



# Communicator

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The COMMUNICATOR is the official publication of the California Association of County Veterans Service Officers (CACVSO). Opinions expressed are those of contributing writers and do not necessarily reflect opinions or policies of CACVSO officers, members, or the editorial staff. The newsletter reserves the right to edit, amend, or reject any contribution submitted for publication.

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## President's Message

(Solano CVSO Ted Puntillo, President)

There is no doubt we all worked very hard to put in awards and clean up our pending file before July 1. Remember the stale date for awards is expanded to 18 months starting on July 1 - so some claims that were stale got new life on July 1.

As you all know, the subvention reports are all due on July 31, and I will be working with Cal Vet to help those who do not have their reports in by this date. This is important in many ways. We have this requirement every six months, so it is not news to anyone (except the new CVSO's) that these reports are due and must be turned in. The most important part of this process is that we get the forms in and get our funding as early in the year as possible.

Most of us have to explain to our county leadership that this money that we get in September is for the budget year that ended in July. If anyone needs help with the forms, please call me in Solano County. I will again suggest that you use the board resolution delegating the signing authority to the CAO for easier access and avoiding an agenda items that are costly and time consuming. I have a copy of ours if you want to use it as a model.

We in Solano have also had several new CVSO's coming to our office to get some ideas on how to run their offices. Jonn Melrose and I have also visited other offices to help the new CVSO's. This is the beginning of the mentor program. It is hoped that next year we can get some state funding to pay our mileage and per diem when we travel to another office for mentoring purposes. The executive director package will go out this week to all of you. Read the requirements and pass it on to anyone who might want to perform these duties and also have the qualifications.

We met with Cal Vet last week with Pete, Jack Kirwan, Virginia Wimmer, Chris Bingham, Mike McManus and Hannah on the phone. Our association did very well and came to an understanding on many issues including who owns the Vet Pro data. Cal Vet will enter into an MOU with our association spelling out that this data may only be used for audit and statistical purposes. We also agreed to look for funding for the mentor program. We also agreed on how the CVSOs will be assessed in the reports to the legislature and in our annual report. We will all use the same information and it will tie to the subvention reports that are turned in by us, and the Vet Pop and GDV information off of the federal VA website.

I am grateful for the excellent conference we had in Bakersfield and a special thank you to host Dick Taylor. Thanks should also go to George Dixon and Malachi Smith from Cal vet for putting together an great educational program. Of course we all should thank Terri Lopez for great hospitality room and Saul Sanabria for the morale boosting awards.

Have a great summer and stay in touch.

Ted

## This Month's Featured County

**Del Norte County** is a county located at the far northwest corner of the U.S. state of California, along the Pacific Ocean adjacent to the Oregon border. As of the 2010 census, the population was 28,610. The county seat and only incorporated city is Crescent City. Del Norte was pioneered by Portuguese explorers. Residents pronounce the county name as Del Nort, not Del Nor-tay as would be expected in Spanish. Del Norte County comprises the Crescent City, CA Micro-politan Statistical Area. The rural county is notable for forests containing giant Coast Redwoods, with some attaining heights over 350 feet (110 m). This northernmost county on the California coast also has scores of unique plants and flowers, dozens of species of coastal birds and fish, rocky primitive beaches and sea stacks, pristine rivers, and historic lighthouses.





# TIME & PLACE COMMITTEE

(Fresno County—CVSO Charles Humnicutt, Chair)

## Dates & Locations of Upcoming Conferences



**October 2—7, 2016**

Flamingo Conference Resort & Spa  
Santa Rosa, CA



**February 27—March 3, 2017**

Holiday Inn Capitol Plaza, Sacramento, CA



**June 11—16, 2017**

Town & Country Resort & Convention Ctr.  
San Diego, CA

# NewsLetter DEADLINE

**Last Thursday of the Month  
Unless Notified Otherwise!**

## OUT OF THE NORM—ISSUE # 211

(A feature of the Education Committee by Mr. Norm Gillett, CACVSO Training Consultant)

I get lots of questions about dependency issues, especially concerning children. Two of the most frequent questions are: Can a veteran still be paid for a child not in the veteran's custody; in particular, for a child who has been adopted by someone else? Can several persons really all be paid for the same child as a dependent? The answers may surprise you, so pay close attention—there'll be a quiz later.

