

Senator takes up Navy widow's battle

By EARL KELLY, Staff Writer

The indigent widow of an ensign who drowned in Annapolis has made headway in her fight for survivor benefits, hearing from a U.S. senator who has agreed to ask the Navy to review her case.

Following a story that appeared in The Sunday Capital on Sept. 4, Sheila Miller also has received an outpouring of moral support and financial assistance, as well as a place to live.

Mrs. Miller said she's been moved by the outpouring of public support, but remains weary from dealing with the bureaucracy.

"People tell me to hang in there," the Nashville resident said this week, "but I have been hanging in there so long - I have such long arms, I am going to look like a primate soon."

Mrs. Miller, 27, is receiving no benefits, though Ensign Scott Miller, who graduated from the Naval Academy, had 17 years in the military and was in medical school on a Navy scholarship when he drowned June 18. The Navy has determined that Ensign Miller was not on active duty at the time of his death.

Mrs. Miller, an accountant from Malaysia who married Ensign Miller exactly one month earlier, can't get a job because she's here on a visa as his spouse.

Mrs. Miller has asked Sen. Lamar Alexander of Tennessee to help her. A spokesman said Wednesday that his office was in the process of writing to the Navy liaison in Congress, asking for a review of the case.

He said privacy considerations prevented him from making public a copy of the letter, and he wasn't able to say whether Mr. Alexander would introduce a private relief bill to address Mrs. Miller's circumstances. Members of Congress sometimes introduce such bills when they think someone has experienced an injustice because of the way a law is written.

On Tuesday, Mrs. Miller attended a memorial service for her husband at Vanderbilt University, where he was pursuing a Ph.D. in chemistry and a medical degree. About 100 physicians, professors, medical students and deans attended, she said.

Mrs. Miller's plight touched local residents including Sue Donovan of Davidsonville, who sent Mrs. Miller a photo of her own family.

"If you find yourself alone in this world, with no family or friends to consult for help, please consider us your family," Mrs. Donovan wrote.

Faye Meyer, herself a widow, invited Mrs. Miller to live with her in Crofton until she gets her legal problems resolved.

Annapolis resident Susan Malone wrote, "I have a room at my home and if Mrs. Miller needs a place to stay, she is welcome to stay with me and my family free of charge for as long as she needs. I would welcome the company."

Retired Marine Lt. Col. Walter Collison of Annapolis, who sponsored Ensign Miller when he was a midshipman, is looking to set up a relief fund for Mrs. Miller.

Also, the United Methodist Women of Calvary Church in Annapolis sent Mrs. Miller a check for \$750 - "which is a blessing," she said, "because I don't have ... the \$700 rent."

No benefits

Ensign Miller, a Wyoming native, joined the Marine Corps in 1988 straight out of high school and served in Operation Desert Storm as an enlisted man. He then attended prep school and entered the Naval Academy, where he graduated in 1995 as the top chemistry major and won a scholarship to medical school.

He died on Saturday, June 18, while saving Mrs. Miller from drowning. They were wading at a small beach off Chesapeake Avenue in Eastport when Mrs. Miller, a non-swimmer, became caught in a current.

Ensign Miller, 35, 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. But Mrs. Miller said her husband's military identification stated that he was on active duty, and was attending medical school on a Navy scholarship.

Navy officials have told Mrs. Miller in telephone conversations that she's not entitled to benefits, but she wonders why the Navy hasn't issued a written statement explaining the grounds for its position.

Such a statement isn't likely to be forthcoming, said Mike McLellan, a spokesman for the Navy Personnel Command in Millington, Tenn.

"She's not a Navy dependent; he was not on active duty. So why would the Navy write saying she wasn't entitled to anything?" Mr. McLellan said.

There's no way for Mrs. Miller to appeal the ruling within the Navy, he said.

If Ensign Miller had been on active duty at the time of his death, Mr. McLellan said, Mrs. Miller would have received a death gratuity of \$12,420 and travel expenses to attend the funeral.

Ensign Miller probably would have had a Servicemembers' Group Life Insurance policy worth \$250,000, which is available to military personnel for nominal premiums.

Also, Mrs. Miller would have qualified for monthly benefits to be paid through the Veterans Administration.

Mrs. Miller said she and her husband had little, and she couldn't afford to give him a proper burial.

"My husband was left in the state in which he had died and placed in a cardboard box! Residue from the water had crusted on his lips," Mrs. Miller wrote to President Bush recently.

She and Ensign Miller met over the Internet in 1999, and courted for six years while she completed her education in Malaysia. She came to the United States in April on a fiancée visa.

Under immigration laws, Mrs. Miller must be married for two years before she can apply for a work permit on her own.

The U.S. attorney general can waive this requirement but, as things stand now, it will be two years before immigration officials can hear Mrs. Miller's appeal.

Regardless of how the government bureaucracy resolves Mrs. Miller's case, the public sentiment is clearly with her.

"I will be a shoulder for her anytime she needs one," said Mrs. Donovan of Davidsonville.