



**JOINT LEADERSHIP COUNCIL OF
VETERANS SERVICE ORGANIZATIONS**

CHAIRMAN'S 2017 ANNUAL REPORT

TO

COMMISSIONER JOHN L. NEWBY II

AND

THE BOARD OF VETERANS SERVICES

November 15, 2017

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Chairman's Message

The Joint Leadership Council of Veterans Service Organizations (JLC) expanded this year, and is now comprised of 26 veterans service organizations (VSOs) representing over 250,000 members. The newest VSO represented on the JLC is Navy Mutual Aid Association.

JLC members remain committed to serving Virginia's over 725,000 veterans in numerous ways, and advocating for the entire military community, including the National Guard and the Armed Forces Reserves, and their families. With veterans comprising almost 10% of the Commonwealth's population, Virginia has one of the highest per capita populations of individual veterans, veterans still in the workforce and military retirees.

The commitment of the Commonwealth of Virginia to support veterans and their families is strong. The JLC has worked well with the McAuliffe Administration and Secretary Harvey – we look forward to continuing our good working relationship with the next Administration. Along with the Governor and General Assembly, we deeply value our partnership with the Department of Veterans Services, Board of Veterans Services, and Veterans Services Foundation, as we work together to serve Virginia's veterans and their families.

The General Assembly has supported many of the legislative initiatives the JLC proposed in the past few years, turning ideas into enacted laws creating programs and services which put Virginia at the cutting edge of serving our military and veterans. Our members visit the General Assembly every session and enjoy talking to their Senators and Delegates about the JLC-sponsored bills. It is important work and our members, all veterans, have the ability to convey to legislators this importance in a way few others could.

JLC members are working on eight legislative initiatives for consideration during the 2018 General Assembly session. The 2018 JLC initiatives will be finalized at our December 20 meeting, after the publication of this report.

The JLC looks forward to our continued involvement in the legislative process and promoting Virginia as the most veteran friendly state in the nation.

Respectfully,

Marie Juliano
Chairman

The Joint Leadership Council of Veterans Service Organizations

The members of the Joint Leadership Council of Veterans Service Organizations (the JLC) represent 26 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 the voice for Virginia's VSOs, and by extension, for Virginia's veterans. JLC members are appointed by the Governor for three-year terms. The JLC typically meets five times a year. Meetings are open to the public.

Member Organizations

- Air Force Association
- American Legion
- AMVETS
- Association of the United States Army
- Disabled American Veterans
- Fifth Baptist Veterans Ministry
- Fleet Reserve Association
- Iraq & Afghanistan Veterans of America
- 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 Mutual Aid Association
- 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 Army/Air National Guard Enlisted Association
- Virginia National Guard Association
- Women Marines Association

Mission Statement

The Council provides advice and assistance to the Governor, General Assembly 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.

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.

2017 Meetings

The JLC typically holds four business meetings and one conference each year. Minutes of JLC meetings are provided to the Board of Veterans Services (BVS) Chairman and Vice Chairman, and are posted on the Commonwealth Calendar and on the JLC page on the DVS website: <http://www.dvs.virginia.gov/dvs/joint-leadership-council-veterans-service-organizations>.

The 2017 meeting schedule was as follows:

- January 12: JLC Conference at the General Assembly
- March 8: Business Meeting
- May 31: Business Meeting *at the National D-Day Memorial, Bedford, VA*
- September 6: Business Meeting
- December 20: Business Meeting (scheduled)

The JLC also submits a report at each Board of Veterans Services (BVS) and Veterans Service Foundation (VSF) meeting throughout the year.