The relevant regulations are 38 CFR 3.57, 3.58, 3.403 and 3.503. The Adjudication Manual reference is M21-1, Part 3, Subpart iii, Chapter 5, Section G. First, the definition of a "child": an unmarried person who is the biological child, the adopted child, or the stepchild of a veteran, and who is (1) under age 18; (2) between the ages of 18 and 23 and attending an approved school; or (3) over age 18 but became disabled and permanently incapable of self-support prior to age 18. An adoptive child must be adopted before age 18, and a stepchild must become a member of the veteran's household before age 18 (there are some exceptions and some further requirements, but they're not relevant to this discussion).

In the interests of keeping things simple, let's make a few basic assumptions: (1) assume the benefit at issue is compensation (there are additional considerations for pension, such as support and/or the child's income); (2) assume that both biological parents and both adoptive parents are all veterans, and all have SC disabilities rated 30% or more (for entitlement to additional payment for dependents); (3) assume that a final adoption decree (*not* simply an adoptive placement agreement or an interim or interlocutory adoption decree) and an amended birth certificate (where applicable) has been issued to the adoptive parents; and (4) assume that the child is under age 18 (additional factors and requirements arise after age 18).

A veteran eligible for additional compensation for dependents is *always* entitled to payment for his/her biological child or finally adopted child, even if the child is not in the veteran's custody, so long as upon request the veteran can tell VA where the child is and/or who has custody of the child. Once a veteran's child is established as a dependent it remains established, up to age 18. The veteran may still be paid the additional amount for that child, *even if* the child is adopted away from the veteran's family and the veteran has no further parental rights, or if the child enters the Armed Forces. Once the final adoption decree has been issued, the adoptive parents have the same rights to continuing payment for the child up to age 18 as do the biological parents.

On the other hand, a veteran is generally entitled to additional payment for a stepchild only for so long as the stepchild remains a member of the veteran's household, either actually or constructively (e.g. the child is not residing with the veteran because of attending school away or for some similar reason). Even though a married veteran is entitled to the additional amount for a spouse until the marriage is legally dissolved, even if they are estranged and living apart, this does not normally extend to a stepchild; if the veteran and the stepchild's parent (the veteran's spouse) are estranged and living apart, usually the stepchild is removed as a dependent effective immediately, from the day the stepchild stopped being a member of the veteran's household (again, however, there are some exceptions).

Now, how many people can be paid for the same child? Consider—if both biological parents are veterans and both are rated 30% or more, each parent is separately entitled to additional payment for the (same) child. That's *two* payments for one child. If for some reason the biological parents should lose custody and control and the child is adopted by another couple (both of whom also are veterans, each rated 30% or more), then the biological parents continue to be entitled to payment for the child and the adoptive parents are also entitled to the additional payments. That's *four* payments being made for the same child. Suppose the adoptive parents should then later divorce and the spouse who gets custody of the (adopted) child remarries. The new spouse is (naturally!) also a veteran with SC disability rated 30% or more; the new spouse is then entitled to payment for the child as a stepchild—that's *five* separate payments, all for the same child!

