

VIRGINIA CAPITOL CONNECTIONS

QUARTERLY MAGAZINE



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Summer 2016

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Governor Terry McAuliffe announces rights restoration executive order on April 22.

Cover photo by

Michael White



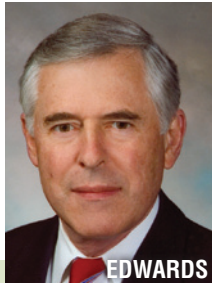
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ATWOOD



From Saigon to Brigadier General

ARTICLE AND PHOTOS COURTESY OF COTTON PURYEAR,
STATE PUBLIC AFFAIRS OFFICER, VIRGINIA NATIONAL GUARD

Col. Lapthe C. Flora was promoted to brigadier general at the National D-Day Memorial June 6, 2016, in Bedford, Virginia. Flora, a native of Saigon, is the first Vietnamese boat person to be promoted to general officer in the United States Army and the second of Vietnamese descent. He most recently served as the commander of the Virginia National Guard's Bowling Green-based 91st Troop Command and will serve as the Assistant Adjutant General for Strategic Initiatives. The following are excerpts of Brig. Gen. Lapthe Flora's promotion speech:

"The promotion ceremony this morning is indeed a bittersweet event for me. I wish my parents, sister Cam-Lien and brother Minh-The were here to share it with us, especially my father, Maj. John Lewis Flora, Jr. of 116th Infantry Regiment, 29th Infantry Division that landed on Omaha Beach, Normandy, France 72 years ago today. I know, he and my mom, Audrey, are watching from heaven with amusement and pride that the poor little 'boat refugee' boy they had adopted is now an American General.

I am blessed beyond belief to see so many of my dear friends and families here this morning. I want all of you to know that you have either directly and or indirectly paved the way for me to be honored here today, and I am profoundly grateful for your presence. This should serve as a testament that I did not reach this milestone on my own. I thank you from the bottom of my heart for taking your precious time off and traveling great distances to share this momentous occasion with both me and my family.

I am keenly aware of the historical significance of today's ceremony and am deeply grateful for the honor and recognition, but today's event should serve as an affirmation of faith in the American Dream. The possibility in this great nation is boundless; the American Dream is real, only if you dare to pursue it with laser focus, hard work and perseverance.

It seems like just yesterday that I had arrived in this country as a traumatized and penniless Vietnamese 'boat refugee' who spoke not a single word of English. But what I had then and still have, to

this day, is an enormous sense of gratitude and desire to give back to America for her priceless gift of freedom and a second chance in life. There are no words in any language that can adequately describe the euphoric moment I felt when we landed in the USA. And thus, ladies and gentlemen, without a doubt, this is heaven on earth...

To all my fellow Americans, I thank you from the bottom of my heart for your generosity, empathy and courage for welcoming us boat people into your communities as your neighbors, friends, colleagues, comrades, and fellow citizens.

To our veterans, especially the Vietnam Veterans of America and Vietnam Veterans of the Republic of Vietnam, to you all... we owe a great debt, one infinitely larger than can ever be repaid. My fellow veterans, you are guardians of peace, a bulwark of liberty, and the beacon of light for those in dark places. Your devotion to duty and dedication to serve your fellow men has inspired me and thousands of my fellow Vietnamese-Americans to follow in your footsteps since our arrival in this great country. The universal cry for freedom we are seeing in the world today is in no small part due to the example you set on those distant battlefields.

On behalf of my family, I thank you for your gift of liberty and the opportunity to pursue our happiness. Your patriotism, sacrifices and selfless service to defend our constitution, to preserve the freedom and our way of life, is honorable and appreciated.

We will never forget you. There is a proverb in Vietnamese that says.... 'An Trai Nhoc Ke Trong Cay', which loosely translates to, 'as you enjoy the fruits, always remember the people who planted it.'

To my dear friends, brother rats, comrades and colleagues, I thank you for your friendship, guidance, support and encouragement. I could not have gotten this far without you. As people would say, it takes a village to raise a child, but in my case it took a Nation to raise this General. I am very grateful to all of you...

To my fellow Citizen Soldiers, I am so humbled and honored to have served with many of you for nearly 28 years. I am equally thankful for those valuable lessons and personal counsel. All of you

have contributed significantly and are truly responsible for me being promoted here today. For that, I am eternally grateful. The greatest honor for me when wearing this proud uniform is not the star on my shoulder or the ribbons on my chest, but having the privilege to have served with you all, the most dedicated, talented, and patriotic Americans of our generation. I am asking for your continued support, guidance and wise counsel as I prepare to take on the next chapter of my military career.

