

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE

4 RESOLUTION 130

By: Russell and Coffee

5
6 AS INTRODUCED

7 A Resolution deploring the ten-year rule as it
8 applies to family members of veterans who are totally
9 and permanently disabled from service-related
10 injuries; urging Congress to reduce the ten-year rule
11 to be more fair to the family members of these
12 veterans; and directing distribution.

13 WHEREAS, it is not that unusual to learn from the media of a
14 veteran who dies less than ten years after being declared 100%
15 permanently and totally disabled from service-related injuries. If
16 the veteran died as the result of war injuries, his or her family
17 members would qualify for survivor's dependency and indemnity
18 compensation. However, if the veteran dies of other causes, the
19 family is left totally without recourse; and

20 WHEREAS, many veterans do not apply for permanent disability
21 until much later in life and do not survive the next ten years to
22 make their family members eligible for survivor's dependency and
23 indemnity compensation. The most severely disabled veterans are
24 often the quickest to die, and the family members suffer additional
loss as a result; and

1 WHEREAS, according to the Oklahoma Department of Veterans
2 Affairs, there are about 6,300 veterans in Oklahoma who are 100%
3 disabled from service-related causes. However, the state can do
4 very little about this situation since this is a federal law. To
5 many this federal law is unfair. The Veterans of Foreign Wars (VFW)
6 agrees. Their 2009-2010 Veterans Service Resolution 636 is to
7 "Reduce the Ten-Year Rule for Dependency and Indemnity
8 Compensation".

9 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION
10 OF THE 52ND OKLAHOMA LEGISLATURE:

11 THAT the Oklahoma State Senate deplors the federal ten-year
12 rule as unfair as it applies to the family members of veterans who
13 are totally and permanently disabled from service-related injuries.

14 THAT the Oklahoma State Senate strongly urges Congress to reduce
15 the ten-year rule to be more fair to the family members of these
16 worthy veterans.

17 THAT a copy of this resolution be distributed to the Oklahoma
18 Congressional Delegation.

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