2016-2017 Officers

Elected Officers

- Chairman: Harold H. "Bart" Barton
- Vice Chairman: Marie G. Juliano

Appointed Officers

- Legislative Chair: Dave Sitler
 - Assistant Legislative Officer: Robert A. Sempek
- Chaplain: L.T. Whitmore
- Constitution & By-Laws Committee:
 - Chairman: Richard Mansfield
 - Members: Perry Taylor and Adam Provost
- Nominating Committee:
 - Chairman: Dan Boyer
 - Members: John Clickener, Jon Ostrowski
- JLC Representative to the Virginia Military Advisory Council (VMAC):
 - Primary: William Barrett, Jr.
 - Alternate: Curtis Jennings
- JLC Representative to Board of Veteran Services (BVS)
 - Primary: Harold H. ("Bart") Barton, Jr.
 - Alternate: Marie G. Juliano
- JLC Representative to Veterans Services Foundation (VSF)
 - Primary: William B. Ashton
 - Alternate: Abe Zino (A)

- JLC Representative to the Virginia War Memorial Board (VWMB)
 - Primary: Marie G. Juliano
 - Alternate: Robert Huffman
- JLC Representative to the State Board of Elections Electronic Ballot Return Work Group:
 - Primary: Stu Williams
 - Alternate: Vic Pena (A)
- JLC Representative to BVS Committees:
 - Cemeteries
 - Primary: Charlie Montgomery
 - Alternate: George Corbett (A)
 - Care Centers
 - Primary: Dan Dennison
 - Alternate: Chip Moran (A)
 - Benefits
 - Primary: Perry C. Taylor
 - Alternate: Dan Karnes (A)
 - Veteran Entrepreneurship Study Group
 - Primary: Lauren Augustine
- JLC Representative to the Hampton Drug Court Veterans Tract Advisory Council
 - Primary: Bart Barton
 - Alternate: Rick Mansfield
- JLC Representative Fairfax Veteran Treatment Docket
 - Primary: Dan Dennison
 - Alternate: Lauren Augustine

For More Information

Please visit the JLC page on the DVS website:

<http://www.dvs.virginia.gov/dvs/joint-leadership-council-veterans-service-organizations/>

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Chairman

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2017 Initiatives - Status
as of March 15, 2017

Initiative	Recommendation	Status –
JLC 2017-01 <i>Virginia Veteran and Family Support Services</i>	That the Governor and General Assembly change the Code of Virginia to revise the charter of the VVFS; release \$393,494 to DVS in FY17; authorize 21 new positions in FY17 and FY18; and appropriate an additional \$700,000 (GF) in FY18 to convert VVFS to an all-state employee service delivery structure.	Introduced budget: \$610,128 plus the \$393,494 in the “lock box” Additional Budget Amendment – N/A Legislation: <ul style="list-style-type: none"> • HB2206 (Delegate Cox) 2/3: Passed House (95-0) 2/16: Passed Senate (40-0) 3/13: Signed by Governor
JLC 2017-02 <i>Virginia War Memorial</i>	That the Governor and General Assembly appropriate an additional \$100,000 (GF) FY18 to ensure the Virginia War Memorial has the resources necessary to accomplish its dual mission of honor and education.	Introduced budget: None Legislation: <ul style="list-style-type: none"> • None
JLC 2017-03 <i>Guard Income Tax Subtraction</i>	That the Governor and General Assembly increase the state income tax subtraction level for members of the Virginia National Guard from \$3,000 to \$5,000 per year.	Introduced budget: None Legislation: <ul style="list-style-type: none"> • HB1397 (Delegate Fowler) 1/18: Laid on the Table
JLC 2017-04 <i>In-state tuition for all members of the Reserve Components</i>	That the Governor and the General Assembly change the eligibility for in-state tuition to include all members of the Virginia National Guard and the Reserve components, thus recognizing their service to the Commonwealth and treating them equally to the active components and veterans	Introduced budget: \$900,000 for VMI Legislation: <ul style="list-style-type: none"> • HB1724 (Delegate Anderson) 2/1: Laid on the Table
JLC 2017-05 <i>Virginia Veteran Entrepreneurship Grant Pilot Program</i>	That the Governor and General Assembly approve legislation creating the <i>Virginia Veteran Entrepreneurship Grant Pilot Program</i> under the Department of Veterans Services and appropriate \$900,000 (GF) per year in FY18 and FY19 to award grants to companies that provide entrepreneurship training to veterans. Also, that the Board of Veterans Services (BVS) continue its work on veteran entrepreneurship and develop additional recommendations for consideration.	Introduced budget: \$900,000 for FY17 and FY18 Legislation: <ul style="list-style-type: none"> • HB1841 (Delegate Stolle) 1/24: Reported out of General Laws and re-referred to Appropriations 2/7: Left in Appropriations • SB1114 (Senator McPike) 2/2: Passed By Indefinitely (16-0)
JLC 2017-06 <i>VMSDEP</i>	That the Governor and General Assembly remove the requirement that a veteran’s disability rating be combat related. Instead, a permanent service-connected disability rating of at least 90%, plus satisfaction of the other requirements currently in the Code, would qualify a veteran’s spouse or child for VMSDEP benefits.	Introduced budget: None Legislation: <ul style="list-style-type: none"> • HB2357 (Delegate Torian) 2/1: Reported out of Education with an Amendment (21-0) 2/2: House rereferred to Appropriations 2/7: Left in Appropriations Budget Amendment: <ul style="list-style-type: none"> • 144 #2h - \$900,000 in FY18
JLC 2017-07 <i>Electronic Ballot Return</i>	That the Governor and General Assembly enact legislation and provide budget support of a pilot program for the electronic return of absentee ballots by Virginia’s deployed military service members to enfranchise their voting privileges.	Introduced budget: None Legislation: <ul style="list-style-type: none"> • SB1490 (Senator DeSteph) 2/7: Passed Senate (36-4) Assigned to House P&E, Elections SubCom Elections Subcommittee will not meet the last week of Session, therefore the bill will be left in committee

