

Joint Leadership Council of Veterans Service Organizations
Meeting Minutes
March 20, 2013

A meeting of the Joint Leadership Council of Veterans Service Organizations (the JLC) was held on March 20, 2013, at the American Legion Building, 1708 Commonwealth Avenue, Richmond.

Members Present

- Jeffrey Platte, Air Force Association
- Brett Reistad, American Legion
- Don Kaiserman, Association of the United States Army
- Allan McCroskey, Disabled American Veterans
- Abe Zino, Fleet Reserve Association
- Thomas Richards, Legion of Valor
- John Prendergast, Marine Corps League
- Robert Fairchild, Military Order of the Purple Heart
- William Townsley, Military Order of the World Wars
- Thomas Moran, National Association for Uniformed Services
- Matthew Dailey, Non Commissioned Officers Association
- David Coffield, Paralyzed Veterans of America
- George Corbett, Vietnam Veterans of America
- Shawn Otto, Virginia National Guard Association
- Thad Jones, Chairman, Board of Veterans Services
- David Holt, Chairman, Veterans Services Foundation
- Paul Galanti, Commissioner of Veterans Services

Members Absent

- George Coker, American Ex-POWs
- Bruce Brown, AMVETS
- James Jones, Korean War Veterans Association
- Wes Edwards, Military Officers Association of America
- Glenn Rodriguez, Navy Seabee Veterans of America
- Carmen Gentile, Reserve Officers Association
- Nolan Jackson, Roanoke Valley Veterans Council
- Daniel Boyer, Veterans of Foreign Wars
- Jenny Holbert, Women Marines Association

Alternates Present (representing their VSO)

- Stu Williams, Military Officers Association of America
- Jim Clem, Roanoke Valley Veterans Council
- Tom Gimble, Veterans of Foreign Wars
- Marie Juliano, Women Marines Association

Alternates Present (not representing their VSO)

- John Velleca, Virginia National Guard Association

Commonwealth of Virginia Officials Present

- Cindy Norwood, Office of the Attorney General
- Al Pianalto, Office of Delegate Kirk Cox
- Jim Hopper, Deputy Secretary of Homeland Security and Veterans Affairs
- Mike Coleman, Office of the Secretary of Homeland Security and Veterans Affairs
- Ryan Kelly, Office of Governor McDonnell
- Steven Combs, Department of Veterans Services
- Jack Hilgers, Department of Veterans Services
- Brandi Jancaitis, Department of Veterans Services
- Danielle Weaver, Department of Veterans Services

Others Present

- Tom Barto, TMG, Inc.
- Bob Huffman, Virginia Army/Air National Guard Enlisted Association
- Kari Hahn, Air Force Association
- Bill Whitt, Fleet Reserve Association
- Don Howell, Department of Motor Vehicles

Items included in the Agenda Packet

Agenda (Agenda Item II)

Presentations (Agenda V)

- New Member Orientation
- FY 13-14 Budget
- 2013 General Assembly - legislation

Reports (Agenda Item VI)

- Board of Veterans Services Report
- Veterans Services Foundation Report
- Department of Veterans Services Report

New Business (Agenda Item VII)

- JLC Constitution
- JLC ByLaws
- Memo – Determination of Veterans Status

Opening and Pledge of Allegiance

Chairman Don Kaiserman called the meeting to order at 10:00 a.m. Chairman Kaiserman welcomed everyone and thanked them all for attending the meeting.

Roll Call of VSOs and Quorum Determination

The roll was called, and 18 of the 23 Veterans Service Organizations (VSOs) represented on the Joint Leadership Council of Veterans Service Organizations (the JLC) were recorded as being

represented and a quorum was determined. Mr. Thad Jones, the Chairman of the Board of Veterans Services (BVS), Mr. David Holt, the Chairman of the Veterans Services Foundation (VSF), and Mr. Paul Galanti, Commissioner of Veterans Services, were recorded as present. Chairman Kaiserman invited Mr. Bob Huffman of the Virginia Army/Air National Guard Enlisted Association (VaA/ANGEA) to sit at the table as a non-voting representative of his organization. Chairman Kaiserman noted that the VaA/ANGEA had applied for representation on the JLC and nominated Mr. Huffman for appointment by the Governor as the VaA/ANGEA representative.

Introductions of Guests

Chairman Kaiserman asked that Mr. Steven Combs to introduce guests and staff. Their names and organizations are recorded above. Chairman Kaiserman welcomed them to the meeting.

Mr. William Townsley made a point of order, stating that the agenda was out of order. Chairman Kaiserman apologized for the agenda being out of order and asked Mr. Townsley to please lead the Council in the Pledge of Allegiance, which Mr. Townsley proceeded to do.

Approval of the agenda

Chairman Kaiserman asked for a **motion** to approve the agenda (*Attachment 1*) as presented. Mr. Thomas Richards made a **motion, seconded** by Mr. Brett Reistad. The agenda was approved **unanimously**.

Approve December 19, 2012 Meeting Minutes and January 10, 2013 Conference Minutes

Chairman Kaiserman stated that the minutes of the December 19, 2012 meeting and January 10, 2013 conference had been distributed electronically and asked for a **motion** to approve both minutes. Mr. Allan McCroskey made a **motion, seconded** by Mr. John Prendergast, to approve both sets of minutes as drafted. The December 19, 2012 minutes were approved by **unanimous consent**.

Mr. Jeff Platte made a recommendation to change the January 10, 2013 minutes. Mr. Platte noted that, at the conference, Mr. Rich Rinaldo had pointed out that a printed summary of the JLC initiatives and supporting position papers had not been provided to the conference attendees as in years past, and that Mr. Rinaldo asked that printed copies be made available to the attendees at future conferences. Mr. Platte asked that Mr. Rinaldo's point be recorded in the minutes of the January 10, 2013 conference, and that the summary of JLC initiatives and supporting position papers be available to the members at the January 2014 conference. Mr. Townsley asked why the summary of JLC initiatives had not been available at the meeting. Mr. Combs replied that the document was not ready to be handed out, but that copies would be provided at the January 2014 conference.