# LEGISLATIVE ADVOCATE REPORT

(By Pete Conaty and Dana Nichol, Legislative Advocates)

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### CACVSO STATUS OF LEGISLATION JUNE 3, 2016

CA AB 13	<b>AUTHOR:</b>	Chavez [R]
<b>TITLE:</b>	Public Postsecondary Education: Nonresident Tuition	
<b>LOCATION:</b>	Senate Education Committee	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA AB 27	<b>AUTHOR:</b>	Chavez [R]
<b>TITLE:</b>	Postsecondary Education: Non-Resident Tuition Exemption	
<b>LOCATION:</b>	Senate Education Committee	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA AB 171	<b>AUTHOR:</b>	Irwin [D]
<b>TITLE:</b>	Department of Veterans Affairs: Veterans Services	
<b>FILE:</b>	A-31	
<b>LOCATION:</b>	Senate Inactive File	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Sponsor	
CA AB 253	<b>AUTHOR:</b>	Hernandez R [D]
<b>TITLE:</b>	Mental Health	
<b>LOCATION:</b>	Senate Transportation and Housing Committee	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA AB 930	<b>AUTHOR:</b>	Irwin [D]
<b>TITLE:</b>	Work for Warriors Program	
<b>FILE:</b>	A-38	
<b>LOCATION:</b>	Senate Inactive File	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	

# CVSO Happenings

## RAFFLE COMMITTEE



A SPECIAL THANKS TO EACH  
AND EVERYONE OF THOSE  
WHO BROUGHT YOUR PRIZE  
RAFFLE GIFT!

ESPECIALLY TO THOSE  
WHOSE PRIZE REPRESENTED  
YOUR COUNTY.



In honor of Memorial Day  
Thank a soldier and pray  
for them  
all.







CA AB 2128      **AUTHOR:** Achadjian [R]  
**TITLE:** Marriage  
**COMMITTEE:** Senate Judiciary Committee  
**HEARING:** 06/14/2016 1:30 pm  
**PRIVATE FILE:** CACVSO  
**Position:** Support

CA AB 2254      **AUTHOR:** Achadjian [R]  
**TITLE:** Armories: Homeless Shelter  
**COMMITTEE:** Senate Veterans Affairs Committee  
**HEARING:** 06/14/2016 1:30 pm  
**PRIVATE FILE:** CACVSO  
**Position:** Watch

CA AB 2267      **AUTHOR:** Dahle [R]  
**TITLE:** Veterans: Solicitation  
**LOCATION:** ASSEMBLY  
**PRIVATE FILE:** CACVSO  
**Position:** Watch

CA AB 2273      **AUTHOR:** Irwin [D]  
**TITLE:** Military Law: Suicide  
**COMMITTEE:** Senate Veterans Affairs Committee  
**HEARING:** 06/14/2016 1:30 pm  
**PRIVATE FILE:** CACVSO  
**Position:** Support

CA AB 2315      **AUTHOR:** Olsen [R]  
**TITLE:** Asbestos Tort Trust Transparency Act  
**LOCATION:** Assembly Judiciary Committee  
**PRIVATE FILE:** CACVSO  
**Position:** Support

CA AB 2472      **AUTHOR:** Linder [R]  
**TITLE:** Personal Income Taxes: Credits: Veterans:Service Animal  
**LOCATION:** Assembly Appropriations Committee  
**PRIVATE FILE:** CACVSO

CA AB 2494      **AUTHOR:** Hernandez R [D]  
**TITLE:** Veteran Resource Centers Grant Program  
**LOCATION:** SENATE  
**PRIVATE FILE:** CACVSO  
**Position:** Support

CA AB 2512      **AUTHOR:** Grove [R]  
**TITLE:** Task Force on Women Veterans Health  
**LOCATION:** Assembly Appropriations Committee  
**PRIVATE FILE:** CACVSO  
**Position:** Support

