

Joint Leadership Council of Veterans Service Organizations
Meeting Minutes
July 13, 2005

A meeting of the Joint Leadership Council of Veterans Service Organizations (JLC) was held on July 13, 2005, at the Times-Dispatch Hanover Production Facility in Mechanicsville, Virginia.

Members Present

Jim Aucoin, *AMVETS*; John Bonnell, *Marine Corps League*; Mason Botts, *Air Force Association*; David Ellis, *NAUS*; Norman Jasper, *Military Order of the Purple Heart*; Robert Gray, *American Ex-Prisoners of War*; Jon Mangis, *Commissioner, Department of Veterans Services*; Daniel Miller, *Disabled American Veterans*; Connie O'Neill, *American Legion*; Richard Rinaldo, *Legion of Valor of the U. S., Inc.*; R. Goodwin Sacra, *Navy Seabee Veterans of America*; Peter Snelling, *Veterans of Foreign Wars*; Tom Stephen, *Reserve Officers Association*; Frank Wickersham, *MOAA*; and Sam Wilder, *Association of the United States Army*.

Members Absent

John Anderson, *Chairman, Board of Veterans Services*; George Dumas, *Homeless and Disabled Veterans*; John Dunleavy, *Veterans of the Battle of the Bulge*; Paul Fink, *U. S. Navy Cruiser Sailors Association*; Pat Green, *Roanoke Valley Veterans Council*; John Jackson, *Paralyzed Veterans of America*; James Jones, *Korean War Veterans Association*; Richard Schneider, *Non-Commissioned Officers Association*; and Thomas Snee, *Fleet Reserve Association*.

Others Present

Steven Combs, Assistant to the Commissioner, Virginia Department of Veterans Services; Sarah Costa, 1ST Junior Vice Commander, Department of Virginia, Disabled American Veterans; Rhonda Earman, Administrative Supervisor, Virginia Department of Veterans Services; Don Ferguson, Office of the Attorney General; Jon Hatfield, Executive Director, Virginia War Memorial; Admiral John Heckman, Chairman, Virginia War Memorial Educational Foundation; Don Kaiserman, Richmond Area Chapter of MOAA.

Materials Distributed

Meeting Agenda; draft Minutes of the May 11, 2005, meeting; draft version 2 of the JLC 2006 Legislative Agenda; Summary of Military Tuition Waivers contained in HB 1500, 2005 General Assembly Budget Bill; July 6, 2005 letter from Veterans of Foreign Wars Department of Virginia (VFW) to Governor Warner and accompanying Resolutions V-2, V-3, V-6, V-7, V-9, V-12, V-13 and Secretary of Administration's letter response; VFW Legislative Goals; Military Order of the Purple Heart Department of Virginia's Resolutions with respect to Placement of New Claims Agents in VA Medical Centers and the Virginia Veterans Care Center (VVCC), and State Income Tax Check-Off for Veterans; Marine Corps League Legislative Proposal with respect to No-Cost Vehicle Registration for Virginia Veterans; Disabled American Veterans Department of Virginia Resolution in Support of a National Fisher House at the McGuire VA Medical Center; draft Resolution of the JLC to Strengthen Virginia's National Guard and Reserve and Background Information submitted jointly by the Association of the U. S. Army and the Military Officers Association of America; SJ 35 and SJ 125 from the 2000 session of the Virginia General

Assembly; e-mail message from the American War Library on what to do with found dog tags; and Virginia War Memorial publications “Virginians at War,” and “Foundation Facts.”

Call to Order

With 14 of 22 voting members present, Chairman O’Neill called the meeting to order at 11:05 a.m.

Approval of Minutes

A **motion** was made by Dan Miller, seconded by Norman Jasper, and passed unanimously to approve the minutes of the May 11, 2005 meeting, as drafted.

Unfinished Business

Chairman O’Neill announced that Board of Veterans Services member Mel Drisko had passed away recently and honored him for his service in support veterans and the Department of Veterans Services (DVS). Mr. Aucoin announced that the past AMVETS state commander, Butch Garner, also passed away recently.

