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# Benefits for Service-Disabled Veterans

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# Summary

The Department of Veterans Affairs (VA) administers programs to qualified former U.S. servicemembers (veterans). This report describes programs that provide benefits to veterans with service-connected disabilities (service-disabled veterans). These benefits can compensate a veteran for an injury or provide assistance to enable a veteran to have a higher quality of life.

To qualify for the benefits discussed in this report, a veteran must have a physical or mental condition that was "incurred or aggravated" in the line of military duty and that results in a disability. Service-connected disabilities are rated on a scale from 0% to 100% using a VA rating schedule. Disability ratings are used to determine eligibility for various types of benefits and the amount of Veterans Disability Compensation benefits. This report describes major VA benefit programs that are limited to veterans with service-connected disabilities.

- *Veterans Disability Compensation* is a monthly cash payment to a veteran with a service-connected disability. Veterans with higher disability ratings are entitled to higher payments.
- *Vocational Rehabilitation and Employment* supports services for a veteran with an employment handicap to assist the veteran in obtaining and retaining suitable employment.
- *Housing Grants and Benefits*:
  - *Specially Adapted Housing Grants* support the construction or acquisition of a new home or the remodeling of an existing home to help the veteran live independently in a barrier-free environment.
  - *Special Housing Adaptation Grants* support modifications to a veteran's home to accommodate a disability but support less-intensive modifications than Specially Adapted Housing Grants.
  - *Home Improvements and Structural Alterations Grants* can be used to improve a veteran's access to his or her home or to facilitate continuation of treatment for the veteran's disability.
- *Other Grants and Benefits*:
  - *Automobile and Special Adaptive Equipment Grants* can be used to purchase an automobile or to purchase adaptive equipment for an existing automobile to make it safe or legal for the veteran to use that vehicle.
  - *Clothing Allowance Grants* are for veterans who utilize medical devices or medications that are likely to damage the veteran's clothing.
  - *Service-Disabled Veterans Insurance* is life insurance for service-disabled veterans.

This report does not discuss health care services provided by the Veterans' Health Administration and other benefits that are available to veterans who may or may not have service-connected disabilities.

# Contents

Introduction ..... 1
Programs Not Included in This Report ..... 1
Definition of a Service-Disabled Veteran ..... 1
Disability Rating ..... 2
Veterans Disability Compensation ..... 3
Eligibility ..... 3
Benefits ..... 3
Vocational Rehabilitation and Employment ..... 4
Eligibility ..... 4
Benefits ..... 4
Housing Grants and Benefits ..... 5
Specially Adapted Housing ..... 5
Specially Adapted Housing Grants ..... 5
Eligibility ..... 5
Benefits ..... 6
Special Housing Adaptation Grants ..... 6
Eligibility ..... 6
Benefits ..... 7
Home Improvements and Structural Alterations Grants ..... 7
Eligibility ..... 7
Benefits ..... 8
Other Grants and Benefits ..... 8
Automobile and Special Adaptive Equipment Grants ..... 8
Eligibility ..... 8
Benefits ..... 8
Clothing Allowance Grant ..... 9
Eligibility ..... 9
Benefits ..... 9
Service-Disabled Veterans Insurance ..... 9
Eligibility ..... 9
Benefits ..... 9

## Tables

Table 1. The Department of Veterans Affairs' Major Benefits for Service-Disabled Veterans ..... 2

## Contacts

Author Information ..... 10

# Introduction

The federal government supports a number of benefits for qualified former members of the Armed Forces (veterans). Some of these benefits are targeted to veterans who, in the course of service, incurred or aggravated an injury or contracted a disease (service-disabled veterans).

This report discusses major benefits that are provided to individual service-disabled veterans by the Department of Veterans Affairs (VA). In some cases, it may omit smaller VA programs.[1] This report divides benefits into four categories:

1. *Disability compensation* is monthly payments for veterans who have been determined to have a service-connected disability.
2. *Vocational Rehabilitation and Employment benefits* typically support service-disabled veterans in obtaining and maintaining suitable employment.
3. *Housing grants and benefits* can assist veterans in modifying their homes to accommodate a service-connected disability.
4. *Other grants and benefits* are available to qualified subsets of service-disabled veterans, including grants for automobiles or clothing.

