

**VIRGINIA MILITARY ADVISORY  
COUNCIL  
2014 ANNUAL REPORT**



**Office of the Secretary of Veterans and  
Defense Affairs**

# VMAC 2014 Annual Report

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**Preface:** The Virginia Military Advisory Council was created by the Code of Virginia through §2.2-2666.1. The legislation requires an annual executive summary of interim activity and work of the Council to be submitted to the Governor and General Assembly.

## **EXECUTIVE SUMMARY:**

The Virginia Military Advisory Council (VMAC) was created as an advisory council to maintain a cooperative and constructive relationship between the Commonwealth and the leadership of the Armed Forces of the United States and the military commanders of such Armed Forces stationed in the Commonwealth, and to encourage regular communication on continued military facility viability, the exploration of privatization opportunities and issues affecting preparedness, public safety, and security.

The VMAC was composed of thirty-seven (37) members representing military, legislators, private partners, and executive leadership from the Commonwealth. The Council was led by the Secretary of Veterans & Defense Affairs, John C. Harvey, Jr. The House of Delegates and Senate of Virginia each appointed members to serve on the VMAC during 2014. As a result of changes in the Administration Governor Terence R. McAuliffe appointed five (5) individuals which included the Secretary of Veterans & Defense Affairs, the Adjutant General, and three (3) appointments, all with significant backgrounds dealing with the military and the quality of life for military families. Through the normal rotation of installation commanders there were ten (10) new members in 2014. Additionally, there were two (2) new commands added to the VMAC, Fifth District US Coast Guard and Surface Combat Systems Center Wallops Island. Although these commands are not new to Virginia, these commanding officers chose to participate with the VMAC along with their peers.

Under the leadership of the Secretary of Veterans & Defense Affairs, the VMAC made changes in order to better focus the Commonwealth's support for the military, the service members and their families. In addition to Secretary Harvey there was another Secretary from Governor McAuliffe's cabinet attending each meeting. They made a presentation and listened to the concerns of the military community in an effort to determine what their Secretariat could do to support the military community. Their willingness to participate was a result of issues addressed to the Governor's Transition Team during the December 2013 VMAC meeting.

## **ACCOMPLISHMENTS:**

The 2014 VMAC met twice during the year; however, a significant amount of additional work by staff, working with the military community, was conducted throughout the year. In addition to the two meetings, the Governor hosted a reception for all military leaders at the Governor's Mansion. This reception provided an opportunity for the introduction of several key issues which provided the basis for action during the year.

- **June 2014 Meeting** - The initial meeting was held in Richmond in June 2014 so that the results from the 2014 General Assembly Session could be provided to the Council members. In addition to an update on the 2014 General Assembly and the regular VMAC briefing by the Quality of Life Subcommittee, both of these issues will be addressed separately in this report. There was a report by the Secretary of Transportation and briefings on the following topics:
  - **Commission on Military Installations and Defense Activities** - this Commission was appointed by the Governor to identify and recommend actions the Commonwealth can take to support the military installations and services. This process included meeting with several installation commanders and the business and

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civic leaders in surrounding communities. The VMAC was briefed on the operational concepts and the need for all installations to provide input to the Commission.