Mr. O’Neill welcomed back Frank Wickersham, who had just returned from assignment in Iraq.

Chairman O’Neill said he had presented the draft version 2 of the JLC 2006 Legislative Agenda to the Board of Veterans Services at its July 11 meeting, and that it had been accepted by the Board. Mr. O’Neill reported that the Governor’s Chief of Staff was now a Board member and that he had provided insight on the Governor’s actions in support of in-state tuition for service men and women and their families. Mr. O’Neill asked Steven Combs to provide the Council with an overview of the Governor’s proposal. Mr. Combs explained that the Commonwealth has allocated funds to cover the difference in the cost of in-state, versus out-of-state tuition, for service men and women and their families at Virginia’s colleges and universities for the first year that they reside in Virginia, allowing the families time to establish Virginia residency. Sam Wilder said this information is nothing new from what he had reported at the last JLC meeting and that the one-year provision does not meet two of the Army’s three desired outcomes, i.e., eligibility in state of assignment; and continuity of in-state eligibility once established. Mr. Wilder added that currently, Virginia requires that a non-military spouse of a service man or woman must be working and paying federal and state income taxes.

Mr. Wilder noted that the five states contiguous to Virginia – Kentucky, Maryland, North Carolina, Tennessee, and West Virginia – and all but six nationwide, meet all three of the Army’s desired outcomes. Mr. Wilder emphasized that the goal should be that as long as a military family is stationed in Virginia, the entire family should be eligible for in-state tuition. Mr. Rinaldo said that the JLC should make reference to the positive impact VA benefits have on the Virginia economy when advocating for in-state tuition with law and policy makers.

Commissioner Mangis asked Mr. Wilder if he knew what the cost of an in-state tuition program covering military members and their families while they are stationed in Virginia would be. Mr. Wilder responded that he did not have a figure, but believed the cost would be minimal.

Mr. Combs called attention to SJ 35 and SJ 125 from the 2000 General Assembly session. Mr. Combs said the resolutions were distributed at the request of Paul Hamaker, who attended the May 11, 2005 JLC meeting on behalf of David Ellis. SJ 35 memorializes Congress to enact the Keep Our Promise to America's Retirees Act; and SJ 125 memorializes Congress to restore quality health care to active duty and retired military personnel and their families.

Commissioner's Update

Commissioner Mangis welcomed new member Tom Stephen and thanked him for his help in securing the Times-Dispatch Hanover Production Facility for the meeting.

Commissioner Mangis said DVS has been busy filling the Veterans Service Representative (VSR) positions funded during the 2005 General Assembly session. Mr. Mangis said Governor Warner's budget proposal passed by the General Assembly allowed for filling all vacant VSR positions, and that a bill patroned by Board of Veterans Services member Kirk Cox provided for six new VSR positions. Commissioner Mangis said that a one-week training session for new VSRs had already taken place, and that a second session for new VSRs would take place this week. Mr. Mangis noted that seven of the nine newly hired VSRs were veterans and that the two non-veterans had worked in veterans claims offices.

Commissioner Mangis reported that DVS is trying to get space in the Northern Virginia area to place a VSR, and that Board of Veterans Services members Hershel Gober and Delegate Vivian Watts were assisting with that effort. Mr. Mangis said the possibility of co-locating DVS offices with other state agencies across the state is being explored, as well as the possibility of collaborating with them to enhance service delivery to the veterans community. Commissioner Mangis also said he has communicated with the director of the McGuire VA Medical Center with the request for no-cost office space and equipment to place a VSR in the main building of that facility.

Commissioner Mangis reported that the Supermarket of Veterans Benefits in Norton was successful with 27 federal, state and local vendors participating and over 100 veterans in attendance. Commissioner Mangis said the turnout at the Supermarkets has been sporadic and that their efficacy will be evaluated after the last one scheduled for October has taken place. Mr. Mangis noted that Supermarkets held in conjunction with other events like job fairs get the best turnout.

