must use their benefits either within 10 years from the date of last discharge from active duty or by Nov. 2, 2010, whichever is later.
Additionally, every veteran must establish eligibility under one of four categories.

**Category 1**: Service after June 30, 1985
For veterans who entered active duty for the first time after June 30, 1985, did not decline MGIB in writing, and had their military pay reduced by $100 a month for 12 months. Servicemembers can apply after completing two continuous years of service. Veterans must have completed three continuous years of active duty, or two continuous years of active duty if they first signed up for less than three years or have an obligation to serve four years in the Selected Reserve (the 2x4 program) and enter the Selected Reserve within one year of discharge.

Servicemembers or veterans who received a commission as a result of graduation from a service academy or completion of an ROTC scholarship are not eligible under Category 1 unless they received their commission:

1. After becoming eligible for MGIB benefits (including completing the minimum service requirements for the initial period of active duty); or
2. After Sept.30, 1996, and received less than $3,400 during any one year under ROTC scholarship.

Servicemembers or veterans who declined MGIB because they received repayment from the military for education loans are also ineligible under Category 1. If they did not decline MGIB and received loan repayments, the months served to repay the loans will be deducted from their entitlement.

**Early Separation from Military Service:** Servicemembers who did not complete the required period of military service may be eligible under

**Category 1:** If discharged for one of the following:

1. Convenience of the government—with 30 continuous months of service for an obligation of three or more years, or 20 continuous months of service for an obligation of less than

three years
2. Service-connected disability
3. Hardship
4. A medical condition diagnosed prior to joining the military.
5. A condition that interfered with performance of duty and did not result from misconduct
6. A reduction in force (in most cases).
7. Sole Survivorship (if discharged after 9/11/01)

**Category 2:** Vietnam Era GI Bill Conversion
For veterans who had remaining entitlement under the Vietnam Era GI Bill on Dec. 31, 1989, and served on active duty for any number of days during the period Oct. 19, 1984, to June 30, 1985, for at least three continuous years beginning on July 1, 1985; or at least two continuous years of active duty beginning on July 1, 1985, followed by four years in the Selected Reserve beginning within one year of release from active duty.

Veterans not on active duty on Oct. 19, 1984, may be eligible under Category 2 if they served three continuous years on active duty beginning on or after July 1, 1985, or two continuous years of active duty at any time followed by four continuous years in the Selected Reserve beginning within one year of release from active duty.

Veterans are barred from eligibility under Category 2 if they received a commission after Dec. 31, 1976, as a result of graduation from a service academy or completion of an ROTC scholarship.

However, such a commission is not disqualifying if they received the commission after becoming eligible for MGIB benefits, or received the commission after Sept.30, 1996, and received less than $3,400 during any one year under ROTC scholarship.

**Category 3:** Involuntary Separation/Special Separation
For veterans who meet one of the following requirements:
1. Elected MGIB before being involuntarily separated; or
2. were voluntarily separated under the Voluntary Separation Incentive or the Special Separation Benefit program, elected MGIB benefits before being separated, and had military pay reduced by $1,200 before discharge.

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**Category 4:** Veterans Educational Assistance Program
For veterans who participated in the Veterans Educational Assistance Program (VEAP) and:

1. Served on active duty on Oct. 9, 1996.
2. Participated in VEAP and contributed money to an account.
3. Elected MGIB by Oct. 9, 1997, and paid $1,200.

Veterans who participated in VEAP on or before Oct. 9, 1996, may also be eligible even if they did not deposit money in a VEAP account if they served on active duty from Oct. 9, 1996, through April 1, 2000, elected MGIB by Oct. 31, 2001, and contributed $2,700 to MGIB.

Certain National Guard service members may also qualify under Category 4 if they:

1. Served for the first time on full-time active duty in the National Guard between June 30, 1985, and Nov. 29, 1989, and had no previous active duty service.
2. Elected MGIB during the nine-month window ending on July 9, 1997; and
3. Paid $1,200.

**Payments:** Effective Oct. 1, 2010, the rate for full-time training in college, technical or vocational school is $1,426 a month for those who served three years or more or two years plus four years in the Selected Reserve. For those who served less than three years, the monthly rate is $1,158.

Benefits are reduced for part-time training. Payments for other types of training follow different rules. VA will pay an additional amount, called a “kicker” or “college fund,” if directed by DOD. Visit www.gibill.va.gov for more information. The maximum number of months veterans can receive payments is 36 months at the full-time rate or the part-time equivalent.

**The following groups qualify for the maximum:** veterans who served the required length of active duty, veterans with an obligation of three years or more who were separated early for the convenience of the government and served 30 continuous months, and veterans with an obligation of less than three years who were separated early for the convenience of the government and served 20 continuous

months.

**Types of Training Available:**

1. Courses at colleges and universities leading to associate, bachelor or graduate degrees, including accredited independent study offered through distance education.
2. Courses leading to a certificate or diploma from business, technical or vocational schools.
3. Apprenticeship or on-the-job training for those not on active duty, including self-employment training begun on or after June 16, 2004, for ownership or operation of a franchise
4. Correspondence courses, under certain conditions.
5. Flight training, if the veteran holds a private pilot's license upon beginning the training and meets the medical requirements.
6. State-approved teacher certification programs.
7. Preparatory courses necessary for admission to a college or graduate school.
8. License and certification tests approved for veterans.
9. Entrepreneurship training courses to create or expand small businesses.
10. Tuition assistance using MGIB as "Top-Up" (active duty service members).

Accelerated payments for certain high-cost programs are authorized.

**Work-Study Program:** Veterans who train at the three-quarter or full-time rate may be eligible for a work-study program in which they work for VA and receive hourly wages. Students under the work-study program must be supervised by a VA employee and all duties performed must relate to VA. The types of work allowed include:

1. VA paperwork processing at schools or other training facilities.
2. Assistance with patient care at VA hospitals or domiciliary care facilities.
3. Work at national or state veterans' cemeteries.
4. Various jobs within any VA regional office.
5. Other VA-approved activities.

**Educational and Vocational Counseling Services:** Refer to Chapter 10, "Transition Assistance", for detailed information on available services.

## *Veterans' Educational Assistance Program*

**Eligibility:** Active duty personnel could participate in the Veterans' Educational Assistance Program (VEAP) if they entered active duty for the first time after Dec. 31, 1976, and before July 1, 1985, and made a contribution prior to April 1, 1987.

The maximum contribution is $2,700. Active duty participants may make a lump-sum contribution to their VEAP account. For more information, visit the Web site at www.gibill.va.gov.

Servicemembers who participated in VEAP are eligible to receive benefits while on active duty if:

1. At least 3 months of contributions are available, except for high school or elementary, in which only one month is needed.
2. And they enlisted for the first time after Sept. 7, 1980, and completed 24 months of their first period of active duty.

Servicemembers must receive a discharge under conditions other than dishonorable for the qualifying period of service. Servicemembers who enlisted for the first time after Sept.7, 1980, or entered active duty as an officer or enlistee after Oct. 16, 1981, must have completed 24 continuous months of active duty, unless they meet a qualifying exception.

Eligibility generally expires 10 years from release from active duty, but can be extended under special circumstances.

**Payments:** DOD will match contributions at the rate of $2 for every $1 put into the fund and may make additional contributions, or "kickers," as necessary. For training in college, vocational or technical schools, the payment amount depends on the type and hours of training pursued. The maximum amount is $300 a month for full-time training.

**Training, Work-Study, Counseling:** VEAP participants may receive the same training, work-study benefits and counseling as provided under the MGIB with the exception of preparatory courses.

# *Chapter 5*

# Home Loan Guaranty

VA home loan guaranties are issued to help eligible servicemembers, veterans, reservists and certain unmarried surviving spouses obtain homes, condominiums, residential cooperative housing units, and manufactured homes, and to refinance loans. For additional information or to obtain VA loan guaranty forms, visit www.homeloans.va.gov/.

**Loan Uses:** A VA guaranty helps protect lenders from loss if the borrower fails to repay the loan. It can be used to obtain a loan to:

1. Buy or build a home.
2. Buy a residential condominium unit.
3. Buy a residential cooperative housing unit.
4. Repair, alter, or improve a residence owned by the veteran and occupied as a home.
5. Refinance an existing home loan.
6. Buy a manufactured home and/or lot.
7. Install a solar heating or cooling system or other energy-efficient improvements.

**Eligibility**: In addition to the periods of eligibility and conditions of service requirements, applicants must have a good credit rating, sufficient income, a valid Certificate of Eligibility (COE), and agree to live in the property in order to be approved by a lender for a VA home loan.

A COE can be obtained either directly from the VA Eligibility Center (in hard-copy form), or electronically, either through your lender, or by applying online at VA's COE website: http://www.benefits.va.gov/homeloans/docs/Veteran_registration_coe.pdf.

In applying for a hard-copy COE from the VA Eligibility Center, it is typically necessary that the eligible veteran present a copy of his/her report of discharge or DD Form 214 Certificate of Release or Discharge From Active Duty or other adequate substitute evidence to VA. An eligible active duty servicemember should obtain and submit

to the VA Eligibility Center a statement of service signed by an appropriate military official. To obtain a COE, complete VA Form 26-1880 -- "Request for a Certificate of Eligibility" -- and mail to: VA Eligibility Center, P.O. Box 20729, Winston-Salem, NC 27120.

Please note that while VA's Internet-based system can establish eligibility and issue an online COE in a matter of seconds, not all cases can be processed online. The system can only process those cases for which VA has sufficient data in their records.

However, veterans and servicemembers are encouraged to apply online before seeking a hard-copy COE from the VA Eligibility Center. For more information, or to apply for a COE online, visit http://www.benefits.va.gov/homeloans/elig_center.asp

**Periods of Eligibility:** World War II: (1) active duty service after Sept.15, 1940, and prior to July 26, 1947; (2) discharge under other than dishonorable conditions; and (3) at least 90 days total service unless discharged early for a service-connected disability.

**Post-World War II period:** (1) active duty service after July 25, 1947, and prior to June 27, 1950; (2) discharge under other than dishonorable conditions; and (3) 181 days continuous active duty service unless discharged early for a service-connected disability.

**Korean War:** (1) active duty after June 26, 1950, and prior to Feb. 1, 1955; (2) discharge under other than dishonorable conditions; and (3) at least 90 days total service, unless discharged early for a service-connected disability.

**Post-Korean War period:** (1) active duty after Jan. 31, 1955, and prior to Aug. 5, 1964; (2) discharge under other than dishonorable conditions; (3) 181 days continuous service, unless discharged early for a service-connected disability.

**Vietnam War:** (1) active duty after Aug. 4, 1964, and prior to May 8, 1975; (2) discharge under other than dishonorable conditions; and (3) 90 days total service, unless discharged early for a service-connected disability. For veterans who served in the Republic of Vietnam, the beginning date is Feb. 28, 1961.

**Post-Vietnam period:** (1) active duty after May 7, 1975, and prior

to Aug. 2, 1990; (2) active duty for 181 continuous days, all of which occurred after May 7, 1975; and (3) discharge under conditions other than dishonorable or early discharge for service-connected disability.

**24-Month Rule:** If service was between Sept. 8, 1980, (Oct. 16, 1981, for officers) and Aug. 1, 1990, veterans must generally complete 24 months of continuous active duty service or the full period (at least 181 days) for which they were called or ordered to active duty, and be discharged under conditions other than dishonorable.

Exceptions are allowed if the veteran completed at least 181 days of active duty service but was discharged earlier than 24 months for (1) hardship, (2) the convenience of the government, (3) reduction-in-force, (4) certain medical conditions, or (5) service-connected disability.

**Gulf War:** Veterans of the Gulf War era -- Aug. 2, 1990, to a date to be determined -- must generally complete 24 months of continuous active duty service or the full period (at least 90 days) for which they were called to active duty, and be discharged under other than dishonorable conditions.

Exceptions are allowed if the veteran completed at least 90 days of active duty but was discharged earlier than 24 months for (1) hardship, (2) the convenience of the government, (3) reduction-in-force, (4) certain medical conditions, or (5) service-connected disability. Reservists and National Guard members are eligible if they were activated after Aug. 1, 1990, served at least 90 days, and received an honorable discharge.

**Active Duty Personnel:** Until the Gulf War era is ended, persons on active duty are eligible after serving 90 continuous days.

**Surviving Spouses:** Some spouses of veterans may have home loan eligibility. They are:

- the unmarried surviving spouse of a veteran who died as a result of service or service-connected causes
- the surviving spouse of a veteran who dies on active duty or from service-connected causes, who remarries on or after attaining age 57 and on or after December 16, 2003
- the spouse of an active duty member who is listed as missing in action (MIA) or a prisoner of war (POW) for at least 90 days.

Eligibility under this MIA/POW provision is limited to one-time use only

**VA Guaranty Amount Varies** with the size of the loan and the location of the property. Because lenders are able to obtain this guaranty from VA, borrowers do not need to make a down payment, provided they have enough home loan entitlement.

VA will guarantee 25 percent of the principal loan amount, up to the maximum guaranty. The maximum guaranty varies depending upon the location of the property.

For all locations in the United States other than Alaska, Guam, Hawaii, and the U.S. Virgin Islands, the maximum guaranty is the greater of 25 percent of (a) $417,000 or (b) 125 percent of the area median price for a single-family residence, but in no case will the guaranty exceed 175 percent of the Freddie Mac loan limit for a single-family residence in the county in which the property securing the loan is located.

This translates to a potential loan amount of $1,094,625 with no down payment for the period of January 1, 2011, through September 30, 2011.

In Alaska, Guam, Hawaii, and the U.S. Virgin Islands, the maximum guaranty is the greater of 25 percent of (a) $625,500 or (b) 125 percent of the area median price for a single-family residence, but in no case will the guaranty exceed 175 percent of the Freddie Mac loan limit for a single-family residence in the county in which the property securing the loan is located. This translates to a potential loan amount of $1,641,937 for the period of January 1, 2011, through September 30, 2011.

A list of 2010 county loan limits can be found at the following Web site: http://www.benefits.va.gov/homeloans/faqpreln.asp

The VA funding fee and up to $6,000 of energy-efficient improvements can be included in VA loans. Other closing costs must be paid by the veteran, except most costs can be included in refinancing loans.

| Loan Amount | Maximum Guaranty | Special Provisions |
|---|---|---|
| Up to $45,000 | 50% of loan amount | 25% on Interest Rate Reduction Refinancing Loans |
| $45,001 - $56,250 | $22,500 | Same as above |
| $56,251 - $144,000 | 40% of the loan amount, with a maximum of $36,000 | Same as above |
| $144,000 or more | Up to an amount equal to 25% of the county loan limit | Same as above |

An eligible borrower can use a VA-guaranteed Interest Rate Reduction Refinancing Loan to refinance an existing VA loan to lower the interest rate and payment. Typically, no credit underwriting is required for this type of loan. The loan may include the entire outstanding balance of the prior loan, the costs of energy-efficient improvements, as well as closing costs, including up to two discount points.