**Table 1** summarizes the programs discussed in this report. As the table shows, the programs vary in both funding levels and the number of beneficiaries served.

## Programs Not Included in This Report

In addition to the programs described in this report, service-disabled veterans also are typically eligible for programs that are available to the broader veteran population. This report does not discuss benefits that are available to both service-disabled and non-service disabled veterans, such as health benefits.[2]

## Definition of a Service-Disabled Veteran

To be considered a veteran with a service-connected disability, a former member of the Armed Forces must first meet the statutory definition of *veteran*. As provided in statute, a veteran is "a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable."[3] In general, a person must have served a minimum period of active duty, other than active duty for training; served the full period for which the person was called to active duty; or incurred a service-connected disability while on active duty or active duty for training to be considered a veteran for the purposes of most federal benefits.

[1] It also may omit programs administered by other agencies, such as the Department of Labor's Disabled Veterans Outreach Program, and more general policies, such as preference for disabled veterans in hiring for federal employment.

[2] For additional information on veterans health benefits, see CRS Report R42747, *Health Care for Veterans: Answers to Frequently Asked Questions*.

[3] 38 U.S.C. §101(2). For additional information on the definition of a veteran, see CRS Report R42324, *Who Is a "Veteran"?—Basic Eligibility for Veterans' Benefits*.

A service-connected disability is a physical or mental injury or condition that was "incurred or aggravated" in the line of military duty and that results in a disability.[4] In addition, a disability incurred or aggravated while receiving VA-sponsored medical treatment or vocational rehabilitation is considered service-connected.

A disability is based on the inability of "the body as a whole, or of the psyche, or of a system or organ of the body to function under the ordinary conditions of daily life including employment."[5] A service-connected disability need not be connected to combat or service during a period or war.

**Table 1. The Department of Veterans Affairs' Major Benefits for Service-Disabled Veterans**

| Program | FY2015 Funding ($ in millions) | FY2015 Participants (in thousands) |
|---|---|---|
| **Disability Compensation** | $63,667 | 4,061 |
| **Vocational Rehabilitation and Employment (VR&E)**[a] | 1,152 | 132 |
| **Housing Grants and Benefits** | | |
| Specially Adapted Housing[b] | 95 | 2 |
| Special Housing Adaptation | 2 | < 1 |
| Home Improvements and Structural Alterations | [c] | [c] |
| **Other Grants and Benefits** | | |
| Automobile Grants | 47 | 2 |
| Adaptive Equipment Grants | 89 | 9 |
| Clothing Allowance Grant | 102 | 132 |
| Service-Disabled Veterans Insurance[d] | 102 | 10 |

**Source:** CRS compilation of data from Department of Veterans Affairs (VA) FY2017 budget justification, https://www.va.gov/budget/products.asp, and Veterans Benefits Administration (VBA) FY2015 annual report, http://www.benefits.va.gov/REPORTS/abr/index.asp.

**Notes:** The table uses funding and participation levels from FY2015, because, for some programs, that is the most recent information available.

a. Participants are limited to veterans enrolled in a VR&E plan of service. See page 7 and page 203 of the VBA FY2017 annual report.

b. In FY2015, the total appropriation for Specially Adapted Housing and Special Housing Adaptation Grants was $101 million. The amounts in the table are the amount of grants disbursed for each program. See page 196 of the VBA FY2017 annual report.

c. Home Improvement and Structural Alterations Grants are not included in the table because the VA does not produce a publicly-available breakout of the amount of funding and number of recipients.

d. Payments made for death or traumatic injury in FY2015.

## Disability Rating

The VA determines a disability rating (from 0% to 100%) for a veteran using the Veterans Affairs Schedule for Rating Disabilities (VASRD). The VASRD is a series of schedules for each system in the human body provided in the Code of Federal Regulations (CFR).[6]

[4] 38 U.S.C. §101(16).

[5] 38 C.F.R. §4.10.

[6] 38 C.F.R. §§4.1-4.150.

For example, for a disability related to the eye,

- 38 CFR §§4.75-4.78 provides information on how to evaluate various functions of the eye and visual impairments.
- 38 CFR §4.79 provides the specific schedule that assigns a disability rating (0% to 100%) for each specific condition and set of symptoms and other factors.