Mr. Platte made a **motion, seconded** by Mr. Richards, to amend the January 10, 2013 minutes to include a summary of Mr. Rinaldo's statement. The January 10, 2013 minutes were approved as amended by **unanimous consent**.

Opening remarks

Chairman Kaiserman apologized to the Council who terms have expired but continue to serve while waiting for a new member to be appointed. He could not explain why this process is taking so long and is trying to get this corrected. Members who continue to serve during this time can appoint an alternate to serve for their organization. Chair Kaiserman stated that it is important to appoint an alternate. A member never knows when he may not be able to attend a meeting. The alternate will also become experience with the JLC and can step in and represent their organization as needed.

Presentations

Virginia's Military, Veterans & Homeland Security Media

Mr. Steve Combs distributed to the Council Virginia's Military, Veterans & Homeland Security Media handout that was prepared by Mr. Adam Smith who is with the Office of the Secretary of Veterans Affairs and Homeland Security. Mr. Combs then briefly reviewed the handout with the Council. Mr. Combs also explained that on the DVS website there is a link to sign up for the DVS list serve. The DVS list serve is used by DVS to forward new items that are actionable items for veterans and the military community. DVS averages about one item per day. The DVS website is www.dvs.virginia.gov.

Overview of the JLC (history, structure, powers and duties, etc.)

Mr. Combs gave a presentation on the JLC New Member Orientation. Mr. Combs explained that the presentation is include in your packets and is for new and current members. He then reviewed the following topics:

- Joint Leadership Council of Veterans Service Organizations Overview
- Membership
- Meetings
- Expenses
- Powers and Duties Code of Virginia
- Executive Order 29 (EO 29)
- Self Governance
- Mission Statement
- Vision Statement
- Virginia Freedom of Information Act
- State and Local Conflict of Interest Act
- JLC Partners

Mr. Combs handed out JLC lapel pins to the new council members. He also explained that the Logo Committee consisting of Director of Communications Anne Atkins, JLC members Jenny Holbert and George Corbett designed the pin. The JLC then approved the design.

Mr. Townsley asked about item #6 *Maintain a nonpartisan approach to maintaining and improving veteran's services and programs in the Commonwealth*. He wanted to know how many Democrats where involved with the JLC and the legislative process. He stated that the JLC needs to reach out to more Democrats to meet the nonpartisan requirement. Chair Kaiserman

explained that the JLC looks at the party's position on JLC initiatives not the party when approaching for support on initiatives.

Mr. McCroskey asked about the six JLC initiatives that were presented to the Governor. Mr. Combs explained that Mr. Brett Reistad would cover that later during the Review of the 2013 General Assembly session.

Mr. Abe Zino asked about the JLC meetings being recorded and if they still are. Mr. Combs explained that Ms. Danielle Weaver is taken the minutes and will transcribe them. The minutes will then be forward to the council members for their approval and then approved at the next meeting. Once the minutes are approved they are then finalized.

Chair Kaiserman pointed out that by not appointing a new council member for your organization in a timely fashion does take away from that member's time on the Council. Please appoint the new council member as soon as possible before the current council members term expires.

Chair Kaiserman also suggested sending a letter to the Governor asking about these appointments for new council members that have not been appointed yet. Mr. Combs offered to draft a letter to express these concerns of the Council and see if the process can be expedited.

Mr. Townsley made a **motion to send a letter to the Governor with the JLC's concerns in the appointment process, seconded** by Mr. Platte. The motion were approved by **unanimous consent**.

Chair Kaiserman called for a break at 11:04 am. Chair Kaiserman called the meeting back to order at 11:08 am.

Department of Motor Vehicles (DMV) Veterans and Military Programs/Services

Mr. Combs introduce Mr. Don Howell who is the Military Affairs Liaison for DMV. Mr. Combs also gave a brief bio on Mr. Howell.

Mr. Howell thanked the Council and express what an Honor it is for him to attend the meeting and then gave his presentation on *Veterans and Military Programs/Services* offered through DMV. A handout was distributed to the Council. Mr. Howell stated that he recently attended a Saint Patrick parade that had 60 veterans participating in the parade. He asked the veterans why they were participating and they stated because they love it. Mr. Howell stated that is why he is doing what he can for veterans through the DMV he loves it. He brought more handouts and applications which are located in the back for anyone who would like them. He then asked the Council if they knew what the most popular military license plate is that is purchased from DMV. No one could guess. He then stated that it is the Marine license plate is the most popular military license plate sold to veterans and non-veterans.

Mr. Howell covered the following topics during the Virginia Troops to Trucks presentation:

- Troops to Trucks
- One Less Test

- Empowering for Employment
- Benefits of Troops to Trucks
- Questions??

Mr. Howell explained that DMV will be opening a full service office at Fort Belvoir that will be available to the military community just like the one they currently have at Fort Lee. They hope to open one as well at the Norfolk Naval Base.

DMV is working with many different organizations to help veterans get on the right track. DMV will be working with a unit getting ready to deploy overseas to get their DMV licenses, etc. in order before they leave. DMV has adopted the military bases requirements for a motorcycle licenses. They are looking into the possibilities of the Veterans ID card to be used to vote. They are also working with the homeless who do not have an address who need to get a ID card by allowing them to use the local VAMC as they place of residence and will waive any fees associated with the card. DMV is also working with TMG with their initiative to help unemployment among veterans.

The Virginia DMV is leading in these initiative in front of other states and has their programs used as a pilot programs in other states.

Chair Kaiserman thanked Mr. Howell for his presentation.

Chair Kaiserman called for a lunch break at 11:42 am. Chair Kaiserman called the meeting back to order at 12:07 pm.

Review of the 2013 General Assembly session (veterans/military legislation and budget actions)

Mr. Brett Reistad, Legislative Officer for the JLC gave a presentation from the Office of the Secretary of Veterans Affairs & Homeland Security on the 2013 General Assembly session (veterans/military legislation and budget actions). Mr. Reistad directed everyone to the last page *JLC Summary of 2012-2013 Initiatives Adopted July 11, 2012*. He then reviewed these 6 initiatives listed below.