CA AB 2561	<b>AUTHOR:</b>	Veterans Affairs Cmt
<b>TITLE:</b>	Veterans Cemeteries	
<b>COMMITTEE:</b>	Senate Veterans Affairs Committee	
<b>HEARING:</b>	06/14/2016 1:30 pm	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Watch	
CA AB 2562	<b>AUTHOR:</b>	Veterans Affairs Cmt
<b>TITLE:</b>	Military Service: Benefits	
<b>COMMITTEE:</b>	Senate Veterans Affairs Committee	
<b>HEARING:</b>	06/14/2016 1:30 pm	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Watch	
CA AB 2563	<b>AUTHOR:</b>	Veterans Affairs Cmt
<b>TITLE:</b>	Veterans: Service Advocate: Correctional Facility	
<b>COMMITTEE:</b>	Senate Veterans Affairs Committee	
<b>HEARING:</b>	06/14/2016 1:30 pm	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Watch	
CA AB 2574	<b>AUTHOR:</b>	Chavez [R]
<b>TITLE:</b>	Veteran Farmers and Ranchers	
<b>COMMITTEE:</b>	Senate Veterans Affairs Committee	
<b>HEARING:</b>	06/14/2016 1:30 pm	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Watch	
CA AB 2636	<b>AUTHOR:</b>	Linder [R]
<b>TITLE:</b>	Electronic Application	
<b>LOCATION:</b>	SENATE	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA AB 2876	<b>AUTHOR:</b>	Bloom [D]
<b>TITLE:</b>	Veterans Housing: Assistance	
<b>LOCATION:</b>	Assembly Housing and Community Development Committee	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Watch	
CA AB 2879	<b>AUTHOR:</b>	Stone [D]
<b>TITLE:</b>	Service Member Employment Protection Act	
<b>FILE:</b>	11	
<b>LOCATION:</b>	Assembly Third Reading File	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	SupportIfAmended	

CA ACR 108	<b>AUTHOR:</b>	Mathis [R]
<b>TITLE:</b>	Women's Military History Week	
<b>LOCATION:</b>	Chaptered	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA ACR 129	<b>AUTHOR:</b>	Kim [R]
<b>TITLE:</b>	Month of the Military Child	
<b>LOCATION:</b>	Chaptered	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA ACR 188	<b>AUTHOR:</b>	Melendez [R]
<b>TITLE:</b>	PTSD Awareness Month	
<b>COMMITTEE:</b>	Assembly Veterans Affairs Committee	
<b>HEARING:</b>	06/14/2016 4:00 pm	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA AJR 20	<b>AUTHOR:</b>	Kim [R]
<b>TITLE:</b>	Veterans Affairs Hospitals	
<b>COMMITTEE:</b>	Senate Veterans Affairs Committee	
<b>HEARING:</b>	06/14/2016 1:30 pm	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA AJR 33	<b>AUTHOR:</b>	Bonilla [D]
<b>TITLE:</b>	Port Chicago Disaster: Sailors of the U.S. Navy	
<b>COMMITTEE:</b>	Senate Veterans Affairs Committee	
<b>HEARING:</b>	06/14/2016 1:30 pm	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA HR 34	<b>AUTHOR:</b>	Daly [D]
<b>TITLE:</b>	Black April Memorial Week	
<b>LOCATION:</b>	Adopted	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA SB 112	<b>AUTHOR:</b>	Roth [D]
<b>TITLE:</b>	State Veterans' Bill of Rights	
<b>COMMITTEE:</b>	Assembly Veterans Affairs Committee	
<b>HEARING:</b>	06/14/2016 4:00 pm	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA SB 159	<b>AUTHOR:</b>	Nielsen [R]
<b>TITLE:</b>	Disabled Veteran Business Enterprise: Goal Achievement	
<b>COMMITTEE:</b>	Assembly Veterans Affairs Committee	
<b>HEARING:</b>	06/14/2016 4:00 pm	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	