I am also equally appreciative of the Virginia National Guard. It provides me the unique honor to protect my country in times of war and to serve my communities in times of peace while still allowing me ample opportunity to fulfill my civilian aspirations. Furthermore, I truly believe and must attribute much of my civilian success today to this professional organization where Team Work and Character are non-negotiable. The National Guard is truly the best-kept secret institution in our country.

Lastly, before I close, I would like to end with a quote by John F. Kennedy that says, 'as we express our gratitude, we must never forget that the highest appreciation is not to utter words, but to live by them.'

This quote, I believe, encapsulates the truest meaning of gratitude I have towards every individual who has made a profound impact on my life and continues to support me in both my endeavors and accomplishments. Again, thank you all so much for coming. God Bless!"

In his civilian capacity, Flora is the Senior Applications Engineer with Night Vision business of Harris Corporation in Roanoke, and holds six patent awards related to the AN/PVS-14 and AN/AVS-9 night vision goggles. [V]

Following the Communist capture of Saigon in 1975, Flora and his brothers fled the city to avoid being drafted in to the North Vietnamese military. He spent more than three years in the jungle, then fled by boat to Indonesia where he spent a year living in three separate refugee camps.

When he arrived in the U.S., he quickly learned English and finished his high school education in only three years. After high school Flora attended the Virginia Military Institute in Lexington where he earned a bachelor's degree and commission in the U. S. Army Reserve in 1987. He later transferred to the Virginia Army National Guard where he served in every staff position within 1st Battalion, 116th Infantry Regiment, 116th Infantry Brigade Combat Team, including commander of the battalion.



Flora's wife Thuy and daughter Christine pinned on Flora's new rank, and Maj. Gen. Timothy P. Williams, the Adjutant General of Virginia, administered the oath of office.

Opioid Crisis Inspires Community, Health Care, Government Collaboration

By TRACEY A. VAN MARCKE

The problem had become, and remains, glaring. The community had witnessed an unprecedented rise of deaths due to heroin and opioid abuse from 2011-2014. According to a newspaper account, 33 deaths were attributed to opioid overdoses in Clarke, Frederick, Page, Shenandoah, and Warren counties and the City of Winchester alone in 2014. Statewide statistics are likewise staggering, with 4,036 recorded opioid-related deaths in the Commonwealth from 2007 to 2015, according to Virginia Department of Health data. A meaningful response was clearly needed to protect the public.

Following a May 2014 community heroin summit in Winchester, the non-profit Northern Shenandoah Valley Substance Abuse Coalition (NSVSAC) was formed with strong public and private sector support to address this growing epidemic. NSVSAC is a collaborative effort. It involves law enforcement, health care, substance abuse treatment, youth advocacy organizations, and families impacted by substance abuse and addiction. Winchester-based Valley Health System has been one of the key funders of the coalition, along with the Winchester City Council, the Frederick County Board of Supervisors, and the Clarke County Board of Supervisors. In May, the United Way of the Northern Virginia Shenandoah Valley presented NSVSAC a \$25,000 check to support the treatment of participants in a local Drug Treatment Court program that will begin in July.

In addition to community partners, health care providers are intently focused on combating the devastation of this crisis. One example of that effort is a successful webinar hosted by the Virginia Hospital & Healthcare Association's (VHHA) Virginia Hospital Research & Education Foundation (VHREF). The webinar—"The Addiction Crisis: A Community's Response"—highlighted NSVSAC's work and other strategies for responding to the opioid epidemic, and featured commentary from a range of state and local officials with subject matter expertise. Approximately 600 people participated in the webinar, which is now available for online viewing.

VHHA is also working with members and stakeholders to address the opioid crisis. VHHA's Board of Directors established an opioid task force in January 2016, and charged it with examining ways to reduce opioid abuse with a focus on emergency room prescribing practices. The task force—which featured representatives from VHHA-member organizations, the Virginia College of Emergency Physicians, and the Virginia Chapter of the American Academy of Emergency Physicians—developed a set of 14 recommendations to help guide Virginia hospital emergency departments in setting general standards for prescribing opioids. Many Virginia hospitals and health systems have already developed internal standards that are complemented by these overarching guidelines.