2018 Initiatives

The following initiatives were adopted by the JLC on September 6, 2017, with two initiatives voted to continue working in draft form and be voted on at the December 20 meeting. Listed below is a summary of those recommendations and the actions taken.

Policy papers JLC 2018-03 and JLC 2018-08 are not included in the following pages. They will be distributed after this report is submitted.

<i>Initiative</i>	<i>Recommendation</i>
JLC 2018-01 <i>Residency Requirement, Constitutional Amendment, 2nd Resolution</i>	That the 2018 General Assembly pass resolutions identical to the one passed by the 2017 General Assembly (HJ562), thereby continuing the process to amend Virginia's Constitution to provide parity for surviving spouses of 100% disabled veterans and those Killed in Action.
JLC 2018-02 <i>Electronic Return of Voted Ballots by Overseas Military</i>	That the Governor and General Assembly enact legislation and provide budget support of a pilot program for the electronic return of absentee ballots by Virginia's deployed military service members to enfranchise their voting privileges.
JLC 2018-03 <i>Veteran Entrepreneur Capital Resources Program (VECRP)</i>	That the Governor and General Assembly enact legislation and provide budget support, in the amount of \$50,000 in FY19 and \$50,000 in FY20, to establish a Veteran Entrepreneur Capital Resources Program. <i>This policy paper will not be available for distribution until Dec. 21</i>
JLC 2018-04 <i>Income Tax Subtraction for Certain Low-Income 100% Disabled Veterans</i>	That the Governor and General Assembly approve an individual income tax subtraction for 100% service-connected disabled veterans with a federally adjusted gross income, not exceeding 250% of the federal poverty level for a four-person household, who have not already claimed another exemption.
JLC 2018-05 <i>Removing Combat Requirement for VMSDEP</i>	That the Governor and General Assembly remove the requirement that a veteran's disability rating be combat related. Instead, a permanent service-connected disability rating of at least 90%, plus satisfaction of the other requirements currently in the Code, would qualify a veteran's spouse or child for VMSDEP benefits.
JLC 2018-06 <i>Increase State Tax Subtraction for National Guard to \$5,000</i>	That the Governor and General Assembly increase the state income tax subtraction level for members of the Virginia National Guard from \$3,000 to \$5,000 per year.
JLC 2018-07 <i>In-state Tuition Eligibility for members of the Guard and Reserve Components</i>	That the Governor and the General Assembly change the eligibility for in-state tuition to include all members of the Virginia National Guard and the Reserve components, thus recognizing their service to the Commonwealth and treating them equally to the active components and veterans.
JLC 2018-08 <i>State Tax Exemption for Military Retiree Income</i>	That the Governor and General Assembly support changes to the current Virginia tax laws for a phased in system to eventually eliminate state tax on military retirement income. <i>This policy paper will not be available for distribution until Dec. 21</i>

Position Paper 2018-01
Residency Requirement for Surviving Spouses of 100% Disabled Veterans Constitutional Amendment, 2nd Resolution

OBJECTIVE: Provides that the real property tax exemption for the principal residence of surviving spouses of 100% disabled veterans applies without restriction on moving to a different principal place of residence.