To continue the eye example, if a veteran has a detached retina, this condition could be rated from 10% to 60% based on the schedule. If the veteran's detached retina results in

- "incapacitating episodes having a total duration of at least 1 week, but less than 2 weeks, during the past 12 months," then the rating would be 10%; or
- "incapacitating episodes having a total duration of at least 6 weeks during the past 12 months," then the rating would be 60%.

If a veteran has more than one rated disability, then the ratings are not added together but rather combined using the formula provided in regulation.[7]

# Veterans Disability Compensation[8]

Veterans Disability Compensation (VDC) is a monthly cash payment to a veteran with a service-connected disability. The payment is determined by the veteran's disability rating and number of dependents, including a spouse.

## Eligibility

A veteran is eligible for VDC if the veteran has a service-connected disability rated as at least 10% disabling. A rating of at least 60% based on one disability or two or more disabilities with one disability rated at least 40% and a combined rating of at least 70% can be elevated to a rating of 100%, if the veteran is unable to work at a "substantially gainful occupation" due to service-connected disabilities.[9]

## Benefits

VDC is paid as a monthly cash benefit.[10] Benefit levels increase at higher disability ratings. For example, in 2017, a single veteran with no spouse or dependents is eligible for a monthly VDC benefit of $133.57 for a 10% rating; $838.64 for a 50% rating, and $2,915.55 for a 100% rating.[11] Benefits are not automatically adjusted for annual increases in the cost-of-living. However, generally, legislation has been enacted annually to increase VDC benefits using the Social

[7] 38 C.F.R. §4.25.

[8] This section was prepared by Scott Szymendera, analyst in Disability Policy. For more information on VDC, see CRS Report R41289, *Disability Benefits Available Under the Social Security Disability Insurance (SSDI) and Veterans Disability Compensation (VDC) Programs*.

[9] 38 C.F.R. §4.16.

[10] In general, benefit payments made to, or on account of, a beneficiary under any law administered by the VA are exempt from federal taxation. Furthermore, benefits are exempt, in most cases, from "attachment, levy, or seizure by or under any legal or equitable process whatever, either before or after receipt by the beneficiary." See 38 U.S.C. §5301(a)(1).

[11] A complete table of benefit rates is available at http://www.benefits.va.gov/COMPENSATION/resources_comp01.asp.

Security cost-of-living adjustment (COLA).[12] For ratings of 30% or above, benefits are increased if the veteran has a spouse or other dependents.

A VDC beneficiary may also receive additional Special Monthly Compensation (SMC) if his or her disability results in a loss or loss of use of an extremity or organ or if the disability renders him or her housebound or in need of daily aid and attendance of another person.

# Vocational Rehabilitation and Employment[13]

The Vocational Rehabilitation and Employment (VR&E) program provides employment-related services to veterans with a service-connected disability and an employment handicap. The program also provides independent living services for qualified veterans who may not be able to seek employment.

## Eligibility

To be entitled to VR&E benefits, a veteran must have both (1) a qualified disability rating and (2) a qualifying employment handicap determined by a VA vocational rehabilitation counselor (VRC). A veteran with a disability rating of 20% or more is entitled to VR&E benefits if the VRC determines the veteran has an employment handicap.[14] A veteran with a disability rating of 10% may qualify for benefits only if the VRC determines the veteran has a *serious* employment handicap.

In general, a veteran must complete a VR&E program within 12 years of separation from the military or within 12 years of the date the VA notifies the veteran that he or she has a compensable service-connected disability.

## Benefits

An entitled veteran works with a VRC to develop a plan for attaining suitable employment and the services necessary to realize that plan. The VR&E program supports a wide range of costs associated with completing an employment plan, including tuitions, fees, books, supplies, and supportive services. If the veteran requires training or education to become employable, the veteran receives a subsistence allowance while enrolled in training. In cases where employment is not possible, the VR&E program may provide independent living services or supplies or equipment related to independent living.

VR&E benefits are generally limited to 48 months, although the benefit period can be extended in certain circumstances.

[12] Benefits payable in 2017 were increased using the Social Security cost-of-living adjustment (COLA) pursuant to P.L. 114-197. For more information on the Social Security COLA, see CRS Report 94-803, *Social Security: Cost-of-Living Adjustments*.

[13] This section was prepared by Benjamin Collins, analyst in Labor Policy. For more information on the Vocational Rehabilitation and Employment program, see CRS Report RL34627, *Veterans' Benefits: The Vocational Rehabilitation and Employment Program*.

