

Widow of academy grad wins benefits, right to work

By EARL KELLY, Staff Writer

The Navy and U.S. Citizenship and Immigration Services have reversed earlier decisions and ruled that the immigrant widow of a Naval Academy graduate who drowned in the Severn River in June can remain in the United States and will receive survivors' benefits.

Originally told that her husband of one month, Ensign Scott Miller, did not die on active duty and that she, an immigrant from Malaysia, could not work in the United States, Sheila Miller now is receiving Dependency and Indemnity Compensation benefits, and will start a new job tomorrow as an accountant.

On top of that, a Davidsonville couple who read of Mrs. Miller's plight in *The Capital* in September has volunteered to sponsor Mrs. Miller for a green card, the first step in becoming an American citizen.

"It was really like a roller coaster ride," Mrs. Miller said this week. "The last four months have been uphill, but the last couple of weeks have been (much easier)."

Mrs. Miller, 27, said that state Sen. Douglas Henry of Nashville, where Ensign Miller was attending medical school and where Mrs. Miller continues to live, helped get her case before U.S. Sen. Lamar Alexander and Rep. Jim Cooper, whose offices encouraged the federal agencies to review her case.

Mrs. Miller faxed all the congressmen copies of *The Capital* story. "He moved mountains," Mrs. Miller said of Mr. Henry. "I owe him a big, big box of cigars - he really loves cigars."

When updated this week about Mrs. Miller's case, Mr. Henry answered, "I am so glad!"

"When the (federal) matter came to me, and when it turned out to be an immigration problem, I turned it over to Congressman Jim Cooper, and he did a bang-up job," Mr. Henry said.

Mr. Alexander also waded into the case and wrote to the Navy's congressional liaison, asking for a review of Mrs. Miller's claim for benefits.

Mr. Cooper, Mr. Alexander and federal officials involved in the case could not be reached for comment on Friday because of the Veterans Day holiday.

One blow after another

Ensign Miller, Naval Academy Class of 1995, joined the Marine Corps straight out of high school in 1988 and served in Desert Storm before entering the Naval Academy.

When he died, he was a third-year medical student, pursuing a joint M.D. and Ph.D. in chemistry at Vanderbilt University. He didn't belong to a reserve unit, and was on individual reserve status.

Mrs. Miller met her future husband on the Internet, and they married exactly one month before he drowned.

She was in the United States on a visa issued to the spouse of an American citizen.

Ensign Miller, 35, died on June 18, while saving Mrs. Miller from drowning. They were wading off Chesapeake Avenue in Eastport that Saturday evening when Mrs. Miller, a non-swimmer, became caught in a current.

Ensign Miller was to have been on official travel the next day, a Sunday, and to have reported for a training clinic at Bethesda Naval Hospital on Monday.

He was pronounced dead at 9:20 p.m., 2 hours and 40 minutes before his travel status began.

Immigration officials told Mrs. Miller that since her husband died within the first two years of their marriage, she had lost her right to work in the United States.

U.S. Citizenship and Immigration Services has the discretion to waive the two-year requirement, but said initially it would take about two years for its staff to get around to Mrs. Miller's case.

Mrs. Miller appealed that ruling and worked with Mr. Cooper's office to get a review.

Since Nashville is about 500 miles from Bethesda and the Navy computes one day's travel for each 400 miles that a service member must travel, she argued, her husband should have been declared on travel status effective June 18, which would have meant that he died on duty.

On Oct. 20, CIS wrote to Mrs. Miller saying it was granting a one-year extension of her employment authorization.

Also, following Mr. Alexander's request that the Navy review Ensign Miller's active-duty status, the Department of Veterans Affairs on Oct. 20 wrote to Mrs. Miller, saying she is entitled to \$993 a month in Dependency Indemnity Compensation, since her husband died while on active duty.

"It pays the rent," said Mrs. Miller, who had been getting by thanks to the financial generosity of others, many of them Anne Arundel County residents who read of her plight and have been sending her money.

Also, Mrs. Miller has received a death benefit of about \$12,000 and, finally, the Navy found that Ensign Miller had a life insurance policy, payable to his mother.

Priscilla Miller, of Cheyenne, Wyo., said last week that the paperwork was being processed to pay Sheila Miller half of the proceeds.

The future

Sheila Miller was an accountant with Ernst & Young in Malaysia and tomorrow, after undergoing five interviews, she will start work as an auditor in the firm's Nashville office.

She is scheduled to take her driver's exam, next week, too.

"I just hope I can borrow a car with an automatic transmission," Mrs. Miller said.

Even though Mrs. Miller had always avoided having cell phones and credit cards, her new job as an auditor likely will thrust her into a fast-paced American life.

"I'll buy some Tums," she said.

Mrs. Miller may well be on the road to becoming a bona fide American.

Sue Donovan of Davidsonville read *The Capital's* account of Mrs. Miller's case and stepped in to help. Now, Mrs. Donovan is serving as Mrs. Miller's sponsor for a green card, which could lead to Mrs. Miller's American citizenship.

"The first article I read just touched my heart," Mrs. Donovan said.

"I've told her we will adopt her if that's what it takes, and now she calls me 'Sue Ma,'" said Mrs. Donovan, a real estate broker who's married to Jack Donovan, owner of Donovan Electric.

Mrs. Donovan and Mrs. Miller have never met, but they hope to get together at Christmas.

Everyone involved in this case hopes they can now spend time adjusting to their loss, rather than tangling with government bureaucracy.

Priscilla Miller recently was cleaning out some of her son's belongings, and found long-forgotten papers that brought back fond memories, including Ensign Miller's collection of astrology and *Mad* magazines.

"He really was into astronomy, he was always asking for telescopes," Priscilla Miller said. "He (as an adult) would phone me and say, 'The Perseid showers are on - get out there and watch them!'"