An eligible borrower who wishes to obtain a VA-guaranteed loan to purchase a manufactured home or lot can borrow up to 95 percent of the home's purchase price. The amount VA will guarantee on a manufactured home loan is 40 percent of the loan amount or the veteran's available entitlement, up to a maximum amount of $20,000. These provisions apply only to a manufactured home that will not be placed on a permanent foundation.

**VA Appraisals:** No loan can be guaranteed by VA without first being appraised by a VA-assigned fee appraiser. A lender can request a VA appraisal through VA systems. The veteran borrower typically pays for the appraisal upon completion, according to a fee schedule approved by VA. This VA appraisal estimates the value of the property. It is not an inspection and does not guarantee the house is free of defects. VA guarantees the loan, not the condition of the property. A thorough inspection of the property by you or a reputable inspection firm may help minimize any problems that could arise after loan closing. In an existing home, particular attention should be given to plumbing, heating, electrical, and roofing components.

**Closing Costs:** For purchase home loans, payment in cash is

required on all closing costs, including title search and recording fees, hazard insurance premiums and prepaid taxes. For refinancing loans, all such costs may be included in the loan, as long as the total loan does not exceed the reasonable value of the property. Interest rate reduction loans may include closing costs, including a maximum of two discount points.

All veterans, except those receiving VA disability compensation, those who are rated by VA as eligible to receive compensation as a result of pre-discharge disability examination and rating, and unmarried surviving spouses of veterans who died in service or as a result of a service-connected disability, are charged a VA funding fee. For all types of loans, the loan amount may include this funding fee.

**Required Occupancy:** To qualify for a VA home loan, a veteran or the spouse of an active duty servicemember must certify that he or she intends to occupy the home. When refinancing a VA-guaranteed loan solely to reduce the interest rate, a veteran need only certify to prior occupancy.

**Financing, Interest Rates and Terms:** Veterans obtain VA-guaranteed loans through the usual lending institutions, including banks, credit unions, and mortgage brokers. VA-guaranteed loans can have either a fixed interest rate or an adjustable rate, where the interest rate may adjust up to one percent annually and up to five percent over the life of the loan. VA does not set the interest rate. Interest rates are negotiable between the lender and borrower on all loan types.

Veterans may also choose a different type of adjustable rate mortgage called a hybrid ARM, where the initial interest rate remains fixed for three to 10 years. If the rate remains fixed for less than five years, the rate adjustment cannot be more than one percent annually and five percent over the life of the loan. For a hybrid ARM with an initial fixed period of five years or more, the initial adjustment may be up to two percent. The Secretary has the authority to determine annual adjustments thereafter. Currently annual adjustments may be up to two percentage points and six percent over the life of the loan.

If the lender charges discount points on the loan, the veteran may negotiate with the seller as to who will pay points or if they will be split between buyer and seller. Points paid by the veteran may not be

included in the loan (with the exception that up to two points may be included in interest rate reduction refinancing loans). The term of the loan may be for as long as 30 years and 32 days.

**Loan Assumption Requirements and Liability:** VA loans made on or after March 1, 1988, are not assumable without the prior approval of VA or its authorized agent (usually the lender collecting the monthly payments). To approve the assumption, the lender must ensure that the borrower is a satisfactory credit risk and will assume all of the veteran's liabilities on the loan. If approved, the borrower will have to pay a funding fee that the lender sends to VA, and the veteran will be released from liability to the federal government.

A release of liability does not mean that a veteran's guaranty entitlement is restored. That occurs only if the borrower is an eligible veteran who agrees to substitute his or her entitlement for that of the seller. If a veteran allows assumption of a loan without prior approval, then the lender may demand immediate and full payment of the loan, and the veteran may be liable if the loan is foreclosed and VA has to pay a claim under the loan guaranty.

Loans made prior to March 1, 1988, are generally freely assumable, but veterans should still request VA's approval in order to be released of liability. Veterans whose loans were closed after Dec. 31, 1989, usually have no liability to the government following a foreclosure, except in cases involving fraud, misrepresentation, or bad faith, such as allowing an unapproved assumption. However, for the entitlement to be restored, any loss suffered by VA must be paid in full.

## *2011 VA Funding Fees*

A funding fee must be paid to VA unless the veteran is exempt from such a fee because he or she receives VA disability compensation. The fee may be paid in cash or included in the loan. Closing costs such as VA appraisal, credit report, loan processing fee, title search, title insurance, recording fees, transfer taxes, survey charges, or hazard insurance may not be included in the loan.

Note: The funding fee structure is set to change on October 1, 2011. Please consult http://www.benefits.va.gov/homeloans for updates on this scheduled change.

| Loan Category | Active Duty and Veterans | Reservists and National Guard |
|---|---|---|
| Loans for purchase or construction with downpayments of less than 5%, refinancing, and home improvement | 2.15 percent | 2.40 percent |
| Loans for purchase or construction with downpayments of at least 5% but less than 10% | 1.50 percent | 1.75 percent |
| Loans for purchase or construction with downpayments of 10% or more | 1.25 percent | 1.50 percent |
| Loans for manufactured homes | 1 percent | 1 percent |
| Interest rate reduction refinancing loans | .50 percent | .50 percent |
| Assumption of a VA-guaranteed loan | .50 percent | .50 percent |
| Second or subsequent use of entitlement with no downpayment | 3.3 percent | 3.3 percent |

**VA Assistance to Veterans in Default:** VA urges all veterans who are encountering problems making their mortgage payments to speak with their servicers as soon as possible to explore options to avoid foreclosure. Contrary to popular opinion, servicers do not want to foreclose because foreclosure costs a lot of money. Depending on a veteran's specific situation, servicers may offer any of the following options to avoid foreclosure:

- Repayment Plan – The borrower makes regular installment each month plus part of the missed installments.
- Special Forbearance – The servicer agrees not to initiate fore

closure to allow time for borrowers to repay the missed installments. An example of when this would be likely is when a borrower is waiting for a tax refund.

- Loan Modification - Provides the borrower a fresh start by adding the delinquency to the loan balance and establishing a new payment schedule.
- Additional time to arrange a private sale – The servicer agrees to delay foreclosure to allow a sale to close if the loan will be paid off.
- Short Sale – When the servicer agrees to allow a borrower to sell his/her home for a lesser amount than what is currently required to payoff the loan.
- Deed-in-Lieu of Foreclosure - The borrower voluntarily agrees to deed the property to the servicer instead of going through a lengthy foreclosure process.

**Servicemembers Civil Relief Act**
Veteran borrowers may be able to request relief pursuant to the Servicemembers Civil Relief Act (SCRA). In order to qualify for certain protections available under the Act, their obligation must have originated prior to their current period of active military service. SCRA may provide a lower interest rate for up to one year, and provide forbearance, or prevent foreclosure or eviction up to nine months from period of military service.

**Assistance to Veterans with VA-Guaranteed Home Loans**
When a VA-guaranteed home loan becomes delinquent, VA provides supplemental servicing assistance to help cure the default. The servicer has the primary responsibility of servicing the loan to resolve the default.

However, in cases where the servicer is unable to help the veteran borrower, VA has loan technicians in eight Regional Loan Centers and two special servicing centers who take an active role in interceding with the servicer to explore all options to avoid foreclosure. Veterans with VA-guaranteed home loans can call 1-877 827-3702 to reach the nearest VA office where loan specialists are prepared to discuss potential ways to help save the loan.

**National Call Center for Homeless Veterans**
Veterans who feel they may be facing homelessness as a result of

losing their home can call 1-877-4AID VET (877-424-3838) or go to http://www1.va.gov/HOMELESS/NationalCallCenter.asp to receive immediate assistance from VA.

**Assistance to Veterans with Non-VA Guaranteed Home Loans**
For veterans or servicemembers who have a conventional or subprime loan, VA has a network of eight Regional Loan Centers and two special servicing centers that can offer advice and guidance. Borrowers may visit VA's website at www.benefits.va.gov/homeloans/, or call toll free -1-877- 827-3702 to speak with a VA loan technician. However, unlike when a veteran has a VA-guaranteed home loan, VA does not have the legal authority to intervene on the borrower's behalf. It is imperative that a borrower contact his/her servicer as quickly as possible.

**VA Refinancing of a Non-VA Guaranteed Home Loan**
Veterans with conventional home loans now have new options for refinancing to a VA-guaranteed home loan. These new options are available as a result of the Veterans' Benefits Improvement Act of 2008. Veterans who wish to refinance their subprime or conventional mortgage may now do so for up to 100 percent of the value of the property, which is up from the previous limit of 90 percent.

Additionally, Congress raised VA's maximum loan guaranty for these types of refinancing loans. Loan limits were effectively raised from $144,000 to $417,000. High-cost counties have even higher maximum loan limits. VA county loan limits can be found at http://www.benefits.va.gov/homeloans/. These changes will allow more qualified veterans to refinance through VA, allowing for savings on interest costs and avoiding foreclosure.

**Other Assistance for Delinquent Veteran Borrowers**
If VA is not able to help a veteran borrower retain his/her home (whether a VA-guaranteed loan or not), the HOPE NOW Alliance may be of assistance. HOPE NOW is a joint alliance consisting of servicers, counselors, and investors whose main goal is to assist distressed borrowers retain their homes and avoid foreclosure. They have expertise in financial counseling, as well as programs that take advantage of relief measures that VA cannot. HOPE NOW provides outreach, counseling and assistance to homeowners who have the willingness and ability to keep their homes but are facing financial difficulty as a result of the crisis in the mortgage market. The HOPE

NOW Alliance can be reached at (888) 995-HOPE (4673), or by visiting www.hopenow.com.

For more information go to http://www.benefits.va.gov/homeloans/, or call (877) 827-3702

**VA Acquires Property Foreclosures**
VA acquires properties as a result of foreclosures. A private contractor is currently marketing the properties through listing agents using local Multiple Listing Services. A listing of "VA Properties for Sale" may be found at http://va.equator.com. Contact a real estate agent for information on purchasing a VA-acquired property.

**Loans for Native American Veterans**
Eligible Native American veterans can obtain a loan from VA to purchase, construct, or improve a home on Federal Trust Land, or to reduce the interest rate on such a VA loan. Native American Direct Loans are only available if a memorandum of understanding exists between the tribal organization and VA.

Veterans who are not Native American, but who are married to Native American non-veterans, may be eligible for a direct loan under this program. To be eligible for such a loan, the qualified non-Native American veteran and the Native American spouse must reside on Federal Trust Land, and both the veteran and spouse must have a meaningful interest in the dwelling or lot.
The following safeguards have been established to protect veterans:

1. VA may suspend from the loan program those who take unfair advantage of veterans or discriminate because of race, color, religion, sex, disability, family status, or national origin.
2. The builder of a new home (or manufactured) is required to give the purchasing veteran either a one-year warranty or a 10-year insurance-backed protection plan.
3. The borrower obtaining a loan may only be charged closing costs allowed by VA.
4. The borrower can prepay without penalty the entire loan or any part not less than one installment or $100.
5. VA encourages holders to extend forbearance if a borrower becomes temporarily unable to meet the terms of the loan.

# *Chapter 6*

# VA Life Insurance

For complete details on government life insurance, visit the VA Internet site at www.insurance.va.gov/ or call VA's Insurance Center toll-free at 1-800-669-8477. Specialists are available between the hours of 8:30 a.m. and 6 p.m., Eastern Time, to discuss premium payments, insurance dividends, address changes, policy loans, naming beneficiaries and reporting the death of the insured.

If the insurance policy number is not known, send whatever information is available, such as the veteran's VA file number, date of birth, Social Security number, military serial number or military service branch and dates of service to:

Department of Veterans Affairs
Regional Office and Insurance Center
Box 42954
Philadelphia, PA 19101

For information about Servicemembers' Group Life Insurance, Veterans Group Life Insurance, Servicemembers' Group Life Insurance Traumatic Injury Protection, or Servicemembers' Group Life Insurance Family Coverage, visit the Web site above or call the Office of Servicemembers' Group Life Insurance directly at 1-800-419-1473.

**Servicemembers' Group Life Insurance**
The following are automatically insured for $400,000 under Service members' Group Life Insurance (SGLI):

1. Active-duty members of the Army, Navy, Air Force, Marines and Coast Guard.
2. Commissioned members of the National Oceanic and Atmospheric Administration (NOAA) and the Public Health Service (PHS).
3. Cadets or midshipmen of the U.S. military academies.
4. Members, cadets and midshipmen of the ROTC while engaged in authorized training and practice cruises.
5. Members of the Ready Reserves/National Guard who are

scheduled to perform at least 12 periods of inactive training per year.

6. Members who volunteer for a mobilization category in the Individual Ready Reserve.

Individuals may elect in writing to be covered for a lesser amount or not at all. Part-time coverage may be provided to reservists who do not qualify for full-time coverage. Premiums are automatically deducted from the service member's pay. At the time of separation from service, SGLI can be converted to either Veterans' Group Life Insurance (VGLI) or a commercial plan through participating companies. SGLI coverage continues for 120 days after separation at no charge. Coverage of $10,000 is also automatically provided for dependent children of members insured under SGLI with no premium required.

**SGLI Traumatic Injury Protection**

Members of the armed services serve our nation heroically during times of great need, but what happens when they experience great needs of their own because they have sustained a traumatic injury? Servicemembers' Group Life Insurance Traumatic Injury Protection (TSGLI) helps severely injured service members through their time of need with a one-time payment. The amount varies depending on the injury, but it could make a difference in the lives of service members by allowing their families to be with them during their recovery. TSGLI helps them with unforeseen expenses; or gives them a financial head start on life after recovery.

TSGLI is an insurance program that is bundled with Servicemembers' Group Life Insurance (SGLI). An additional $1.00 has been added to the service member's SGLI premium to cover TSGLI. After Dec. 1, 2005, all service members who are covered by SGLI are automatically also covered by TSGLI, regardless of where their qualifying traumatic injury occurred. However, TSGLI claims require approval.

In addition, there is retroactive TSGLI coverage for service members who sustained a qualifying traumatic injury while in theater supporting Operation Enduring Freedom (OEF), Operation Iraqi Freedom (OIF), or while on orders in a Combat Zone Tax Exclusion (CZTE) area from Oct. 7, 2001, through Nov. 30, 2005. TSGLI coverage is available for these service members regardless of whether SGLI coverage was in force. Beginning on October 1, 2011, TSGLI ben-

efits can be paid for qualifying traumatic injuries incurred during this period, regardless of where the injury occurred. The member is not required to have served under OEF/OIF orders to be eligible for a TSGLI payment.