Beyond Virginia's health care providers, public officials at the local, state, and federal levels have also responded to the problem. In 2014, Governor Terry McAuliffe formed the Governor's Task Force on Prescription Drug and Heroin Abuse to improve public safety and public health. Meanwhile, Attorney



General Mark Herring's office spearheaded the powerful "Heroin: The Hardest Hit" documentary about the opioid epidemic and its effect on Virginians. Released in 2015, the documentary examines the epidemic from several angles by featuring Virginians sharing their own stories of addiction, testimony from parents who have lost their children to opioid overdose, and insights from law enforcement and public health officials working to tackle this challenge. Since its premiere, the film has been viewed online more than 57,000 times. Also, the Virginia General Assembly and members of Congress have each worked to approve bipartisan legislation aimed at addressing the opioid crisis.

Platforms like Drug Free Virginia and the "Sink or Swim" campaign also play a critical role in combating opioid abuse by providing tools and resources to build awareness of the dangers of drug misuse. The campaign website features real-life testimonials, drug facts, and information on how to dispose of drugs.

National chain pharmacies like Rite Aid, Kroger, Walgreens, and CVS are also involved in anti-abuse efforts. Rite Aid has trained more than 8,400 pharmacists on how to dispense naloxone, an opioid overdose reversal drug, and currently dispenses the drug without a prescription. Kroger, Walgreens, and CVS also dispense naloxone without a prescription. In Virginia, Governor McAuliffe has teamed up with CVS Health to underscore the availability of naloxone.

Starting this fall, more than 60 medical schools, 50 pharmacy schools, and nearly 200 nursing schools will require students to take some form of prescriber education to graduate. Virginia schools that have signed onto this initiative include Hampton University, James Madison University, Old Dominion University, Radford University, and Virginia Commonwealth University.

As with any evolving health challenge, collaboration is critical to success. Hospitals will continue to partner with community and government allies, continue to serve the public, and continue to innovate in pursuit of solutions. It is encouraging to see the public and private sectors step forward in response to this crisis. Investing in reducing barriers to treatment for substance abuse disorders will help enable healthcare providers, including Virginia's hospitals and health systems, to combat this epidemic.

The numbers are staggering. The magnitude of the problem is distressing. Lives are at stake. Together, we can combat this crisis.

A veteran health care leader, Tracey A. van Marcke is Executive Director of the Virginia Hospital Research & Education Foundation, a nonprofit subsidiary of the Virginia Hospital & Healthcare Association that is focused on improving the health of Virginia through collaboration, research and education for Virginia's hospitals and health systems. ▮

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Restoration of Rights: Facts

By JESSE SIEBENTRITT

On April 22, Governor McAuliffe signed an executive order that restored the voting and civil rights of an estimated 206,000 people with previous felony convictions in the Commonwealth of Virginia.

"If we are going to build a stronger and more equal Virginia, we must break down barriers to participation in civic life for people who return to society seeking a second chance. We must welcome them back and offer the opportunity to build a better life by taking an active role in our democracy," McAuliffe remarked outside the Capitol moments before he signed the order. "I believe it is time to cast off Virginia's troubled history of injustice, and embrace an honest, clean process for restoring the rights of these men and women."

Republican leadership responded to the move swiftly, describing it as politically motivated executive overreach.

"I am stunned at (the Governor's) broad and unprecedented view of executive power, which directly contradicts how past Governors have interpreted their clemency powers, and I am stunned at his willingness to restore the rights of the most heinous criminals without batting an eye," House of Delegates Speaker William J. Howell wrote in a statement. "Yet, I am not surprised by the lengths to which he is willing to go to deliver Virginia to Hillary Clinton in November."

In response to requests for additional information on the persons whose rights he restored, McAuliffe's administration released summary level data on May 11, which showed 79 percent were convicted of nonviolent crimes and 41.8 percent had completed their sentence and court supervision more than 10 years ago.

Howell responded in a May 11 press release asking for more detailed information regarding the individuals whose rights were restored.

"The delayed, incomplete, and unverified data released by Governor McAuliffe in no way excuses his reckless decision to restore the civil rights of violent offenders and flagrant violation of the constitution," the statement read.

Democrats have framed the Governor's executive order as a necessary step to rectify more than a century of racial injustice.