1. Provide for the electronic return of absentee ballots by overseas voters. (Died in committee)
2. Set aside land for the future Northern Virginia Veterans Care Center on the site of the state-owned Northern Virginia Training Center. (Died in committee)
3. Provide a Sales and Use Tax Exemption for Veterans Services Organizations. (Died in committee)
4. Create business incentives for employers for hiring veterans. (Passed)
5. Clarify the Code of Virginia section regarding In-State Tuition Eligibility for veterans. (Picked up by the Governor)
6. Ensure that the surviving spouses and dependents attending a Virginia public college or university as part of the Virginia Military Survivors and Dependent Education Program have the resources necessary pursue their education by increasing the stipend for room, board, books, and supplies to \$2,000 per year and

appropriating and additional \$600,000 (GF) for the program. (Picked up by the Governor)

Mr. Richards asked if the Council could get more clarification on the first 3 pages of this report. He wanted to know which bills were submitted by the JLC. Mr. Combs stated that he will put out a spreadsheet that will clarify these bills listed and then will send the spreadsheet out electronically to the Council.

The General Assembly will reconvene on April 3 and will act on the Governor's proposals. The Governor will have till April 2 to sign off on any bills that have not yet been signed that have passed through the General Assembly.

Chair Kaiserman stated that getting in to see the Governor as early as possible before the General Assembly goes into session to consider the JLC's initiatives is key to getting them through the General Assembly. Mr. Platte challenged the Council to follow the path established by the JLC over the years. This year will be a bit more of a challenge with the election of a new Governor. Mr. Thad Jones stated that it's not the BVS position to recruit the JLC initiatives but to stand by the JLC and provide them their support.

The Governor's wants to make Virginia the number 1 Veteran Friendly State in America.

FY12/14 Budget

Mr. Combs gave a presentation on the FY12/14 Budget, which is included in your packets. Mr. Combs covered the following topics:

- Overview – FY13/14 Budget
- Benefit Services
- Care Centers
- Cemeteries
- Education
- Virginia Wounded Warrior Program
- Virginia War Memorial
- Special Projects
- Capital Projects and Other Funding

Mr. David Coffield expressed concerns for some mail that he received yesterday asking for donations to the Wounded Warrior Project. Mr. Hilgers explained that this is a National organization and is not the Virginia Wounded Warrior Program. Mr. Combs stated that Ms. Cathy Wilson continues to push out good formation on the way Veterans in Virginia can benefit through the Virginia Wounded Warrior Program.

Reports

Board of Veterans Services

Board of Veterans Services (BVS) Chairman Thad Jones delivered the BVS report (*Attachment 2*). Mr. Jones invited everyone to attend the next BVS meeting on May 8, 2013.

Chair Kaiserman thanked Mr. Jones for his report.

Veterans Services Foundation

Mr. David Holt, Chairman of the Veterans Services Foundation (VSF) Board of Trustees, delivered the VSF report (*Attachment 3*). He briefly touched on two items. He stated that VSF is collecting more funds than what was budgeted for and is moving forward with spending these funds. He also stated that Ms. Cathy Wilson is doing a marvelous job with the VWWP and has their website set up with information on what the VWWP is doing.

Mr. Holt explained that Ms. Wilson has been doing her best to clarify the difference between VWWP and the Wounded Warrior Project. Most people are unaware that these are two different organizations. Mr. Hilgers did send out a matrix on approved Veterans Charities.

Mr. Holt thanked Mr. Hilgers for the wonderful job he has done with the VWWP. The next VSF meeting will be on Wednesday, May 1, 2013 at the Virginia War Memorial.

Chair Kaiserman thanked Mr. Holt for the VSF reports.

Virginia Military Advisory Council

Mr. Thomas Moran stated that the Virginia Military Advisory Council 2012 Annual Report was distributed electronically. Their last meeting scheduled was cancelled due to the inclement weather and their next meeting is April 26. He hopes to have a report at the next JLC meeting.

Department of Veterans Services

Commissioner Paul Galanti delivered the DVS report (*Attachment 4*) giving highlights of operations by each DVS section. He then explained that DVS just concluded their Annual Audit yesterday and was told that this was DVS's best audit yet. Commissioner Galanti thanked the Council and his staff for everything they do.

Chair Kaiserman pointed out that veterans and their spouses are eligible for the Shingles Shot through the VAMC. He also stated that if you sign up for any other medical programs you could lose the TriCare program that you are already enrolled in.

New Business

DVS Housing Development for Veterans

Mr. Combs introduces Ms. Brandi Jancaitis, Director of Housing Development for Veterans, Virginia Wounded Warrior Program, DVS. Mr. Combs explained that Ms. Jancaitis just joined the DVS staff in the last couple of weeks and gave a brief bio on her.

Ms. Jancaitis thanked the Council for allowing her to address the Council and gave a presentation on *DVS Housing Development for Veterans*. A handout on the presentation was distributed to the Council. She also explained that she will be providing statewide support and will be going out to all regions in the state. She covered the following items in her presentation:

- Virginia Wounded Warrior Program
- Regional Consortia
- VWWP Program Overview
- Target Population
- VWWP Services Overview
- Homeless Definitions & Stats
- Causes of Homelessness
- Homeless/Housing Care Coordination
- VWWP Program Expansion

Mr. Abe Zino asked if there are any brochures that they can carry to handout to Homeless Veterans. Ms. Jancaitis explained that she does not have any specific items to handout. Chair Kaiserman stated that this program interfaces with the Governor and is working in coordination with the Governor. Chair Kaiserman thanked Ms. Jancaitis for her presentation.

Report of the Constitution & ByLaws Committee

Mr. Pete Fairchild gave his report on the Constitution and ByLaws and stated that there are no changes to report. Both Mr. Brett Reistad and Mr. Abe Zino serve with Mr. Fairchild on this committee for the last two years. He asked if any of the council members want to suggest any changes to please submit them to Mr. Reistad or Mr. Fairchild. These suggested changes will then be put in a report to be submitted at the next JLC meeting for review and discussion.