For more information, and branch of service contact information, visit the Web site at www.insurance.va.gov/sgliSite/TSGLI/TSGLI.htm, or call 1-800-237-1336 (Army); 1-800-368-3202 (Navy); 1-877-216-0825 (Marine Corps); 1-800-433-0048 (Active Duty Air Force); 1-800-525-0102 (Air Force Reserves); 1-703-607-5093 (Air National Guard); 1-202-493-1931 (U.S. Coast Guard); 1-301-594-2963 (PHS); or 1-301-713-3444 (NOAA).

**Servicemembers' Group Life Insurance Family Coverage**
Servicemembers' Group Life Insurance Family Coverage (FSGLI) provides up to $100,000 of life insurance coverage for spouses of service members with full-time SGLI coverage, not to exceed the amount of SGLI the member has in force. FSGLI is a service members' benefit; the member pays the premium and is the only person allowed to be the beneficiary of the coverage. FSGLI spousal coverage ends when: 1) the service member elects in writing to terminate coverage on the spouse; 2) the service member elects to terminate his or her own SGLI coverage; 3) the service member dies; 4) the service member separates from service; or 5) the service member divorces the spouse. The insured spouse may convert his or her FSGLI coverage to a policy offered by participating private insurers within 120 days of the date of any of the termination events noted above.

**Veterans' Group Life Insurance**
SGLI may be converted to Veterans' Group Life Insurance (VGLI), which provides renewable term coverage to:

1. Veterans who had full-time SGLI coverage upon release from active duty or the reserves.
2. Members of the Ready Reserves/National Guard with part-time SGLI coverage who incur a disability or aggravate a pre-existing disability during a period of active duty or a period of inactive duty for less than 31 days that renders them uninsurable at standard premium rates.
3. Members of the Individual Ready Reserve and Inactive National Guard.

SGLI can be converted to VGLI up to the amount of coverage the service member had when separated from service. Veterans who submit an application and the initial premium within 120 days of leaving the service will be covered regardless of their health. Veterans who don't apply within this period can still convert to VGLI if they submit an application, pay the initial premium, and show evidence of insurability within one year after the end of the 120-day period.

Beginning on October 1, 2011, current VGLI policyholders who are under the age of 60 and are not insured by the maximum amount of VGLI as prescribed by law will have an opportunity to increase their VGLI coverage by $25,000, once every 5 years.

**SGLI Disability Extension**
Servicemembers who are totally disabled at the time of separation are eligible for free SGLI Disability Extension of up to two years. They must apply to the Office of Servicemembers' Group Life Insurance (OSGLI) at 80 Livingston Ave., Roseland, New Jersey 07068-1733.

Those covered under the SGLI Disability Extension are automatically converted to VGLI at the end of their extension period. VGLI is convertible at any time to a permanent plan policy with any participating commercial insurance company.

**Accelerated Death Benefits**
SGLI, FSGLI and VGLI policyholders who are terminally ill (prognosis of nine months or less to live) have a one-time option of requesting up to 50 percent of their coverage amount (in increments of $5,000) paid in advance.

**Service-Disabled Veterans' Insurance**
A veteran who was discharged under other than dishonorable conditions and who has a service-connected disability but is otherwise in good health may apply to VA for up to $10,000 in life insurance coverage under the Service-Disabled Veterans' Insurance (S-DVI) program. Applications must be submitted within two years from the date of being notified of the approval of a new service-connected disability by VA. This insurance is limited to veterans who left service on or after April 25, 1951.

Veterans who are totally disabled may apply for a waiver of premiums and additional supplemental insurance coverage of up to $20,000. Effective October 1, 2011, the supplemental insurance coverage will be increased to $30,000. However, premiums cannot be waived on the additional supplemental insurance. To be eligible for this type of supplemental insurance, veterans must meet all of the following three requirements:

1. Be under age 65.
2. Be eligible for a waiver of premiums due to total disability.
3. Apply for additional insurance within one year from the date of notification of waiver approval on the S-DVI policy.

## *Veterans' Mortgage Life Insurance*

Veterans' Mortgage Life Insurance (VMLI) is Mortgage Life Insurance (VMLI) is mortgage protection insurance available to severely disabled veterans who have been approved by VA for a Specially Adapted Housing Grant (SAH). Maximum coverage is the amount of the existing mortgage up to $90,000, and is payable only to the mortgage company. Effective October 1, 2011, maximum coverage will be increased to $150,000. The maximum coverage amount will increase again on January 1, 2012, to $200,000. Protection is issued automatically following SAH approval, provided the veteran submits information required to establish a premium and does not decline coverage. Coverage automatically terminates when the mortgage is paid off. If a mortgage is disposed of through sale of the property, VMLI may be obtained on the mortgage of another home.

## *Other Insurance Information*

The following information applies to policies issued to World War I, World War II, Korean, and Vietnam-era veterans and any Service-Disabled Veterans Insurance policies. Policies in this group are prefixed by the letters K, V, RS, W, J, JR, JS, or RH.

Insurance Dividends Issued Annually: World War I, World War II, and Korean-era veterans with active policies beginning with the letters V, RS, W, J, JR, JS, or K are issued tax-free dividends annually on the policy anniversary date. (Policies prefixed by RH do not earn dividends.) Policyholders do not need to apply for dividends, but may select from among the following dividend options:

1. Cash: The dividend is paid directly to the insured either by a mailed check or by direct deposit to a bank account.

2. Paid-Up Additional Insurance: The dividend is used to purchase additional insurance coverage.
3. Credit or Deposit: The dividend is held in an account for the policyholder with interest. Withdrawals from the account can be made at any time. The interest rate may be adjusted.
4. Net Premium Billing Options: These options use the dividend to pay the annual policy premium. If the dividend exceeds the premium, the policyholder has options to choose how the remainder is used. If the dividend is not enough to pay an annual premium, the policyholder is billed the balance.
5. Other Dividend Options: Dividends can also be used to repay a loan or pay premiums in advance.

**Reinstating Lapsed Insurance:** Lapsed term policies may be reinstated within five years from the date of lapse. A five-year term policy that is not lapsed at the end of the term is automatically renewed for an additional five years. Lapsed permanent plans may be reinstated within certain time limits and with certain health requirements. Reinstated permanent plan policies require repayment of all back premiums, plus interest.

**Converting Term Policies:** Term policies are renewed automatically every five years, with premiums increasing at each renewal. Premiums do not increase after age 70. Term policies may be converted to permanent plans, which have fixed premiums for life and earn cash and loan values.

**Paid-up Insurance Available on Term Policies:** Effective September 2000, VA provides paid-up insurance on term policies whose premiums have been capped. Veterans with National Service Life Insurance (NSLI) term insurance that has renewed at age 71 or older and who stop paying premiums on their policies will be given a termination dividend. This dividend will be used to purchase a reduced amount of paid-up insurance, which insures the veteran for life with no premium payments required. The amount of insurance remains level. This does not apply to S-DVI (RH) policies.

**Borrowing on Policies:** Policyholders with permanent plan policies may borrow up to 94 percent of the cash surrender value of their insurance after the insurance is in force for one year or more. Interest is compounded annually. The loan interest rate is variable and may be obtained by calling toll-free 1-800-669-8477.

# *Chapter 7*

# Burial and Memorial Benefits

### *Eligibility*

Veterans discharged from active duty under conditions other than dishonorable and service members who die while on active duty, active duty for training, or inactive duty training, as well as spouses and dependent children of Veterans and active duty servicemembers, may be eligible for VA burial and memorial benefits. The Veteran does not have to die before a spouse or dependent child for them to be eligible.

With certain exceptions, active duty service beginning after Sept. 7, 1980, as an enlisted person, and after Oct. 16, 1981, as an officer, must be for a minimum of 24 consecutive months or the full period of active duty (as in the case of reservists or National Guard members called to active duty for a limited duration). Active duty for training, by itself, while serving in the reserves or National Guard, is not sufficient to confer eligibility. Reservists and National Guard members, as well as their spouses and dependent children, are eligible if they were entitled to retired pay at the time of death, or would have been upon reaching requisite age. See Chapter 8 for more information.

VA's National Cemetery Scheduling Office or local national cemetery directors verify eligibility for burial. A copy of the Veteran's discharge document that specifies the period(s) of active duty and character of discharge is usually sufficient to determine eligibility. In some instances, a copy of the deceased's death certificate and proof of relationship to the Veteran (for eligible family members) may be required.

Under Section 2411 of Title 38 of the United States Code, certain otherwise eligible individuals found to have committed federal or state capital crimes are barred from burial or memorialization in a VA national cemetery, and from receipt of government-furnished headstones, markers, medallions, burial flags, and Presidential Memorial Certificates. Veterans and other claimants for VA burial benefits have the right to appeal decisions made by VA regarding eligibility

for national cemetery burial or other memorial benefits. Chapter 13 discusses the procedures for appealing VA claims. This chapter contains information on the full range of VA burial and memorial benefits. Readers with questions may contact the nearest national cemetery, listed by state in the VA Facilities section of this book, call 1-800-827-1000, or visit the Web site at www.cem.va.gov/.

## *Burial in VA National Cemeteries*

Burial in a VA national cemetery is available for eligible Veterans, their spouses and dependents at no cost to the family and includes the gravesite, grave-liner, opening and closing of the grave, a headstone or marker, and perpetual care as part of a national shrine. For Veterans, benefits also include a burial flag (with case for active duty) and military funeral honors. Family members and other loved ones of deceased Veterans may request Presidential Memorial Certificates.

VA operates 131 national cemeteries, of which 72 are open for new casketed interments and 18 are open to accept only cremated remains. Burial options are limited to those available at a specific cemetery but may include in-ground casket, or interment of cremated remains in a columbarium, in ground or in a scatter garden. Contact the national cemetery directly, or visit our Web site at: www.cem.va.gov/ to determine if a particular cemetery is open for new burials, and which other options are available.

The funeral director or the next of kin makes interment arrangements by contacting the National Cemetery Scheduling Office or, in some cases, the national cemetery in which burial is desired. VA normally does not conduct burials on weekends. Gravesites cannot be reserved; however, VA will honor reservations made under previous programs.

**Surviving spouses** of Veterans who died on or after Jan. 1, 2000, do not lose eligibility for burial in a national cemetery if they remarry. Burial of dependent children is limited to unmarried children under 21 years of age, or under 23 years of age if a full-time student at an approved educational institution. Unmarried adult children who become physically or mentally disabled and incapable of self-support before age 21, or age 23 if a full-time student, also are eligible for burial.

**Certain Eligible Parents**. A new federal law passed in 2010 (Public Law 111-275) extends burial benefits to certain parents of service-

members who die as a result of hostile activity or from training-related injuries who are buried in a national cemetery in a gravesite with available space. The biological or adopted parents of a servicemember who died in combat or while performing training in preparation for a combat mission, who leaves no surviving spouse or dependent child, may be buried with the deceased servicemember if the Secretary of Veterans Affairs determines that there is available space. The law applies to servicemembers who died on or after Oct. 7, 2001 and to parents who died on or after Oct. 13, 2010.

**Headstones, Markers and Medallions:** Veterans, active duty service members, and retired Reservists and National Guard service members, are eligible for an inscribed headstone or marker for their grave at any cemetery – national, State Veterans, or private. VA will deliver a headstone or marker at no cost, anywhere in the world. For eligible Veterans whose deaths occurred on or after Nov. 1, 1990, VA may provide a government headstone or marker even if the grave is already marked with a private one, or VA may provide a medallion instead of a headstone or marker for Veterans' graves in private cemeteries when the grave is already marked with a privately-purchased headstone or marker. Spouses and dependent children are eligible for a government headstone or marker only if they are buried in a national or State Veterans cemetery.

Flat markers are available in bronze, granite or marble. Upright headstones come in granite or marble. In national cemeteries, the style provided will be consistent with existing monuments at the place of burial. Niche markers are available to mark columbaria used for inurnment of cremated remains. Medallions are made of bronze and are available in three sizes: 5-inch, 3-inch, and 1 ½-inches.

Headstones, markers and medallions previously provided by the government may be replaced at the government's expense if badly deteriorated, illegible, vandalized or stolen. To check the status of a claim for a headstone or marker for placement in a national or State Veterans cemetery, call the cemetery. To check the status of one being placed in a private cemetery, call 1-800-697-6947.

**Inscription:** Headstones and markers must be inscribed with the name of the deceased, branch of service, and year of birth and death. They also may be inscribed with other optional information, including an authorized emblem of belief and, space permitting,

additional text including military rank; war service such as “World War II;” complete dates of birth and death; military awards; military organizations; civilian or Veteran affiliations; and personalized words of endearment.

**Private Cemeteries:** To submit a claim for a headstone, marker or medallion for a private cemetery, mail a completed VA Form 40-1330 (available at www4.va.gov/vaforms/va/pdf/VA40-1330.pdf), Application for Standard Government Headstone or Marker, and a copy of the Veteran’s military discharge document to Memorial Programs Service (41A1), Department of Veterans Affairs, 5109 Russell Rd., Quantico, VA 22134-3903. The form and supporting documents may also be faxed toll free to 1-800-455-7143.

Before ordering, check with the cemetery to ensure that the Government-furnished headstone or marker will be accepted. All installation fees are the responsibility of the applicant.

**“In Memory Of” Markers:** VA provides memorial headstones and markers with “In Memory Of” as the first line of inscription, to memorialize those whose remains have not been recovered or identified, were buried at sea, donated to science or cremated and scattered. Eligibility is the same as for regular headstones and markers. There is no fee when the “In Memory Of” marker is placed in a national cemetery. All installation fees at private cemeteries are the responsibility of the applicant.

**Medallions in Lieu of Government Headstone/Marker:** Public Law 110-157 enacted December 26, 2007, expanded VA authority to provide a medallion instead of a headstone or marker for Veterans’ graves in private cemeteries when the grave is already marked with a privately-purchased headstone or marker. Claimants will have the option to apply for either a traditional headstone or marker to place on the grave, or a medallion to affix to a privately-purchased headstone or marker. VA anticipates the medallion will be available during 2010. Current information regarding medallion availability is located at www.cem.va.gov.

**Presidential Memorial Certificates** are issued upon request to recognize the United States military service of honorably discharged deceased Veterans. Next of kin, relatives and other loved ones may apply for a certificate by mailing, e-mailing, or faxing a completed

and signed VA Form 40-0247 along with a copy of the Veteran's military discharge documents or proof of honorable military service. The form and eligibility requirements can be found at www.cem.va.gov. All requests must be sent with supporting military documents or proof of honorable military service.

