



★ ★ ★ 2019 ★ ★ ★

LEGISLATIVE

PRIORITIES

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Introduction

Welcome to Washington DC and AMVETS “Storm The Hill” 2019. Your work this week will have an impact well beyond your legislative office visits and advocacy on Capitol Hill as we work to provoke change through awareness and legislation.

For this year we will be focusing on two important efforts. The first deals with vastly improving the “women veterans’ experience” in this country. The second involves placing AMVETS in a position of greater economic viability by relaxing a rule on tax exemption. In the pages that follow, you will be provided with all the background information, talking points, and perhaps most importantly The BIG ASKS! In other words, what exactly we want our legislators to do, why they need to do it, and to what benefit.

Even though we will use our time on Capitol Hill to narrow down our “asks” to the two aforementioned focus areas for the sake of using our time efficiently, it far from represents our entire legislative agenda for 2019. Our comprehensive “Eight That Cannot Wait” legislative priorities embody those dimensions of life where our Nation’s 20.4 million military veterans and their families are most impacted. We intend to support, champion, and even author pieces of legislation that speak to their needs in these life dimensions.

One major concern for AMVETS is the Congressional Budget Office report that was published in December 2018. The report lists options for reducing the federal deficit, which is expected to top \$1 trillion this year, over the next 10 years. Some of those options include ending the VA’s individual unemployability payments to disabled veterans when they turn 67 and eliminating disability compensation for 1.3 million veterans with disability rates below 30 percent. Please note that CBO reports are not policy recommendations. Their purpose is to offer objective, nonpartisan analyses and cost estimates. But they can often inform the ideology of many legislators and therefore must be seriously regarded.

At the end of this document, you will find a one-page outline that summarizes a strategic approach to legislative advocacy. Many of you may be familiar with many of the recommended tactics while others will be offered new ideas on making a grassroots impact at the local and state levels after storming the Hill this week.

I thank you in advance for speaking for the voiceless and taking time out of your life to help improve the lives of millions of veterans in this country who deserve it.

Good luck on the Hill!

Sherman Gillums Jr.
AMVETS Chief Advocacy Officer

Veteran Affairs Committees Update



The 116th Congress took office on January 3, 2019, amid a government shutdown. As many of the legislators assumed their new roles, the Department of Veterans Affairs (VA) faced pressure to meet the implementation milestones of the VA Mission Act of 2018 and expand disability benefits to U.S. Navy veterans who served off the shores of Vietnam during the war based on presumptive Agent Orange exposure. AMVETS National Headquarters supported a total of 78 legislative bills in year 2018 that covered a wide gamut of issues and interests, and we anticipate many of them will be revisited by both the Senate and House Veterans Committees.

Sen. Johnny Isakson (R-GA)* (pictured left) will continue his role as chairman of the SVAC during the 116th Congress. Joining him on the majority will be Senators Marsha Blackburn (R-TN) and Kevin Cramer (R-ND). The minority will be led by Ranking Member Jon Tester (D-MT.) (pictured left). He will be joined by Senators Patty Murray (D-WA.), Bernie Sanders (I-VT.), Sherrod Brown (D-OH), Richard Blumenthal (D-CT.)*, Mazie Hirono (D-HI), Joe Manchin (D-WV), and Kyrsten Sinema (D-AZ).



Rep. Mark Takano (D-CA) (pictured below, left) was officially elected to take charge of the HVAC. Joining him on the majority will be Representatives Colin Allred (D-TX), Anthony Brindisi (D-NY), Gil Cisneros (D-CA)*, Joe Cunningham (D-SC), Susie Lee (D-NV), Mike Levin (D-CA), Elaine Luria (D-CA)*, Chris Pappas (D-CA), Collin Peterson (D-MN)*, Max Rose (D-NY)*, Lauren Underwood (D-IL), and Gregorio Sablan (D-NMI at large). Former chair Rep. Phil Roe (R-TN)* (pictured below, right) will serve as ranking member. The minority committee members have yet to be announced as of January 21, 2019.

() Indicates the member is a military veteran*



Other Committees to Watch

Appropriations Subcommittees on Military Construction, Veterans Affairs, and Related Agencies for the 116th Congress

The Senate Appropriations Subcommittee on Military Construction, Veterans Affairs, and Related Agencies is chaired by John Boozman (R-AR) during the new session of Congress. The ranking member is Brian Schatz (D-HI).

The House Appropriations Subcommittee on Military Construction, Veterans Affairs, and Related Agencies is chaired by Debbie Wasserman Schultz (D-CA) during the new session of Congress. Other members of the subcommittee include Sanford Bishop Jr. (D-GA), Ed Case (D-HI), Tim Ryan (D-OH), Chellie Pingree (D-ME), Matt Cartwright (D-PA), and Cheri Bustos (D-IL).