Initial review and discussion of potential 2013-2014 JLC Initiatives

Mr. Reistad reviewed the 2013-2014 JLC Initiatives. He stated that two items that need to be looked at again this year are *Overseas Voting* and *Create business incentives for employers hiring veterans*.

Mr. Stu Williams distributed a handout for MOAA and reviewed six initiatives and 4 watch items. The six initiatives he reviewed are:

1. Provide appropriate legislation to allow electronic return of voted ballot from military overseas voters.
2. Provide appropriate legislation and funding to ensure base funding for the Virginia Values Veterans (V3) Program to enhance employment opportunities for veterans.
3. Provide funds to fully staff, train, and retain claims agents in DVS along with full utilization of the automatic claims processing system to assure the timely development and submission of accurate claims.
4. Provide funds to reduce the number of homeless veterans.
5. Provide funding and legislation to ensure that the Virginia Wounded Warrior Program adequately allows veterans to have access to a network community-based services designed to help veterans and their families overcome the challenges of stress-related and traumatic brain injuries and rehabilitative needs that result from military service.
6. Provide funding to commission and update the 2010 Virginia Tech report “Assessing the Experiences, Supportive Service Needs and Service Gaps of Veterans in the Commonwealth of Virginia” to measure veteran’s health care status and needs.

Mr. Williams then reviewed four watch items:

1. JLC review Compact with Virginia's Veterans as presented in the 2012 DVS Commissioners Report and approved by the JLC on December 19, 2012. Determine JLC response and input if needed.
2. JLC review its status and determine if it desires to amend, or revoke and substitute, Virginia Code 2.2-2681 (Joint Leadership Council of Veterans Service Organizations) which established the JLC as an advisory council within the executive branch of the state government.
3. Provide an Alternate Reliable Revenue Source (ARRS)
4. Assure proactive measures are being taken to acquire land for the Northern Virginia Veterans Care Center.

Mr. Williams then gave a presentation on Virginia Council of Chapters – MOAA EO 29 Recommendations and covered the following items:

- Veterans in Virginia
- Electronic Return of Absentee Ballot Voted by Overseas Voters
- Employment Opportunities for Veterans
- Receipt of Disability Benefits
- Homeless Veterans
- Virginia Wounded Warrior Program
- Service to Veterans
- "Watch" Items
 - Compact with Virginia's Veterans
 - Role of the JLC under EO 29
 - Alternate Reliable Revenue Source
 - Northern Virginia Veterans Care Center

Mr. McCroskey asked why do we need the Absentee Ballot Voting for Overseas Voters. Ms. Cindy Norward explained that there are a lot of Reservist and Veterans working overseas who would benefit from an Absentee Ballot Voting. Mr. McCroskey then asked if any other states were doing this. West Virginia is currently doing this and about five other states are coming on board as well. Ms. Norward stated that the JLC should check with these other states to find out how they put this into place. This bill was denied this past year due to the fact that no one could provide how the program would be able to avoid any fraudulent use.

Mr. Platte made a motion to amend the JLC 2013 Action Plan as follows:

1. To move the review of past JLC initiatives and current status from the March 20 meeting to the May 22 meeting, and
2. For the October 16 meeting to add an item *Ratify the Compact with Virginia's Veterans*

The motion was seconded by Mr. Townsley. The changes to the 2013 Action Plan was approved by **unanimous consent**.

Mr. Richards stated that Legion of Valor is working on an initiative that they hope to have ready for the next council meeting.

Chair Kaiserman thanked Mr. Williams for his presentation and stated that he is very proud of MOAA. He also stated that if anyone else had an initiative to submit to please submit them to Mr. Combs and go ahead and make a first cut at a Position Paper. He would like to get these submitted to the Governor on time.

Other new business and open discussion

Mr. Thomas Gimble stated that someone approached him in October 2012 in reference to the Desert Storm Desert Shield to be funded out of federal funds and he got it moved up to HB503 which died at the General Assembly. They are now asking if someone will sponsor this bill. Chair Kaiserman stated that MOAA will be having their MOAA seminar in April where legislators will be invited and this will be the perfect forum to bring up this request. The meeting will be held April 17.

Mr. George Corbett stated that some localities are still not working with Veterans and their surviving spouse on the 100% Real Estate Tax Exemption. He's had several veterans tell him that the localities are playing around with the wording in the bill and not approving the tax exemption. Mr. Combs stated that a change to the code has been approve and that any veteran or surviving spouse that has been denied the exemption may present their case to Commissioner Galanti and he has the authority to either approve or deny the localities decision. Mr. Combs also stated that a Guideline is being drafted to forward to the localities to help them with understanding this bill and how it affects these veterans and spouses. In some cases the localities just need the proper language in the request to approve the exemption.

Public Comment

Mr. Al Pianalto stated that voters can vote electronically in Virginia. Voters can request the ballot electronically, download it and then mail it to the Virginia State Board of Elections.

Adjournment

There being no further business, Chair Kaiserman adjourned the meeting at 2:46 p.m.

ATTACHMENT 1

**Joint Leadership Council of Veterans Service Organizations
American Legion Building
1708 Commonwealth Avenue, Richmond
March 20, 2013
10:00 a.m. – 2:00 p.m.**

