



**JOINT LEADERSHIP COUNCIL OF
VETERANS SERVICE ORGANIZATIONS**

CHAIRMAN'S 2008 ANNUAL REPORT

TO

COMMISSIONER VINCENT M. BURGESS

AND

THE BOARD OF VETERANS SERVICES

November 30, 2008

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Chairman's Message

I. VETERANS' ISSUES

The Joint Leadership Council of Veterans Service Organizations (JLC) has become the voice of the veterans of Virginia. Representing over 250,000 members, the 23 veterans service organizations (VSOs) of the JLC have joined together to let our policy makers know issues which are of most concern to the veteran and military communities of the Commonwealth. As we have matured as a Council, policy makers have become aware of who we are and what we do (Note our mission and vision statements later in this report). We believe the broad range of military experience represented by our VSO members enables the JLC to best represent veterans' issues for Virginia's 814,000 veterans.

II. LEGISLATIVE OBJECTIVES

The JLC receives grass-roots input from its member VSOs. Then Council members carefully research the issues, debate them, and after much discussion, vote on whether to adopt them as JLC legislative objectives. The JLC is very mindful that recommendations made to the Governor and the General Assembly must be reasonable, justified, and well articulated. We are also very aware that we are dealing with limited resources, and we carefully distinguish between those items that are "must haves" for veterans and those that would be "nice to have." Please see Page 7 for the list of the JLC's 2009 *Legislative Objectives* and the accompanying position papers.

III. A MOST EFFECTIVE ADVOCATE

Armed with our legislative agenda and accompanying position papers, members of JLC's veteran organizations began contacting their delegates and senators in September to begin advocating for the JLC agenda. All members of the different VSOs (e.g. American Legion, VFW, MOAA, etc.) have been meeting with their legislators and all have been advocating for the same objectives. All of the VSOs represented on the JLC are speaking with one voice! While the JLC "supports" all legislation beneficial to veterans and the military community, it advocates most strongly for the legislative agenda that has been agreed to by all its members.

IV. ADVICE TO THE GOVERNOR

In addition to advocating with the General Assembly, the JLC has coordinated and worked with all other governmental boards to advise on veteran/military issues. In fact, the JLC has been the leader in promoting a legislative agenda with agencies such as the Board of Veterans Services (BVS), the Virginia Citizen-Soldier Support Council (VCSSC), the Virginia Military Advisory Council (VMAC), and the Veteran Services Foundation (VSF).

Respectfully,

Daniel D. Boyer
Colonel, USAF (Ret)
Chairman

The Joint Leadership Council of Veterans Service Organizations

The members of the Joint Leadership Council of Veterans Service Organizations (the JLC) represent 23 veterans service organizations (VSOs) in Virginia, and, combined, have more than 250,000 members. The JLC was created by Virginia statute in 2003 to be a voice for Virginia's veterans. JLC members are appointed by the Governor for three-year terms. The JLC meets at least four times a year and meetings are open to the public.

Member Organizations

As of November 30, 2008, twenty-three VSOs were represented on the JLC:

- Air Force Association
- American Ex-Prisoners of War
- American Legion
- AMVETS
- Association of the United States Army
- Disabled American Veterans
- Fleet Reserve Association
- Korean War Veterans Association
- Legion of Valor of the US, Inc.
- Marine Corps League
- Military Officers Association of America
- Military Order of the Purple Heart
- Military Order of the World Wars
- National Association for Uniformed Services
- Navy Seabee Veterans of America
- Non Commissioned Officers Association
- Paralyzed Veterans of America
- Reserve Officers Association of the United States
- Roanoke Valley Veterans Council
- Veterans of Foreign Wars of the United States
- Virginia National Guard Association
- WAVES
- Women Marines Association

Mission Statement

The Council provides advice and assistance to the Governor and the Department of Veterans Services on matters of concern to the veterans community and provides a conduit of information to and from the veterans service organizations on policy and legislation, pending and enacted, as well as information on existing services.

Vision

The Council will:

- *Give the Department of Veterans Services a broader understanding of the services needed by veterans.*
- *Give veterans a broader understanding of the services available to them as citizens of Virginia.*
- *Help veterans and veterans' organizations achieve legislation or policy changes needed to improve veterans' services.*
- *Enhance communications between the public, the state government, and the state's veterans.*
- *Help the Governor and the Department of Veterans Services develop policies that improve services for Virginia's veterans.*
- *Help the General Assembly develop and pass laws that more clearly respond to veterans' needs.*

Issue Identification, Development, and Advocacy

As the voice of Virginia's veterans, the JLC identifies issues of concern to veterans, their spouses, orphans, and dependents and serves in an advisory capacity to the Virginia Department of Veterans Services. Each year, the JLC presents a list of key legislative objectives for the Governor's consideration. So, when you ask, "What are Virginia's veterans' issues?" – these are the top issues.