"I stood in front of that Capitol, where in 1902, they had used race to deny people the right to vote. They put a poll tax in, they put a literacy test in, they disenfranchised felons," McAuliffe said at a May 11 town hall meeting at 31st St. Baptist Church. "... So for me to stand there as the 72nd Governor, and erase 114 years of racial injustice... was the greatest day of my Governorship."

On a press call hosted by the Democratic National Committee and the Democratic party of Virginia earlier May 11, U.S. Representative Bobby Scott (D-VA) noted the racial breakdown of those whose rights were restored.

"What stood out for me was that 45.9 percent of disenfranchised voters are African-Americans even though blacks only account for 19.4 percent of the Commonwealth's entire population," Scott said. "That clearly illustrates that the impact of the law was most keenly felt by African-Americans."

In a petition for writs of mandamus and prohibition that the Virginia Supreme Court will consider on July 19, Howell, Virginia Senate Majority Leader Tommy Norment and several other citizens of the Commonwealth countered Democrats' claims that the felon disenfranchisement clause was targeted toward African-Americans.



"The prohibition could not have been adopted for the purpose of depriving African-Americans of the right to vote because it was first added to the Constitution in 1830, when only whites could vote," the petition reads. "The 1851 and 1864 Constitutions likewise allowed only whites to vote but denied the vote to any person convicted of 'any infamous offence.'"

Matt Ford reports in an April 27 article in the Atlantic, "The Racist Roots of Virginia's Felon Disenfranchisement," however, that the 1868 constitution guaranteed the right to vote to every male citizen over 21 years of age, and "excluded only people convicted of corruption or treason, participants in duels, and 'idiots and lunatics' from voting."

The 1902 constitutional convention—which followed the enactment of Jim Crow laws aimed at discriminating against and disenfranchising blacks—resulted in more expansive restrictions on access to the ballot box. "... The convention approved a clause that disenfranchised Virginians convicted of numerous crimes, including 'treason or of any felon, bribery, petit larceny, obtaining money or property under false pretenses, embezzlement, forgery, or perjury,'" Ford writes.

In addition to the original intent of the felon disenfranchisement clause, the Supreme Court may consider whether the Governor's action overstepped his executive authority.

Attached to the petition are documents intended to demonstrate that McAuliffe's order was outside his authority because it deviated from the practice of his predecessors. The first exhibit is a letter from Governor Tim Kaine's counselor, Mark E. Rubin, declining a request from Kent Willis of the American Civil Liberties Union that then-Governor Kaine use his executive power to grant a blanket restoration of voting rights to Virginians with felony convictions.

"A blanket order restoring the voting rights of everyone would be a rewrite of the law rather than a contemplated use of the executive clemency powers," Rubin writes.

Similarly, Exhibit 2, "Report of the Attorney General's Rights Restoration Advisory Committee," published May 10, 2013 found that "the Governor cannot institute by executive order an automatic, self-executing restoration of rights for all convicted felons in the Commonwealth of Virginia."

Governor McAuliffe has said he will continue to issue executive actions on a monthly basis granting civil rights to felons as they complete their supervised probation or parole. As of June 31st the Daily Press reported 5,800 people with prior felony convictions had registered to vote. On July 19, the Virginia Supreme Court will take up the validity of those registrations.

Jesse Siebentritt is an alumnus of the University of Richmond class of 2015 and editor of the Summer 2016 issue of Virginia Capitol Connections Quarterly Magazine. 

By SENATOR JOHN S. EDWARDS, 21ST SENATE DISTRICT OF VIRGINIA

Governor McAuliffe's recent restoration of political rights to felons who have completed their sentence is the right thing to do, if we believe in the redemptive value of our criminal justice system. I applaud the governor for restoring those political rights to some 206,000 felons in Virginia, many of whom were released from prison years ago.

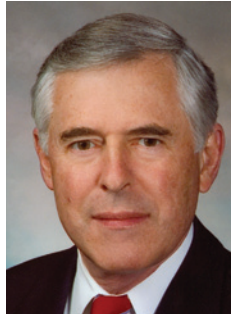
While each of the affected persons could apply individually for restoration of political rights on a case-by-case basis, the process is unnecessarily laborious and costly – both for the individual and the state. So the governor rightly said, let's do this on a class-wide basis by restoring the political rights to all of those that have completed their sentence.

This action is not unprecedented as Governor McDonnell did the same thing for a class of nonviolent felons, although a much lower number of people were benefitted.