- **Shared Services Agreements** - As part of the 2013 National Defense Authorization Act the military services are allowed to work with localities to identify potential opportunities where the community and the military installation could share services in an effort to reduce cost of operations. Reduced cost of operations is beneficial to the military and the community which enters into the agreement, and builds value for the installation in case of future base reduction actions.
- **Commander's Top Three (3) Issues** - the commanders were provided time to identify the Top 3 Issues impacting their installation's and families so the VMAC would know where to focus its efforts moving forward. See the attachment "2014 Commanders Top 3 Issues."
- **December 2014 Meeting** - The second meeting of the year was held at Fort Lee in December 2014, with a focus on the priority determined from the June meeting: education. In addition to the regular VMAC attendees, there were comments from Governor McAuliffe and the First Lady: both discussing the importance of education to the military community and the steps they plan the Commonwealth takes to ensure the concerns are addressed. There were presentations by MICROSOFT Corporation on a program for preparing service members to seek IT jobs after leaving the service; York County School System on Impact Aid; and several presentation from the Secretary of Education as identified below.
  - The Secretary of Education, Superintendent of Public Education and the Chancellor of the Virginia Community College System all made remarks on the steps being taken to enhance the quality of life for the military families. Of particular interest was the importance the Interstate Compact on Educational Opportunity for Military Children and the role the installation school liaisons play to ensure that the needs of military children in grades K-12 are addressed.
  - Northern Virginia Community College representative talked about the program for the award of advanced learning credits for specific military education conducted by the United States Marine Corps for training in IT specialties. We want to expand this concept to other military services and include all Virginia community colleges.
  - Representatives from Tidewater Community College and Old Dominion University each discussed specific programs they have developed to work with service members and veterans on using Virginia education system to assist in the transition from military to civilian workforce.
  - There was a presentation on the Virginia Education WIZARD and the work being done to enhance this application to support the military. Once finalized, this application can be used to cross walk a specific military duty to employment opportunities in the Commonwealth and identify the education necessary to support the service member in that transition.

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## *Quality of Life and Legislation:*

The United States Secretary of Defense annually distributes a list of Ten Key Quality of Life Issues Supporting Service Members and Families. These issues surrounding quality of life and family well-being can best be addressed by states. The Department of Defense-State Liaison Office (DSLO) has worked with the VMAC to educate state policymakers, and other state leaders, about the needs of military members and their families. The overarching goal is to work together to remove unnecessary barriers, and significantly improve the quality of life for military families. See the attachment, "Key Personnel and Readiness Issues Supporting Service Members and Families." The Quality of Life Subcommittee will be taking an active role in 2015 to vet the education and other areas identified by the VMAC.

Virginia continues to be a leader among the states on quality of life initiatives to support the military; we continue to work on several of the Secretary of Defense's key issues. During the 2014 General Assembly session, the VMAC supported the following approved legislation to continue to improve the quality of life for the military community.

- **Property tax exemption for certain veterans and surviving spouses of soldiers killed in action** - Constitutional amendment (voter referendum) and implementing legislation which would exempt the surviving spouse of a soldier killed in action from real property taxes. The bill called for a referendum at the November 4, 2014, election to approve or reject the amendment. The citizens of the Commonwealth overwhelmingly supported the amendment.
- **Virginia Military Survivors and Dependents Education Program** - Changes residency requirements of the Virginia Military Survivors and Dependents Education Program (VMSDEP) to where the service member from whom one is claiming eligibility has had a "physical presence" in Virginia for at least five years; this is less restrictive than the previous law. This Program provides education benefits to spouses/children of service members, Active Guard or Reserves, who were killed, became missing in action, taken prisoner, or became at least 90% disabled during service as a result of armed conflict.
- **Surviving spouses of military members; eligibility for in-state tuition charges** - Makes surviving spouses eligible for in-state tuition charges without waiting for one year period prior to the date of the alleged entitlement for spouses of military members who were killed in action, are missing in action, or are prisoners of war.
- **Hunting and fishing licenses; special licenses for certain nonresident disabled veterans** - Allows nonresident veterans who are totally and permanently disabled due to a service-connected disability to purchase licenses to hunt or fish in Virginia at a cost equal to one-quarter the fee for the Commonwealth nonresident hunting or fishing license.
- **Definition of "service dog"** - Expands the definition of "service dog" to include dogs trained to assist persons suffering from a physical, sensory, intellectual, developmental, or mental disability or mental illness. The current definition is limited to dogs assisting a mobility-impaired person. The definition affects the rights of persons with disabilities who use trained service dogs with regard to dog license taxes, public accommodations, and housing. Expanding the definition of a service dog recognizes just how helpful they are in increasing the mobility and ability of a disabled person, as well as specifically catering to their owner's disability or disorder (i.e. PTSD).