AGENDA

- I. Opening and Pledge of Allegiance – *Don Kaiserman, JLC Chairman* (10:00 – 10:05)
 - II. Roll call of VSOs, quorum determination, approval of agenda and introduction of guests – *Don Kaiserman, JLC Chairman* (10:05 – 10:10)
 - III. Approve December 19, 2012 meeting minutes and January 10, 2013 conference minutes – *Don Kaiserman, JLC Chairman* (10:10 – 10:15)
 - IV. Opening remarks – *Don Kaiserman, JLC Chairman* (10:15 – 10:20)
 - V. Presentations (10:20 – 11:15)
 - a. Overview of the JLC (history, structure, powers and duties, etc.) – *Steven Combs, Director of Policy & Planning, Department of Veterans Services (DVS)* (20 minutes)
 - b. Department of Motor Vehicles (DMV) Veterans and Military Programs/Services – *Don Howell, DMV Military Liaison* (15 minutes)
 - c. Review of the 2013 General Assembly session (veterans/military legislation and budget actions) – *Brett Reistad, Legislative Officer and Steven Combs, DVS* (20 minutes)
 - VI. Reports (11:15 – 11:45)
 - a. Board of Veterans Services – *Thad Jones, BVS Chairman* (5 minutes)
 - b. Veterans Services Foundation – *David Holt, VSF Chairman* (5 minutes)
 - c. Virginia Military Advisory Council – *Chip Moran, JLC Representative* (5 minutes)
 - d. Department of Veterans Services – *Paul Galanti, Commissioner* (20 minutes)
- Lunch (11:45 – 12:30)
- VII. New business (12:30 – 1:45)
 - a. DVS Housing Development for Veterans – *Brandi Jancaitis, Director of Housing Development for Veterans, Virginia Wounded Warrior Program, DVS* (10 minutes)

- b. Report of the Constitution & ByLaws Committee – *Pete Fairchild, Committee Chairman* (5 minutes)
- c. Initial review and discussion of potential 2013-2014 JLC Initiatives – *Brett Reistad, Legislative Officer* (30 minutes)
- d. Other new business and open discussion – *Don Kaiserman, JLC Chairman* (30 minutes)

VIII. Public comment period (1:45 – 1:55)

IX. Closing remarks – *Don Kaiserman, JLC Chairman* (1:55 – 2:00)

X. Adjourn (2:00)

ATTACHMENT 2

BOARD OF VETERANS SERVICES REPORT TO THE JOINT LEADERSHIP COUNCIL (JLC) OF VETERANS SERVICE ORGANIZATIONS March 20, 2013

The Board of Veterans Services (BVS) met on January 7, 2013. At the meeting, the BVS:

- Adopted the 2013 meeting schedule:
 - Monday, January 7
 - Wednesday, May 8
 - Wednesday, July 24
 - Wednesday, November 13
- Adopted the 2013 Action Plan (attached);
- Ratified the Department of Veterans Services Fiscal Year 2012 report on the Compact with Virginia's Veterans;
- Received a briefing on the Virginia Values Veterans (V3) Program
 - The Board had received an initial overview of the goal and strategies of the V3 Program at the July 18 meeting.
 - The Board subsequently recommended that the V3 Program be institutionalized through a change to the Code of Virginia or Executive Order. Legislative and budget action taken by the Governor and General Assembly support this recommendation.

Like the JLC, the Board will develop a set of Executive Order 29 (EO29) recommendations to Governor McDonnell for his consideration for the 2014 General Assembly session. The Board recommendations will be adopted on July 24. At the same meeting, the Board will review and ratify the recommendations adopted by the JLC at its July 17 meeting.

The next meeting of the Board of Veterans Services is Wednesday, May 8. The BVS looks forward to continuing its outstanding partnership with the JLC in 2013 to serve Virginia's veterans.

Respectfully submitted,

Thad A. Jones
Chairman

Board of Veterans Services

2013 Action Plan – “Push Forward!”

January 7 meeting

- Discuss 2013 General Assembly session, including Governor McDonnell’s proposed budget, BVS and JLC EO29 recommendations, and other veterans legislation;
- Review Executive Order 29 (EO29) *Serving Virginia’s Veterans* and the role of the BVS.

January – May: “Research and development”

- Board members visit DVS facilities, meet with DVS staff members and veterans;
- Committees hold meetings to review/discuss potential EO29 proposals;
- Committees research initial EO29 proposals and prepare background papers for presentation at May 8 meeting;
- Orientation for new Board members.

May 8 meeting

- Review 2013 General Assembly Session: budget and legislation;
- Review and discuss initial EO29 proposals;
- DVS Operations Briefings – committee chairs and DVS directors.

May – July: “Putting Meat on the Bones”

- Board members visit DVS facilities, meet with DVS staff members and veterans;
- Committees hold meetings to review/discuss potential EO29 proposals;
- Committees continue research on EO29 proposals and prepare background papers for presentation at July 24 meeting;
- Orientation for new Board members.

July 24 meeting

- Review, discuss, and approve BVS 2013-14 EO29 recommendations;
- Review, discuss, and adopt JLC 2013-14 EO29 recommendations.

NLT August 15

- Submit BVS 2013-14 EO29 recommendations to DVS for transmission to Governor.

November 13 meeting

- Adopt 2014 Meeting Schedule;
- Adopt 2014 Action Plan;
- Ratify the Compact with Virginia’s Veterans;
- DVS Operations Briefings – committee chairs and DVS directors;
- Review DVS Strategic Plan.

ATTACHMENT 3

VETERANS SERVICES FOUNDATION REPORT TO Joint Leadership Council of Veterans Service Organizations March 20, 2013

The Veterans Services Foundation (VSF) Board of Trustees has held one meeting since last JLC meeting. It was on March 6, 2013. Due to the lack of a quorum, because of the snow storm that affected western and northern Virginia, an Executive Committee meeting was held. The Development and Finance Committees did not meet before the Executive Committee meeting. The following events occurred and actions taken at the Executive Committee meeting, which will be subject to ratification by the Board at the 1 May meeting.

- (1) Received Board of Veterans Services Chairman's, Joint Leadership Council of Veterans Service Organizations (JLC) Chairman's, the Department of Veterans Services (DVS) Commissioner's, and VSF Committee Reports and Virginia Wounded Warrior Program (VWWP) Updates;
- (2) Reviewed Foundation fundraising and fundraising events conducted during FY13;
- (3) Approved VSF FY13 Second Quarter Financial Report;
- (4) Approved Adjustments to the VWWP FY13 Budget and Allocation of funds to the V3 Program;
- (5) Approved the VSF logo as a lapel pin and purchasing a number of pins;
- (6) Approved one Committee Appointment;
- (7) Elected a nomination committee for FY14 officers;
- (8) Approved the review and update of Three VSF-DVS Joint Policies;
- (9) Ratified Board meeting dates of May 1, August 7, and November 6, 2013.

