

Persian Gulf Conflict Veterans' Benefit Program

Act 29 of 2006

(House Bill 1820)

Background: On April 24, 2006, Governor Edward Rendell signed House Bill 1820 into law as Act 29 of 2006. This Bill establishes the Persian Gulf Conflict Veterans' Benefit Act. On November 7, 2006, Pennsylvania voters gave overwhelming approval to a ballot question to fund the program. The bond issue created a fund for the payment of compensation to, or on behalf of, eligible current and former members of the United States Armed Forces, a reserve component of the United States Armed Forces, or the Pennsylvania National Guard.

Eligibility: The program allows for compensation to be paid to eligible service members (current and former) as well as certain surviving relatives of deceased veterans. In each case, the service member/veteran must have:

- Served with the United States Armed Forces, a reserve component of the United States Armed Forces or the Pennsylvania National Guard.
- Served on active duty in the Persian Gulf Theater of Operations during the period from August 2, 1990 to August 31, 1991 and received the Southwest Asia Service Medal.
- Been a legal resident of Pennsylvania at the time of active service (Aug 2, 1990 - Aug 31, 1991).

Eligible beneficiaries of deceased veterans include, in the following order of precedence:

- Surviving spouse.
- Surviving children.
- Surviving parents.

Active Service: For purposes of calculating the amount of the benefit payment based on months of service, "active service" is defined as :

- For a member of an active component of the Armed Forces of the United States, time served on active duty for which the member has received the Southwest Asia Service Medal for service related to the Persian Gulf Conflict Theater.
- For a member of the Pennsylvania National Guard or a reserve component of the armed forces of the United States, time served on active duty for the support of operations in the Persian Gulf Conflict Theater whether or not that service was in Theater, provided the member was on active duty in the Persian Gulf Theater of Operations during the period from August 2, 1990 to August 31, 1991 and received the Southwest Asia Service Medal.

Exceptions: Service members, veterans or their surviving beneficiaries are not eligible for the program, if a bonus, gratuity, or compensation similar to that provided by this Act has been received from any other state or if the service member or veteran has:

- Renounced his or her US citizenship.
- At any time during the Persian Gulf Conflict or thereafter, been separated from the armed forces under less than honorable conditions.

Evidence of Eligibility. **Please send copies of original documents, as they will not be returned.* All applicants will be required to provide evidence of eligibility, including:

Service Records.

- DD214/Certificate of Release or Discharge from Active Duty documenting receipt of the Southwest Asia Service Medal and the dates in Theater.
- Certified Military Records for individuals who are still on active duty and have not received a DD214/DD215 documenting receipt of the Southwest Asia Service Medal.
- If applicable, DD215/Correction to DD214 documenting receipt of the Southwest Asia Service Medal and the dates in Theater.

Note: If current name differs from that on service record, documentation to support the name change must be provided.

Note: This Digest and Explanation is a brief summary of laws (Act 29 of 2006) and regulations (43 Pa. Code Ch. 9) applicable to the Persian Gulf Conflict Veterans' Benefit Program. The text of the laws and regulations govern the determination of eligibility for benefits and amounts of benefits. This Digest and Explanation is for information purposes and is not a substitute for the governing legal authorities.

Proof of Legal Residence. The applicant must prove that the veteran was a legal resident of Pennsylvania between August 2, 1990 to August 31, 1991. Proof of residence should be contained in official military records:

- DD214 (Block 7b – Home of Record)
If the veteran's military records do not contain proof of legal residence, the Department will consider other evidence including:
- Tax Return (State and/or Federal)
- DoD Leave and Earning Statements

Note: A veteran cannot claim legal residence in Pennsylvania during the qualifying period of service if he or she was a resident of another state at the same time.

Proof of Relationship. For those applying as a beneficiary, a copy of the Veteran's death certificate must be provided along with a DD1300 or Veterans Affairs Rating Decision, if applicable. In addition, proof of relationship is required as follows:

- Surviving spouse – Certificate of Marriage
- Surviving child – Certificates of Birth for each surviving child
- Surviving parent – Certificate of Birth for the deceased veteran, naming the applicant as a parent or proof of adoption or guardianship

Certification of Representation. If a veteran's competence prevents him or her from personally filing, the application may be filed by a legal guardian (court verification required). If no legal guardian has been appointed, the qualifying beneficiary may file the application. If there is no legal guardian or qualifying beneficiary, the person in charge of the facility in which the veteran resides may complete application.

Amount of Compensation:

Eligible Pennsylvania veterans of the Persian Gulf Conflict are entitled to receive:

- A one-time benefit of \$75 per month for each month (or major fraction thereof) of active service in the Persian Gulf Conflict Theater of Operations during the covered period. The maximum compensation is **\$525**.
- An additional one-time benefit of \$5,000 if the service member was declared a prisoner of war at any time in Theater during the period of qualifying service.

Eligible beneficiaries of deceased veterans are entitled to receive:

- A one-time benefit of \$75 per month for each month (or major fraction) of the veteran's active service in the Persian Gulf Conflict Theater of Operations during the covered period. The maximum compensation is **\$525**.
- An additional one-time benefit of \$5,000 if the service member died in "active service" in theater during the period of August 2, 1990 to August 31, 1991 or as a result of service connected wounds, diseases or injuries sustained during such active service as certified by DoD or the United States Department of Veterans Affairs.
- Payment shall be made to eligible beneficiaries, as defined by the Act, in the order named, to: surviving spouse, surviving children (to be divided evenly), surviving parents.

Applications: Application for the Persian Gulf Veterans' Benefit Program must be made on an official application form, PG-1. A short version of the form (PG-1 Short) is available for veterans or service persons filing on their own behalf. The application must be complete and contain appropriate documentation. Applications will be available online from the program website (<http://www.persiangulfbonus.state.pa.us>), at each County Director of Veterans Affairs Office, Legislators' Offices and from Veteran Service Organizations.

Applications should be submitted to:

*Persian Gulf Conflict Veterans' Benefit Program
PO Box 1109
Harrisburg, PA 17108-1109*

Deadline: The deadline for submitting applications for the Persian Gulf Conflict Veterans' Benefit Program is August 31, 2015.