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- **Prohibits any person from using or assuming the title "registered surgical technologist" unless such person is registered with the Board of Medicine** - The Board of Medicine is required to register applicants as registered surgical technologists or registered surgical assistants if they successfully completed a surgical training program during their service in the Armed Forces. This bill recognizes training that a service member receives while in the Armed Forces that is beneficial and can be transfer to work in the civilian workforce which will greatly benefit certain transitioning service members.
- **Private employment; preference for veterans and spouses of certain veterans** - Provides that private employers may grant preference in hiring and promotion to a veteran or the spouse of a veteran, who has been honorably discharged, with a service-connected permanent and total disability. By granting this employment preference, the employer is not only making a good investment for their business, but also is granting the veteran an opportunity to use the great skills that he/she possesses in the workforce.
- **Renames the Secretary of Public Safety as the Secretary of Public Safety and Homeland Security** - The renaming of the Secretary of Veterans Affairs and Homeland Security to the Secretary of Veterans and Defense Affairs allows for a more needed focus on the veterans and defense initiatives put forth by the Secretariat. The Secretary will play a more active role with Virginia's military and defense installations.
- **Vehicle safety inspection approval; increases grace period for certain members of armed services** - Increases the grace period for vehicle safety inspection from five business days to 14 calendar days for members of the Armed Services being away on active duty when the vehicle inspection sticker has expired.
- **Active duty military health care providers; practice at public and private health care facilities** - Clarifies that the exemption from licensure requirements for active duty military health care providers applies to active duty health care providers providing health services at any public or private health care facilities in accordance with their official military orders. By expanding this exemption to include any active duty health care provider at any public or private health care facility allows all health care providers in the military to carry out their service without hindrance.
- **Absentee voting and procedures; secure return of voted absentee military-overseas ballots** - Requires the State Board of Elections, if reenacted by the 2016 Session of the General Assembly, to provide instructions, procedures, services, a security assessment, and security measures for the secure return by electronic means of voted absentee military-overseas ballots from uniformed-service voters outside of the United States. This bill will make provide service members easier access to voting and submitting ballots, while serving overseas, especially in areas overseas where regular mail service may be slow or infrequent.
- **Persons liable to serve as jurors** - Provides that, for purposes of determining whether a person is liable to serve as a juror, military personnel are not considered residents of the Commonwealth merely by reason of being stationed in the Commonwealth. This change added members of the United States Marine Corps and Coast Guard list of the other services, United States Army, Air Force, and Navy, already excluded.

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- **Spouses of military service members; reduces application review period for temporary licenses** - Reduces from 30 to 20 days the allowable application review period after which a regulatory board within the Department of Professional and Occupational Regulation or the Department of Health Professions or any other board named in Title 54.1 will be required to issue a temporary license to certain military spouses while the board completes its review. This reduces the time by which military spouses must receive temporary professional licensure or certification.
- **Unemployment compensation; voluntarily leaving employment to accompany military spouse** - Provides that good cause for leaving employment exists if an employee voluntarily leaves a job to accompany the employee's spouse, who is on active duty in armed services of the United States, to a new military-related assignment established pursuant to a permanent change of duty order from which the employee's place of employment is not reasonably accessible. The measure applies only if the state to which the spouse is transferred has a similar provision, unless the transfer involves members of the Virginia National Guard relocated within the Commonwealth.
- **Virginia National Guard shall provide information to VEC upon request of a member** - Requires the Adjutant General of the Virginia National Guard to establish a program under which the Department of Military Affairs shall, upon request of a member of the Virginia National Guard, provide information on the member to the Virginia Employment Commission. It will be beneficial to Virginia National Guard members to be able to have their personal information transmitted directly to the Virginia Employment Commission in order to assist in gaining employment.

### ***Other Accomplishments:***

- The Governor McAuliffe hosted the fifth annual reception for members of the VMAC and Senior Commanders, or civilian equivalents, to express the gratitude the Commonwealth has for the military community.
- The Secretary of Veterans & Defense Affairs and staff have participated in many official events at military installations which vary from office calls with senior military leaders to attendance at official meetings or events. These visits reinforce the constructive relationships which have developed over the years between the Commonwealth and the military community. The Governor and First Lady have been included in several of such visits which reinforces the Commonwealth's commitment to the military community.
- The Secretary of Transportation initiated the VTrans2040 Planning effort which includes a survey on transportation. The military has input to the survey and is included in the planning efforts. This helps address one of the biggest issues the military community has identified, dealing with traffic in some of the most congested areas in Virginia.
- Commanders identified the importance of the school systems being aware of the uniformed services connected children in the classrooms since they face many different and unique challenges as a result of a parent serving. Working with the Secretary of Education we are introducing legislation to address adding a military identifier to the Virginia school database for K through 12 students.