CA SB 294	<b>AUTHOR:</b>	Pan [D]
<b>TITLE:</b>	Public Employment: Military Service	
<b>LOCATION:</b>	Assembly Public Employees, Retirement and Social Security Committee	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA SB 384	<b>AUTHOR:</b>	Leyva [D]
<b>TITLE:</b>	Veteran Housing: Multifamily: Underserved Veterans	
<b>COMMITTEE:</b>	Assembly Veterans Affairs Committee	
<b>HEARING:</b>	06/14/2016 4:00 pm	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA SB 543	<b>AUTHOR:</b>	Wolk [D]
<b>TITLE:</b>	Veterans: Veteran's Home of California	
<b>COMMITTEE:</b>	Assembly Veterans Affairs Committee	
<b>HEARING:</b>	06/14/2016 4:00 pm	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Watch	
CA SB 806	<b>AUTHOR:</b>	Vidak [R]
<b>TITLE:</b>	Dr. Charlie Waters Memorial Veterans Home	
<b>LOCATION:</b>	Senate Veterans Affairs Committee	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA SB 866	<b>AUTHOR:</b>	Roth [D]
<b>TITLE:</b>	Veterans Housing	
<b>LOCATION:</b>	Assembly Housing and Community Development Committee	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA SB 905	<b>AUTHOR:</b>	Bates [R]
<b>TITLE:</b>	Alcoholic Beverage Control: Club Licenses	
<b>COMMITTEE:</b>	Assembly Governmental Organization Committee	
<b>HEARING:</b>	06/08/2016 1:30 pm	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA SB 951	<b>AUTHOR:</b>	McGuire [D]
<b>TITLE:</b>	Golden State Patriot Passes Program	
<b>LOCATION:</b>	Senate Appropriations Committee	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA SB 962	<b>AUTHOR:</b>	Anderson [R]
<b>TITLE:</b>	Veterans Homes	
<b>LOCATION:</b>	Senate Rules Committee	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Watch	

CA SB 980	<b>AUTHOR:</b>	Nielsen [R]
<b>TITLE:</b>	Veterans' Homes	
<b>LOCATION:</b>	ASSEMBLY	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Sponsor	
CA SB 981	<b>AUTHOR:</b>	Nielsen [R]
<b>TITLE:</b>	Veterans: Homelessness	
<b>LOCATION:</b>	Senate Rules Committee	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Watch	
CA SB 1012	<b>AUTHOR:</b>	Nguyen [R]
<b>TITLE:</b>	Flags: Purchase	
<b>LOCATION:</b>	Assembly Accountability and Administrative Review Committee	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA SB 1053	<b>AUTHOR:</b>	Leno [D]
<b>TITLE:</b>	Housing Discrimination: Applications	
<b>LOCATION:</b>	Senate Appropriations Committee	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA SB 1057	<b>AUTHOR:</b>	Anderson [R]
<b>TITLE:</b>	Terrorism: Civil Action	
<b>LOCATION:</b>	Senate Judiciary Committee	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Watch	
CA SB 1059	<b>AUTHOR:</b>	Monning [D]
<b>TITLE:</b>	Postsecondary Education: Title 38 Awards	
<b>COMMITTEE:</b>	Assembly Higher Education Committee	
<b>HEARING:</b>	06/14/2016 1:30 pm	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA SB 1080	<b>AUTHOR:</b>	Morrell [R]
<b>TITLE:</b>	Memorials	
<b>LOCATION:</b>	Senate Public Safety Committee	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA SB 1081	<b>AUTHOR:</b>	Morrell [R]
<b>TITLE:</b>	Hunting and Sport Fishing Free and Reduced License Fee	
<b>LOCATION:</b>	Senate Appropriations Committee	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	