As of 27 February, the Foundation has raised over \$317,500, of which \$307,500 is for VWWP, during FY13. There are a number of other events being scheduled during FY13 including two golf tournaments and a MOAA clay shoot. Total fundraising is substantially more than triple the level of last year at this time. As always, the Foundation extends its sincere congratulations to the outstanding outreach of all DVS activities to realize this significant fundraising level. It could not have been accomplished without the dedication of all DVS personnel.

The next Board meeting is scheduled for May 1, 2013 at the Virginia War Memorial. Items for the next meeting may include: (1) ratification of actions taken by the Executive Committee; (2) approval of the 3rd Quarter FY13 Fund Statement; (3) approval of FY14 VSF-DVS Budget; (4) review VSF FY13 fundraising program; (5) election of FY14 officers; (6) approval of review and updates of additional VSF-DVS Joint Policies.

Respectfully submitted,

David Holt
VSF Chairman

ATTACHMENT 4
DEPARTMENT OF VETERANS SERVICES
REPORT TO
JOINT LEADERSHIP COUNCIL OF VETERANS SERVICE ORGANIZATIONS
March 20, 2013

Highlights of DVS operations:

- ***Benefit Services: assists Virginia's veterans and their dependents in obtaining benefits to which they are entitled under federal, state, and local laws***
 - All 36 claims agent positions are currently filled.
 - Two claims agents are focused primarily on the Veterans Benefits Enhancement Program (VBEP). In cooperation with the Department of Medical Assistance Services (DMAS) and the Department of Social Services (DSS), DVS is reaching out to veterans receiving Medicaid benefits to inform them that they may be eligible for veterans benefits from the U.S. Department of Veterans Affairs (USDVA). Veterans requesting assistance in accessing USDVA benefits are directed to the DVS benefits field office closest to their home.
 - The new BeneVets claims development system is deployed and operational at all 22 DVS benefit field offices. As with any new system, the deployment of the BeneVets system has posed some challenges for DVS staff, but we are working closely with the vendor to make sure the new system meets the needs of our clients and our staff. Despite some of these “teething problems,” there are definite benefits to the new system: because it is web-based, there is secure, on-line backup of client information. Clients are able to receive assistance at any DVS field office, and the USDVA forms are kept up to date. The real breakthrough with the new system will come when it is able to link to the new USDVA system through the USDVA D2D (Digits to Digits) initiative.

- ***Veterans Education and Training: approves educational programs so veterans and their dependents may receive their educational benefits***
 - 57,264 student veterans and dependents received GI Bill benefits in FFY12, an increase of 5,790 from FFY11. Virginia ranks number fourth in the nation (behind California, Texas and Florida) in number of GI Bill students.
 - Even with the assumption of the audit mission from the USDVA, the State Approving Agency for Veterans Education and Training (SAA) program of DVS continues its outreach mission. In just one recent example, SAA briefed 175 service members at a pre-retirement briefing at Ft. Lee.
 - As part of the Virginia Values Veterans (V3) program, V3 employers are referred to the SAA to seek approval of company training programs, so that if veterans are hired, they may, if eligible, receive their G.I. Bill benefits.

- ***Virginia Veterans Care Centers: provide long-term care and short-term rehabilitation to Virginia's veterans***
 - Design work is complete on the 40-bed addition to the Sitter & Barfoot Veterans Care Center (SBVCC). A “pre-bid” conference was held last week in preparation for selecting a construction contractor.
 - The Virginia Veterans Care Center (VVCC) will launch several projects this year, including replacement of the emergency generator.

- ***Virginia Veterans Cemeteries: Virginia's veterans cemeteries are shrines commemorating the personal sacrifice of those who served and those who stand ready to defend our freedom***
 - Installation of pre-placed outer burial containers is on schedule at the Albert G. Horton, Jr. Memorial Veterans Cemetery (Suffolk). Over 1,600 units have been placed.
 - Installation of pre-placed outer burial containers at the Virginia Veterans Cemetery (Amelia) is on hold until the ground dries out. The project is about five weeks behind schedule due to the bad weather.
 - On March 5 four unclaimed veterans were laid to rest at the Virginia Veterans Cemetery. The veterans received full military honors (rifle team and flag-folding team) provided by the Virginia National Guard's Military Funerals Honor Team. American Legion Post 87 (Amelia) sponsored the event, with the post chaplain receiving the flag in lieu of a family member. A bagpiper and a bugler were present.

- ***Virginia War Memorial: the Commonwealth of Virginia's monument to honor the memory of Virginia's men and women who demonstrated a willingness to serve and fight to defend our way of life from World War II to the present; and through its Education Center to serves as the Center of Excellence for the Commonwealth in education of Virginian's experience of war from the birth of our nation to the present***
 - Updated panels from the Global War on Terror Wall of Honor were recently installed.
 - DVS has begun the process of selecting an architect for the planned expansion of the Memorial. Resources permitting, the expansion will be designed to house:
 - The Wall of Honor recognizing Virginia's Heroes of the Global War on Terrorism;
 - An underground parking garage;
 - Educational space, including classroom and multi-purpose/lecture space;
 - Administrative office space for the Virginia War Memorial Educational Foundation; and
 - Administrative office space for the Department of Veterans Services.
 - The Memorial's vital education role continues to grow. Recent events at the Memorial include Boy Scout Merit Badge Day, Girl Scout Merit Badge Day, and a K-9 Veterans Day media event.