BACKGROUND:

- The 2009 General Assembly passed HJ648 and SJ275, beginning the process amending Virginia's Constitution to require localities to grant real estate exemptions for 100% disabled veterans. The 2010 General Assembly passed the second resolutions HJ33/HB149 and SJ13/SB31.
- That amendment does not allow surviving spouses of 100% disabled veterans to move after the death of the veteran and retain the property tax exemption.
- In 2013 and 2014 there was a second constitutional amendment process (HJ551 and HJ8) for surviving spouses of military Killed in Action. This amendment allows surviving spouses to move within Virginia and retain the property tax exemption.

DISCUSSION:

- There has been confusion in the localities in distinguishing between the two provisions and in several instances surviving spouses of 100% disabled veterans have been given incorrect information.
- The Commissioner of the Department of Veterans Services (DVS) has had several requests for appeal of Commissioners of the Revenue denial of application due to the fact that the surviving spouse of a 100% disabled veteran has moved. Despite incorrect information given by a locality, the DVS Commissioner must rule in favor of the Commissioner of the Revenue's denial of application based on the Constitution.
- In 2017, Delegate Jason Miyares patroned HJ562, seeking to rectify the situation and bring the residency requirements for surviving spouses of 100% disabled veterans in line with those of surviving spouses of KIA.
- The JLC had policy papers in support of HJ33/HB149 and SJ13/SB31 in 2010, and HJ8 in 2014.

RECOMMENDATION: That the 2018 General Assembly pass resolutions identical to the one passed by the 2017 General Assembly (HJ562), thereby continuing the process to amend Virginia's Constitution to provide parity for surviving spouses of 100% disabled veterans and those Killed in Action.

Position Paper 2018-02
Electronic Return of Voted Ballots by Overseas Military

1. **OBJECTIVE:** Enfranchise Virginia’s Overseas Uniformed Service Personnel’s votes by enacting Electronic Return of Voted Absentee Ballots by encrypted means.

2. **BACKGROUND:**
 - a. Currently an overseas voter can electronically register and receive an absentee ballot per the Uniformed & Overseas Absentee Voter Act (UOCAVA). By current Virginia Code the ballot must be returned via “snail” mail.
 - b. It is a fact that mail from overseas is subject to significant delays resulting in the untimely return of “snail” mail and many votes not counting due to ballots reaching local registrars after Election Day, if at all.
 - c. For the general elections from 2010-2014, 5,050 ballots were requested by overseas deployed Virginia service members. Of those, 2,231 (44%) ballots were returned by mail or in person in time to be counted, 134, ballots were rejected and not counted, and 2,675 (53%) were not returned.
 - d. As of 2015, a reliable statistical model estimates Virginia service members serving overseas includes **9,760** personnel eligible to vote.
 - e. *Everyone Counts* a U.S. founded and owned encrypted voting software company has provided a Rough Order of Magnitude Cost Projection to install a secure pilot test program statewide for \$400,000. The company’s software is platform independent and encrypted to secure the integrity of the submitted ballots.
 - f. The state of Alabama approved and used this company for a successful pilot program for their March 1, 2016 Presidential primary.

3. **DISCUSSION:**
 - a. The State Board of Elections has expressed confidence in developing procedures to address privacy and security concerns related to the electronic transmission, management and counting of absentee ballots.
 - b. According to NCSL on July 27, 2015, and reported in the SBE SB11 Working Report, **“Building a Secure Electronic Return of Marked Ballots Solution for our Overseas Military Voters”**: “Two states provide an internet portal for the return of marked ballots, while 27 states provide for e-mail return of marked ballots and 31 provide for fax return of marked ballots.”
 - c. General Assembly approval of a pilot installation in 2017 is required to permit electronic return of the voted ballot from uniformed military personnel serving overseas.

RECOMMENDATION: That the Governor and General Assembly enact legislation and provide budget support of a pilot program for the electronic return of absentee ballots by Virginia’s deployed military service members to enfranchise their voting privileges.