**Burial Flags:** VA will furnish a U.S. burial flag to memorialize:

1. Veterans who served during wartime or after Jan. 31, 1955.
2. Veterans who were entitled to retired pay for service in the Reserve or National Guard, or would have been entitled if over age 60.
3. Members or former members of the Selected Reserve who served their initial obligation, or were discharged for a disability incurred or aggravated in the line of duty, or died while a member of the Selected Reserve.

The next of kin may apply for the flag at any VA regional office or U.S. Post Office by completing VA Form 21-2008, Application for United States Flag for Burial Purposes, available at http://vbaw.vba.va.gov/bl/20/cio/20s5/forms/VBA-21-2008-ARE.pdf. In most cases, a funeral director will help the family obtain the flag.

**Reimbursement of Burial Expenses:** VA will pay a burial allowance up to $2,000 if the Veteran's death is service-connected. In such cases, the person who bore the Veteran's burial expenses may claim reimbursement from VA.

In some cases, VA will pay the cost of transporting the remains of a Veteran whose death was service-connected to the nearest national cemetery with available gravesites. There is no time limit for filing reimbursement claims in service-connected death cases.

**Burial Allowance:** VA will pay a $300 burial and funeral allowance for Veterans who, at time of death, were entitled to receive pension or compensation or would have been entitled if they were not receiving military retirement pay. Eligibility also may be established when death occurs in a VA facility, a VA-contracted nursing home or a State Veterans nursing home. In cases in which the Veteran's death was not service-connected, claims must be filed within two years after burial or cremation.

**Plot Allowance:** VA will pay a plot allowance when a Veteran is

buried in a cemetery not under U.S. government jurisdiction if: the Veteran was discharged from active duty because of disability incurred or aggravated in the line of duty; the Veteran was receiving compensation or pension or would have been if the Veteran was not receiving military retired pay; or the Veteran died in a VA facility. The plot allowance may be paid to the state for the cost of a plot or interment in a state-owned cemetery reserved solely for Veteran burials if the Veteran is buried without charge. Burial expenses paid by the deceased's employer or a state agency will not be reimbursed.

**Military Funeral Honors:** Upon request, DoD will provide military funeral honors consisting of folding and presentation of the United States flag and the playing of "Taps." A funeral honors detail consists of two or more uniformed members of the armed forces, with at least one member from the deceased's branch of service.

Family members should inform their funeral director if they want military funeral honors. DoD maintains a toll-free number (1-877-MIL-HONR) for use by funeral directors only to request honors. VA can help arrange honors for burials at VA national cemeteries. Veterans service organizations or volunteer groups may help provide honors. For more information, visit www.militaryfuneralhonors.osd.mil/.

### *Veterans Cemeteries Administered by Other Agencies*

Arlington National Cemetery: Administered by the Department of the Army. Eligibility is more restrictive than at VA national cemeteries. For information, call (703) 607-8000, write Superintendent, Arlington National Cemetery, Arlington, VA 22211, or visit www.arlingtoncemetery.mil/.

**Department of the Interior:** Administers two active national cemeteries – Andersonville National Cemetery in Georgia and Andrew Johnson National Cemetery in Tennessee. Eligibility is similar to VA national cemeteries.

**State Veterans Cemeteries:** Seventy-nine State Veterans cemeteries offer burial options for Veterans and their families. These cemeteries have similar eligibility requirements but many require state residency. Some services, particularly for family members, may require a fee. Contact the State cemetery or State Veterans affairs office for information. To locate a State Veterans cemetery, visit www.cem.va.gov/cem/scg/lsvc.asp.

# Chapter 8

## Reserve and National Guard

### *Eligibility for VA Benefits*

Reservists who serve on active duty establish veteran status and may be eligible for the full-range of VA benefits, depending on the length of active military service and a discharge or release from active duty under conditions other than dishonorable. In addition, reservists not activated may qualify for some VA benefits.

National Guard members can establish eligibility for VA benefits if activated for federal service during a period of war or domestic emergency. Activation for other than federal service does not qualify guard members for all VA benefits. Claims for VA benefits based on federal service filed by members of the National Guard should include a copy of the military orders, presidential proclamation or executive order that clearly demonstrates the federal nature of the service.

### *Qualifying for VA Health Care*

Effective Jan. 28, 2008, veterans discharged from active duty on or after Jan. 28, 2003, are eligible for enhanced enrollment placement into Priority Group 6 (unless eligible for higher Priority Group placement) for 5 years post discharge. Veterans with combat service after Nov. 11, 1998, who were discharged from active duty before Jan. 28, 2003, and who apply for enrollment on or after Jan. 28, 2008, are eligible for this enhanced enrollment benefit through Jan. 27, 2011.

Activated reservists and members of the National Guard are eligible if they served on active duty in a theater of combat operations after Nov. 11, 1998, and, have been discharged under other than dishonorable conditions.

Veterans who enroll with VA under this “Combat Veteran” authority will retain enrollment eligibility even after their five-year post discharge period ends. At the end of their post discharge period, VA will reassess the veteran’s information (including all applicable eligibility factors) and make a new enrollment decision. For additional information, call 1-877-222-VETS (8387).

## Disability Benefits

VA pays monthly compensation benefits for disabilities incurred or aggravated during active duty and active duty for training as a result of injury or disease, and for disabilities due to injury, heart attack, or stroke that occurred during inactive duty training. For additional information see Chapter 2, “Veterans with Service-Connected Disabilities”.

## Montgomery GI Bill – Selected Reserve

Members of reserve elements of the Army, Navy, Air Force, Marine Corps and Coast Guard, and members of the Army National Guard and the Air National Guard, may be entitled to up to 36 months of educational benefits under the Montgomery GI Bill (MGIB) – Selected Reserve. To be eligible, the participant must:

1. Have a six-year obligation in the Selected Reserve or National Guard signed after June 30, 1985, or, if an officer, agree to serve six years in addition to the original obligation.
2. Complete initial active duty for training.
3. Have a high school diploma or equivalency certificate before applying for benefits.
4. Remain in good standing in a Selected Reserve or National Guard unit.

Reserve components determine eligibility for benefits. VA does not make decisions about eligibility and cannot make payments until the reserve component has determined eligibility and notified VA.

**Period of Eligibility:** Benefits generally end the day a reservist or National Guard member separates from the military. Additionally, if in the Selected Reserve and called to active duty, VA can generally extend the eligibility period by the length of time on active duty plus four months for each period of active duty. Once this extension is granted, it will not be taken away if you leave the Selected Reserve.

Eligible members separated because of unit deactivation, a disability that was not caused by misconduct, or otherwise involuntarily separated during Oct. 1, 1991, through Dec. 31, 2001, have 14 years after their eligibility date to use benefits. Similarly, members involuntarily separated from the Selected Reserve due to a deactivation of their unit between Oct. 1, 2007, and Sept. 30, 2014, may receive a 14-year period of eligibility.

**Payments:** The rate for full-time training effective Oct. 1, 2010, is

$337 a month for 36 months. Part-time benefits are reduced proportionately. For complete current rates, visit www.gibill.va.gov/. DOD may make additional contributions.

**Training:** Participants may pursue training at a college or university, or take technical training at any approved facility. Training includes undergraduate, graduate, or post-graduate courses; State licensure and certification; courses for a certificate or diploma from business, technical or vocational schools; cooperative training; apprenticeship or on-the-job training; correspondence courses; independent study programs; flight training; entrepreneurship training; remedial, deficiency or refresher courses needed to complete a program of study; or preparatory courses for tests required or used for admission to an institution of higher learning or graduate school.
Accelerated payments for certain high-cost programs are authorized effective Jan. 28, 2008.

Accelerated payments for certain high-cost programs are authorized effective Jan. 28, 2008.

**Work-Study:** Participants who train at the three-quarter or full-time rate may be eligible for a work-study program in which they work for VA and receive hourly wages. Students under the work-study program must be supervised by a VA employee and all duties performed must relate to VA. The types of work allowed include:

1. VA paperwork processing at schools or other training facilities.
2. Assistance with patient care at VA hospitals or domiciliary care facilities.
3. Work at national or state veterans' cemeteries.
4. Various jobs within any VA regional office.
5. Other VA-approved activities.

*MGIB – Selected Reserve work-study students may also assist with an activity relating to the administration of this education benefit at DOD, Coast Guard, or National Guard facilities.

**Educational and Vocational Counseling:** Refer to Chapter 10, "Transition Assistance", for detailed information on available services.

## *Reserve Educational Assistance Program (REAP)*

This program provides educational assistance to members of Nation-

al Guard and reserve components – Selected Reserve and Individual Ready Reserve (IRR) – who are called or ordered to active duty service in response to a war or national emergency as declared by the President or Congress. Visit www.gibill.va.gov/ for more information.

**Eligibility:** Eligibility is determined by DOD or the Department of Homeland Security. Generally, a servicemember who serves on active duty on or after Sept.11, 2001, for at least 90 consecutive days or accumulates a total of three or more of years of service is eligible.

**Payments:** Reserve or National Guard members whose eligibility is based upon continuous service receive a payment rate based upon their number of continuous days on active duty. Members who qualify after the accumulation of three or more years aggregate active duty service receive the full payment allowable.

## Reserve Educational Assistance Rates

| Active Duty Service | Monthly Payment Rate for Full-Time Students |
|---|---|
| 90 days but less than one year | $570.40 |
| One year but less than two years | $855.60 |
| Two or more continuous years | $1,140.80 |

* Effective Oct. 1, 2010

**Training:** Participants may pursue training at a college or university, or take technical training at any approved facility. Training includes undergraduate, graduate, or post-graduate courses; state licensure and certification courses; courses for a certificate or diploma from business, technical or vocational schools; cooperative training; apprenticeship or on-the-job training; correspondence courses; independent study programs; flight training; entrepreneurship training; remedial, deficiency, or refresher courses needed to complete a program of study; or preparatory courses for tests required or used for admission to an institution of higher learning or graduate school. Accelerated payments for certain high-cost programs are authorized.

**Period of Eligibility:** Prior to Jan. 28, 2008, members of the Selected Reserve called to active duty were eligible as long as they continued to serve in the Selected Reserve. They lost eligibility if they went into the Inactive Ready Reserve (IRR). Members of the

IRR called to active duty were eligible as long as they stayed in the IRR or Selected Reserve.

Effective Jan. 28, 2008, members who are called up from the Selected Reserve, complete their REAP-qualifying period of active duty service, and then return to the Selected Reserve for the remainder of their service contract, have 10 years to use their benefits after separation.

In addition, members who are called up from the IRR or Inactive National Guard (ING), complete their REAP-qualifying period of active duty service, and then enter the Selected Reserve to complete their service contract, have 10 years to use their benefits after separation.

**Work-Study Program:** Reserve Education Assistance Program students in the work-study program may also assist with an activity relating to the administration of this education benefit at DOD, Coast Guard, or National Guard facilities.

**Educational and Vocational Counseling:** Refer to Chapter 10, "Transition Assistance", for detailed information on available services.

## *Home Loan Guaranty*

National Guard members and reservists are eligible for a VA home loan if they have completed at least six years of honorable service, are mobilized for active duty service for a period of at least 90 days, or are discharged because of a service-connected disability.

Reservists who do not qualify for VA housing loan benefits may be eligible for loans on favorable terms insured by the Federal Housing Administration (FHA), part of HUD. Additional information can be found in Chapter 5 -- "Home Loan Guaranty."

## *Life Insurance*

National Guard members and reservists are eligible to receive Servicemembers' Group Life Insurance (SGLI), Veterans' Group Life Insurance (VGLI), and Family Servicemembers' Group Life Insurance (FSGLI). They may also be eligible for SGLI Traumatic Injury Protection if severely injured and suffering a qualifying loss, Service-Disabled Veterans Insurance if they receive a service-connected disability rating from VA, and Veterans' Mortgage Life Insurance if

approved for a Specially Adapted Housing Grant.
Complete details can be found in Chapter 6 -- “VA Life Insurance.”

### *Burial and Memorial Benefits*

VA provides a burial flag to memorialize members or former members of the Selected Reserve who served their initial obligation, or were discharged for a disability incurred or aggravated in the line of duty, or died while a member of the Selected Reserve. Information about other benefits that may be available can be found in Chapter 7 – “Burial and Memorial Benefits.”

### *Re-employment Rights*

A person who left a civilian job to enter active duty in the armed forces is entitled to return to the job after discharge or release from active duty if they:

1. Gave advance notice of military service to the employer.
2. Did not exceed five years cumulative absence from the civilian job (with some exceptions).
3. Submitted a timely application for re-employment.
4. Did not receive a dishonorable or other punitive discharge.

The law calls for a returning veteran to be placed in the job as if he/she had never left, including benefits based on seniority such as pensions, pay increases and promotions. The law also prohibits discrimination in hiring, promotion or other advantages of employment on the basis of military service. Veterans seeking re-employment should apply, verbally or in writing, to the company’s hiring official and keep a record of their application. If problems arise, contact the Department of Labor’s Veterans’ Employment and Training Service (VETS) in the state of the employer.

Federal employees not properly re-employed may appeal directly to the Merit Systems Protection Board. Non-federal employees may file complaints in U.S. District Court. For information, visit www.dol.gov/vets/programs/userra/main.htm.

## National Guard and VA Partnership to Assist Veterans

The Transition Assistance Advisor (TAA) program within the National Guard (NG) Office of Warrior Support places a NG/VA trained expert at the NG Headquarters in each of the 50 states and PR, GU, VI and

District of Columbia, as an advocate for Guard members and their families as well as other geographically dispersed military members and families. In collaboration with state directors of Veterans Affairs and other state and local coalition partners, the Transition Assistance Advisor provides enrollment, referrals and facilitates access for Veterans through the overwhelming maze of programs, with the compassion of someone who knows what it's like to transition from Guard to active duty and to civilian status.

Transition Assistance Advisors receive annual training by VA experts in VA health care and benefits to assist Guard members and their families' to access to VA health care facilities and TRICARE facilities in their network. To find a local Transition Assistance Advisor call 1 877 577-6691 or go to http://www.taapmo.com/TAAprogram.htm

## *Outreach for OEF/OIF (New Dawn) Veterans*

VA's OEF/OIF New Dawn Outreach Teams focus on improving outreach to members of the National Guard and Reserve by engaging Guard members throughout the deployment cycle with targeted messages and face-to-face encounters with VA staff. These Teams are located at VA Medical Centers to help ease the transition from military to civilian life. Cost-free VA health care and medications may be provided for conditions potentially related to combat service, including full access to VA's medical benefits package. To learn more, visit www.oefoif.va.gov .

