

VA DEA Program Update 08: New Law | Spouses/Kids of 100% Vets Who Die Now Eligible

Children and spouses of veterans who die from service-connected injuries will be guaranteed in-state tuition rates under new legislation approved by Congress this week. The measure — the Colonel John M. McHugh Tuition Fairness for Survivors Act — passed without objection in the House on 15 November 2021. Senate lawmakers had approved the legislation back in June. The change is expected to affect about 150,000 surviving dependents, potentially saving them tens of thousands in higher education expenses each year.

It concerns beneficiaries using Veterans Affairs' Dependents' Educational Assistance Program. Through that benefit, spouses and children of 100-percent disabled veterans receive about \$1,200 a month to help cover the costs of tuition, housing expenses and book stipends. If a veteran dies from a service-connected disability (or died while on active duty prior to Sept. 11, 2001), beneficiaries can continue to receive that support. But unlike other education benefits for military survivors, DEA recipients aren't ensured in-state tuition rates when looking at colleges.

The difference between the in-state and out-of-state costs can be significant, and erase much of the financial support from the program. Lawmakers said the change is needed to bring the benefit in line with similar veteran support programs for survivors. "Members of our military and their families sacrifice so much in service to our country," said Rep. Barry Moore (R-AL), a sponsor of the bill. "As a grateful nation, we have accepted the responsibility to ensure that the educational needs of the survivors and dependents of our fallen heroes are provided for."

Senate Veterans' Affairs Committee Chairman Jon Tester (D-MT) echoed those sentiments in a statement after the House vote. "We're one step away from expanding affordable, in-state tuition to survivors who deserve this critical support." The change had been a priority of numerous veterans groups in recent years. Bonnie Carroll, president and founder of the Tragedy Assistance Program For Survivors, praised the bill as "much needed legislation" that could be life changing for thousands of veterans' families. President Joe Biden is expected to sign it into law in coming days, but no timeline for that action has been announced.