Commissioner Mangis said that legislation enacted by the 2004 General Assembly mandated the establishment of a Veterans Care Center Advisory Committee (VCCAC). Commissioner Mangis reported that the VCCAC is made up of professionals from the long-term care and geriatric fields and that the first meeting of the committee had taken place on June 24 at the VVCC. Commissioner Mangis said the wealth of knowledge that members of the VCCAC have will be beneficial in making recommendations for the Sitter-Barfoot Veterans Care Center.

Commissioner Mangis said that Governor Warner recently had signed the decision brief authorizing the expenditure for the construction of the new storage building at the VVCC. Other

renovations to be done at the care center include construction of a new laundry facility for residents' use and items like new carpeting throughout the facility.

Commissioner Mangis said the deed to transfer the property from the VA to the Commonwealth for the construction of the Sitter-Barfoot Veterans Care Center has been submitted to the Secretary of Veterans Affairs and is awaiting his signature. Mr. Mangis noted that construction will begin as soon as the deed is fully executed.

Commissioner Mangis reported that Memorial Day ceremonies were conducted at both state veterans cemeteries and that repair of storm damage at the Virginia Veterans Cemetery will begin soon. Mr. Mangis said that the demand at the Albert G. Horton, Jr. Memorial Veterans Cemetery has created a need for a second committal shelter and that DVS will include that project in its long-range budget planning. Commissioner Mangis reported that there have been 255 burials at the Horton Cemetery since it began operations in December 2004, as compared to 188 burials at the Virginia Veterans Cemetery for the 12-month period ending June 30, 2005. Commissioner Mangis said that DVS is preparing a plan to market the Amelia facility.

Commissioner Mangis said that Tom Clemons had been hired as the new Director of the State Approving Agency (SAA) for Veterans Education. Commissioner Mangis noted that Mr. Clemons is an astute individual, who recently retired from the U. S. Air Force. Mr. Mangis advised that the SAA approves programs of study for veterans at post-secondary institutions.

Commissioner Mangis reported that a recent audit by the Auditor of Public Accounts found no single instance of non-compliance with state accounting procedures, but that taken together, the small instances of non-compliance added up to a material weakness with the internal controls of the agency. Mr. Mangis said DVS has contracted with an individual to evaluate the internal controls and develop fiscal policies and procedures to remedy the situation. Mr. Mangis also said that a Chief Fiscal Officer soon will be hired to manage the fiscal operations of the agency, with all DVS fiscal management eventually being located in Richmond.

Commissioner Mangis reported that Mr. Combs had been working with the various service areas to develop the agency's Strategic Plan, which will be used as a budget-development mechanism. Mr. Mangis said that the Board of Veterans Services' Strategic Planning Sub-committee will provide input into the Plan.

Commissioner Mangis said that DVS also has developed a 6-year Capital Construction Plan that includes long-range goals for the following biennial budgets:

- 2006-08 – Moveable equipment for the Sitter-Barfoot Veterans Care Center – this was necessary because the funds previously allocated for the equipment had to be used to cover construction cost inflation;
- 2008-10 – Restoration of the 80 domiciliary beds at the Sitter-Barfoot Veterans Care Center, cut because of construction cost inflation and changing health care delivery standards;

- 2008-10 – Construction of a third cemetery in Southwest Virginia – DVS already has filed a pre-application with the USDVA for this project; and
- 2010-12 – Possible third care center in the Hampton Roads area – the feasibility study conducted earlier on the need for a care center in Richmond also recommended a care center in this region, and a budget amendment passed during the 2005 legislative session provided \$50,000 to study the need for a third care center.

Commissioner Mangis said that it takes five to seven years to obtain VA funding for care centers.

Commissioner Mangis also said that JLC member Pat Green had received an offer of donated land for a third cemetery in Southwest Virginia, but because the site was located in close proximity to a munitions plant, the project is temporarily on hold.

Commissioner Mangis said that the addition of the Governor's Chief of Staff to the Board of Veterans Services will provide better access to the Governor's office. Commissioner Mangis noted that Mr. Leighty is a veteran and grew up in a career military family.