In 2008, the Governor and General Assembly acted on five of the JLC's seven legislative objectives.

Communication

The JLC supports DVS by communicating information to veterans about their benefits, events, and issues. JLC members promptly relay information to the members of their respective organizations, amplifying the effectiveness of DVS' communications and initiatives. Additionally, cross-sharing of information has resulted in partnerships and cooperative efforts among the various veterans service organizations.

For More Information

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2009 Legislative Objectives

The following legislative objectives for 2009 were adopted by the Joint Leadership Council of Veterans Service Organizations (the JLC) on August 13, 2008. These are the top legislative objectives of the 23 Veterans Service Organizations represented on the JLC.

- **Automated System for the Electronic Preparation of Veterans' Disability Claims:** The JLC recommends that the Governor and General Assembly direct that *“subject to the availability of sufficient funds, the Department of Veterans Services shall work in concert with applicable State and Federal agencies to develop and deploy an automated system for the electronic preparation of veterans' disability claims. The Commissioner shall ensure that the system is efficient and statutorily compliant.”*
- **Homeless Veterans Study:** The JLC recommends that the Governor and General Assembly fund a study to examine the current level of services provided to homeless veterans in the Commonwealth of Virginia, and the need for and cost of additional services.
- **Burial Vaults for Virginia State Veterans Cemeteries:** The JLC recommends that the Governor and General Assembly appropriate funds so that burial vaults may be provided at no cost at Virginia state veterans cemeteries.
- **Real Estate Tax Relief for 100% Disabled Veterans:** The JLC recommends that Governor and General Assembly pass legislation to amend the Virginia Constitution that would require local governments to grant real estate tax exemptions for 100% disabled veterans without regard to means testing.
- **Interstate Compact on Educational Opportunities for Military Children:** The JLC recommends that the Governor and General Assembly enact HB395 (2008), *Interstate Compact on Educational Opportunity for Military Children*.
- **Military Family Relief Fund:** The JLC recommends that the Governor and General Assembly enact legislation providing that benefits paid from the Military Family Relief Fund shall be nontaxable.

JLC Position Paper – Automated system for the electronic preparation of veterans’ disability claims

1. **OBJECTIVE:** Employ an automated system for the electronic preparation of veterans’ disability claims to expedite receipt of veterans’ disability benefits and increase revenue flow to Virginia’s veterans.

2. **BACKGROUND:**
 - There are over 800,000 veterans in Virginia; 112,000 receive disability compensation benefits.
 - Veterans who were wounded or injured while on active duty may file a claim for disability compensation benefits with the U.S. Department of Veterans Affairs (the VA).
 - The VA adjudicates the claim based on evidence submitted or subsequently gathered.
 - On average it takes 12 months for a claim to be adjudicated.
 - If a claim is approved, a veteran will receive between \$117 and \$3,000 per month, depending on degree of disability and number of eligible dependents.
 - If a claim is denied, a veteran may appeal – a process that generally take 2-3 years.
 - Complex laws, with entitlements linked to rigorous documentation and proof of eligibility, make the process of developing and filing a disability claim time-consuming, confusing, and complicated.
 - Redundant information must be entered on multiple forms that must be visually checked.
 - Returned claims greatly delay the adjudication process and increase manpower costs.
 - The Virginia Department of Veterans Services (DVS) human resources and IT solutions have reached capacity. DVS cannot keep up with the ever-increasing demands to assist veterans applying for disability compensation benefits.
 - The number of disability claims filed by DVS on behalf of Virginia veterans is increasing by over 1,000 each year and places an added burden on an already overloaded VA system.
 - Given current technology, DVS must add one additional claims agent for every 500 new claims filed.
 - Additionally, DVS is losing qualified claims agents. Because the claims-filing process is as complicated as the tax code, it takes 3 – 5 years to fully train new claims agents.

3. **DISCUSSION:**
 - An automated system for the electronic preparation of veterans’ disability claims will simplify the process of developing a claim, resulting in claims that are more complete, more accurate, and present the necessary supporting information in a clear and consistent manner. This will provide for:
 - Faster ratings decisions by the VA.
 - Higher initial approval ratings – fewer claims will have to be appealed.
 - Virginia veterans receiving their disability compensation checks sooner.
 - Employing an electronic veterans’ disability claims system will therefore:
 - Expedite receipt of veterans’ disability benefits.

- Increase revenue flow to Virginia's veterans and the state.
- Provide DVS with a cost-effective way to serve more veterans within current human resource levels.
- Have a definite, positive impact on the Virginia Wounded Warrior Program by allowing veterans to receive VA disability compensation benefits for PTSD and TBI much faster.
- The cost to fully deploy the system is \$1.2 million in the first year and \$250,000 annual operating costs.
- DVS wishes to conduct a pilot test of the system in 2009.
- Full funding is not sought at this time due to current revenue shortfall; however, restoration of the \$50,000 that was cut is requested in order to more fully test and develop the system.