These subcommittees are responsible for funding the Department of Veterans Affairs and all construction activities within the Department of Defense, including military family housing. It also funds activities related to base closures and realignments, the American Battle Monuments Commission, and the U.S. Court of Appeals for Veterans Claims.

House Armed Services Committee members for the 116th Congress

It is worth noting that this year's House of Armed Service Committee will feature more veterans from the wars in Iraq and Afghanistan than ever before, and also has its largest contingent of female veterans crafting defense policy. Eleven Republicans and ten Democrats who have served in the military comprise the committee. Of that total group, 11 of the veterans have served in the recent wars, the largest contingent ever for the committee.

The committee includes three newly elected lawmakers: Jason Crow (D-CO), who served with the Army in both Iraq and Afghanistan; Jared Golden (D-ME), a Marine Corps veteran who also served in both wars; and Michael Waltz (R-FL), a former Green Beret who deployed to Afghanistan. The four female veterans on the committee are all Democrats: Rep. Tulsi Gabbard (D-HI), Rep. Chrissy Houlahan (D-PA), Rep. Elaine Luria (D-VA) and Rep. Mikie Sherrill (D-NJ).

The Armed Services Committee is responsible for oversight of the Department of Defense and the United States armed forces, as well as substantial portions of the Department of Energy. The committee handles the annual defense authorization bill that sets the tone for military priorities and spending.

Legislative Focus Areas for 2019



Healthcare Access & Coordination

Women Veterans

Mental Health & Suicide Prevention

Military Sexual Trauma (VA & DoD)

Traumatic Brain Injury

Toxic Wounds & Environmental Exposure

VA Oversight, Accountability & Improvement

Economic Opportunity

SHERMAN GILLUMS JR. - CHIEF ADVOCACY OFFICER

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While the legislation for this year's Storm the Hill efforts largely focuses on improving the woman veteran experience in our country and tax exemption for 501(C)(19) organizations, as later discussed, it is but one component of a broader agenda to improve quality of life for all American veterans. This year's AMVETS legislative agenda has eight distinct yet interrelated priorities as listed to the right.

All eight of these focus areas impact the lives of many veterans of all walks. Passing legislation that has a positive impact on these focus areas is the best path to holistically restoring and strengthening those who served our country and simply seek satisfactory quality of life after service.

This problem is not just a VA problem. It's a problem for our entire country with very real and serious implications for the future of our military.

“ AMVETS NATIONAL EXECUTIVE DIRECTOR
JOE CHENELLY



The key to overcoming the aftereffects of trauma begins with two aspects of the provide-patient relationship: Trust and relatability. Women veterans helping other women veterans heal makes sense. It's a long overdue step in the right direction.

“ AMVETS CHIEF STRATEGY OFFICER
SHERMAN GILLUMS JR.





Storming the Hill for our SHEROES and the Women Veteran Experience

Background

Women who have served in the U.S. military are often referred to as “invisible veterans” because their service contributions, up until the 1970s, went largely unrecognized by politicians, the media, academia, and the general public. Women’s participation in the U.S. Armed Forces demonstrates the persistence of generations of women who fought against a traditionally male-dominated institution. It has also paved the way for today’s military women who have the privilege of serving their country, not as women, but as Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen.

Today’s women veterans — our mothers, sisters, daughters, and nieces who served in uniform — make up approximately **10% of the veteran population**. While AMVETS, the most inclusive Congressionally chartered veteran service organization in the country, has always considered meeting the needs of women veterans a priority, these **needs remain largely unmet** by systems that haven’t evolved fast enough to keep pace with their needs.

About **1 in 5 women who use the VA healthcare system have reportedly experienced Military Sexual Trauma, or MST, during service**. Also, while domestic violence is prevalent among women living in the U.S. overall, **one third of women veterans experience domestic violence in their lifetime** compared to less than a quarter of civilian women.

These trends cannot be allowed to continue. But the statistics tell only part of the story. **Women who have served in the military underutilize VA care and access benefits**, largely due to a lack of knowledge about VA benefits and available services. Also, **post traumatic stress disorder and major depressive disorder remain the two most prevalent service-connected disabling conditions for women veterans**.

This partially explains why **women veterans have the fastest growing rate of suicide** among veterans overall, **with women who served being 1.8 times more likely to die by suicide** than women who did not. According to research, unhealthy relationships, including family problems, friend problems, and



problems with a partner each increased odds of suicide attempt more among female than male veterans. Tenuous or unsupportive relationships observed in qualitative work among woman veterans who died by suicide.