Unfinished Business, cont.

Chairman O'Neill said he was concerned that, although the Board of Veterans Services approved the JLC Legislative Agenda, he believes the Board may not take any action on it. Commissioner Mangis responded that DVS will make the legislative Board members aware of the items in the agenda, and that advocacy by the JLC and its member organizations before and during the General Assembly session will help promote the legislative objectives. Commissioner Mangis also said that the objectives relating to a third cemetery and a third care center are addressed in the DVS capital construction plan, and that DVS will request that legislation be introduced for a statutory change allowing for reimbursement of travel expenditures for JLC members.

Discussion then turned to additional items to be included in the Legislative Agenda. The first item was a request from the Disabled American Veterans Department of Virginia (DAV) to support its resolution for a second National Fisher House in Virginia, located at the McGuire VA Medical Center (VAMC). The Fisher House project provides housing and other support to families of wounded veterans and service members being treated at VAMCs. Dan Miller noted that a patient's healing and rehabilitation progress typically improves when they have family members nearby. Mr. Miller said that the total project cost is estimated at \$2 million, and that the DAV is seeking a \$1 million match from public and private donors.

Members of the JLC voiced their support for the resolution and endorsed the concept of building a Fisher House at the McGuire VAMC.

Chairman O'Neil stated that he would be attending the American Legion state convention in Roanoke the weekend of July 16th, and that he would be introducing the resolution at that time.

Chairman O'Neill called for a vote on whether to include this project as an item in the JLC Legislative Agenda, and there was unanimous agreement to do so. Mr. O'Neill suggested that the DAV resolution be redrafted as a JLC resolution, and Commissioner Mangis said DVS staff

would take care of that task. A **motion** was made, seconded and passed unanimously to include support of the Fisher House as a Legislative Agenda item.

Pete Snelling then presented the VFW's Legislative Goals and called attention to Item 3 related to funding. With respect to the first funding item, Commissioner Mangis said DVS would request funding to support the hiring of additional VSRs sufficient to meet the needs of Virginia's veterans. Commissioner Mangis added that legislation passed by the 2005 General Assembly established a base number of VSRs that DVS cannot fall below, and which can be built on in the future. Mr. Mangis said that approximately \$900 million in total compensation and pension benefits comes into the Commonwealth each year and emphasized the importance of having enough VSRs to sustain or increase that level of revenue. Commissioner Mangis also said that DVS needs to have a strong administrative core to sufficient to support all of the agency's programs and services.

Mr. Snelling then called attention to Items 4 and 5, dealing with security and educational programs at the Virginia War Memorial, and Chairman O'Neill asked Jon Hatfield for his input. Mr. Hatfield said the *Virginians at War* initiative is an educational program designed for school children to preserve and teach history and instill patriotism at no cost to the school systems. The program includes film presentations on World War II and the Korean and Vietnam wars, as well as printed materials and lesson plans tied to the Standards of Learning. Mr. Hatfield said many of the younger students know very little about war history, and that the War Memorial program helps teach them about the significance of veterans' contributions to our nation. Mr. Hatfield said the Memorial receives only a maintenance appropriation from the General Assembly, but nothing to support the costly educational programs. Mr. Hatfield added that the Memorial has received \$150,000 from the United States Department of Education for its educational programs, but that an additional \$150,000 is needed. Mr. Wilder asked if the Memorial receives private donations and Mr. Hatfield said yes, but that they are not sufficient to fund all of the programs. Mr. Wilder suggested that the Memorial apply for matching grant funding, and Admiral Heckman said that was a viable option. Mr. Hatfield urged the Council members to ask their respective VSOs to advocate with the Governor and General Assembly for state matching funds to support the Memorial's educational programs. Mr. Hatfield advised that of the \$4.3 million needed to construct the new Education Wing at the Memorial, \$1 million will come from the Memorial's Foundation fund.

Chairman O'Neill called for a **motion** that the Council include in its 2006 Legislative Agenda the following item in support of the War Memorial's educational programs:

- \$250,000 a year for the next five years to fund educational efforts; and
- \$4.3 million in funding for the construction of the new Education Wing.