CA SB 1104	<b>AUTHOR:</b>	Stone [R]
<b>TITLE:</b>	Property Tax: Senior and Disabled Veterans	
<b>LOCATION:</b>	Senate Appropriations Committee	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA SB 1155	<b>AUTHOR:</b>	Morrell [R]
<b>TITLE:</b>	Professions and Vocations: Licenses: Military	
<b>LOCATION:</b>	ASSEMBLY	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA SB 1180	<b>AUTHOR:</b>	Jackson [D]
<b>TITLE:</b>	Public School Employees: Military Veterans	
<b>LOCATION:</b>	Assembly Education Committee	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA SB 1183	<b>AUTHOR:</b>	Bates [R]
<b>TITLE:</b>	Property Taxation: Exemptions: Disabled Veterans	
<b>LOCATION:</b>	Senate Appropriations Committee	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA SB 1227	<b>AUTHOR:</b>	Lara [D]
<b>TITLE:</b>	California Conservation Corps	
<b>LOCATION:</b>	ASSEMBLY	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	
CA SB 1259	<b>AUTHOR:</b>	Runner [R]
<b>TITLE:</b>	Vehicles: Toll Payment: Veterans	
<b>COMMITTEE:</b>	Assembly Veterans Affairs Committee	
<b>HEARING:</b>	06/14/2016 4:00 pm	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Watch	
CA SB 1348	<b>AUTHOR:</b>	Cannella [R]
<b>TITLE:</b>	Licensure Applications: Military Experience	
<b>LOCATION:</b>	ASSEMBLY	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Watch	
CA SB 1455	<b>AUTHOR:</b>	Block [D]
<b>TITLE:</b>	Pupil Enrollment: Military Dependents	
<b>LOCATION:</b>	Assembly Education Committee	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Watch	
CA SB 1458	<b>AUTHOR:</b>	Bates [R]
<b>TITLE:</b>	Property Taxation: Exemptions: Disabled Veterans	
<b>LOCATION:</b>	ASSEMBLY	
<b>PRIVATE FILE:</b>	CACVSO	
<b>Position:</b>	Support	

CA SCR 104      **AUTHOR:**      Nguyen [R]  
**TITLE:**      Black April Memorial Month  
**LOCATION:**      Chaptered  
**PRIVATE FILE:**      CACVSO  
**Position:**      Support

CA SCR 110      **AUTHOR:**      Mendoza [D]  
**TITLE:**      Brain Injury Awareness, Treatment, and Prevention Month  
**LOCATION:**      Chaptered  
**PRIVATE FILE:**      CACVSO  
**Position:**      Support

CA SCR 113      **AUTHOR:**      Fuller [R]  
**TITLE:**      National Military Appreciation Month  
**LOCATION:**      Assembly Rules Committee  
**PRIVATE FILE:**      CACVSO  
**Position:**      Support

# DID YOU KNOW?

By: Hannah Williamson, Butte County CVSO

**Did you know that per California Government Code Section 6107, no public entity (County Clerk-Recorder in particular) may charge a fee to provide a certified copy of a public record that is to be used in filing for VA benefits?**