[14] The VA defines an employment handicap as "An impairment of a Veteran or Servicemember's ability to prepare for, obtain, or retain employment consistent with his or her abilities, aptitudes, and interests. See 38 C.F.R. 21.35.

# Housing Grants and Benefits[15]

Several VA grants are available to assist veterans who have service-connected disabilities with their housing-related needs. The Veterans Benefits Administration operates the Specially Adapted Housing Program, consisting of two subgrants. The program provides grants to veterans and servicemembers with certain service-connected disabilities to assist them in constructing, purchasing, or remodeling homes to fit their needs. The Veterans Health Administration administers the Home Improvements and Structural Alterations grant to assist veterans who have both service- and non-service-connected disabilities in making their homes accessible.

## Specially Adapted Housing[16]

Within the Specially Adapted Housing Program are two similarly named grant programs for veterans and active duty servicemembers.[17] The first, sometimes referred to as the Specially Adapted Housing grant (SAH, or Section 2101(a) grant, after the section of Title 38 of the U.S. Code), is targeted to veterans with mobility impairments, and the second, sometimes referred to as the Special Housing Adaptation grant (SHA, or Section 2101(b) grant) assists veterans who are blind or who have lost the use of their hands. The grant limits for the first category of adapted housing are higher than for the second, and both types of adapted housing are available to veterans and servicemembers with severe burn injuries. Both grants are also available to make changes to the home of a family member with whom a veteran or servicemember is residing temporarily.[18] A veteran or servicemember may use the SAH and SHA grants up to three times, as long as total funding received does not exceed grant limits.[19]

## Specially Adapted Housing Grants

### Eligibility

SAH grants are available to veterans and servicemembers with permanent and total service-connected disabilities that satisfy the statutory disability criteria. The statute provides that the disability criteria are satisfied by veterans and servicemembers who have[20]

- lost (or lost the use of) both lower extremities and require the aid of braces, crutches, canes, or a wheelchair for locomotion.
- blindness in both eyes and lost (or lost the use of) at least one lower extremity.
- lost (or lost the use of) one lower extremity together with either (1) residuals of an organic disease or injury or (2) the loss or loss of use of one upper extremity, resulting in the required use of a cane, crutches, braces, or wheelchair for locomotion.

[15] This section was prepared by Libby Perl, specialist in Housing Policy.

[16] For more information about the Specially Adapted Housing Program, see CRS Report R42504, *VA Housing: Guaranteed Loans, Direct Loans, and Specially Adapted Housing Grants*.

[17] 38 U.S.C. §2101. Servicemembers are made eligible at 38 U.S.C. §2101A.

[18] 38 U.S.C. §2102A.

[19] 38 U.S.C. §2102(d).

[20] 38 U.S.C. §2101(a).

- lost (or lost the use of) both upper extremities such that they cannot use their arms at or above the elbows.
- severe burn injuries.[21]

SAH grants are also available to veterans and servicemembers with a permanent service-connected disability who have lost (or lost the use of) one or more lower extremities in which the loss so affects balance and propulsion as to require the aid of braces, crutches, canes, or a wheelchair for ambulating. The disability must have occurred on or after September 11, 2001, and eligible individuals must be approved for assistance under this provision by the end of FY2017.[22]

In addition, by regulation, the disability requirement for SAH grants is satisfied for veterans with service-connected amyotrophic lateral sclerosis (ALS).

### Benefits

The benefit levels for SAH grants are established in statute.[23] The statute provides that the limits are to be adjusted each year based on a residential home cost-of-construction index. For FY2017, the grant limit

- for a veteran's or servicemember's own home is $77,307 and
- for a veteran or servicemember temporarily residing in a family member's home is $33,937.[24]

The statute further provides that the SAH grant not exceed a total percentage of the project cost, generally 50% of the cost to acquire property or construct housing.[25]

## Special Housing Adaptation Grants

SHA grants are available to veterans who may need to modify their homes, but perhaps not to the degree required for veterans eligible for SAH grants. The SHA grant can be used for a veteran or servicemember's own home and for the home of a family member whether a recipient is living there temporarily or permanently.