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- In addition to comments during the VMAC, we have received comments about the need to address tuition assistance and how Virginia institutions of higher learning set fee structures to meet military tuition assistance guidelines. Working with the Secretary of Education and the Virginia Community College System we have initiated a series of regular conference calls with education representatives from the installations to identify specific problems, many of which can be addressed with communication.
- The VMAC identified the need for educating the Military School Liaisons on the role the Virginia High School League (VHSL) plays in extracurricular activities at member schools. The VMAC had identified a particular area to allow military children to participate in extracurricular activities. Working with the Commonwealth and the VHSL we were able to get VHSL to modify its policy.
- Within the Commonwealth there were several areas where we have been successful in issuing state credentials based on military experience. Working with the Secretary of Education and the Virginia Community College System we scheduled a briefing with the Governor and the leadership of the Northern Virginia Community College (NVCC) on a program for NVCC to provide advance learning credits toward an associate's degree for specific military education required for the award of a military occupation. This concept needs to be expanded to include the other services and other community colleges.

### **Conclusion**

Over the past year, the VMAC has continued to work together on legislative agenda and quality of life issues that benefited service members and their families. The VMAC continues to foster a collaborative working environment with military leadership with the Commonwealth and the Office of the Governor. Over the years, the benefits to the military community have excelled and have remained extremely valuable. As potential future cuts to the Department of Defense may negatively impact the Commonwealth, it is critical to maintain this valuable line of communication and cooperation with military leaders in the Commonwealth.

# 2014 Commanders Top 3 Issues

## Navy Region Mid-Atlantic

Transitioning Veterans
Educational Benefits
Hampton Roads Transportation

## Marine Corps Base Quantico

State recognition of MCBQ Convictions for Drunk Driving.
Amend State Code to expand noise overlay zones to impacts with range noise
Amend the Virginia Construction Code to address range noise as above

## Naval Support Activity Hampton Roads

Shared Services Agreements with communities
Establish a relationship state & local governments with Ride sharing

## Surface Combat Systems Center Wallops Island

Joint Land Use Study (JLUS)
Norfolk Naval Shipyard
Impact of new highway tolls on military personnel

## Fort Pickett

Foreign Affairs Security Training Center
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## Naval Support Activity South Potomac

Extend turn lane on US Rt 301 at front entrance
Consider impacts from "Fracking" in the Northern Neck and areas along the Potomac River Test Range
State involvement with REPI Program to address encroachment

## Ft. Belvoir

Rivanna Station - concurrent & proprietary jurisdictions
Rivanna Station - Boulders Rd maintenance & snow removal
DMV Site on installation

## Naval Station Norfolk

Educational credit from military to college/university
Identifier of military children in school data base

## Naval Weapons Station Yorktown

Joint Land Use Study (JLUS)
Expanded public transportation access to installation
Transitioning Veterans

## Joint Base Langley-Eustis

Transportation I-64 widening
State Funding for Encroachment
Programs to support military & Veterans

## JEB Little Creek- Ft Story

Consistent education for military children in Hampton Roads Communities. Interstate Compact
Expand community engagement and partnerships to develop a comprehensive plan to combat sexual assault.
Sea level rise

## Joint Base Meyer-Henderson Hall

Affordable housing close to installation/military agencies.
Lack of affordable childcare
Heavy traffic congestion in/around NOVA.

## Fort AP Hill

Locality Pay
Hotel off post for TDY personnel

## Fort Lee

Shared Services Partnerships
Off-Post Sheltering of Dependent Students During Installation Lockdown
Military-Commonwealth Educational Partnerships

## US Army Corps of Engineers

Hurricane Evacuation Routes
Tolls





## Key Personnel and Readiness Issues Supporting Service Members and Families (For 2014)



### HIGH PRIORITY ISSUES:

**Facilitate Service members receiving licensure and academic credit for military education, training and experience:** Separating Service members may be held back from finding employment or finishing a degree. States can establish assist separating Service members not having to repeat requirements completed while in the military to obtain academic credit or an occupational license.