The motion was made by Norman Jasper, seconded and passed unanimously.

Mr. Wilder then presented for consideration a draft resolution of the JLC to strengthen Virginia's National Guard and Reserve, which was prepared jointly by the Association of the United States Army (AUSA) and the Military Officers Association of America (MOAA). Mr. Wilder said he

had met with the leadership of the Virginia National Guard and the Reserve and emphasized the vital role these service men and women are playing in the Iraq war, adding that National Guard troops are training the Iraqi army. Mr. Wilder noted that he had spoken with Board of Veterans Services member Delegate Kirk Cox, who had provided advice on how AUSA and MOAA should proceed with their efforts to strengthen the Guard and Reserve, including asking the Governor to include funding for this initiative in his next budget proposal. Mr. Wilder added that Governor Warner is very concerned about this issue and has stated that he wants his administration to be known for supporting veterans and their families. Mr. Wilder said that Governor Warner recognizes that Virginia has the greatest veterans population per capita than any other state, and that he wants to hear from veterans about their issues and concerns. Mr. Wilder suggested that a delegation from the JLC meet with the Governor on the issue of strengthening the Guard and Reserve. Chairman O'Neill raised the issue of whether Guard and Reserves are considered veterans. Mr. Wilder responded that all of the VSOs are concerned about the Guard and Reserve issue, as is Governor Warner. Don Kaiserman added that the active duty military is up against the wall fighting the war on terror, and the Guard and Reserve has been instrumental in providing the vital support it needs. Mr. Wilder said that the VSOs and the JLC should take the lead to resolve this problem and not look at it simply as a veterans issue. Mr. Rinaldo said he objects to the degree to which the Guard and Reserve have been called upon to fight the war on terror, adding that these troops should be used primarily for homeland security within the continental borders of the United States. Mr. Rinaldo said that including this issue as an item in the JLC's Legislative Agenda would only endorse the Bush Administration's practice of deploying the Guard and Reserve overseas. Mr. Ellis responded that the Guard and Reserve have always been an active component in the defense of the United States and should be treated the same as active duty military, adding that a veteran is a man in uniform who served. Mr. Stephen added that the Reserve Officers Association has made strengthening the Guard and Reserve one of its objectives for some time. Mr. Stephen said that employer conflict is the main reason these troops leave the Guard and Reserve, adding that employers often find a way around the provisions of the Uniformed Services Employment and Reemployment Rights Act (USERRA). Mr. Stephen also said that the Abrams Doctrine supports the involvement of the Guard and Reserve in combat situations, regardless of where the fighting occurs.

Mr. Miller said that supporting this issue might place the JLC in a position that it was not intended for, but added that if members of the Guard and Reserve are called into active duty, they should be considered veterans. Mr. Miller also said he believes that USERRA is an issue to be addressed by the Department of Labor (DOL), not the Department of Defense (DOD). Mr. Stephen responded that the DOD resolves about 96% of USERRA conflicts, with the DOL handling the remaining 4%.

Mr. Wickersham said that the amount of funding needed to support this initiative must be established if the JLC is going to make a cogent case for it with the Governor and General Assembly. Mr. Wickersham questioned whether the bulleted items of the resolution are the Commonwealth's responsibility. Mr. Stephen responded that asking states to support the Guard and Reserve will create a stakeholder interest, which will benefit all veterans.

