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Eliminate The Remarriage Penalty for Surviving Spouses

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Objective: Change current law that unfairly binds young surviving spouses to widowhood. Under current law, if a surviving spouses remarry before the age of 55, they forfeit lifesaving benefits afforded to them from the Department of Defense as well as the Department of Veterans' Affairs.

Background: Congressional research and surviving spouse experience shows age 55 unfairly penalizes younger surviving spouses. There is not any specific rationale requiring younger surviving spouses to remain unmarried. Less than 7.9 % of total DIC recipients are under the age of 55, therefore it has minimal budget implications and corrects a discrimination based solely on age. Some of that small number may not even remarry. Please help us remove the remarriage limitation completely, especially the age limit on all benefits including Dependency and Indemnity Compensation (DIC), home loans, educational benefits, update the definition of surviving spouse, Survivor Benefit Plan (SBP), burial benefits, and TRICARE.

Facts:

- Surviving spouses under the age of 55 have endured a pain and suffering most Americans will not. Younger surviving spouses cannot remarry without penalty, but those over that age can.
- The government's responsibility to surviving spouses sacrifice does not end just because the survivor remarries.
- In 2020, H.R. 105 was signed reducing the age from 57 to 55 years, setting the precedent for elimination for all ages.
- Punishing younger surviving spouses in a second relationship dishonors the service member and their ultimate sacrifice.
- We anticipate the cost to be low as the government is already paying these benefits over the lifetime of the surviving spouse. Further, overall number of younger surviving spouses is low.
- Surviving spouses under the age of 55 only account for less than 7.1% of the total DIC recipients.
- A new marriage does not remove any suffering, hardship, or vulnerability.
- DIC is a compensation for loss. The loss of a service member does not go away with a remarriage.
- It strips family identity and a choice between finances and family which further burdens the surviving spouse.
- Most first responders in the United States are allowed to legally remarry and maintain pensions and benefits.
- It strips family identity and a choice between finances and family which unnecessarily burdens the surviving spouse.
- SBP is insurance paid for by military members and should not be subject to elimination due to a remarriage. Other insurance policies in the US get paid regardless.