4. **RECOMMENDATION:** That the Governor and General Assembly direct that “*subject to the availability of sufficient funds, the Department of Veterans Services shall work in concert with applicable State and Federal agencies to develop and deploy an automated system for the electronic preparation of veterans’ disability claims. The Commissioner shall ensure that the system is efficient and statutorily compliant.*”

JLC Position Paper – Homeless Veterans Study

1. **OBJECTIVE:** To begin the process of reducing homelessness among veterans in the Commonwealth by: 1) identifying gaps in current services; 2) developing an improved service-delivery model that better integrates federal, state, local, and private resources; and 3) identifying the resources needed to implement the improved service-delivery model.

2. **BACKGROUND:**
 - An estimated 900 veterans are homeless in Virginia at any one time
 - 500 in Hampton Roads
 - 200 in Central Virginia
 - 50 in the Roanoke Valley and Southwest Virginia
 - 150 in other parts of the state
 - In addition to the factors affecting the general homeless population, veterans experience homelessness due to the lingering effects of Post Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), and a lack of family and social support networks
 - “(Nationwide) veterans make up a disproportionate share of homeless people. They represent roughly 26 percent of homeless people, but only 11 percent of the civilian population 18 years and older. This is true despite the fact that veterans are better educated, more likely to be employed, and have a lower poverty rate than the general population.” *National Alliance to End Homelessness*
 - A variety of specialized programs are available for homeless veterans through the U.S. Department of Veterans Affairs (the VA) and other federal agencies, including:
 - Grant funding for transitional and permanent supportive housing
 - Employment assistance and compensated work therapy
 - Medical care
 - Substance abuse counseling
 - Disability compensation

3. **DISCUSSION:**
 - While a wide variety of specialized services are available to homeless veterans (in addition to the services available to the general homeless population) there is a perceived:
 - Lack of coordination between service providers (for example, between community providers and the VA). This has left critical gaps in services that could be provided for homeless veterans, if there was a community partner who was 1) willing to provide those services, and 2) had the resources to do so
 - Lack of knowledge among community service providers about services available from the federal government and how to connect homeless veterans to those services
 - Lack of knowledge among community service providers about the funding opportunities available from the federal government and how to access those funding sources
 - Because of the lack of a coordinated service delivery program for homeless veterans, community organizations in Virginia have generally been unsuccessful when competing for federal grant resources

4. **RECOMMENDATION:** That the Governor and General Assembly fund a study to:
1) examine the current level of services provided to homeless veterans in the Commonwealth of Virginia; 2) identify gaps in service; and 3) identify the need for and cost of additional services as part of a coordinated service delivery model.

JLC Position Paper – Burial Vaults for Virginia State Veterans Cemeteries

1. **OBJECTIVE:** To provide burial vaults at no cost to support the interment of veterans at state veterans cemeteries.
2. **BACKGROUND:**
 - A burial vault is an in-ground protective concrete shell into which a casket is placed
 - Burial vaults stabilize the cemetery grounds by preventing subsidence around the burial site
 - At national cemeteries, the U.S. Department of Veterans Affairs (VA) provides burial vaults at no cost
 - At Virginia's state veterans cemeteries, veterans are required to purchase burial vaults from a funeral home at a cost of \$800 to \$1,200
 - DVS can purchase burial vaults in bulk for approximately \$450 per vault
 - A special piece of equipment, called a vault cart, is required to place a burial vault in the ground. Vault carts cost approximately \$16,000.
 - The Virginia Veterans Cemetery, Amelia does not have a vault cart
 - The Albert G. Horton, Jr. Memorial Cemetery in Suffolk has a vault cart
 - The planned Virginia Veterans Cemetery, Dublin will have a vault cart
3. **DISCUSSION:**
 - Virginia state veterans cemeteries should provide the same level of service as national cemeteries
 - This should include providing burial vaults at no cost to Virginia veterans and eligible family members
 - To provide this service to Virginia veterans and eligible family members, DVS would need:
 - \$270,000 per fiscal year (600 burials/year x \$450 per burial vault)
 - \$16,000 in one-time funding to purchase vault cart for the Virginia Veterans Cemetery, Amelia
4. **RECOMMENDATION:** That the Governor and General Assembly provide \$286,000 in the first year and \$270,000 annually thereafter to provide burial vaults at no cost to Virginia veterans and eligible family members

JLC Position Paper – Real Estate Tax Exemption for 100% Disabled Veterans

1. **OBJECTIVE:** To provide real estate tax exemption for 100% disabled veterans without means testing.