Perceived burdensomeness is associated with suicidal ideation among female veterans with history of MST, and past or current physical or sexual abuse, including MST, is more strongly associated with suicidal ideation among males than females. Sexual harassment is also linked to suicidal ideation among woman veterans, after accounting for mental health conditions.

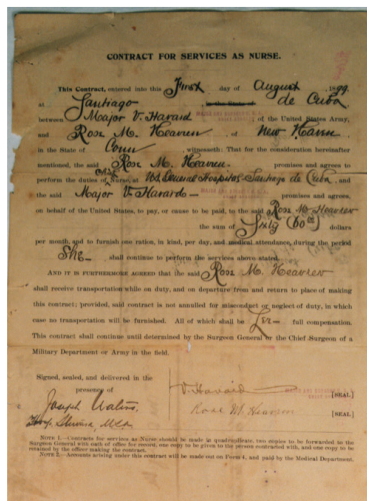
The “Respect Our SHEROES and their Experiences” (ROSE) Act of 2019

Concerns related to women veterans, both systemic and within the individual, contribute to the hardships of being a woman veteran, especially when the lack of support systems available to help them deal with the risks factors for suicide exacerbate those problems. AMVETS intends to confront two major suicide risk factors, sexual trauma and domestic violence, through support for new legislation intended to improve the women

veterans experience by meaningfully and more comprehensively addressing those problems in a continuum-based approach.

AMVETS believes a bill that addresses the entire women veterans experience as it relates to both domestic violence and military sexual trauma, rather than deal with them as single issues, is the most effective way to proceed and should be introduced in the Senate and House this session. The Military Justice Improvement and Violence Against Women Veterans Acts, both of which were introduced during the last session of concern, offer the best path forward in addressing the issues discussed.

We also propose that this multidimensional bill be entitled the “**Respect Our SHEROES and their Experiences Act, or ROSE Act, of 2019**, in honor of **WWI Nurse Rose Heavren**. Rose Heavren served overseas with the American Expeditionary Forces in World War I. Her work led directly to the creation of the Army Nurse Corps in 1901 and the Navy Nurse Corps in 1908. With the creation of these two nursing corps, women became official members of the American military for the first time in history.



Contract for services as nurse for Rose M. Heavren, Chief Nurse of the U.S. General Hospital, Santiago, Cuba, 1 August 1899.



ACTION: AMVETS seeks bipartisan Congressional support for the ROSE Act. Ideally, the bill should be introduced in the Senate/House of Representatives either by a woman veteran whose life embodies the importance and necessity of caring for her fellow veterans in their time of need or by any member who did not serve in uniform but is willing to take up this cause on behalf of the women veterans with which they have served either in the military and/or Congress.

Military Sexual Trauma and Justice for Victims



- In 2016, DoD received 6,172 reports of sexual violence, and reported sexual assaults rose almost 10% in 2017. Yet most victims do not report, leading DoD to estimate the actual number at 14,900. A subsequent study revealed that 58% of service women who did file a report faced retaliation, in most cases from their chains of command.
- Recent decisions by the Court of Appeals for the Armed Forces have cited undue command influence in throwing out convictions of lower courts in cases involving sexual crimes and hazing.
- In one of the most egregious cases of injustice, Lt. Col. James Wilkerson left the Air Force with full retirement benefits after a panel of senior officers convicted him of rape in 2013. Commander of the Third Air Force LtGen. Craig Franklin, however, set aside the verdict after reading 90 character letters from fellow officers, none of whom were present during the crime.

Past Legislative Actions Taken

S.2141, the Military Justice Improvement Act, was sponsored by Sen. Kirsten Gillibrand (D-NY), who introduced the bill on November 16, 2017. It was co-sponsored by Sen. Rand Paul (R-KY) and 28 others on a bipartisan basis. The bill was read twice and referred to the Committee on Armed Services. AMVETS believes by leaving felony prosecutions to trained and experienced professionals, it will solve the often-conflicting duties of both preventing and prosecuting sexual assault presently faced commanders.

A proposed new bill needs to make changes to the Uniform Code of Military Justice (UCMJ), the laws that govern military ethics and conduct, by removing from the accused's commander authority to investigate and ultimately adjudicate certain felony-level charges such as sexual assault.



Domestic Violence Against Women Veterans



committing domestic violence. The VA also needs to create a network of local coordinators to build cooperation between the VA and social services and assist domestic violence shelters and rape crisis centers in providing services to veterans.

