



**JOINT LEADERSHIP COUNCIL OF
VETERANS SERVICE ORGANIZATIONS**

CHAIRMAN'S 2012 ANNUAL REPORT

TO

COMMISSIONER PAUL E. GALANTI

AND

THE BOARD OF VETERANS SERVICES

November 30, 2012

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Chairman's Message

The Joint Leadership Council (JLC) of Veterans Service Organizations is comprised of 23 veterans service organizations (VSOs), and represents over 250,000 VSO members who volunteer to improve the lives of Virginia's 823,000 veterans. Veterans comprise over 10% of the Commonwealth's citizenry, giving Virginia one of the highest per capita populations of veterans in the country. The JLC is proud to represent not only our members, but to be the voice of all of Virginia's veterans. While the JLC places major focus on Veteran-related issues, we do, where deemed vital, extend our advocacy programs those issues assisting the other elements of the military community in the Commonwealth.

The JLC submitted four recommendations to Governor McDonnell for consideration as part of his budget and legislative proposals for the 2012 General Assembly. Two recommendations were approved by the Governor and 2012 General Assembly, with new funding being approved to address veterans homelessness and legislation being enacted to facilitate the honorable burial of unclaimed veterans cremated remains. A third JLC recommendation – creation of a means to readily show veterans status, was addressed through the creation of the Virginia Veterans ID Card by the Department of Motor Vehicles.

In these austere times, we deeply respect the work that faces both the Governor and General Assembly as they lead us to economic recovery. Each member of the JLC recognizes the pinch of the current recession and is dedicated to finding innovative, creative ways to help create efficiencies and increase revenue for the Commonwealth while supporting our veterans. We advocate for what our veterans need, all within the constraints imposed by current realities and the fiscal status of our Commonwealth.

Respectfully,

Donald B. Kaiserman, Colonel, USA (Retired)
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, that, 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, 2012, 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
- Vietnam Veterans of America
- Virginia National Guard Association
- 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 initiatives for consideration by the Governor and General Assembly. So, when you ask, "What are Virginia's veterans' issues?" the answer is clear – *these* are the top issues.

In 2012, the Governor and General Assembly acted on three of the JLC's four initiatives.

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

Please visit the JLC page on the DVS website at <http://www.dvs.virginia.gov/board-jlc.shtml>, or contact:

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2012 – 2013 Initiatives

The following initiatives were adopted by the Joint Leadership Council of Veterans Service Organizations (the JLC) on July 11, 2012. These issues have the unanimous support of the 23 Veterans Service Organizations represented on the JLC.

1. Provide for the electronic return of absentee ballots by overseas voters.
2. Set aside land for the future Northern Virginia Veterans Care Center on the site of the state-owned Northern Virginia Training Center. The training center is scheduled to close in 2015.
3. Provide a Sales and Use Tax Exemption for Veterans Service Organizations.
4. Create business incentives for employers for hiring veterans.
5. Clarify the Code of Virginia section regarding In-State Tuition Eligibility for veterans.
6. Ensure that the surviving spouses and dependents attending a Virginia public college or university as part of the Virginia Military Survivors and Dependents Education Program have the financial resources necessary to pursue their education by increasing the stipend for room, board, books, and supplies to \$2,000 per year and appropriating an additional \$600,000 (GF) for the program.

JLC Position Paper: Electronic Return of Absentee Ballots by Overseas Voters

1. **Objective:** To allow for electronic return of absentee ballots by overseas voters.

2. **Background:**
 - Uniformed service personnel, their dependents, and overseas civilian voters often experience difficulties in casting absentee ballots due to a number of factors, including the timely return of a voted ballot.
 - Currently an overseas voter can electronically register and receive an absentee ballot, but the ballot must be returned via “snail” mail.
 - HB1057 and SB82, as introduced in the 2012 General Assembly, intended to improve registration and absentee voting procedures for military and overseas voters to include authorization for pilot programs to vote by secure electronic means. Both bills were continued to 2013.
 - HB1057 grants the Secretary of the State Board of Elections (SBE) “...*the authority to authorize and supervise a pilot program or demonstration project in partnership with the Department of Defense Federal Voting Assistance Program (FVAP) or other state agency for the purpose of allowing voters specified in subdivision 2 of §24.2-700 and military voters with disabilities or injuries to vote by secure electronic means or new technologies for such voters. Ballots cast pursuant to the provisions of this section shall be valid for all purposes.*”
 - The Impact Statement for HB1057 states that the “*SBE indicates that a \$1.81 million dollar federal grant from the Department of Defense’s Federal Voting Assistance Program (FVAP) is funding the development and immediate ongoing costs associated with this legislation. This technology is already in development for improvement in processes that are allowed under existing law.*”

3. **Discussion:** Legislation is required to permit electronic return of the voted ballot.

4. **Recommendation:** That the Governor and General Assembly enact legislation to permit the electronic return of absentee ballot by overseas voters.

JLC Position Paper: Northern Virginia Veterans Care Center

1. **Objective:** To set aside land currently owned by the Commonwealth of Virginia at the Northern Virginia Training Center in Fairfax County for the future construction of the Northern Virginia Veterans Care Center.