- ***Virginia Wounded Warrior Program: provides behavioral health, rehabilitation services, and support to veterans, National Guard members, reservists, and their family members***
 - A Family Impact Seminar will be held in May and will highlight research-based military and veteran homelessness issues. This four-hour presentation is being sponsored by Virginia Commonwealth University (VCU) and the Virginia Wounded Warrior Program (VWWP). Family Impact Seminars are held nationwide in each state.
 - Brandi Jancaitis joined the VWWP on February 25 as the new *Director of Housing Development for Veterans*. She will be involved in the planning of the Family Impact Seminar mentioned above.
 - VWWP is sponsoring a two-day training session in Fredericksburg in May for up to 50 clinicians on *Prolonged Exposure Therapy*. The training will be paid for by a grant and conducted by the Center for Deployment Psychology.
 - VWWP, in partnership with the Virginia Department of Health (VDH) and the Department of Behavioral Health and Developmental Services (DBHDS), has expanded the *Kognito: Family of Heroes* online training statewide. Originally piloted in VWWP Region I, positive user response led to the expansion. The program is an online, role-playing resiliency training simulation where family members learn essential skills to manage common challenges facing families in adjusting to post-deployment life. It supports families with reintegration and connects more veterans in need to support services. Visit the VWWP website at <http://www.wearevirginiaveterans.org/> to learn more.

- ***DVS HQ: Commissioner, agency-wide projects, and special initiatives***
 - The Virginia Values Veterans (V3) Program continues to create impressive employment opportunities for Virginia veterans. The following results have been achieved as of March 12:

Employers trained:	281
Veteran Ready Assessments completed:	66
Bronze Certified employers:	51
Jobs pledged:	3,205
Veterans hired:	1,155
 - The fifth V3 Training Conference was held February 12 at SAIC in McLean.
 - Planning is well under way for the April 9 conference at Regent University in Virginia Beach.
 - Planning is also well underway for the 1st Annual V3 Summit on June 12 in Richmond (venue is TBD). A recognition reception will be held at the Virginia War Memorial on June 11.
 - Four employers have been Silver-Certified. This means they have met their Bronze-level hiring pledges and have pledged to retain those hires for at least one year.

2013 and 2014 General Assembly sessions:

- Virginia's tradition of broad, bi-partisan support of veterans issues continued unabated in the 2013 General Assembly session. Though the budget won't be set in stone until after the April 3 reconvened session, everything done to date is extremely favorable.
- I would like to express my sincere appreciation for the leadership and support of Governor Bob McDonnell, Secretary Terrie Suit, and all 140 members of the General Assembly. My sincere appreciation also goes out to the Board of Veterans Services, the Virginia Military Advisory Council, and other supporters of Virginia's veterans, military service members, and families. We all share the same goal of honoring their service and sacrifice.
- But my special appreciation goes to the JLC, which continued its absolutely critical role as "the voice of Virginia's Veterans" during the 2013 session, as it has done for the past nine years.
- I request that the JLC develop legislative initiatives for the 2014 General Assembly that identify the issues of greatest importance to the veterans and military community, but that are also mindful of the current fiscal climate. The JLC's policy of identifying issues that are "need to have, not nice to have" has made it, in my opinion, the most effective advisory group in Virginia government. Please remember that the JLC's recommendations are due to Governor McDonnell, through DVS and Secretary Suit, no later than August 15.

Respectfully submitted,

Paul E. Galanti
Commissioner

ATTACHMENT 10

SUBJECT: Determination of Veteran Status - National Guard and Reserve

The Veterans Administration (VA) is the veterans agency for the federal government responsible for providing health care services, benefits programs and access to national cemeteries to former military personnel and their dependants. The department carries out its duties through three main administrative divisions: Veterans Benefits Administration; Veterans Health Administration; and National Cemetery Administration. The responsibility of the VA also includes defining the term “Veteran”. The federal government, has statutorily designated the VA as the agency to provide the definition of the term “Veteran”. “[G]reat deference’ is to be accorded to the construction of a statute by the agency charged with its administration.”¹

For the determination of eligibility for Veteran status for veterans’ benefits, the VA defines a “Veteran” to be a person who 1) served in the active military, naval or air service, and 2) was discharged or released under conditions other than dishonorable.² The term “active service” is defined to include 1) active duty, or 2) any period of active duty for training during which a person is disabled or dies from a) a disease or injury incurred or aggravated in the line of duty, or b) an acute myocardial infarction, a cardiac arrest, or a cerebrovascular accident while proceeding directly to, or returning direct from, a period of active duty for training, or 3) any period of inactive duty training during which a person is disabled or dies from an a) injury incurred or aggravated in the line of duty, or b) acute myocardial infarction, a cardiac arrest, or a cerebrovascular accident that occurred during such training or while proceeding directly to, or returning directly from, such training.³ The primary factor in determining basic eligibility for VA benefits is Veteran status.

Generally, Reserve and National Guard members (Reservist) without prior active military service undergo a period of active duty for training, lasting from four to seven months.

This training may be taken in a single period or as two separate periods. A Reservist may meet the criteria for establishing Veteran status for compensation and pension purposes if he/she 1) dies or becomes disabled from a) a disease or injury incurred or aggravated in the line of duty during a period of active duty for training, or b) an acute myocardial infarction, a cardiac arrest, or a cerebrovascular accident that occurred while the person was proceeding directly to, or returning directly from, a period of active duty for training; 2) dies or becomes disabled from an a) injury incurred or aggravated in the line of duty during a period of inactive duty for training, or b) acute myocardial infarction, a cardiac arrest, or a cerebrovascular accident that occurred during such training or while the person was proceeding directly to, or returning directly from, a period of inactive duty training, or 3) performs full-time duty in the Armed Forces *other than* active duty for training.

¹ Woolfolk v. Brown, 538 F.2d 598, 602 (4th Cir. 1976) (quoting Woolfolk v. Brown, 325 F. Supp. 1162, 1176 (E.D. Va. 1971)).

² 38 CFR 3.1 (d).

³ 38 U.S.C. 101 (24); 38 U.S.C. 106 (d); 38 CFR 3.6 (a); and 38 CFR 3.6 (e).

The Reserve also have several programs in which Reservists serve full-time in operational or support positions but *are never formally* called to active duty. This type of service, whether it lasts one day or three years, is classified by the service departments as active duty for training. Such programs include the Active Guard Reserve (AGR) and the Active Duty Support (ADS) Program.