Chairman O'Neill said he had consulted with Mr. Ferguson on this matter and was advised that there are no legal restrictions on what issues the JLC addresses or supports. Mr. O'Neill asked if raising this issue in a letter to Governor Warner might be more appropriate than a Legislative Agenda item. Mr. Wilder responded that the Governor and General Assembly are responsible for the welfare of all Virginians and said he would like to present the issue in a face-to-face meeting with the Governor. Chairman O'Neill suggested that the resolution be the basis for communicating with the Governor in a letter, as well as a face-to-face meeting before his budget proposal is formulated, at the Governor's earliest convenience, but no later than some time in August. Mr. Ferguson advised that the JLC is supposed to make recommendations to the Board of Veterans Services or Commissioner, who act as intermediaries between the Governor and General Assembly, and suggested that the JLC send a letter to the Commissioner instead. Mr. Wilder responded that members of the JLC are not prohibited from communicating directly with the Governor and added that Chief of Staff Bill Leighty has indicated he wants to hear from veterans. A **motion** was made by Mr. Wilder, seconded by Mr. Aucoin and passed unanimously that the resolution as written be sent with a letter to the Chairman of the Board of Veterans Services now, as a recommendation of the Joint Leadership Council, and that a meeting with the Governor be requested for no later than August 15. Commissioner Mangis agreed to draft the letter and send it and the resolution to the Board.

Mr. Wilder then presented for consideration a draft resolution dealing with tax relief for retirees and the military, wherein government and military retirees were not allowed to pay their health insurance premiums with pre-tax dollars. Discussion followed.

Mr. Jasper then presented for consideration a resolution from the Military Order of the Purple Heart (MOPH) supporting a state income tax check-off in the amount of \$1 per taxpayer to support the programs and services of the Department of Veterans Services. A **motion** was made, seconded and passed, with one abstention from Mr. Miller, to add the tax check-off to the JLC Legislative Agenda.

Mr. Jasper presented a second resolution from the MOPH supporting the placement of four of the six newly-authorized VSRs at the three VA Medical Centers in Virginia and at the VVCC. Mr. Jasper withdrew the resolution from consideration after Commissioner Mangis advised that a decision already had been made regarding placement of the new VSRs.

John Bonnell then presented for consideration a legislative proposal from the Marine Corps League for No-Cost Vehicle Registration for Virginia Veterans. After discussion, a **motion** was made by Mason Botts, seconded by Goodwin Sacra and passed unanimously that the proposal be included as a Legislative Agenda item, simply as "No-cost vehicle registration for a single automobile or light truck, per veteran."

Mr. Bonnell then called attention to the handout on what to do with found ID dog tags, and indicated it was for informational purposes only.

Election of Chairman and Vice Chairman

Chairman O'Neill recited that the nominations for Chairman and Vice Chairman made at the last JLC meeting:

Chairman – George Dumas, Mason Botts, Pat Green, and Frank Wickersham, but noted that Mr. Green had withdrawn his name for consideration; and

Vice Chairman – George Dumas, Pat Green, and Sam Wilder, with Mr. Green again withdrawing his name from consideration.

With twelve votes, Mr. Wickersham was elected as Chairman, with Mr. Dumas receiving no votes and Mr. Botts receiving one vote. Mr. Wilder was unanimously elected as Vice Chairman.

Roundtable Discussion

Mr. O'Neill thanked JLC members for their support during his tenure as Chairman, and he said he was proud of what the JLC had accomplished. Mr. O'Neill also thanked DVS staff for the tremendous support they have provided to the JLC. Mr. O'Neill noted that many of the JLC membership terms will expire simultaneously, and urged the JLC member organizations to look for dedicated representatives to fill those vacancies. Commissioner Mangis agreed to provide the JLC with a list of the membership terms.

Chairman Wickersham thanked the JLC for its support, and said he looks forward to serving as Chairman during the coming year.

New Business

There was no New Business.

Public Comments

Sarah Costa of the Disabled American Veterans Department of Virginia said she was very impressed that, although JLC members had differing opinions, they were able to work together to achieve the common goal of serving veterans.

Mr. Miller emphasized the importance of the JLC in supporting disabled veterans returning from the wars in Afghanistan and Iraq, noting that it is important to lay the proper foundation now, so that these service men and women can be rehabilitated and become productive members of society in years to come.

Next Meeting

The next meeting of the JLC was scheduled for September 14 at 11 a.m. in Richmond, with the meeting site to be determined.

Adjournment

The meeting concluded with Robert Gray reading a poem he wrote entitled "Forgotten Heroes." There being no further business, the meeting was adjourned at approximately 2:41 p.m.