2. **Background:**
 - The *Long-Term Care Feasibility Study: Quality Care They Earned* was prepared for the Virginia Department of Veterans Services in 2007 by the Schroeder Center for Healthcare at the College of William & Mary.
 - Among the six primary recommendations made in the study was the need for a new veterans care center in the Northern Virginia Planning District (Arlington, Fairfax, Loudoun, Prince William, Alexandria City, Fairfax City, Falls Church City, Manassas City, and Manassas Park City). The report recommended that new care centers “...*be located near veteran population centers without a Veterans Care Center...*”
 - A specific site for the Northern Virginia center has not yet been designated.
 - As of the 2000 census there were nearly 42,000 veterans over 65 in the Northern Virginia Planning District, second only to Hampton Roads with nearly 48,000.
 - The Northern Virginia Training Center is located in Fairfax County near the George Mason University Campus. The Commonwealth and the U.S. Department of Justice in January 2012 reached a settlement agreement, under which Virginia will close the center by 2015.

3. **Discussion:**
 - This property is already owned by the Commonwealth of Virginia.
 - Land set aside would be used to construct the new veterans care center with up to 240 beds. Actual construction would occur after the United States Department of Veterans Affairs has determined that federal funds will be allocated, and Virginia approves and allocates the state share of the construction costs.
 - The cost of property in the Northern Virginia area is very high. By utilizing property already owned by Commonwealth the cost of the project should be significantly reduced.

4. **Recommendation:** That the Governor take the necessary administrative or legislative actions to formally set aside land currently owned by the Commonwealth at the Northern Virginia Training Center in Fairfax County for the future construction of the Northern Virginia Veterans Care Center.

JLC Position Paper: Sales and Use Tax Exemption for VSOs

1. **Objective:** To establish an exemption from the state and local Sales or Use Taxes for non-resale items in the Code of Virginia for nationally organized and recognized Veterans Service Organizations (VSOs).
2. **Background:**
 - The IRS exempts nationally organized and recognized VSOs from federal income tax under section 501(c)(19) of the Internal Revenue Code.
 - §58.1-609.11 of the Code of Virginia provides an exemption for sales or use taxes for entities exempt from federal income taxation under 501(c)(3) or 501(c)(4).
 - VSOs classified as 501(c)(19) perform essentially the same functions as those classified as 501(c)(3) or 501(c)(4). For example:
 - The VFW Congressional Charter establishes “charitable” as one of the purposes of the organization.
 - In 2010, the VFW Department of Virginia and Auxiliaries spent \$1,852,292 and donated 339,052 volunteer hours in support of numerous community and youth activities for the citizens of the Commonwealth.
 - Similarly, in 2010, the American Legion spent \$2,561,917 and donated 526,338 volunteer hours in support of community and youth service.
 - In the 2010-2011 year, the Paralyzed Veterans of America donated 13,637 hours in support of community service.
3. **Discussion:**
 - Given the level of community and youth service performed by VSOs as expressed in dollars and hours, VSOs should be accorded the same sales and use tax exemption as other 501(c)(3) and 501(c)(4) organizations.
 - An exemption would apply to all VSOs, but would primarily benefit VSO Posts/Chapters, etc. that own/operate a permanent facility.
 - An exemption would allow sales and use tax dollars currently spent on fuel, maintenance, cleaning, and other items not for resale to be spent on additional community and youth service programs.
 - The estimated exemptions would total approximately \$100,000.
 - Providing a sales and use tax exemption to VSOs will continue Virginia’s move toward becoming “the most veteran-friendly state in the nation” and put VSOs on an equal basis with 501(c)(3) and 501(c)(4) groups.
4. **Recommendation:** That the Governor and General Assembly establish a Sales and Use Tax Exemption for non-resale items in the Code of Virginia for nationally organized and recognized VSOs.

JLC Position Paper: Business Incentives for Hiring Veterans

1. **Objective:** To encourage businesses to hire veterans and both take them off of unemployment and have jobs ready for veterans when they leave the military.
2. **Background:**
 - The jobless rate for veterans who were in the service following September 11, 2001 was 12.1 percent last year, up from 11.5 percent in 2010 according to the Department of Defense. This far exceeds the employment rate for nonveterans for the same periods.
 - Virginia is home to approximately 823,000 veterans, of whom about 301,600 are from the period following September 11, 2001. Of these, approximately 36,500 are unemployed.
 - The focus of efforts to get veterans employed has been educating them regarding their qualifications and how to find jobs. Veterans are helped by the Virginia Employment Commission's Virginia Workforce Connection website that assists veterans in stating their significant qualifications.
 - The Virginia Workforce Connection also is designed to help employers to find the type of veteran they are seeking to employ. However, in reality most employers and their human relations personnel do not understand the qualities veterans possess and may be put off by anecdotal media pursuit of veterans with problems. Therefore, they do not understand that hiring veterans can lead to stronger businesses.
 - One approach has been to offer tax incentives or credits for businesses to hire veterans. However, recently Virginia has been criticized for having no handle on the tax incentives that have reduced general fund revenues and contributed to budget constraints. Over a dozen bills offering tax incentives, including two for hiring veterans (HB1041 and 1050), were continued to 2013 pending the results of a comprehensive review of tax credits and their productivity.
 - Another evolving approach is to educate employers and their human relations staff regarding the benefits veterans possess. In that way, employers would be seeking veterans rather than placing them with all potential employees.
3. **Discussion:** Virginia should do everything in its power to transform those who have been defending our liberties into productive workers who can strengthen its economy. Employment incentives through education and tax credits should be pursued to this end.
4. **Recommendation:** That the Governor and General Assembly adopt legislation that will support hiring veterans, particularly those who have served during the past decade.