The term “full-time duty in the uniformed services” is not defined in 38 U.S.C. or 38 CFR, Part B. An opinion issued by the VA General Counsel⁴ makes it clear that despite the military’s active duty for training classification, VA has the authority to declare certain types of service performed by Reservists to be active duty for the purposes of establishing eligibility for VA benefits; and, service in the Reserves meets the definition of active duty if the facts of record establish that the service was both full time and for operational or support purposes, as opposed to training.

The VA, however, does not consider the following duty types to be full-time duty in the uniformed service – initial active duty for training (IADT); annual training (AT), and active duty training (ADT). The Army National Guard (ARNG) and the Air National Guard (ANG) operate full-time operational and support programs similar to the Ready Reserves. Title 38 U.S.C. 101 (22), however, provides separate definitions of “active duty for training” for National Guard personnel and Reservists.

While the definition for Reservists permits the interpretation that full-time duty for purposes other than training *is* active military, naval or air service, the definition for National Guard personnel *does not* permit this interpretation.

Therefore, full-time operational/support service performed by National Guard personnel in active duty for training status *does not* qualify as “active duty” for purposes of establishing eligibility for VA benefits *unless* the member or former member has a service-connected (SC) disease or injury that was incurred or aggravated in the line of duty during the active duty for training period.⁵

If a National Guard unit, or an individual member of the National Guard, is activated under the authority of Title 10 of the United States Code, the members who report for active duty, which is characterized as Federal Active Duty, have qualifying service for 38 U.S.C. purposes until deactivated.

In some cases, a member of the National Guard may be ordered to active duty for training under the authority of 10 U.S.C. 672 (d). Such service does constitute active duty *for training* for 38 U.S.C. purposes. If an individual’s orders specify activation to temporary duty under Title 10, further investigation regarding the purpose of the activation is not needed *unless* there is evidence showing that the purpose of the activation was to train the individual. The order to active duty of the National Guard member, however, *must* state that service is under Title 10 of the U.S. Code. This fact is frequently reflected on the DD Form 214.

⁴ November 9, 1988

⁵ 38 CFR 3.6 (c); 38 CFR 3.6 (d); 38 CFR 3.7 (m).

Full-time National Guard service is considered active duty for training under 38 U.S.C. 101 (22)(C) if performed under 32 U.S.C. 316, or 32 U.S.C. 502, 503, 504 or 505. This is true regardless of whether the National Guard member is 1) performing operational duty, or 2) undergoing training.

National Guard service does *not* meet the definition of *active military, naval, or air service* under 38 U.S.C. 101 (22) unless the member or former member is disabled during that period of service and, therefore, subject to an exception outlined in 38 U.S.C. 101 (4) or 38 U.S.C. 106 (b)(3).⁶ The type of National Guard service should be identified on the DD Form 214. A member of the National Guard meets the definition of “Veteran” if 1) the individual was injured while performing active service in the National Guard, 2) the injury is compensable, and 3) the individual was discharged or released from active service.⁷

The minimum active duty service requirement of 38 CFR 3.12 (a)⁸ must be met, in accordance with 38 U.S.C. 5303A, by all persons, including officers, who 1) originally enlisted in a regular component of the Armed Forces after September 7, 1980, *or* 2) entered on active duty after October 16, 1981, *and* 3) have not previously completed a continuous period of active duty of at least 24 months, nor been discharged or released from active duty under 10 U.S.C. 1171.

The VA also defines the term “Veteran” for eligibility for VA home loan benefits as guidance to mortgage lenders providing VA Home Loans. In that context, a veteran is eligible for VA home loan benefits if he or she served on active duty in the Army, Navy, Air Force, Marine Corps, or Coast Guard after September 15, 1940, and was discharged under conditions other than dishonorable after either: 1) 90 days or more, any part of which occurred during wartime, or 2) 181 continuous days or more (peacetime). Veterans who enlisted (and service began) after September 7, 1980, or entered service as an officer after October 16, 1981 must have completed either 24 continuous months of active duty, or the full period for which called or ordered to active duty, but not less than 90 days (any part during wartime) or 181 continuous days (peacetime).

Members of the Reserves and National Guard who are not otherwise eligible for loan guaranty benefits are eligible upon completion of 6 years service in the Reserves or Guard (unless released earlier due to a service-connected disability). The applicant must have received an honorable (a general or under honorable conditions is not qualifying) discharge from such service unless he or she is either in an inactive status awaiting final discharge, or still serving in the Reserves or Guard.⁹

⁶ Operational duty includes Active Guard Reserve (AGR) and Active Duty Support (ADS), which apply to Guard personnel as well as to Reservists serving in these capacities.

Since 1964, there has been authority, under 32 U.S.C. 502 (f), to assign to full-time operational duty National Guard members who provide full-time support to the Guard components, even though they are not activated.

⁷ The term “released” means that the individual was returned to civilian status even though he/she was not relieved of the obligation to serve at a future time under 38 U.S.C. 101 (2). The individual does not have to be discharged or otherwise separated from the National Guard.

⁸ Twenty-four months of continuous active duty. 38 CFR 3.12a(a)(1) defines the minimum period as 1) twenty-four months of continuous active duty, or 2) the full period for which a person is called or ordered to active duty.

⁹ VA Pamphlet 26-7, Revised , Chapter 2: Veteran’s Eligibility and Entitlement

Finally, in the provisions pertaining to the Department of Veteran Services, Virginia defines the term “veteran” to mean "an individual who has served in the active military, naval or air service, and who was discharged or released therefrom under conditions other than dishonorable". Active military, naval, or air service members is defined to mean “military service members who perform full-time duty in the armed forces of the United States, or a reserve component thereof, including the National Guard”.¹⁰

The administration seeks the opinion of the JLC and the membership veterans’ organization regarding purchase of the Virginia Veteran I.D. Card from DMV by members of the Virginia National Guard who do not meet the definition of the term “veteran”. A member of the National Guard who has met the requisite definition of the term “veteran” as evidenced by their DD-214 would have one of the branches of service appear on the card. If the member did not have the requisite service and their NG form demonstrated NG service, DMV would put Natural Guard or some abbreviation like NAT GUARD on the card.

¹⁰ Section 2.2-2001