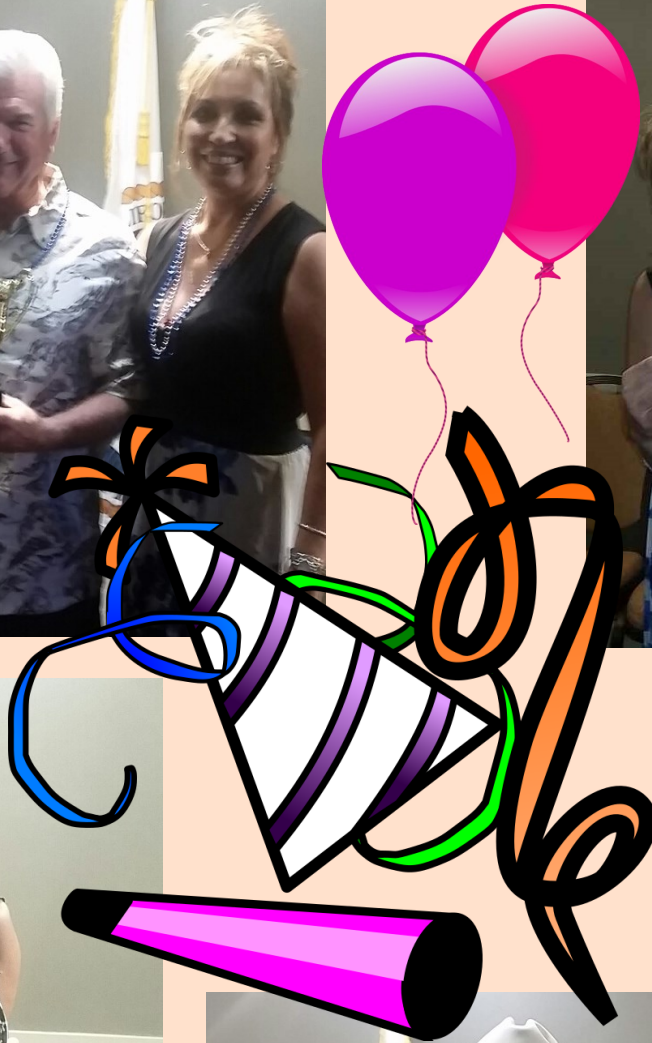
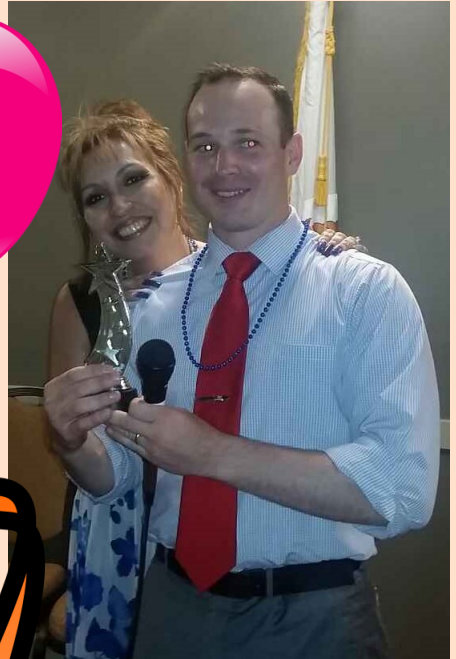
Most commonly this would be a birth certificate, marriage/divorce documents, death certificate, and adoption papers. Whether it is the veteran themselves filing for benefits, a dependent, and or a legal representative the government office must provide a certified copy for FREE.

**CALIFORNIA GOVERNMENT CODE SECTION 6107**

**6107.** (a) No public entity, including the state, a county, city, or other political subdivision, nor any officer or employee thereof, including notaries public, shall demand or receive any fee or compensation for doing any of the following:

- (1) Recording, indexing, or issuing certified copies of any discharge, certificate of service, certificate of satisfactory service, notice of separation, or report of separation of any member of the Armed Forces of the United States.
  - (2) Furnishing a certified copy of, or searching for, any public record that is to be used in an application or claim for a pension, allotment, allowance, compensation, insurance (including automatic insurance), or any other benefits under any act of Congress for service in the Armed Forces of the United States or under any law of this state relating to veterans' benefits.
  - (3) Furnishing a certified copy of, or searching for, any public record that is required by the Veterans Administration to be used in determining the eligibility of any person to participate in benefits made available by the Veterans Administration.
  - (4) Rendering any other service in connection with an application or claim referred to in paragraph (2) or (3).
- (b) A certified copy of any record referred to in subdivision (a) may be made available only to one of the following:
- (1) The person who is the subject of the record upon presentation of proper photo identification.
  - (2) A family member or legal representative of the person who is the subject of the record upon presentation of proper photo identification and certification of their relationship to the subject of the record.
  - (3) A county office that provides veteran's benefits services upon written request of that office.
  - (4) A United States official upon written request of that official. A public officer or employee is liable on his or her official bond for failure or refusal to render the services.

# Having Fun at the Banquet!!



## VA extends benefits to same-sex couples

The Department of Veterans Affairs said that same-sex couples in states across the country have been having access to a raft of denied benefits following the Supreme Court's landmark marriage equality decision passed in November 2015.