When separating from active service, OEF/OIF veterans are eligible for a one-time dental evaluation and treatment, if the veteran did not have any dental treatment in theater. Veterans must call to request a dental appointment within the first 180 days post separation from active duty.

A full list of facilities can be found beginning on page 123 of this guide. Veterans can also call the toll-free OEF/OIF New Dawn Help Line at 1-866-606-8216 for answers to questions about VA benefits, health care and enrollment procedures.

# *Chapter 9*

# Special Groups of Veterans

## Homeless Veterans

VA's homeless programs constitute the largest integrated network of homeless assistance programs in the country, offering a wide array of services to help veterans recover from homelessness and live as self-sufficiently and independently as possible.

The ***VA Health Care for Homeless Veterans (HCHV) Program*** provides a gateway to VA and community supportive services for eligible Veterans. Through the HCHV Program, Veterans are provided with case management and residential treatment in the community. The program also conducts outreach to homeless Veterans who are not likely to come to VA facilities on their own.

The **National Call Center for Homeless Veterans** (NCCHV) assists homeless veterans, at-risk Veterans, their families and other interested parties with linkages to appropriate VA and community-based resources. The call center provides trained VA staff members 24 hours a day, seven days a week that assess a caller's needs and connect them to appropriate resources. The call center can be accessed by dialing 1-877-4AID VET (1-877-424-3838).

The **VA Grant and Per Diem (GPD) Program** provides funds to non-profit community agencies providing transitional housing (up to 24 months) and/or offering services to homeless veterans, such as case management, education, crisis intervention, counseling, and services targeted towards specialized populations including homeless women Veterans. The goal of the program is helping homeless Veterans achieve residential stability, increase their skill levels and/or income, and obtain greater self-determination.

The **Housing and Urban Development-Veterans Affairs Supported Housing** (HUD-VASH) Program provides permanent housing and ongoing case management for eligible homeless veterans who would not be able to live independently without the support of case management. This program allows eligible veterans to live in veteran-selected housing units with a "Housing Choice" voucher. These vouchers are portable to support the veteran's choice of housing in

communities served by their VA medical facility where case management services can be provided. HUD-VASH services include outreach and case management to ensure integration of services and continuity of care. This program enhances the ability of VA to serve homeless women veterans, and homeless veterans with families.

Through the **Supportive Services for Low-Income Veterans Program**, VA aims to improve very low-income Veteran families' housing stability by providing supportive services to very low-income Veteran families in or transitioning to permanent housing. VA funds community-based organizations to provide eligible Veteran families with outreach, case management and assistance in obtaining VA and other benefits. Grantees may also provide time-limited payments to third parties (e.g., landlords, utility companies, moving companies and licensed child care providers) if these payments help Veterans' families stay in or acquire permanent housing on a sustainable basis.

In **VA's Compensated Work Therapy/Transitional Residence** (CWT/TR) Program, disadvantaged, at-risk, and homeless Veterans live in CWT/TR community-based supervised group homes while working for pay in VA's CWT Program, to learn new job skills, relearn successful work habits, and regain a sense of self-esteem and self-worth.

The **Healthcare for Re-Entry Veterans (HCRV) Program** offers outreach, referrals and short-term case management assistance for incarcerated veterans who may be at risk for homelessness upon their release.

For more information on VA homeless programs and services, Veterans currently enrolled in VA health care can speak with their VA mental health or health care provider. Other Veterans and interested parties can find a complete list of VA health care facilities at www.va.gov, or they can call VA's general information hotline at 1-800-827-1000. If assistance is needed when contacting a VA facility, ask to speak to the Health Care for Homeless Veterans Program or the Mental Health service manager. Information is also available on the VA Homeless program Web-site at www.va.gov/homeless.

## *Filipino Veterans*

World War II era Filipino veterans are eligible for certain VA benefits. Generally, Old Philippine Scouts are eligible for VA benefits in the

same manner as U.S. veterans. Commonwealth Army veterans, including certain organized Filipino guerrilla forces and New Philippine Scouts residing in the United States who are citizens or lawfully admitted for permanent residence, are also eligible for VA health care in the United States on the same basis as U.S. veterans.

Certain Commonwealth Army veterans and new Philippine Scouts may be eligible for disability compensation and burial benefits. Other veterans of recognized guerrilla groups also may be eligible for certain VA benefits. Survivors of World War II era Filipino veterans may be eligible for dependency and indemnity compensation. Eligibility and the rates of benefits vary based on the recipient's citizenship and place of residence. Call 1-800-827-1000 for additional information.

## *VA Benefits for Veterans Living Overseas*

VA monetary benefits, including disability compensation, pension, educational benefits, and burial allowances are generally payable overseas. Some programs are restricted. Home loan guaranties are available only in the United States and selected U.S. territories and possessions. Educational benefits are limited to approved, degree-granting programs in institutions of higher learning. Beneficiaries living in foreign countries should contact the nearest American embassy or consulate for help. In Canada, contact an office of Veterans Affairs Canada. For information, visit http://www.vba.va.gov/bln/21/Foreign/index.htm.

## *World War II Era Merchant Marine Seamen*

Certain Merchant Marine seamen who served in World War II may qualify for veterans benefits. When applying for medical care, seamen must present their discharge certificate from the Department of Defense. Call 1-800-827-1000 for help obtaining a certificate.

## *Allied Veterans Who Served During WWI or WWII*

VA may provide medical care to certain veterans of nations allied or associated with the United States during World War I or World War II if authorized and reimbursed by the foreign government. VA also may provide hospitalization, outpatient care and domiciliary care to former members of the armed forces of Czechoslovakia or Poland who fought in World War I or World War II in armed conflict against an enemy of the United States if they have been U.S. citizens for at least 10 years.

**World War Service by Particular Groups**

A number of groups who provided military-related service to the United States can receive VA benefits. A discharge by the Secretary of Defense is needed to qualify. Service in the following groups has been certified as active military service for benefits purposes:

1. Women Air Force Service Pilots (WASPs).
2. World War I Signal Corps Female Telephone Operators Unit.
3. World War I Engineer Field Clerks.
4. Women's Army Auxiliary Corps (WAAC).
5. Quartermaster Corps female clerical employees serving with the American Expeditionary Forces in World War I.
6. Civilian employees of Pacific naval air bases who actively participated in defense of Wake Island during World War II.
7. Reconstruction aides and dietitians in World War I.
8. Male civilian ferry pilots.
9. Wake Island defenders from Guam.
10. Civilian personnel assigned to OSS secret intelligence.
11. Guam Combat Patrol.
12. Quartermaster Corps members of the Keswick crew on Corregidor during World War II.
13. U.S. civilians who participated in the defense of Bataan.
14. U.S. merchant seamen on block ships in support of Operation Mulberry in the World War II invasion of Normandy.
15. American merchant marines in oceangoing service during World War II.
16. Civilian Navy IFF radar technicians who served in combat areas of the Pacific during World War II.
17. U.S. civilians of the American Field Service who served overseas in World War I.
18. U.S. civilians of the American Field Service who served overseas under U.S. armies and U.S. army groups in World War II.
19. U.S. civilian employees of American Airlines who served overseas in a contract with the Air Transport Command between Dec. 14, 1941, and Aug. 14, 1945.
20. Civilian crewmen of U.S. Coast and Geodetic Survey vessels who served in areas of immediate military hazard while conducting cooperative operations with and for the U.S. armed forces between Dec. 7, 1941, and Aug. 15, 1945 Qualifying vessels are: the Derickson, Explorer, Gilber, Hilgard, E. Lester Jones, Lydonia Patton, Surveyor, Wainwright, Westdahl, Oceanographer, Hydrographer and

Pathfinder.

21. Members of the American Volunteer Group (Flying Tigers) who served between Dec. 7, 1941, and July 18, 1942.
22. U.S. civilian flight crew and aviation ground support employees of United Air Lines who served overseas in a contract with Air Transport Command between Dec. 14, 1941, and Aug.14, 1945.
23. U.S. civilian flight crew, including pursers, and aviation ground support employees of Transcontinental and Western Air, Inc. who served overseas in a contract with the Air Transport Command between Dec. 14, 1941, and Aug. 14, 1945.
24. U.S. civilian flight crew and aviation ground support employees of Consolidated Vultee Aircraft Corp. who served overseas in a contract with Air Transport Command between Dec. 14, 1941, and Aug. 14, 1945.
25. U.S. civilian flight crew and aviation ground support employees of Pan American World Airways and its subsidiaries and affiliates, who served overseas in a contract with the Air Transport Command and Naval Air Transport Service between Dec. 14, 1941, and Aug. 14, 1945.
26. Honorably discharged members of the American Volunteer Guard, Eritrea Service Command, between June 21, 1942, and March 31, 1943.
27. U.S. civilian flight crew and aviation ground support employees of Northwest Airlines who served overseas under the airline's contract with Air Transport Command from Dec. 14, 1941, through Aug. 14, 1945.
28. U.S. civilian female employees of the U.S. Army Nurse Corps who served in the defense of Bataan and Corregidor between Jan. 2, 1942, and Feb. 3, 1945.
29. U.S. flight crew and aviation ground support employees of Northeast Airlines Atlantic Division, who served overseas as a result of Northeast Airlines' contract with the Air Transport Command from Dec. 7, 1941, through Aug. 14, 1945.
30. U.S. civilian flight crew and aviation ground support employees of Braniff Airways, who served overseas in the North Atlantic or under the jurisdiction of the North Atlantic Wing, Air Transport Command, as a result of a contract with the Air Transport Command between Feb. 26, 1945, and Aug. 14, 1945.
31. Chamorro and Carolina former native police who received

military training in the Donnal area of central Saipan and were placed under command of Lt. Casino of the 6th Provisional Military Police Battalion to accompany U.S. Marines on active, combat patrol from Aug. 19, 1945, to Sept. 2, 1945.

32. Three scouts/guides, Miguel Tenorio, Penedicto Taisacan, and Cristino Dela Cruz, who assisted the United States Marines in the offensive operations against the Japanese on the Northern Mariana Islands from June 19, 1944, through September 2, 1945.
33. The operational Analysis Group of the Office of Scientific Research and Development, Office of Emergency Management, which served overseas with the U.S. Army Air Corps from Dec. 7, 1941, through Aug. 15, 1945.
34. Service as a member of the Alaska Territorial Guard during World War II or any individual who was honorably discharged under section 8147 of the Department of Defense Appropriations Act of 2001.

## Incarcerated Veterans

VA benefits are affected if a beneficiary is convicted of a felony and imprisoned for more than 60 days. Disability or death pension paid to an incarcerated beneficiary must be discontinued. Disability compensation paid to an incarcerated veteran rated 20 percent or more disabled is limited to the 10 percent rate. For a veteran whose disability rating is 10 percent, the payment is reduced to half of the rate payable to a veteran evaluated as 10 percent disabled.

Any amounts not paid may be apportioned to eligible dependents. Payments are not reduced for participants in work-release programs, residing in halfway houses or under community control.

Failure to notify VA of a veteran's incarceration can result in overpayment of benefits and the subsequent loss of all VA financial benefits until the overpayment is recovered. VA benefits will not be provided to any veteran or dependent wanted for an outstanding felony warrant.

The Healthcare for Reentry Veterans Program (HCRV) offers outreach to veterans incarcerated in state and federal prisons, and referrals and short-term case management assistance upon release from prison. The Veterans Justice Outreach Program (VJO) offers

outreach and case management to veterans involved in law enforcement encounters, overseen by treatment courts, and incarcerated in local jails. Visit http://www.va.gov/HOMELESS/VJO.asp .

# *Chapter 10*

# Transition Assistance

## *Joint Transition Assistance*

The Departments of Veterans Affairs, Defense, and Labor re-launched a new and improved Web site for wounded warriors – the National Resource Directory (NRD). This directory (www.nationalresourcedirectory.gov) provides access to thousands of services and resources at the national, state and local levels to support recovery, rehabilitation and community reintegration. The NRD is a comprehensive online tool available nationwide for wounded, ill and injured servicemembers, Veterans and their families.

The NRD includes extensive information for Veterans seeking resources on VA benefits, including disability benefits, pensions for Veterans and their families, VA health care insurance and the GI Bill. The NRD's design and interface is simple, easy-to-navigate and intended to answer the needs of a broad audience of users within the military, Veteran and caregiver communities.

## *Transition From Military to VA*

VA has stationed personnel at major military hospitals to help seriously injured servicemembers returning from Operations Enduring Freedom and Iraqi Freedom (OEF/OIF) as they transition from military to civilian life. OEF/OIF servicemembers who have questions about VA benefits or need assistance in filing a VA claim or accessing services can contact the nearest VA office or call 1-800-827-1000.

**eBenefits**

The eBenefits portal (www.ebenefits.va.gov) is a joint VA and DoD project that provides veterans, servicemembers, their families, and caregivers with self-service access to online benefits-related tools and information.

eBenefits is a "one-stop shop" for benefit applications, benefits information, and access to personal information, such as official military personnel documents. The portal provides two main services. It is a catalog of links to information on other websites about military and

veterans benefits, and it provides a personalized workspace called My eBenefits, which gives quick access to all the online tools currently integrated into eBenefits.

Registered users can complete various tasks, including the following:

- apply for benefits
- download the DD Form 214, Certificate of Release or Discharge from Active Duty
- see the status of their disability compensation claims
- view payments
- update direct deposit information for certain benefits
- obtain a VA-guaranteed home loan Certificate of Eligibility

**Transition Assistance Program**
The Transition Assistance Program (TAP) consists of comprehensive three-day workshops at military installations designed to help servicemembers as they transition from military to civilian life. The program includes job search, employment and training information, as well as VA benefits information, for servicemembers who are within 12 months of separation or 24 months of retirement. A companion workshop, the Disabled Transition Assistance Program, provides information on VA's Vocational Rehabilitation and Employment Program, as well as other programs for the disabled. Additional information about these programs is available at www.dol.gov/vets/programs/tap/tap_fs.htm.

**Pre-Discharge Program**
The Pre-Discharge Program is a joint VA and DoD program that affords servicemembers the opportunity to file claims for disability compensation and other benefits up to 180 days prior to separation or retirement.

The two primary components of the Pre-Discharge Program, Benefits Delivery at Discharge (BDD) and Quick Start, may be utilized by separating and retiring servicemembers on active duty, including members of the Coast Guard, and members of the National Guard and Reserves in CONUS and some overseas locations (activated under Titles 10 or 32).

BDD is offered to accelerate receipt of VA disability benefits, with a goal of providing benefits within 60 days after release or discharge

from active duty.

