DoD – State Liaison Update

National Conference of State Legislatures
Spring Forum
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DoD-State Liaison Function

Goal: Provide DoD leadership an opportunity to participate in state-level discussions on issues affecting Military members and their families.

Focus is on 10 ‘Key (state-level) Issues’….reviewed annually

What we do: Educate state policymakers/leaders on the 10 ‘Key Issues’

- Eleven Liaisons ‘ERA’ with state leaders: Educate about the issues, build Relationships, and Assist when asked
- Providing ‘best practice’ language and arranging testimony is permitted

What we don’t do: Lobby
- No ‘grass roots’ campaigning for specific pieces of legislation
10 Key QoL Issues (2010)

✓ Increase key support for Guard and Reserve members and their families (Best Practices)
✓ Ensure deployment separation does not determine child custody decisions
✓ Increase access to quality, affordable childcare for military families
✓ Minimize school disruption for military children during transition and deployment
✓ Enhance opportunities for portable careers for military spouses
✓ Expand unemployment compensation for trailing military spouses
✓ Promote enforcement of the predatory lending regulation
✓ Improve absentee voting for military members and their families
✓ Comport state laws with DoD rules on disposition
✓ Enhance foreign language capability through ‘Centers of Influence’
Increase Key Support for Guard and Reserve Members and their Families

Issue: Heavy Guard/Reserve deployment calls for reciprocal state support

Goal: Have states consider a short list of best practices

Status:
- States collectively offer a total of 1,470 specific support points for Guard and Reserve, an increase of 948 since 2004 (318 added in 2009)
- Rendered list down to 5 core issues
- Working with OASD(RA), NGB and KS TAG to involve TAGs in review process of proposed issues
- Set up for next year.
Best Practices

• Academic protection when activated
  • Focus on expedited reinstatement
• Tax exemption on earnings for Guard and Reserve while activated
• Tax exemption for disabled veterans and next of kin for those killed in action
• State home loan/grant program Guard/Reserve members and Veterans
• Automatic extension of licenses while activated
  • Driver’s license
  • Professional licenses
Child Custody/Visitation Impact on Service Members

**Issue:** Extended separations due to military service necessarily alter short-term custody/visitation arrangements which can have long-term impacts

**Goal:** State legislatures appropriately balance the interests of SMs who are absent due to military service with the best interests of the child:

1. States recognize that the current or potential deployment of SMs should not be the sole factor in a permanent custody determination
2. States address delegation of visitation rights for absent SMs
3. States use expedited court dockets and electronic communications systems to appropriately accommodate military demands on SMs

**Status:** 34 States have addressed child custody and/or visitation concerns
Minimize School Disruption for Military Children during Transition and Deployment

**Issue:** Frequent moves = many schools with non-standard policies = Ed delays

**Goal:** States participate in an *interstate compact* providing a uniform policy to resolve challenges military children face moving between school systems

**Background:**
- 2006: DoD & Council of State Govs collaboration
  - Gathered input from 18 stakeholders
    - Provides procedural policies for enrollment, eligibility, placement, & graduation
- Legislative process to adopt compact…once adopted, it is a binding contract
- Adopting states established an Interstate Commission composed of one representative from each member state – oversee compliance

*30 member states; covers 84% of our students*
Expand Unemployment Compensation for Trailing Military Spouses

**Issue:** Spouses who leave a job due to military reassignment do not qualify for unemployment compensation in many states.

**Goal:** States recognize that a move mandated by military orders is not ‘voluntary’ and the trailing spouse should qualify for unemployment compensation.

**Status:**
- Chambers of Commerce generally opposed; ’nose under tent’ concern

*38 States now fully grant eligibility; covers 83% of our spouses*
Improve Absentee Voting for Military Members and their Families

**Issue:** Our Service members need assurance their vote can be successfully cast and will be counted

**Goal:** States enact flexible processes for absentee voters recommended by the Federal Voting Assistance Office (www.fvap.gov)

**Status:**
- There are eight desired enhancements
  - NDAA mandates two key items: 45-day window & electronic transmission
  - Most states need to enact enabling legislation or make constitutional changes
- FVAP completed state by state analysis – identified gaps and developed ‘best practice’ legislation
  - Letters sent to state election officials
- Coordinated effort: FVAP works with the executive branch & we work with the legislative
Promote Enforcement of the Predatory Lending Regulation

Issue: Some lending practices create cycle of debt for unsuspecting Service members and families

Goal:

✓ DoD Regulation (32 CFR Part 232) places 36% APR limit on payday, vehicle title and refund anticipation loans.
- States enforce federal law and apply state protections to non-resident military members

Status:

- Working with states to make modifications to their financial code to give regulators enforcement authority
- Work with regulators in June-July to get requirement into Governor’s requests for legislation

30 States can fully enforce the reg; covers 60% of our members
Comport state laws with DoD rules on disposition

**Issue:** Many states require disposition be determined through state-specific documentation or by the next of kin

**Background:** Section 564 of Public Law 109-163, effective January 2006, requires active duty SMs to designate a person authorized to direct disposition of human remains (PADD)….occurs on DD93 (Record of Emergency Data)

**Goal:** Have state statute recognize the PADD selected by the SM in accordance with Federal law

**Status:** States very supportive of this issue
  - Some states concerned about limited choices allowed

5 States now recognize the DD93; covers 4% of our members
Our goal is to partner with states to help our members and their families!
# Regional Liaisons

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