JLC Position Paper: In-state Tuition Eligibility for Veterans

1. **Objective:** To ensure that, for veterans, the intent to attend a public institution of higher education in the Commonwealth is sufficient for the purpose of establishing domiciliary intent and determining eligibility for in-state tuition rates.

2. **Background:**
 - A top priority of the JLC in 2010-2011 was waiving of the one-year residency requirement for veterans to qualify in-state tuition rates, provided other steps were taken to establish residency.
 - The initiative had the support of Governor McDonnell and two bills – HB1861 (Anderson/Stolle) and SB824 (Edwards/Barker/McWaters) – passed the 2011 General Assembly unanimously.
 - Senator McWaters submitted a bill, SB605, in the 2012 General Assembly session. This bill clarifies the legislation adopted in 2011 and more fully reflects the intent of the original JLC proposal.

3. **Discussion:**
 - In making its proposal to the Governor and General Assembly, it was the intent of the JLC that veterans would be granted in-state tuition eligibility regardless of any other intent on the part of the veterans, such as to remain in the Commonwealth after completing his/her degree.
 - In making its recommendation, the JLC realized that some veterans will find work outside the Commonwealth after graduation from a Virginia college or university, just as do many non-veteran graduates. But the JLC believes that many veterans, if welcomed to the Commonwealth, will choose to stay in Virginia and seek employment here after graduation.
 - The JLC believes that most veterans attend college as “independent students.” Even if they are pursuing an undergraduate degree, they are more closely aligned with graduate students in age and financial situation. Unlike a typical undergraduate student, veteran students do not rely on their parents for financial support. As such, they do not come to Virginia just to attend college. They come to Virginia to get an education. And for the entire time they are in school in Virginia, the Commonwealth is their home.
 - With the advent of Iraq/Afghanistan student veteran organizations on Virginia campuses, the bonds created among student veterans will encourage them to remain in the Commonwealth after graduation, enhancing the Virginia workforce and Virginia communities.

4. **Recommendation:** That the Governor and General Assembly enact measures to clarify eligibility for in-state tuition for veterans.

JLC Position Paper: VMSDEP

1. **Objective:** To ensure that students attending a Virginia public college or university as part of the Virginia Military Survivors and Dependents Education Program (VMSDEP) have the resources necessary to pursue their education.

2. **Background:**
 - The VMSDEP, formally known as the War Orphans Education Program, provides education benefits to spouses and children of military service members killed, missing in action, taken prisoner, or who became at least 90 percent disabled as a result of military service in an armed conflict.
 - Military service includes service in the United States Armed Forces, United States Armed Forces Reserves, the Virginia National Guard, or the Virginia National Guard Reserves. Armed conflict includes military operations against terrorism or as the result of a terrorist act, a peace-keeping mission, or any armed conflict after December 6, 1941.
 - Under VMSDEP, tuition and required fees are waived.
 - Students may also receive a stipend – currently capped at \$1,500 per year – toward room, board, books, and supplies. The amount of the stipend is dependent on the amount of annual state funding for the program (currently \$1,250,000 per year), the number of enrolled students, and enrollment status.
 - Benefits are available for up to four years or the equivalent.
 - The State Council of Higher Education for Virginia (SCHEV) reports that the cost of room, board, books, and supplies increased \$1,590 between 2007-08 and 2011-12 – from \$7,839 to \$9,429. This represents a 20% increase.
 - During this same period, the number of students using VMSDEP benefits rose from 696 to 994, a 43% increase.

3. **Discussion:**
 - An increase in the stipend cap from \$1,500 to \$2,000 per year would account for past increases in the cost of room, board, books, and supplies, as well as for allowing for increases expected in the 2013-14 and future school years.
 - The number of VMSDEP students is expected to continue to rise.
 - An increase of \$600,000 (GF) per fiscal year would provide adequate resources to cover both past and expected near-term growth in program costs.

4. **Recommendation:** That the Governor and General Assembly increase the per-student annual stipend cap to \$2,000, and appropriate an additional \$600,000 (GF) per year for the Virginia Military Survivors and Dependents Education Program.

JLC Links to other Boards/Councils

- **Board of Veterans Services** (JLC Chair serves as *ex officio* member)
- **Veterans Services Foundation** (JLC Chair serves as *ex officio* member)
- **Virginia Military Advisory Council** (Jeff Platte, JLC Representative)