To participate in the BDD program, servicemembers must:

1. have at least 60 days, but not more than 180 days, remaining on active duty.
2. have a known date of separation or retirement.
3. provide VA with service treatment records, originals or photocopies.
4. be available to complete all necessary examinations prior to leaving the point of separation.

Quick Start is offered to servicemembers who have less than 60 days remaining on active duty or are unable to complete the necessary examinations prior to leaving the point of separation.

To participate in the Quick Start Program, servicemembers must:

1. have at least one day remaining on active duty.
2. have a known date of separation or retirement.
3. provide VA with service treatment records, originals or photocopies.

Servicemembers should contact the local Transition Assistance Office or Army Career Alumni Program Center to schedule appointments to attend VA benefits briefings and learn how to initiate a predischarge claim. Servicemembers can obtain more information by calling VA toll-free at 1-800-827-1000 or by visiting www.vba.va.gov/predischarge.

## *Federal Recovery Coordination Program*

The Federal Recovery Coordination Program, a joint program of DOD and VA, helps coordinate and access federal, state and local programs, benefits and services for seriously wounded, ill, and injured Service Members, and their families through recovery, rehabilitation, and reintegration into the community.

Federal Recovery Coordinators (FRCs) have the delegated authority for oversight and coordination of the clinical and non-clinical care identified in each client's Federal Individual Recovery Plan (FIRP). Working with a variety of case managers, FRCs assist their clients in reaching their FIRP goals. FRCs remain with their clients as long as they are needed regardless of the client's location, duty or health status. In doing so, they often serve as the central point of contact

and provide transition support for their clients.

### *Military Services Provide Pre-Separation Counseling*

Servicemembers may receive pre-separation counseling 24 months prior to retirement or 12 months prior to separation from active duty. These sessions present information on education, training, employment assistance, National Guard and reserve programs, medical benefits, and financial assistance.

### *Verification of Military Experience and Training*

The Verification of Military Experience and Training (VMET) Document, DD Form 2586, helps servicemembers verify previous experience and training to potential employers, negotiate credits at schools, and obtain certificates or licenses. VMET documents are available only through Army, Navy, Air Force and Marine Corps Transition Support Offices and are intended for servicemembers who have at least six months of active service. Servicemembers should obtain VMET documents from their Transition Support Office within 12 months of separation or 24 months of retirement.

### *Transition Bulletin Board*

To find business opportunities, a calendar of transition seminars, job fairs, information on veterans associations, transition services, training and education opportunities, as well as other announcements, visit the Web site at www.turbotap.org

### *DOD Transportal*

To find locations and phone numbers of all Transition Assistance Offices as well as mini-courses on conducting successful job-search campaigns, writing resumes, using the Internet to find a job, and links to job search and recruiting Web sites, visit the DOD Transportal at www.veteranprograms.com/index.html

### *Educational and Vocational Counseling*

The Vocational Rehabilitation and Employment (VR&E) Program provides educational and vocational counseling to servicemembers, veterans, and certain dependents (U.S.C. Title 38, Section 3697) at no charge. These counseling services are designed to help an individual choose a vocational direction, determine the course needed to achieve the chosen goal, and evaluate the career possibilities open

to them.

Assistance may include interest and aptitude testing, occupational exploration, setting occupational goals, locating the right type of training program, and exploring educational or training facilities which can be utilized to achieve an occupational goal.

Counseling services include, but are not limited to, educational and vocational counseling and guidance; testing; analysis of and recommendations to improve job-marketing skills; identification of employment, training, and financial aid resources; and referrals to other agencies providing these services.

**Eligibility:** Educational and vocational counseling services are available during the period the individual is on active duty with the armed forces and is within 180 days of the estimated date of his or her discharge or release from active duty. The projected discharge must be under conditions other than dishonorable.

Servicemembers are eligible even if they are only considering whether or not they will continue as members of the armed forces. Veterans are eligible if not more than one year has elapsed since the date they were last discharged or released from active duty. Individuals who are eligible for VA education benefits may receive educational and vocational counseling at any time during their eligibility period. This service is based on having eligibility for a VA program such as Chapter 30 (Montgomery GI Bill); Chapter 31 (Vocational Rehabilitation and Employment); Chapter 32 (Veterans Education Assistance Program – VEAP); Chapter 33 (Post-9/11 GI Bill); Chapter 35 (Dependents' Education Assistance Program) for certain spouses and dependent children; Chapter 18 (Spina Bifida Program) for certain dependent children; and Chapter 1606 and 1607 of Title 10.

Veterans and servicemembers may apply for counseling services using VA Form 28-8832, Application for Counseling. Veterans and servicemembers may also write a letter expressing a desire for counseling services.

Upon receipt of either type of request for counseling from an eligible individual, an appointment for counseling will be scheduled. Counseling services are provided to eligible persons at no charge.

## Veterans' Workforce Investment Program

Recently separated veterans and those with service-connected disabilities, significant barriers to employment or who served on active duty during a period in which a campaign or expedition badge was authorized can contact the nearest state employment office for employment help through the Veterans Workforce Investment Program. The program may be conducted through state or local public agencies, community organizations or private, nonprofit organizations.

## State Employment Services

Veterans can find employment information, education and training opportunities, job counseling, job search workshops, and resume preparation assistance at state Workforce Career or One-Stop Centers. These offices also have specialists to help disabled veterans find employment.

## Unemployment Compensation

Veterans who do not begin civilian employment immediately after leaving military service may receive weekly unemployment compensation for a limited time. The amount and duration of payments are determined by individual states. Apply by contacting the nearest state employment office listed in your local telephone directory.

## Veterans Preference for Federal Jobs

Since the time of the Civil War, veterans of the U.S. armed forces have been given some degree of preference in appointments to federal jobs. Veterans' preference in its present form comes from the Veterans' Preference Act of 1944, as amended, and now codified in Title 5, United States Code. By law, veterans who are disabled or who served on active duty in the U.S. armed forces during certain specified time periods or in military campaigns are entitled to preference over others when hiring from competitive lists of eligible candidates, and also in retention during a reduction in force (RIF).

To receive preference, a veteran must have been discharged or released from active duty in the U.S. armed forces under honorable conditions (honorable or general discharge). Preference is also provided for certain widows and widowers of deceased veterans who died in service; spouses of service-connected disabled veterans; and mothers of veterans who died under honorable conditions on active

duty or have permanent and total service-connected disabilities. For each of these preferences, there are specific criteria that must be met in order to be eligible to receive the veterans' preference.

Recent changes in Title 5 clarify veterans' preference eligibility criteria for National Guard and Reserve members. Veterans eligible for preference include National Guard and Reserve members who served on active duty as defined by Title 38 at any time in the armed forces for a period of more than 180 consecutive days, any part of which occurred during the period beginning on Sept.11, 2001, and ending on the date prescribed by Presidential proclamation or by law as the last date of OEF/OIF. The National Guard and Reserve service members must have been discharged or released from active duty in the armed forces under honorable conditions.

Another recent change involves veterans who earned the Global War on Terrorism Expeditionary Medal for service in OEF/OIF. Under Title 5, service on active duty in the armed forces during a war or in a campaign or expedition for which a campaign badge has been authorized also qualifies for veterans' preference. Any Armed Forces Expeditionary medal or campaign badge qualifies for preference. Medal holders must have served continuously for 24 months or the full period called or ordered to active duty.

As of December 2005, veterans who received the Global War on Terrorism Expeditionary Medal are entitled to veterans' preference if otherwise eligible. For additional information, visit the Office of Personnel Management (OPM) Web site at www.opm.gov/veterans/html/vetguide.asp#2.

Veterans' preference does not require an agency to use any particular appointment process. Agencies can pick candidates from a number of different special hiring authorities or through a variety of different sources. For example, the agency can reinstate a former federal employee, transfer someone from another agency, reassign someone from within the agency, make a selection under merit promotion procedures or through open, competitive exams, or appoint someone noncompetitively under special authority such as a Veterans Readjustment Appointment or special authority for 30 percent or more disabled veterans. The decision on which hiring authority the agency desires to use rests solely with the agency.

When applying for federal jobs, eligible veterans should claim preference on their application or resume. Veterans should apply for a federal job by contacting the personnel office at the agency in which they wish to work. For more information, visit www.usajobs.opm.gov/ for job openings or help creating a federal resume.

**Veterans' Employment Opportunities Act:** When an agency accepts applications from outside its own workforce, the Veterans' Employment Opportunities Act of 1998 allows preference eligible candidates or veterans to compete for these vacancies under merit promotion procedures.

Veterans who are selected are given career or career-conditional appointments. Veterans are those who have been separated under honorable conditions from the U.S. armed forces with three or more years of continuous active service. For information, visit www.usajobs.opm.gov or www.fedshirevets.gov.

**Veterans' Recruitment Appointment:** Allows federal agencies to appoint eligible veterans to jobs without competition. These appointments can be converted to career or career-conditional positions after two years of satisfactory work. Veterans should apply directly to the agency where they wish to work. For information,www.fedshirevets.gov/.

## *Small Businesses*

VA's Center for Veterans Enterprise helps veterans interested in forming or expanding small businesses and helps VA contracting offices identify veteran-owned small businesses. For information, write the U.S. Department of Veterans Affairs (OOVE), 810 Vermont Avenue, N.W., Washington, DC 20420-0001, call toll-free 1-866-584-2344 or visit www.vetbiz.gov/.

**Small Business Contracts:** Like other federal agencies, VA is required to place a portion of its contracts and purchases with small and disadvantaged businesses. VA has a special office to help small and disadvantaged businesses get information on VA acquisition opportunities. For information, write the U.S. Department of Veterans Affairs (OOSB), 810 Vermont Avenue, N.W., Washington, DC 20420-0001, call toll-free 1-800-949-8387 or visit www.va.gov/osdbu/.

# *Chapter 11*

# Dependents and Survivors Health Care

**Health Care Benefits**
Under the Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA), certain dependents and survivors can receive reimbursement for most medical expenses – inpatient, outpatient, mental health, prescription medication, skilled nursing care and durable medical equipment.

**Eligibility:** To be eligible for CHAMPVA, an individual cannot be eligible for TRICARE (the medical program for civilian dependents provided by DoD) and must be one of the following:
1. The spouse or child of a Veteran whom VA has rated permanently and totally disabled due to a service-connected disability.
2. The surviving spouse or child of a Veteran who died from a VA-rated service-connected disability, or who, at the time of death, was rated permanently and totally disabled.
3. The surviving spouse or child of a Veteran who died on active duty service and in the line of duty, not due to misconduct. However, in most of these cases, these family members are eligible for TRICARE, not CHAMPVA.

A surviving spouse under age 55 who remarries loses CHAMPVA eligibility on midnight of the date of remarriage. He/she may re-establish eligibility if the remarriage ends by death, divorce or annulment effective the first day of the month following the termination of the remarriage or Dec. 1, 1999, whichever is later. A surviving spouse who remarries after age 55 does not lose eligibility upon remarriage.

For those who have Medicare entitlement, CHAMPVA is secondary payer to Medicare. For additional information, contact the VA Health Administration Center, CHAMPVA, P.O. Box 469028, Denver, CO 80246, call 1-800-733-8387 or visit the Web site at www.va.gov/hac/forbeneficiaries/champva/champva.asp.

Many VA health care facilities provide services to CHAMPVA beneficiaries under the CHAMPVA In-house Treatment Initiative (CITI)

program. Contact the nearest VA health care facility to determine if it participates. Those who use a CITI facility incur no cost for services; however, services are provided on a space-available basis, after the needs of Veterans are met. Not all services are available at all times. The coverage of services is dependent upon the CHAMPVA benefit coverage. CHAMPVA beneficiaries who are covered by Medicare cannot use CITI.

**Children Born with Spina Bifida to Certain Vietnam or Korean Veterans:** Program (SB) is a comprehensive health care benefits program administered by the Department of Veterans Affairs for birth children of certain Vietnam and Korea Veterans who have been diagnosed with spina bifida (except spina bifida occulta). The SB program provides reimbursement for medical services, pharmacy, durable medical equipment, and supplies. Effective October 10, 2008, Public Law 110-387, Section 408, expanded the coverage of health care benefits beyond the spina bifida condition. The VA's Health Administration Center in Denver, Colorado, manages the SB Program, including the authorization of benefits and the subsequent processing and payment of claims. For more information about spina bifida health care benefits, call 1-888-820-1756 or visit the Web site at www.va.gov/hac/forbeneficiaries/spina/spina.asp

**Eligibility:** To be eligible for the SB Program, you must be eligible for a monetary award under the Veterans Benefit Administration (VBA). The Denver VA Regional Office makes determination regarding this entitlement. The VBA notifies the VA Health Administration Center after an award is made and the eligible child is enrolled in SB.

**Children of Women Vietnam Veterans (CWVV) Born with Certain Birth Defects:** The CWVV Health Care Program is a federal health benefits program administered by the Department of Veterans Affairs for children of women Vietnam Veterans born with certain birth defects. The CWVV Program provides reimbursement for medical care related to covered birth defects and conditions associated with the covered birth defect except for spina bifida. For more information about benefits for children with birth defects, call 1-888-820-1756 or visit the Web site at www.va.gov/hac/forbeneficiaries and select Spina Bifida/Children of Women Vietnam Veterans (CWVV.)

**Eligibility:** To be eligible for the CWVV Program, you must have received an award under VBA. The Denver VA Regional Office makes

determination regarding this entitlement. The VBA notifies the VA Health Administration Center after an award is made and the eligible child is enrolled in CWVV.

## *Bereavement Counseling*

VA Vet Centers provide bereavement counseling to all family members including spouses, children, parents, and siblings of servicemembers who die while on active duty. This includes federally activated members of the National Guard and reserve components. Bereavement services may be accessed by calling (202) 461-6530.

**Bereavement Counseling related to Veterans:** Bereavement counseling is available through any Veterans Health Administration medical center to immediate family members of veterans who die unexpectedly or while participating in a VA hospice or similar program, as long as the immediate family members had been receiving family support services in connection with or in furtherance of the veteran's treatment. (In other cases, bereavement counseling is available to the veteran's legal guardian or the individual with whom the veteran had certified an intention to live, as long as the guardian or individual had been receiving covered family support services.) This bereavement counseling is of limited duration and may only be authorized up to 60 days. However, VA medical center directors have authority to approve a longer period of time when medically indicated. Contact the Social Work Service at your closest VA Medical Center to access bereavement counseling services.

# *Chapter 12*

# Dependents and Survivors Benefits

**Death Gratuity Payment**
Military services provide payment, called a death gratuity, in the amount of $100,000 to the next of kin of servicemembers who die while on active duty (including those who die within 120 days of separation) as a result of service-connected injury or illness.

