

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act for the relief of Christopher Dugan.*

3 [H 62]

4 Approved

5 Whereas, Harold Dugan was drafted into the United States Army on February 20, 1968; and
6 Whereas, at the time Harold Dugan entered the armed forces he was a resident of Alexandria,
7 Virginia; and

8 Whereas, on June 1, 1976, Harold Dugan received an honorable discharge from the United States
9 Army; and

10 Whereas, on November 24, 1997, Harold Dugan was informed by the Veterans' Administration of the
11 United States (VA) that he had been issued a 100 percent disability rating; and

12 Whereas, the 100 percent disability rating reached back to an effective date of September 15, 1994;
13 and

14 Whereas, the Virginia War Orphans Education Program (the program) was established to provide
15 educational assistance for children of veterans who meet certain requirements including that each child
16 requesting educational assistance must be no less than sixteen years of age and no more than twenty-five
17 years of age; and

18 Whereas, Harold Dugan has four children, Christopher, William, Jamie and Heather; and

19 Whereas, Christopher Dugan, the oldest child, was born on October 25, 1970; and

20 Whereas, in December 1997 Christopher Dugan, the oldest son of Harold Dugan, submitted an
21 eligibility application to the Virginia Department of Veterans' Affairs (DVA) which administers the
22 program; and

23 Whereas, in January 1998 the DVA informed Christopher Dugan that he was not eligible for the
24 program because he was twenty-seven years old at the time the application was submitted; and

25 Whereas, at the time of the September 15, 1994, effective date for Harold Dugan's 100 percent
26 disability status Christopher Dugan was twenty-three years old and would have qualified for eligibility
27 under the program; and

28 Whereas, the over-three-year delay in processing of the disability rating resulted in Christopher
29 Dugan being beyond the age of eligibility even though the claim was filed shortly after his father was
30 informed by the VA of the rating; and

31 Whereas, Harold Dugan's other three children have received educational assistance from the program;
32 and

33 Whereas, Christopher Dugan has no other means to obtain relief except by action of this body; now,
34 therefore,

35 **Be it enacted by the General Assembly of Virginia:**

36 *1. § 1. That the Director of the Department of Veterans Affairs is hereby directed to examine the*
37 *eligibility application submitted by Christopher Dugan and determine whether he meets the eligibility*
38 *requirements, notwithstanding his age. If Christopher Dugan meets the eligibility requirements, the*
39 *Director shall determine the amount of educational assistance he is entitled to pursuant to subsection A*
40 *of § 23-7.4:1, subject to the execution by Christopher Dugan of a release of all claims he may have*
41 *against the Commonwealth or any agency, instrumentality, office, employee or political subdivision in*
42 *connection with the aforesaid occurrence.*

ENROLLED

HB62ER