### Eligibility

SHA grants are available to veterans and servicemembers with the following service-connected disabilities:[26]

- Veterans and servicemembers who have blindness in both eyes with 20/200 visual acuity or less in the better eye with use of corrective lenses.

[21] 38 C.F.R. §3.809. This regulation defines severe burn injuries as "full thickness or subdermal burns" reducing mobility in two or more extremities or at least one extremity and the trunk of the body.

[22] This provision was added by Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (P.L. 112-154). Congress has extended the application deadline, which was initially the end of FY2013.

[23] 38 U.S.C. §2102(d).

[24] VA Loan Circular 26-16-27, Annual Increase in Construction Cost Index and Specially Adapted Housing (SAH), Special Housing Adaptations (SHA), and Temporary Residence Adaptations (TRA) Grants, September 27, 2016, at http://www.benefits.va.gov/HOMELOANS/documents/circulars/26_16_27.pdf.

[25] 38 U.S.C. §2102(a).

[26] 38 U.S.C. §2101(b).

- Veterans and servicemembers who have a permanent and total disability that
  1. includes the loss or loss of use of both hands;
  2. is due to a severe burn injury;[27] or
  3. is due to residuals of an inhalation injury.

### Benefits

Similar to SAH grants, SHA grant limits are established in statute and updated each year based on a residential home cost-of-construction index. For FY2017, the grant limit

- for a veteran's or servicemember's own home is $15,462;
- for a veteran or servicemember temporarily residing in a family member's home is $6,059; and
- for a veteran or servicemember indefinitely residing in a family member's home is $15,462.

## Home Improvements and Structural Alterations Grants

Home Improvements and Structural Alterations (HISA) grants are part of the home health services provided to veterans with both service- and non-service-connected disabilities. Funds can be provided for home improvements and alterations necessary for the "continuation of treatment for the veteran's disability" (i.e., for home health treatment) or for access to the home itself or essential lavatory and sanitary facilities (i.e., bathrooms, kitchens, and laundry facilities).[28] Funds can be used for more than one alteration, up to a benefit cap. A VA physician must prescribe and explain the need for any structural improvement or alteration.[29] A veteran may receive both a HISA grant and either an SHA or SAH grant.[30]

### Eligibility

The HISA grant is available to veterans who qualify to receive VA medical services pursuant to 38 U.S.C. §1710(a).[31] The amount of benefits available is greater for veterans who use the benefit to accommodate service-connected disabilities or to accommodate non-service-connected disabilities if the veteran also has a service-connected disability that is rated at least 50% disabling.[32]

[27] VA regulations at 38 C.F.R. §3.809a define severe burn injuries to mean either "deep partial thickness burns" reducing mobility in two or more extremities or at least one extremity and the trunk of the body, or "full thickness or subdermal burns" resulting in limitation in motion of one or more extremities or the trunk of the body.

[28] 38 U.S.C. §1717(a)(2). Regulations are at 38 C.F.R. §§17.3100 et seq.

[29] 38 C.F.R. §§17.3120.

[30] See VA, "Specially Adapted Housing Program," fact sheet, February 2017, at http://benefits.va.gov/BENEFITS/factsheets/homeloans/SAHFactsheet.pdf.

[31] 38 U.S.C. §1717(a). For more information, see CRS In Focus IF10555, *Introduction to Veterans Health Care*.

[32] 38 C.F.R. §17.3105(b).

### Benefits

For veterans with

- a service-connected disability, the maximum benefit is $6,800.[33]
- a non-service-connected disability, the maximum benefit is $2,000.[34]

# Other Grants and Benefits

## Automobile and Special Adaptive Equipment Grants[35]

Veterans with certain service-connected disabilities are eligible for one-time grants toward the purchase of an automobile or for financial assistance to purchase adaptive equipment for an existing automobile to make it safe or legal for the veteran's use.[36]

### Eligibility

To be eligible for the automobile grant, a veteran must have one of the following service-connected conditions:

- loss or permanent loss of use of one or both feet;
- loss or permanent loss or use of one or both hands;
- permanent impairment of vision in both eyes;[37]
- severe burns; or
- ALS (or Lou Gehrig's Disease).

To be eligible for adaptive equipment, a veteran must have one of the service-connected conditions listed above or ankylosis (i.e., immobility of the joint) of one or more of the knees or hips.