Past Legislative Actions Taken

S.1111, the Violence Against Women Veterans Act, was reintroduced in the Senate by Sen. Jeanne Shaheen (D-N.H.) on May 11, 2017 after being first introduced by Shaheen on September 28, 2016 during the 114th Congress. A companion bill,

H.R.6869, the Violence Against Women Veterans Act, was introduced in the House by its sponsor, Rep. Nydia Velazquez (D-NY-7) on September 25, 2018 and garnered 85 mostly-Democrat co-sponsors. The bill was referred to the House Committee on Veterans' Affairs.

- From 1994 to 2010, civilian domestic violence decreased by 64 percent. In stark contrast, domestic violence in the U.S. Army increased by 177 percent from 2006 to 2010. Frequent deployments and reintegration challenges may have contributed to this surge.
- Domestic violence shelters across the country are experiencing a decline in their operational budgets. On a single day in 2015 over 12,000 women across the United States were turned away on a single day from domestic violence services.
- A range of benefits that could assist in leaving an abusive situation are potentially available to women veterans through the VA, when leaving an abusive situation. Unfortunately, many veterans are not aware of all the benefits available to them through the VA.
- A national task force on domestic violence at the VA is needed to gather information and learn how to better provide comprehensive support to veterans that are experiencing or

A proposed new bill is necessary because domestic violence erodes the foundation of America's families at their most basic level. By better disseminating information on available resources and establishing tightly coordinated networks of support at all levels, victims of domestic violence are assured clearer avenues to escape the situation before a tragic end.



R.O.S.E. Act of 2019



- AMVETS has decided to make 2019, our 75th year, the moment that women veterans will be finally heard, and we intend to be the lead champion on legislative issues for the 2 million women veterans in the United States and Puerto Rico. Factoid: AMVETS was the first Congressionally chartered veteran service organization to accept women veterans into its membership. AMVETS remains the most inclusive organization of the Big 6 to this day).
- We will do this by attacking two problems that negatively affect the woman veteran experience and contribute to a rise in suicide rates: military sexual trauma and domestic violence.
- The prevalence of MST is not decreasing. Too many veterans of both genders leave service carrying the aftereffects of sexual trauma.
- The Defense Department needs to do a much better job of investigating reports and create a culture that allows victims to feel free to make a report without retaliation.
- S.2141, the Military Justice Improvement Act, which was introduced last session, sought to do that by putting investigations into the hands of experienced investigators outside the unit instead of leaving it up to unit commanders to conduct fair investigations within the unit over which s/he holds command.
- Domestic violence is also a problem for both active service members and veterans.
- These events are chiefly attributed to the stresses of military service and the mental/physical health conditions incurred during deployments and in combat.
- Women are at greater risk of domestic violence than non-veteran women.
- S. 1111/H.R. 6869, the Violence Against Women Veterans Act, which were introduced in both houses last session, sought to address the issue by putting greater responsibility on the VA to coordinate benefits and resources at community, city, and state levels that are set aside for victims of domestic violence. VA will also be responsible for ensuring education on those benefits and resources reach the intended audience.
- AMVETS sees MST and domestic violence as interrelated factors that make the woman veteran experience a negative one for too many and need to be addressed by one comprehensive bill rather than separately.
- AMVETS urges the support for and introduction of one bill entitled the “Respect Our SHEROES Act of 2019, or the Rose Act, named in honor of WWI Nurse Rose Heavren, whose work helped officially establish women in the military for the first time in American history.
- We also urge our congressional representatives to review our Eight That Cannot Wait legislative priorities, under which several bills from the 115th Congress are listed and future relevant bills from the current session will be listed as they are introduced (leave “Eight That Cannot Wait” cards).

Charitable Equity for Veterans Service Organizations

H.R. 6661 - Charitable Equity for Veterans Act of 2018:

amends the Internal Revenue Code to allow a tax deduction for charitable contributions to certain federally chartered organizations of past or present members of the Armed Forces. Under current law, donations to such an organization are only deductible if at least 90% of the organization's membership consists of war veterans. The bill expands the deduction to include organizations that do not meet the wartime service requirement and are federally chartered.



Actual IRS text:

Part 7. Rulings and Agreements, Chapter 25. Exempt Organizations Determinations Manual, Section 19. Veterans' Organizations

7.25.19.6 (09-01-2005), Contributions to Veterans' Organizations

IRC 170(c)(3) provides an income tax deduction for contributions to a post of "war veterans" if it is organized in the United States or any of its possessions, and no part of its net earnings inures to the benefit of any private shareholder or individual. To qualify for deductibility of contributions, a **veterans' organization may be exempt under IRC 501(c)(19)** or any other appropriate section of the Code, but must also satisfy both a membership requirement and a purpose requirement.