The couples no longer are denied VA disability pay, home loan guarantees, death pensions and burial rights based on the laws of the states where they have lived and worked, the department announced.

A spokeswoman said the VA will send out new guidance to all staff and will temporarily halt any benefit applications that would have been denied under previous guidelines.

The VA had been issuing benefits only to same-sex partners who lived in a state that permitted gay marriage at the time of their union or who lived in one of those states during their service. But the Supreme Court effectively struck down state bans on same-sex marriage — though some have vowed challenges — and removed the basis for the department's rules.

"VA will work quickly to ensure that all offices and employees are provided guidance on implementing this important decision with respect to all programs, statutes, and regulations administered by VA," according to a statement.

The denial of benefits based on where same-veterans lived sparked outcry and lawsuits from advocates including Lambda Legal, a New York group focused on the civil rights of lesbian, gay, bisexual and transgender Americans.

Susan L. Sommer, the group's director of constitutional litigation and senior counsel, said the VA had taken a number of steps to expand spouse benefits to same-sex couples. It created new guidelines after an Obama administration decision in 2011 to no longer fight challenges to the Defense of Marriage Act, which barred the government from recognizing the unions.

"But the VA had taken the position that its hands were tied with respect to some benefits that remain very important, including some survivor's benefits and home loan guarantees," Sommer said. She said the VA change in policy announced Monday could affect thousands of veterans.

Lambda legal sued the VA in a Washington, D.C., federal circuit court over the denial of benefits based on state laws. The case was put on hold while the Supreme Court deliberated.

Now, the VA and the legal group have 30 days discuss the ruling and then return to the federal court with a plan on how to proceed. Sommer said Lambda Legal will also be looking closely at what the VA tells its staff about approving the benefits.

"We certainly want to see what the guidance is," she said.

## THE VETERANS BUSINESS OUTREACH CENTER

Contact the Service Desk at  
[answerdesk@sba.gov](mailto:answerdesk@sba.gov)

### Veteran-Owned Businesses

If you are a veteran or service-disabled veteran, SBA has resources to help you start and grow your small business. From creating a business plan to finding your first customer, we're here to help you succeed.

#### Small Business Assistance

Assistance such as Operation Boots to Business: From Service to Startup is provided through the SBA which recognizes the contributions that veterans make by owning and running businesses that employ millions of Americans. According to the most recent U.S. Census Data, veteran-owned firms represent 9 percent of all U.S. firms. These 2.45 million veteran-owned businesses employed over 5.8 million individuals. Transitioning service members are natural entrepreneurs, possessing the training, experience, and leadership skills to start businesses and create jobs.

And that is not all. You may learn about many other programs at <https://www.sba.gov/about-sba/what-we-do/contact-sba>



# CVSO Assignment

The Alameda County Social Services is pleased to announce that Bruce Choy has accepted the position of Veterans Services Officer, where he will oversee the work of the Alameda County Veteran's Services Office. The department provides counseling and assistance to veterans and their family members who are seeking assistance determining eligibility for and applying for Federal and State Veterans Benefits. The office provides assistance through in-office visits and outreach events and reaches more than 10,000 people a year.

Mr. Choy joined the County in 2011 as a Veterans Services Representative. Mr. Choy's educational background includes a law degree from the Santa Clara University School of law. His professional experience includes managing his own law practice, where he specialized in estate planning and family law.

Welcome  
Aboard



# DATES OF INTEREST



## JUNE 2016

- 6 D-Day
- 14 Flag Day
- 21 Father's Day
- 21 Summer Begins

## JULY 2016

- 4 Independence Day
- 26 Parents' Day

## AUGUST 2016

- 19 National Aviation Day
- 21 Senior Citizens Day



**Freedom  
isn't Free**



**Support  
Our Troops**

ANSWER TO RIDdle ON PAGE #8 IS:

A PADLOCK

STAMP