### Benefits

A veteran is eligible for only one automobile grant in his or her lifetime. The current maximum grant is $20,235.20 and is adjusted annually on October 1 based on changes in the Consumer Price Index for all Urban Consumers (CPI-U). Payment is made to the seller of the automobile.

A veteran may be eligible for adaptive equipment for up to two automobiles during a four-year period. Payments for adaptive equipment may be made to either the seller or the veteran up to maximum amounts set periodically by the Veterans Health Administration. For example, the current maximum amount payable for an automatic transmission is $1,363.00.[38]

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[33] 38 U.S.C. §1717(a).

[34] Ibid.

[35] This section was prepared by Scott Szymendera, analyst in Disability Policy.

[36] 38 U.S.C. §§3902-3903; 38 C.F.R. §§3.808 and 17.155-17.158. These benefits are also available to current servicemembers who otherwise meet the service-connected disability requirements.

[37] The automobile may be purchased by another person for the purpose of providing transportation to a veteran who is unable to drive.

[38] For the current reimbursement schedule for adaptive equipment, see VA, Veterans Health Administration,

## Clothing Allowance Grant[39]

### Eligibility

A veteran with a service-connected disability is eligible for an annual clothing allowance if because of the disability he or she

- wears or uses a prosthetic or orthopedic appliance, including a wheelchair, which the VA determines is likely to damage the veteran's clothing; or
- uses a prescription skin medication that the VA determines causes irreparable damage to the veteran's outergarments.[40]

### Benefits

A veteran is eligible for one annual clothing allowance if he or she uses one type of device or medication. A veteran may be eligible for more than one annual clothing allowance if he or she uses multiple devices or medications and multiple outergarments are subject to damage, or one type of outergarment is subject to an increased rate of damage due to the use of multiple devices or medications.

The current clothing allowance is $779.62 and is payable on August 1 of each year. The clothing allowance is not automatically adjusted for annual increases in the cost-of-living. However, generally, legislation is enacted annually to increase the clothing allowance using the Social Security COLA.[41]

## Service-Disabled Veterans Insurance[42]

### Eligibility

A veteran with a service-connected disability, even if rated at 0%, who is in good health may apply for Service-Disabled Veterans Insurance (S-DVI) life insurance within two years of receiving a disability rating from the VA.[43] Good health is defined by regulation as being free from any medical condition that would likely weaken the person's normal physical or mental functions or shorten his or her life.

### Benefits

S-DVI provides a variety of term and permanent life insurance plans to eligible veterans. S-DVI policies have maximum face value of $10,000 and do not pay dividends.

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*Reimbursable Amount for Automobile Adaptive Equipment*, VHA Directive 2011-046, December 30, 2011, at https://www.va.gov/vhapublications/ViewPublication.asp?pub_ID=2473.

[39] This section was prepared by Scott Szymendera, analyst in Disability Policy.

[40] 38 U.S.C. §1162.

[41] The clothing allowance payable on August 1, 2017, was increased using the Social Security COLA pursuant to P.L. 114-197. For more information on the Social Security COLA, see CRS Report 94-803, *Social Security: Cost-of-Living Adjustments*.

[42] This section was prepared by Scott Szymendera, analyst in Disability Policy. For more information on S-DVI, see CRS Report R41435, *Veterans' Benefits: Current Life Insurance Programs*.

[43] 38 U.S.C. §§1922-1922A; 38 C.F.R. §§8.0-8.33.

Insurance premiums vary by age and type of plan.[44] Totally disabled veterans are eligible to have their premiums waived.

A veteran under the age of 65 and eligible for an S-DVI premium waiver may also purchase $30,000 in supplemental coverage if he or she applies within one-year of receiving the premium waiver.

S-DVI may be paid in the case of a veteran who did not apply for insurance during the two-year eligibility period due to mental incompetence and who dies before a guardian is appointed or within two-years of such appointment (referred to as Gratuitous S-DVI). An eligible beneficiary must generally apply for Gratuitous S-DVI within two years of the veteran's death. Gratuitous S-DVI is paid as a $10,000 lump sum payment.

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[44] For current premiums, see Department of Veterans Affairs, *Service-Disabled Veterans Insurance: RH Information and Premium Rates*, VA Pamphlet 29-9, May 2012, at http://www.benefits.va.gov/INSURANCE/forms/29-9.htm.