7.25.19.6.1 (09-01-2005), Membership Requirement

To meet the membership requirement, at least 90% of the members must be war veterans. In addition,

substantially all the other members must be either veterans (but not war veterans), or cadets, spouses, widows, or widowers of war veterans, veterans or cadets. **For the purpose of the 90% test, war veterans may include members of expeditionary forces who actually served in combat situations in foreign countries between the periods of war as defined below.**

Past Legislative Actions

H.R. 6661, the Charitable Equity for Veterans Act of 2018, was introduced during the 115th Congress by Rep. Brad Wenstrup (R-OH-2) in August 10, 2018. The bill was referred to the House Ways and Means Committee. For this session, Rep. James Kind (D-WI) plans to reintroduce the bill with Republican support from Wenstrup.

Charitable Equity Act of 2019

TALKING

POINTS

- Congressionally chartered veteran service organizations are increasingly seeing a decline in membership as wartime veterans from previous eras (WWI, Korea, WWII, and soon Vietnam) die in greater numbers, which is endangering the venerable service-oriented organizations in the next decade.
 - The current rule places “inclusive” veteran service organizations, like AMVETS, at a severe disadvantage by essentially punishing those that allow certain honorably discharged veteran subpopulations into its membership, such as women, who were either not historically given the opportunity to participate in “war” activities or participated in significantly smaller numbers than veterans who served on regular active duty and routinely went to war. This means more than 2.4 million veterans (13%) are not welcome in these organizations.
 - “War veterans” are well represented by other federally chartered veteran service organizations with more exclusive criteria, such as having a service connected disability,
- served or deployed overseas, served during a wartime era, or a specific type of disabling condition.
 - Changing our tax status would require a change to our Congressional charter, and it would only help if we became a 501 (c)(3). Changing our tax status to 501 (c)(3) would also require AMVETS to change the way its membership is organized. We would not be able to be a unified, national organization. We would need to break the organization into states. It may also preclude us from being able to continue serving all veterans, regardless of when and where they served.
 - This bill will allow donors to receive a tax deduction for contributions given to veteran charities whose highly inclusive membership criteria significantly extends beyond exclusionary classes of veterans, i.e. combat/wartime veterans.
 - The bill will also allow “legacy” veteran service organizations to survive as as wartime member numbers diminish by allowing membership eligibility to extend to families, survivors, and veterans of future eras.



ACTION: Reps. Kind and Wenstrup plan to reintroduce the bill. We'd like a Senate support/co-sponsor work with them on crafting a companion bill and promoting strong bipartisan support in the House and the Senate.

TAKING A *10-Point Strategic Approach to* **LEGISLATIVE ADVOCACY**

1 STEP ONE:

Listen to constituents and capture stories

2 STEP TWO:

Identify the issue (problem, prevalence, and precedence/legislative history)

3 STEP THREE:

Gather background data, to include the number of constituents who'd benefit, estimated cost, and social/economic impact if passed and not passed

4 STEP FOUR:

Craft a logically sound argument based on narratives, statistics, and facts

5 STEP FIVE:

Use the grassroots by drafting and distributing a petition (<https://www.gopetition.com/info/petition-template-ideas>)

- To cross the first threshold and be searchable within WhiteHouse.gov, a petition must reach 150 signatures within 30 days. To cross the second threshold and require a response, a petition must reach 100,000 signatures within 30 days.

6 STEP SIX:

Connect with legislators **frequently** (<https://www.congress.gov/members>)

- Phone calls/texts
- Letters
- Emails
- Social media
- Visits to local office during recesses
- Public conference calls
- Town hall attendance

7 STEP SEVEN:

Watch for:

- Introduction/Companion legislation in other house of Congress
- Referral to committee/subcommittee (e.g. HVAC, SVAC, DAMA subcmte, Health subcmte, Armed Forces)
- Hearings/Markups/Debates/Chamber votes (C-SPAN)
- Bicameral Conference committee
- Full Vote
- To President for signature

8 STEP EIGHT:

Follow on <https://www.congress.gov> or <https://www.govtrack.us> through legislative alerts

9 STEP NINE:

Prepare for a marathon, not a sprint:

- Bills can die by vote or inaction (or by veto)
- Most bills die
- Bills introduced toward the end of a session almost always die
- Bills have two purposes: become law and/or send a strong message (assess who supports what)
- Keep constituents informed and engaged

10 STEP TEN:

Evolve with the issue! (Be willing to go back to step one, if necessary)



SERVING AMERICA'S VETERANS

75
YEARS