Position Paper 2018-04
Income Tax Subtraction for Certain Low-Income 100% Disabled Veterans

OBJECTIVE: To allow individual income tax subtraction for the amount of annual retirement compensation received service as a member of the U.S. Armed Forces, or the Virginia National Guard, for 100% service-connected disabled veterans with a federally adjusted gross income not exceeding 250% of the federal poverty level for a four-person household. No subtraction would be permitted if another Virginia subtraction or deduction for such service has been claimed.

BACKGROUND:

- Virginia currently allows qualifying taxpayers to claim a subtraction for up to \$20,000 of disability income, any disabled veterans who already claim this subtraction would not qualify for the new program, or would have to drop this subtraction and claim the new one.
- 14 states with an income tax exempt military retirement pay. Virginia's neighbors:
 - D.C. and Maryland offer exemptions ranging from \$3,000 to \$5,000.
 - North Carolina offers a full exemption for retirees with five years of service as of August 12, 1989; otherwise, retirees may claim a deduction of up to \$4,000.
 - Kentucky offers exemptions of \$41,110 and West Virginia \$20,000.

DISCUSSION:

- While Combat-Related Special Compensation (CRSC) is not subject to federal or Virginia taxation, Concurrent Retirement and Disability Payments (CRDP) are generally subject to both federal and Virginia taxation.
- Available reports do not provide specific data on the exact number of 100% service-connected disabled veterans in Virginia, or amount of CRDP paid to veterans with a VA rating of 100%. However, by using the nationwide percentage as a proxy, a reasonable estimate is there are 5,659 100% disabled Virginia veterans received approximately \$128 million in taxable CRDP income in FFY2014.
- Not all 5,659 veterans would meet the income requirements. By limiting the tax benefit to the veterans at greatest need of assistance, Virginia can maintain fiscal responsibility, while supporting our veterans so they remain in Virginia.
- Department of Taxation considers implementation of this bill as routine, and does not require additional funding.

RECOMMENDATION: That the Governor and General Assembly approve an individual income tax subtraction for 100% service-connected disabled veterans with a federally adjusted gross income, not exceeding 250% of the federal poverty level for a four-person household, who have not already claimed another exemption.

Position Paper 2018-05
Virginia Military Survivors and Dependents Education Program

4. **OBJECTIVE:** To change eligibility for higher education benefits under the Virginia Military Survivors and Dependents Education Program (VMSDEP).

5. **BACKGROUND:**
 - a. 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.
 - b. Military service includes service in the United States Armed Forces, United States Armed Forces Reserves, and the Virginia National Guard.
 - c. Armed conflict includes military operations against terrorism or as the result of a terrorist act, a peace-keeping mission, or any armed conflict after Dec. 6, 1941.
 - d. Under VMSDEP, tuition and required fees are waived at Virginia public colleges and universities.
 - e. Students may also receive a stipend of up to \$1,800 per year toward the cost of room, board, books, and supplies. The amount of the stipend is dependent on the amount of funding appropriated (\$1,930,000 in FY16), the number of enrolled students, and their enrollment status.
 - f. Benefits are available for up to four years or the equivalent.

6. **DISCUSSION:**
 - a. Under current law, the veteran's 90% disability rating must have incurred during military operations against terrorism, on a peacekeeping mission, as a result of a terrorist act, or in any armed conflict.
 - b. In 2015, DVS denied 502 applicants due to the combat requirement.
 - c. The 2016 FIS for SB528 estimated the proposed legislation would result in a system-wide loss of tuition revenue of \$2,182,454 in FY17 and \$2,520,734 in FY18.
 - d. This is a potentially significant fiscal impact on higher education institutions, and additional general fund support may need to be appropriated to offset this loss of revenue. Evaluation may show whether funding from other programs such as the Virginia Tuition Assistance Grant Program and the Virginia Community College Tuition Grant for Foster Care could potentially offset the increased cost to VMSDEP.

7. **RECOMMENDATION:** That the Governor and General Assembly remove the requirement that a veteran's disability rating be combat related and within an armed conflict. Instead, a permanent, service-connected disability rating of at least 90%, plus satisfaction of the other requirements currently in the Code, would qualify a veteran's spouse or child for VMSDEP benefits.