**Facilitate military spouse transition through licensure portability and eligibility for unemployment compensation:** Mandatory military moves require spouses to leave employment and start again in a state with new licensing requirements. States can help by expediting licensing through endorsement, temporary licensure and streamlined processes. States should also recognize that these mandatory job separations should afford military spouses eligibility for unemployment compensation.

**Provide authority for establishing Veteran Treatment Courts (VTCs):** One in five veterans suffer from behavioral health problems. These problems can result in homelessness, family stress and/or disintegration, and instances of criminal behavior. States can help by authorizing VTCs to facilitate rehabilitation (instead of incarceration) for veterans and service members experiencing problems.

**Increase access to quality childcare for military families:** Demand for child care continues to out-pace capacity. States can assist in enhancing available capacity by integrating DoD standards on inspections and background checks into their Quality Rating and Improvement Systems (QRIS) for child care programs.

**Promote consumer protections and enforcement of the predatory lending regulation:** Some lending practices create a cycle of debt, thus detracting from financial wellbeing and military readiness. States can help by working with the military community on consumer concerns and by fully enforcing the DoD Regulation on payday, vehicle title, and refund anticipation loans.

**Waive required waiting time to establish residency for separating Service members so they can obtain in-state tuition rates:** The Post 9/11 GI Bill covers only in-state tuition and eligible fees, which means that veterans who settle in a state as a nonresident pay the difference between the resident and non-resident charges. States can waive residency requirements to allow separating Service members to receive in-state tuition rates until they qualify for residency.

**Assign an identifier for military children in education data systems:** Military children may experience life challenges, but there is no method of tracking their attendance and academic progress in public schools. States can assist DoD in developing policy and military child education initiatives, by identifying military children and providing data on their educational outcomes.

### ISSUES NEARING COMPLETION:

**Improve absentee voting for military members and their families:** Citizens need assurance their vote will be counted. States can approve the Uniform Military and Overseas Voter Act (UMOVA) which supports the flexible processes for absentee voters in the areas recommended by the Federal Voting Assistance Program (FVAP) Office.

**Minimize School Disruption for Military Children During Transition and Deployment:** Military life creates challenges for children who attend an average of 8 schools in 12 years, plus parental separation during deployments. States can help by participating in the Interstate Compact on Educational Opportunity for Military Children which establishes common guidelines for handling class and course placement, records transfer, immunizations, graduation, and extra-curricular opportunities.

**Ensure Deployment Separation Does Not Determine Child Custody Decisions:** Extended separations due to military service necessarily alter short-term custody/visitation arrangements and can have long-term consequences. State can appropriately balance the interests of service members while preserving the best interests of the child; address delegation of visitation rights; and expedite court dockets and use electronic communications to accommodate military demands.

**Comport State Laws with DoD Rules on Disposition:** Many states require disposition of remains be determined through state-specific documentation or by a priority sequence of next of kin. States can alleviate potential family disharmony during a time of bereavement by recognizing the person authorized to direct disposition (PADD) selected by the service member on DD Form 93 (Record of Emergency Data), in accordance with Federal law.

### ISSUES UNDER DEVELOPMENT:

**Allow Service members to retain their earned priority for receiving Medicaid home and community care waivers:** Because states frequently have long waiting lists, members face large gaps in service every time they transfer across state lines. Allowing Service members to enroll their exceptional family member in the State they designate as their legal residence (i.e. where they pay taxes, vote, etc.) can stabilize their request for support.

**Create state-wide MoUs between the DoD and the state child welfare agency to standardize relationships among local courts, agencies and military communities:** DoD installations currently develop MoUs with counties which can leave gaps in coverage and inconsistencies in managing care for children in protective custody and foster care. Statewide MOUs between DoD (on behalf of the military communities) and the State child welfare agency (on behalf of local child protective services and other State and local agencies) can support improved continuity and child safety.

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