If there is no surviving spouse or child, then parents or siblings designated as next of kin by the servicemember may be provided the payment. The payment is made by the last military command of the deceased. If the beneficiary is not paid automatically, application may be made to the military service concerned.

## *Dependency and Indemnity Compensation*

**Eligibility:** For a survivor to be eligible for Dependency and Indemnity Compensation (DIC), the veteran's death must have resulted from one of the following causes:

1. A disease or injury incurred or aggravated in the line of duty while on active duty or active duty for training.
2. An injury, heart attack, cardiac arrest, or stroke incurred or aggravated in the line of duty while on inactive duty for training.
3. A service-connected disability or a condition directly related to a service-connected disability.

DIC also may be paid to certain survivors of veterans who were totally disabled from service-connected conditions at the time of death, even though their service-connected disabilities did not cause their deaths. The survivor qualifies if the veteran was:

1. Continuously rated totally disabled for a period of 10 years immediately preceding death; or
2. Continuously rated totally disabled from the date of military discharge and for at least 5 years immediately preceding death; or
3. A former POW who died after Sept. 30, 1999, and who was continuously rated totally disabled for a period of at least one year immediately preceding death.

Payments will be offset by any amount received from judicial proceedings brought on by the veteran's death. The veteran's discharge must have been under conditions other than dishonorable.

**Payments for Deaths After Jan. 1, 1993:** Surviving spouses of veterans who died on or after Jan. 1, 1993, receive a basic rate, plus additional payments for dependent children, for the aid and attendance of another person if they are patients in a nursing home or require the regular assistance of another person, or if they are permanently housebound.

## DIC Payment Rates for Surviving Spouses*

| Allowances | Monthly Rate |
|---|---|
| Basic Payment Rate | $1,154 |
| Additional Allowances: | |
| Each Dependent Child | $286 |
| Aid and Attendance | $286 |
| Housebound | $135 |

**Veterans who died on or after Jan. 1, 1993.*

**Special Allowances:** Add $233 if the veteran was totally disabled eight continuous years prior to death.

Add $250 to the additional allowance if there are dependent children under age 18 for the initial two years of entitlement for DIC awards commencing on or after Jan. 1, 2005.

**Payments for Deaths Prior to Jan. 1, 1993:** Surviving spouses of veterans who died prior to Jan. 1, 1993, receive an amount based on the deceased's military pay grade.

**DIC Rates for Surviving Spouses***

| Enlisted | Rate | Warrant Officer | Rate | Officer | Rate |
|---|---|---|---|---|---|
| E-1 | $1,154 | W-1 | $1,219 | O-1 | $1,219 |
| E-2 | $1,154 | W-2 | $1,267 | O-2 | $1,260 |
| E-3 | $1,154 | W-3 | $1,305 | O-3 | $1,347 |
| E-4 | $1,154 | W-4 | $1,380 | O-4 | $1,427 |

| | | | | | |
|---|---|---|---|---|---|
| E-5 | $1,154 | | | O-5 | $1,571 |
| E-6 | $1,154 | | | O-6 | $1,771 |
| E-7 | $1,194 | | | O-7 | $1,912 |
| E-8 | $1,260 | | | O-8 | $2,100 |
| E-9 | $1,314 | | | O-9 | $2,246 |
| | | | | O-10 | $2,463 |

**Veterans who died prior to Jan. 1, 1993.**

**Parents' DIC:** VA provides an income-based monthly benefit to the surviving parent(s) of a servicemember or veteran whose death was service-related. When countable income exceeds the limit set by law, no benefits are payable. The spouse's income must also be included if living with a spouse.

A spouse may be the other parent of the deceased veteran, or a spouse from remarriage. Unreimbursed medical expenses may be used to reduce countable income. Benefit rates and income limits change annually.

**Restored Entitlement Program for Survivors:** Survivors of veterans who died of service-connected causes incurred or aggravated prior to Aug. 13, 1981, may be eligible for a special benefit payable in addition to any other benefits to which the family may be entitled. The amount of the benefit is based on information provided by the Social Security Administration.

## *Death Pension*

VA provides pensions to low-income surviving spouses and unmarried children of deceased veterans with wartime service.

**Eligibility:** To be eligible, spouses must not have remarried and children must be under age 18, or under age 23 if attending a VA-approved school, or have become permanently incapable of self-support because of disability before age 18.

The veteran must have been discharged under conditions other than dishonorable and must have had 90 days or more of active military service, at least one day of which was during a period of war, or a service-connected disability justifying discharge. Longer periods of

service may be required for veterans who entered active duty on or after Sept. 8, 1980, or Oct. 16, 1981, if an officer. If the veteran died in service but not in the line of duty, the death pension may be payable if the veteran completed at least two years of honorable service.

Children who become incapable of self-support because of a disability before age 18 may be eligible for the death pension as long as the condition exists, unless the child marries or the child's income exceeds the applicable limit.

A surviving spouse may be entitled to a higher income limit if living in a nursing home, in need of the aid and attendance of another person, or permanently housebound.

**Payment:** The death pension provides a monthly payment to bring an eligible person's income to a level established by law. The payment is reduced by the annual income from other sources such as Social Security. The payment may be increased if the recipient has unreimbursed medical expenses that can be deducted from countable income.

## Death Pension Rates

| Recipient of Pension | Maximum Annual Rate |
|---|---|
| Surviving spouse | $7,933 |
| (With dependent child) | $10,385 |
| Permanently housebound | $9,696 |
| (With dependent child) | $12,144 |
| Needs regular aid & attendance | $12,681 |
| (With dependent child) | $15,587 |
| Each additional dependent child | $2,020 |
| Pension for each surviving child | $2,020 |

## *Survivors' & Dependents' Educational Assistance*

**Eligibility:** VA provides educational assistance to qualifying dependents as follows:

1. The spouse or child of a servicemember or veteran who either died of a service-connected disability, or who has permanent and total service-connected disability, or who died while such a disability existed.

2. The spouse or child of a servicemember listed for more than 90 days as currently Missing in Action (MIA), captured in the line of duty by a hostile force, or detained or interned by a foreign government or power.
3. The spouse or child of a servicemember who is hospitalized or is receiving outpatient care or treatment for a disability that is determined to be totally and permanently disabling, incurred or aggravated due to active duty, and for which the service member is likely to be discharged from military service.

Surviving spouses lose eligibility if they remarry before age 57 or are living with another person who has been held out publicly as their spouse. They can regain eligibility if their remarriage ends by death or divorce or if they cease living with the person. Dependent children do not lose eligibility if the surviving spouse remarries. Visit www.gibill.va.gov/ for more information.

**Period of Eligibility:** The period of eligibility for veterans' spouses expires 10 years from either the date they become eligible or the date of the veteran's death. VA may grant an extension. Children generally must be between the ages of 18 and 26 to receive educational benefits, though extensions may be granted.

The period of eligibility for spouses of servicemembers who died on active duty expires 20 years from the date of death. This is a change in law that became effective Dec. 10, 2004. Spouses of servicemembers who died on active duty whose 10-year eligibility period expired before Dec. 10, 2004, now have 20 years from the date of death to use educational benefits. Effective Oct. 10, 2008, Public Law 110-389 provides a 20-year period of eligibility for spouses of veterans with a permanent and total service-connected disability rating effective within 3 years of release from active duty.

**Payments:** The The payment rate effective Oct. 1, 2010, is $936 a month for full-time school attendance, with lesser amounts for part-time. Benefits are paid for full-time training up to 45 months or the equivalent in part-time training.

**Training Available:** Benefits may be awarded for pursuit of associate, bachelor, or graduate degrees at colleges and universities; independent study; cooperative training study abroad certificate or diploma from business, technical or vocational schools, apprentice-

ships, on-the-job training programs; farm cooperative courses; and preparatory courses for tests required or used for admission to an institution of higher learning or graduate school. Benefits for correspondence courses under certain conditions are available to spouses only.

Beneficiaries without high-school degrees can pursue secondary schooling, and those with a deficiency in a subject may receive tutorial assistance if enrolled half-time or more.

***Special Benefits:*** Dependents over age 14 with physical or mental disabilities that impair their ability to pursue an education may receive specialized vocational or restorative training, including speech and voice correction, language retraining, lip reading, auditory training, Braille reading and writing, and similar programs. Certain disabled or surviving spouses are also eligible.

### *Marine Gunnery Sergeant John David Fry Scholarship*

Children of those who die in the line of duty on or since September 11, 2001, are potentially eligible to use Post-9/11 GI Bill benefits. Refer to Chapter 4, “Education and Training”, for more details.

**Work-Study**: Participants who train at the three-quarter or full-time rate may be eligible for a work-study program in which they work for VA and receive hourly wages. The types of work allowed include:

1. Outreach services.
2. VA paperwork.
3. Work at national or state veterans’ cemeteries.
4. Work at VA medical centers or state veterans’ homes.
5. Other VA-approved activities.

**Counseling:** VA may provide counseling to help participants pursue an educational or vocational objective.

**Montgomery GI Bill (MGIB) Death Benefit:** VA will pay a special MGIB death benefit to a designated survivor in the event of the service-connected death of a servicemember while on active duty or within one year after discharge or release.

The deceased must either have been entitled to educational assistance under the MGIB program or a participant in the program

who would have been so entitled but for the high school diploma or length-of-service requirement. The amount paid will be equal to the participant's actual military pay reduction, less any education benefits paid.

**Children of Veterans Born with Certain Birth Defects** Children of Vietnam or Korean Veterans Born with Spina Bifida: Biological children of male and female Veterans who served in Vietnam at any time during the period beginning January 9, 1962 and ending May 7, 1975, or who served in or near the Korean demilitarized zone (DMZ) during the period beginning September 1, 1967 and ending August 31, 1971, born with spina bifida may be eligible for a monthly monetary allowance, and vocational training if reasonably feasible.

The law defines "child" as the natural child of a Vietnam Veteran, regardless of age or marital status. The child must have been conceived after the date on which the Veteran first entered the Republic of Vietnam. For more information about benefits for children with birth defects, visit www.va.gov/hac/forbeneficiaries/spina/spina.asp.

A monetary allowance is paid at one of three disability levels based on the neurological manifestations that define the severity of disability: impairment of the functioning of extremities, impairment of bowel or bladder function, and impairment of intellectual functioning.

## 2011 VA Benefits for Children of Vietnam or Korean Veterans Born with Spina Bifida

| | Level I | Level II | Level III |
|---|---|---|---|
| Monthly Rate* | $286 | $984 | $1,687 |

**Children of Women Vietnam Veterans Born with Certain Birth Defects:** Biological children of women Veterans who served in Vietnam at any time during the period beginning on February 28, 1961 and ending on May 7, 1975, may be eligible for certain benefits because of birth defects associated with the mother's service in Vietnam that resulted in a permanent physical or mental disability.

The covered birth defects do not include conditions due to family

disorders, birth-related injuries, or fetal or neonatal infirmities with well-established causes. A monetary allowance is paid at one of four disability levels based on the child's degree of permanent disability.

## 2011 VA Benefits for Children of Women Vietnam Veterans Born with Certain Birth Defects

| | Level I | Level II | Level III | Level V |
|---|---|---|---|---|
| Monthly Rate* | $131 | $286 | $984 | $1,678 |

**Effective Dec. 1, 2008*

**Vocational Training:** VA provides vocational training, rehabilitation services, and employment assistance to help these children prepare for and attain suitable employment. To qualify, an applicant must be a child receiving a VA monthly allowance for spina bifida or another covered birth defect and for whom VA has determined that achievement of a vocational goal is reasonably feasible. A child may not begin vocational training before his/her 18th birthday or the date he/she completes secondary schooling, whichever comes first. Depending on need and eligibility, a child may be provided up to 24 months of full-time training with the possibility of an extension of up to 24 months if it is needed to achieve the identified employment goal.

**VA Home Loan Guaranty**

A VA loan guaranty to acquire a home may be available to an unmarried spouse of a veteran or servicemember who died as a result of service-connected disabilities, a surviving spouse who remarries after age 57, or to a spouse of a servicemember officially listed as MIA or who is currently a POW for more than 90 days. Spouses of those listed MIA/POW are limited to one loan.

**"No-Fee" Passports**

"No-fee" passports are available to immediate family members (spouse, children, parents, brothers and sisters) for the expressed purpose of visiting their loved one's grave or memorialization site at an American military cemetery on foreign soil. For additional information, write to the American Battle Monuments Commission, Courthouse Plaza II, Suite 500, 2300 Clarendon Blvd., Arlington, VA 22201, or telephone 703-696-6897, or visit the Web site at www.abmc.gov

**Burial and Memorial Benefits for Survivors**

The Department of Veterans Affairs offers several burial and memorial benefits for eligible survivors and dependents. These benefits may include internment at a state or national Veterans cemetery, plot, marker and more. To learn more about these and other benefits please refer to Chapter 7 of this guide.

# Chapter 13
# Appeals of VA Claims Decisions

Veterans and other claimants for VA benefits have the right to appeal decisions made by a VA regional office, medical center or National Cemetery Administration (NCA) office. Typical issues appealed are disability compensation, pension, education benefits, recovery of overpayments, reimbursement for unauthorized medical services, and denial of burial and memorial benefits.

A claimant has one year from the date of the notification of a VA decision to file an appeal. The first step in the appeal process is for a claimant to file a written notice of disagreement with the VA regional office, medical center or NCA office that made the decision.

Following receipt of the written notice, VA will furnish the claimant a "Statement of the Case" describing what facts, laws, and regulations were used in deciding the case. To complete the request for appeal, the claimant must file a "Substantive Appeal" within 60 days of the mailing of the Statement of the Case, or within one year from the date VA mailed its decision, whichever period ends later.

**Board of Veterans' Appeals**
The Board of Veterans' Appeals makes decisions on appeals on behalf of the Secretary of Veterans Affairs. Although it is not required, a veterans service organization, an agent, or an attorney may represent a claimant. Appellants may present their cases in person to a member of the Board at a hearing in Washington, D.C., at a VA regional office or by videoconference.

Decisions made by the Board can be found on the Web site at www.index.va.gov/search/va/bva.html. The pamphlet, "Understanding the Appeal Process," is available on the Web site or may be requested by writing: Hearings and Transcription Unit (014HRG), Board of Veterans' Appeals, 811 Vermont Avenue, NW, Washington, DC 20420.

## U.S. Court of Appeals for Veterans Claims

A final Board of Veterans' Appeals decision that does not grant a claimant the benefits desired may be appealed to the U.S. Court of Appeals for Veterans Claims, an independent court, not part of the Department of Veterans Affairs.