2. **BACKGROUND:**
 - The Virginia Code provides that the “governing body of any county, city or town may by ordinance provide for the exemption from ...taxation of real estate for persons “at least sixty five years of age or if provided in the ordinance anyone found to be permanently and totally disabled.”
 - The Code further sets restrictions and conditions on any exemption provided by the localities which include 1) income restrictions and 2) financial worth restrictions. Income restrictions apply to the owner and any relatives living in the dwelling. Financial worth restrictions apply to the owner and his/her spouse.
 - Localities may set income/net worth caps lower than those mandated by the state but may not set caps higher than those set by the state.
 - The U.S. Department of Veterans Affairs (the VA) reported that 6,649 Virginia veterans were rated 100% disabled as of September 2007.

3. **DISCUSSION:**
 - The Department of Veterans Services (DVS) held numerous town hall meetings in 2007 and 2008 at locations across the state. Each revealed the need for real estate tax exemption for 100% disabled veterans.
 - 100% disabled veterans continue to suffer from disabilities incurred during active military service to our Nation and our Commonwealth.
 - In Executive Order 19, “Serving Virginia’s Veterans,” Governor Kaine directed DVS to pay particular attention to the needs of disabled veterans. In its report to the Governor, DVS recommended real estate tax relief for 100% disabled veterans.

4. **RECOMMENDATION:** That the Governor and General Assembly begin the process of amending Virginia’s Constitution to require local governments to grant real estate exemptions for 100% disabled veterans without means testing.

JLC Position Paper – Interstate Compact on Educational Opportunities for Military Children

1. **OBJECTIVE:** To enact HB395, supporting the Interstate Compact on Educational Opportunities for Military Children.

2. **BACKGROUND:**
 - Military families encounter significant challenges in the education of their children due to frequent relocations in performance of service to our Nation.
 - Military children experience numerous relocations during their K-12 education. On average, this involves attending 6 to 9 different schools between grades K-12.
 - Military families face numerous challenges related to their child's education, including issues related to enrollment, eligibility, placement, and graduation requirements.
 - Lack of documents related to educational records, immunizations, etc. can prevent timely enrollment until the documents are received by the gaining school system. This has a negative impact on a military child's continued education/graduation.

3. **DISCUSSION:**
 - The Council of State Governments (CSG), in cooperation with the Department of Defense, proposed the implementation of an Interstate Compact on Educational Opportunities for Military Children (the Compact).
 - The Compact creates a uniform policy at the state/local level for transfers of military children between participating school systems. For example, the Compact allows for the expeditious transfer of required records by permitting unofficial records to be hand carried between school systems. This allows enrollment until the losing school system forwards the official records by mail or electronic means.
 - The Compact creates a State Council to provide coordination and address compliance.
 - Ten states have adopted the Compact, but Virginia has not yet adopted the Compact.
 - The CSG estimates the cost of participating in the Compact at \$1 per military student.
 - The CSG put the number of Virginia military students at 78,609 as of June 2006.
 - HB395 (2008, Cole) would commit Virginia to the Compact.
 - HB395 passed the House (99-0).
 - HB395 was continued to 2009 in the Senate Finance Committee.
 - Both the Virginia Military Advisory Council and the Virginia Citizen-Soldier Support Council have voted to adopt the Compact in their 2009 Objectives.

4. **RECOMMENDATION:** That the Governor and the General Assembly enact HB395, enabling Virginia to participate in the Interstate Compact on Educational Opportunities for Military Children.

JLC Position Paper – Military Family Relief Fund

1. **OBJECTIVE:** To exempt from Virginia Income Taxes distributions made from the Virginia Military Family Relief Fund (VMFRF).

2. **BACKGROUND:**
 - The VMFRF (Virginia Code 44-102.2) was established in 2006 to assist military families that are having difficulty meeting basic needs due to military deployments.
 - Under the VMFRF, Guardsmen and Reservists who have been called to extended active duty (periods in excess of 90 days) or their family members may apply for financial relief to meet basic needs, such as food, housing, utilities, and medical care.
 - Since inception, the VMFRF has provided relief to 95 families and disbursed \$98,100. The average disbursement was \$1,032.
 - Disbursements from the VMFRF are classified as taxable income under the Code.

3. **DISCUSSION:**
 - Taxing VMFRF disbursements means that only a portion of the funds may be used for the intended purpose. This is contrary to the purpose of the VMFRF, which is to provide relief to military families, not to return revenue to the state.
 - Based on an average of 50 households using VMFRF benefits per year, and each household paying a marginal tax rate of 5.75 percent, lost revenue to the Commonwealth would be less than \$3,000 per year.

4. **RECOMMENDATION:** That the Governor and General Assembly enact legislation to exempt from Virginia Income Taxes distributions made from the Virginia Military Family Relief Fund.