Position Paper 2018-06
Increase State Tax Subtraction for National Guard to \$5,000

OBJECTIVE: Increase the state tax subtraction for members of the Virginia National Guard from \$3,000 to \$5,000 per year.

BACKGROUND:

- a. The Code of Virginia, §58.1-322(C)(11) provides for a subtraction of “*The wages or salaries received by any person for active and inactive service in the National Guard of the Commonwealth of Virginia, not to exceed the amount of income derived from 39 calendar days of such service or \$3,000, whichever amount is less; however, only those persons in the ranks of O3 and below shall be entitled to the deductions specified herein.*”
- b. The subtraction level has remained at \$3,000 since at least 1994.
- c. This is a joint initiative of the Virginia National Guard Association (VANG) and the Virginia Army/Air National Guard Enlisted Association (VAANGEA).

DISCUSSION:

- a. Soldiers and Airmen of the Virginia National Guard endure higher level of stressors in their service to the Commonwealth than do many citizens.
- b. Economic factors place additional stressors on Guardsmen and their families.
- c. Virginia Guardsmen work many hours in the performance of their Guard duties, making sacrifices of time, money, and family togetherness.
- d. To have the same buying power as \$3,000 did in 1994, the tax subtraction would have to be increased to \$4,875.57 in 2016 (source: http://www.bls.gov/data/inflation_calculator.htm).
- e. Increasing the state income tax subtraction from \$3,000 to \$5,000 would help balance and compensate for financial shortfalls incurred through Guard service and the necessity to balance their civilian jobs, family life, and service as a citizen-soldier.

RECOMMENDATION: That the Governor and General Assembly increase the state income tax subtraction level for members of the Virginia National Guard from \$3,000 to \$5,000 per year.

Position Paper 2018-07
In-state Tuition Eligibility for members of the Guard and Reserve Components

OBJECTIVE: Provide in-state tuition eligibility at public colleges and universities for all members of the Guard and Reserve components of the Armed Forces.

BACKGROUND:

- a. Members of the Virginia National Guard and Armed Forces Reserve stationed and domiciled in Virginia, but with residency in another state, are not currently eligible for in-state tuition if they have not resided in Virginia for at least one-year.
- b. Enlisting in the Virginia National Guard or Reserves is generally a six-year commitment to train, drill, and have their duty location in Virginia.
- c. There is a growing reliance, both at the federal and state level, on the National Guard. During 2016 alone, the Virginia National Guard mobilized onto federal active duty more than 2,100 Soldiers and Airmen; one of our heaviest years supporting the global war on terrorism in 15 years.
- d. Since September 11, 2001 over 15,000 Virginia Guardsmen have been mobilized for federal duty (providing them with the requisite 180 days of federal active duty) and over 8,000 Virginia Guardsmen have been called to state active duty supporting the Commonwealth during periods of emergency (which does not count toward their 180 days of federal active duty).

DISCUSSION:

- a. The Commonwealth provides in-state tuition to active duty soldiers, activated (full-time) Reservists and Guardsmen on long term orders, veterans and dependents of active duty soldiers on orders are granted in-state tuition rates.
- b. The requested legislation expands in-state tuition to all members of the Virginia National Guard and Reserve components who reside in Virginia, but who are currently required to meet the same residency guidelines as non-military persons.
- c. The six-year commitment, along with their physical domiciliary presence within the Commonwealth, justifies immediate eligibility. Virginia National Guard potentially serve our country overseas for 12 months or longer and are called up to serve the Commonwealth in natural and other disasters.
- d. Virginia is at a disadvantage in attracting talent, compared to our neighbor states:
 - i. North Carolina, West Virginia and Tennessee offer in-state tuition rates to ALL National Guard members.
 - ii. 18 States pay 100% of their Guardsmen public schools tuition rates.
- e. This legislation will further bolster Governor McAuliffe's primary initiatives to "make Virginia the most military and veteran friendly state in the nation."

RECOMMENDATIONS: That the Governor and the General Assembly change the eligibility for in-state tuition to include all members of the Virginia National Guard and the Reserve components, thus recognizing their service to the Commonwealth and treating them equally to the active components and veterans.