

ENGROSSED HOUSE  
CONCURRENT  
RESOLUTION NO. 1022

By: Kirby of the House

and

Helton of the Senate

A Concurrent Resolution memorializing Congress to enact H.R. 303 and S. 170 of the 1st Session of the 107th Congress which eliminate the provisions addressed in Sections 5304 and 5305 of Title 38 of the United States Code, relating to offsetting dollar for dollar of retirement pay for every dollar that is drawn in Department of Veterans Affairs Compensation; and directing distribution.

WHEREAS, in 1984, Congress created "The Military Retirement Fund", administered by the Secretary of the Treasury. This has been incorporated into Title 10 U.S.C., Chapter 74, Sections 1461 through 1467, which provided that each year the Secretary of Defense will request from the Treasury Department monies required to pay all military personnel for that year; and

WHEREAS, funds are available and furnished from the Department of the Treasury to pay the complete military retirement obligation; and

WHEREAS, The Department of Defense need not ever appropriate additional funds for this purpose; and

WHEREAS, since 1984, retired disabled veterans have been required to forfeit their share of these appropriated retirement funds dependent upon their degree of disability; and

WHEREAS, the forfeited funds are diverted for the exclusive use of the Department of Defense to spend funds in any way it decides, which provides a pool of monies to support expenditures by the Department of Defense on nonbudgeted items; and

WHEREAS, the Department of Veterans Affairs is required to appropriate money to pay the service connected disability awards to military retirees, without consideration for the amount already appropriated by the Department of Defense; and

WHEREAS, the Department of Veterans Affairs does not receive any of the appropriated monies forfeited by the disabled military retirees; and

WHEREAS, no other government retiree is required to pay in a dollar for dollar offset which clearly establishes an inequity and discrimination in the present law.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 48TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

THAT Congress and the President be memorialized to enact H.R. 303 and S. 170 during the 1st Session of the 107th Congress.

THAT this resolution be distributed to President George W. Bush, the Clerk of the United States House of Representatives, the Secretary of the United States Senate, and each member of the Oklahoma Congressional Delegation.

Adopted by the House of Representatives the 25th day of April, 2001.

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Presiding Officer of the House of  
Representatives

Adopted by the Senate the \_\_\_\_ day of \_\_\_\_\_, 2001.

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Presiding Officer of the Senate