Notice of an appeal must be received by the court with a postmark that is within 120 days after the Board of Veterans' Appeals mailed its decision. The court reviews the record considered by the Board of Veterans' Appeals. It does not hold trials or receive new evidence.

Appellants may represent themselves before the court or have lawyers or approved agents as representatives. Oral argument is held only at the direction of the court. Either party may appeal a decision of the court to the U.S. Court of Appeals for the Federal Circuit and may seek review in the Supreme Court of the United States.

Published decisions, case status information, rules and procedures, and other special announcements can be found on the court's Web site at www.vetapp.gov/. The court's decisions can also be found in West's Veterans Appeals Reporter, and on the Westlaw and LEXIS online services. For questions, write the Clerk of the Court, 625 Indiana Ave. NW, Suite 900, Washington, DC 20004, or call (202) 501-5970.

# Chapter 14
# Military Medals and Records

## Replacing Military Medals

Medals awarded while in active service are issued by the individual military services if requested by veterans or their next of kin. Requests for replacement medals, decorations, and awards should be directed to the branch of the military in which the veteran served. However, for Air Force (including Army Air Corps) and Army veterans, the National Personnel Records Center (NPRC) verifies awards and forwards requests and verification to appropriate services.

Requests for replacement medals should be submitted on Standard Form 180, "Request Pertaining To Military Records," which may be obtained at VA offices or the Internet at www.va.gov/vaforms/. Forms, addresses, and other information on requesting medals can be found on the Military Personnel Records section of NPRC's Web site at www.archives.gov/st-louis/military-personnel/index.html. For questions, call Military Personnel Records at (314) 801-0800 or e-mail questions to: MPR.center@nara.gov.

When requesting medals, type or clearly print the veteran's full name, include the veteran's branch of service, service number or Social Security number and provide the veteran's exact or approximate dates of military service. The request must contain the signature of the veteran or next of kin if the veteran is deceased. If available, include a copy of the discharge or separation document, WDAGO Form 53-55 or DD Form 214.

## Replacing Military Records

If discharge or separation documents are lost, veterans or the next of kin of deceased veterans may obtain duplicate copies by completing forms found on the Internet at www.archives.gov/research/index.html and mailing or faxing them to the NPRC.

Alternatively, write the National Personnel Records Center, Military

Personnel Records, 9700 Page Blvd., St. Louis, MO 63132-5100. Specify that a duplicate separation document is needed. The veteran's full name should be printed or typed so that it can be read clearly, but the request must also contain the signature of the veteran or the signature of the next of kin, if the veteran is deceased. Include the veteran's branch of service, service number or Social Security number and exact or approximate dates and years of service. Use Standard Form 180, "Request Pertaining To Military Records."

It is not necessary to request a duplicate copy of a veteran's discharge or separation papers solely for the purpose of filing a claim for VA benefits. If complete information about the veteran's service is furnished on the application, VA will obtain verification of service.

## *Correcting of Military Records*

The secretary of a military department, acting through a Board for Correction of Military Records, has authority to change any military record when necessary to correct an error or remove an injustice. A correction board may consider applications for correction of a military record, including a review of a discharge issued by court-martial.

The veteran, survivor or legal representative must file a request for correction within three years after discovering an alleged error or injustice. The board may excuse failure to file within this time, however, if it finds it would be in the interest of justice. It is an applicant's responsibility to show why the filing of the application was delayed and why it would be in the interest of justice for the board to consider it despite the delay.

To justify a correction, it is necessary to show to the satisfaction of the board that the alleged entry or omission in the records was in error or unjust. Applications should include all available evidence, such as signed statements of witnesses or a brief of arguments supporting the correction. Application is made with DD Form 149, available at VA offices, veterans organizations or visit www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm.

## *Review of Discharge from Military Service*

Each of the military services maintains a discharge review board with authority to change, correct or modify discharges or dismissals not issued by a sentence of a general court-martial. The board has no

authority to address medical discharges.
The veteran or, if the veteran is deceased or incompetent, the surviving spouse, next of kin or legal representative, may apply for a review of discharge by writing to the military department concerned, using DD Form 293 -- “Application for the Review of Discharge from the Armed Forces of the United States.” This form may be obtained at a VA regional office, from veterans organizations or from the Internet at www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm.

However, if the discharge was more than 15 years ago, a veteran must petition the appropriate Service’s Board for Correction of Military Records using DD Form 149 -- “Application for Correction of Military Records Under the Provisions of Title 10, U.S. Code, Section 1552.” A discharge review is conducted by a review of an applicant’s record and, if requested, by a hearing before the board.

Discharges awarded as a result of a continuous period of unauthorized absence in excess of 180 days make persons ineligible for VA benefits regardless of action taken by discharge review boards, unless VA determines there were compelling circumstances for the absence. Boards for the Correction of Military Records also may consider such cases.

Veterans with disabilities incurred or aggravated during active duty may qualify for medical or related benefits regardless of separation and characterization of service. Veterans separated administratively under other than honorable conditions may request that their discharge be reviewed for possible recharacterization, provided they file their appeal within 15 years of the date of separation.

Questions regarding the review of a discharge should be addressed to the appropriate discharge review board at the address listed on DD Form 293.

# Chapter 15

# Benefits Provided by Other Federal Agencies

### USDA Provides Loans for Farms and Homes

The U.S. Department of Agriculture (USDA) provides loans and guarantees to buy, improve or operate farms. Loans and guarantees are generally available for housing in towns with a population up to 20,000. Applications from veterans have preference. For further information, contact Farm Service Agency or Rural Development, USDA, 1400 Independence Ave., S.W., Washington, DC 20250, or apply at local Department of Agriculture offices, usually located in county seats. A complete listing of services and support can be found at: http://www.va.gov/HOMELESS/prevention.asp

### Housing and Urban Development (HUDVET)

Housing and Urban Development (HUD) sponsors the Veteran Resource Center (HUDVET), which works with national veterans service organizations to serve as a general information center on all HUD-sponsored housing and community development programs and services. To contact HUDVET, call 1-800-998-9999, TDD 800-483-2209, or visit its Web site at www.hud.gov/hudvet.

### Veterans Receive Naturalization Preference

Honorable active-duty service in the U.S. armed forces during a designated period of hostility allows an individual to naturalize without being required to establish any periods of residence or physical presence in the United States. A servicemember who was in the United States, certain territories, or aboard an American public vessel at the time of enlistment, re-enlistment, extension of enlistment or induction, may naturalize even if he or she is not a lawful permanent resident.

On July 3, 2002, the president issued Executive Order 13269 establishing a new period of hostility for naturalization purposes beginning Sept. 11, 2001, and continuing until a date designated by a future Executive Order. Qualifying members of the armed forces who have

served at any time during a specified period of hostility may immediately apply for naturalization using the current application – Form N-400 – "Application for Naturalization." Additional information about filing and requirement fees and designated periods of hostility are available on the U.S. Citizenship and Immigration Services (USCIS) Web site at www.uscis.gov.

Individuals who served honorably in the U.S. armed forces, but were no longer serving on active duty status as of Sept. 11, 2001, may still be naturalized without having to comply with the residence and physical presence requirements for naturalization if they filed Form N-400 while still serving in the U.S. armed forces or within six months of termination of their active duty service.

An individual who files the application for naturalization after the six-month period following termination of active-duty service is not exempt from the residence and physical presence requirements, but can count any period of active-duty service towards the residence and physical presence requirements. Individuals seeking naturalization under this provision must establish that they are lawful permanent residents (such status not having been lost, rescinded or abandoned) and that they served honorably in the U.S. armed forces for at least one year.

If a servicemember dies as a result of injury or disease incurred or aggravated by service during a time of combat, the servicemember's survivor(s) can apply for the deceased servicemember to receive posthumous citizenship at any time within two years of the servicemember's death. The issuance of a posthumous certificate of citizenship does not confer U.S. citizenship on surviving relatives. However, a non-U.S. citizen spouse or qualifying family member may file for certain immigration benefits and services based upon their relationship to a servicemember who died during hostilities or a non-citizen servicemember who died during hostilities and was later granted posthumous citizenship.

For additional information, USCIS has developed a web page – www.uscis.gov/military – that contains information and links to services specifically for the military and their families. Members of the U.S. military and their families stationed around the world can also call USCIS for help with immigration services and benefits using a dedicated, toll-free Military help line at 1-877-CIS-4MIL (1-877-247-4645).

## *Small Business Administration (SBA)*

Historically, veterans do very well as small business entrepreneurs. Veterans interested in entrepreneurship and small business ownership should look to the U.S. Small Business Administration's Office of Veterans Business Development (www.sba.gov/vets) for assistance. OVBD conducts comprehensive outreach to veterans, service-disabled veterans and Reserve Component members of the U.S. military. OVBD also provides assistance to veteran- and reservist-owned small businesses. SBA is the primary federal agency responsible for assisting veterans who own or are considering starting their own small businesses.

Among the services provided by SBA are business-planning assistance, counseling and training through community based Veterans Business Outreach Centers. For more information, go to www.sba.gov/aboutsba/sbaprograms/ovbd/OVBD_VBOP.html. More than 1,000 university-based Small Business Development Centers; nearly 400 SCORE chapters (www.score.org/topics/veteran-guards-reservists ) with 11,000 volunteer counselors, many of whom are veterans; and 100 Women's Business Centers.

SBA also manages a range of special small business lending programs at thousands of locations, ranging from Micro Loans to the Military-community-targeted Patriot Express Pilot Loan, to venture capital and Surety Bond Guarantees (www.sba.gov/services/financialassistance/index.html). Veterans also participate in all SBA federal procurement programs, including a special 3 percent federal procurement goal specifically for service-connected disabled veterans, and SBA supports veterans and others participating in international trade.

A special Military Reservist Economic Injury Disaster Loan (www.sba.gov/reservists) is available for self-employed Reservists whose small businesses may be damaged through the absence of the owner or an essential employee as a result of Title 10 activation to Active Duty.

A Veterans Business Development Officer is stationed at every SBA District Office to act as a guide to veterans, and SBA offers a full range of self-paced small business planning assistance at www.sba.gov/content/veterans-business-outreach-centers for veterans, reservists, discharging service members and their families. Information about the full range of services can be found at www.sba.gov/

vets/ and at www.sba.gov/reservists/, or by calling 202-205-6773 or 1-800-U-ASK-SBA (1-800-827-5722).

## *Social Security Administration*

Monthly retirement, disability and survivor benefits under Social Security are payable to veterans and dependents if the veteran has earned enough work credits under the program. Upon the veteran's death, a one-time payment of $255 also may be made to the veteran's spouse or child. In addition, a veteran may qualify at age 65 for Medicare's hospital insurance and medical insurance. Medicare protection is available to people who have received Social Security disability benefits for 24 months, and to insured people and their dependents who need dialysis or kidney transplants, or who have amyotrophic lateral sclerosis (more commonly known as Lou Gehrig's disease).

Since 1957, military service earnings for active duty (including active duty for training) have counted toward Social Security and those earnings are already on Social Security records. Since 1988, inactive duty service in the Reserve Component (such as weekend drills) has also been covered by Social Security. Servicemembers and veterans are credited with $300 credit in additional earnings for each calendar quarter in which they received active duty basic pay after 1956 and before 1978.

Veterans who served in the military from 1978 through 2001 are credited with an additional $100 in earnings for each $300 in active duty basic pay, up to a maximum of $1,200 a year. No additional Social Security taxes are withheld from pay for these extra credits. Veterans who enlisted after Sept. 7, 1980, and did not complete at least 24 months of active duty or their full tour of duty, may not be able to receive the additional earnings. Check with Social Security for details. Additional earnings will no longer be credited for military service periods after 2001.

Also, non-contributory Social Security earnings of $160 a month may be credited to veterans who served after Sept. 15, 1940, and before 1957, including attendance at service academies. For information, call 1-800-772-1213 or visit www.socialsecurity.gov/. (Note: Social Security cannot add these extra earnings to the record until an application is filed for Social Security benefits).

## *Eligibility for Supplemental Security Income (SSI)*

Those 65 or older and those who are blind or otherwise disabled may be eligible for monthly Supplemental Security Income (SSI) payments if they have little or no income or resources. States may supplement the federal payments to eligible persons and may disregard additional income.

Although VA compensation and pension benefits are counted in determining income for SSI purposes, some other income is not counted. Also, not all resources count in determining eligibility. For example, a person's home and the land it is on do not count. Personal effects, household goods, automobiles and life insurance may not count, depending upon their value. Information and help is available at any Social Security office or by calling 1-800-772-1213.

## *Armed Forces Retirement Homes*

Veterans are eligible to live in the Armed Forces Retirement Homes located in Gulfport, Miss., or Washington, D.C., if their active duty military service is at least 50 percent enlisted, warrant officer or limited duty officer if they qualify under one of the following categories:

1. Are 60 years of age or older; and were discharged or released under honorable conditions after 20 or more years of active service.
2. Are determined to be incapable of earning a livelihood because of a service-connected disability incurred in the line of duty.
3. Served in a war theater during a time of war declared by Congress or were eligible for hostile-fire special pay and were discharged or released under honorable conditions; and are determined to be incapable of earning a livelihood because of injuries, disease or disability.
4. Served in a women's component of the armed forces before June 12, 1948; and are determined to be eligible for admission due to compelling personal circumstances.

Eligibility determinations are based on rules prescribed by the Home's Chief Operating Officer. Veterans are not eligible if they have been convicted of a felony or are not free from alcohol, drug or psychiatric problems. Married couples are welcome, but both must be eligible in their own right. At the time of admission, applicants must

be capable of living independently.

The Armed Forces Retirement Home is an independent federal agency. For information, call 1-800-332-3527 or 1-800-422-9988, or visit www.afrh.gov/.

*The Gulfport, Miss., facility is scheduled to open in the fall of 2010.

## *Commissary and Exchange Privileges*

Unlimited exchange and commissary store privileges in the United States are available to honorably discharged veterans with a service-connected disability rated at 100 percent, un-remarried surviving spouses of veterans with a service-connected disability rated at 100 percent at the time of death, un-remarried surviving spouses of members or retired members of the armed forces, recipients of the Medal of Honor, and their dependents and orphans. Certification of total disability is done by VA. Reservists and their dependents also may be eligible. Privileges overseas are governed by international law and are available only if agreed upon by the foreign government concerned.

Though these benefits are provided by DOD, VA does provide assistance in completing DD Form 1172, “Application for Uniformed Services Identification and Privilege Card.” For detailed information, contact the nearest military installation.

# VA Facilities

For the most up to date and accurate VA telephone and address information, visit our ***facility locator*** to locate the nearest VA facility.