Following this action, Governor McAuliffe saw that he had the exclusive executive authority under the Constitution of Virginia to "remove the political disabilities consequent upon conviction." It does not say he has to do it on an application-by-application basis; he can do it on a class-wide basis, as did Governor McDonnell.

The action does not reduce any sentence, much less pardon any conviction. They must have "completed their sentences" of incarceration, supervised release, probation and parole. And they will still have to pay any fine, restitution or costs imposed by the courts. By restoring political rights on a class basis to those felons who have completed their sentences, it makes the process of restoring voting rights more efficient and less costly.

Virginia has a long and troubled history regarding voting rights, including the poll tax and literacy tests that were struck down by the U.S. Supreme Court in the 1960s. Since 2010, we



have sadly added new voter suppression devices such as the photo ID card requirement to voting.

The Republican Party has filed suit over this issue claiming the restoration must be on a case by case basis. But, the Virginia constitution does not require restoration only on an individual by individual basis.

The chief author of the 1971 Constitution of Virginia, A.E. Dick Howard, professor of law at UVA, has said the governor has "ample authority" to do so. As a lawyer myself, I believe the basic rules of constitutional and statutory interpretation clearly support Professor Howard's position.

The cause of justice is best served when people who have served their time can be brought back into the community to participate in the economic and political life, including having the fundamental right to vote. That helps them become part of the society again and benefits society by their voice in our government.

Most states automatically allow felons to vote upon release from incarceration, probation and parole. Virginia is one of only 12 states that does not automatically allow felons to vote upon completing their sentences. Absent legislation or a constitutional amendment, only the Governor can restore this right in Virginia.

Also, there is the sad fact that African-Americans have been disproportionately impacted by the previous process for restoring voting rights. This harkens back to the 1902 Virginia Constitution expressly designed to restrict the voting rights of African-Americans.

By restoring the right to vote on a class basis of those who have completed their sentence, Governor McAuliffe is moving Virginia forward.

Governor McAuliffe's action does not restore the right of felons to have legal access to firearms. If they want that right, then they have to go to court. Federal law further prohibits convicted felons from possessing guns. [E]

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Seeking New Seats

Keep an eye on these Virginia legislators in the 2016 election!

Senator Tom Garrett

seeking 5th Congressional District

Delegate Monty Mason

seeking 1st Virginia Senate District

Senator Donald McEachin

seeking 4th Congressional District

Delegate Scott Taylor

seeking 2nd Congressional District

Coming in the Fall issue:

Preview of Special Elections

In issuing his order restoring the political rights of 206,000 convicted felons, Governor McAuliffe inched closer to a goal that has become the primary mission of his administration: delivering Virginia's 13 Electoral Votes to Hillary Clinton this November. But in pursuing this political goal, he has disregarded the Constitution of Virginia he is sworn to uphold and disrespected the people he was elected to serve.



The Constitution of Virginia has prohibited felons from voting since 1830. It is not a vestige of Jim Crow, as the Governor has falsely asserted. His attempt to rewrite—and wholly misrepresent—Virginia history to inaccurately portray his action as remedying a racial injustice is evidence of rank political cynicism.

Because Virginians believe in second chances, the Constitution of Virginia also allows convicted felons to apply to have their political rights restored by the Governor on a case-by-case basis, which I support. For all of McAuliffe's predecessors, restoring the political rights of those convicted of felonies had been an appropriately deliberate and judicious process. McAuliffe's two immediate predecessors developed and published specific criteria for the restoration of political rights. Focused on ensuring those whose rights were restored had completed *all* of the provisions of their sentences, these criteria included not only the completion of all probationary requirements, but the satisfaction of all fines and restitution as well.

McAuliffe's order is the opposite of deliberate and judicious. News accounts understandably focused on its short-term political implications. After all, seven of the nine points made to justify his actions in the text of the order specifically reference political ends. Were the effects of his order limited to placing Virginia in the Democrat's column this November, Governor McAuliffe's actions might be overlooked. But, the consequences go well beyond the outcome of an election.

Previous governors and even President Obama made a distinction between violent and non-violent felons when restoring political rights. Governor McAuliffe has cast such distinctions aside, placing those convicted of serious, violent crimes—including murderers, rapists and sexual abusers, and even child predators—in the same category as those who committed property-related or drug offenses.

What percentage of those affected by the order committed violent crimes? The Governor has estimated the number at 40,000. But since he has ended all distinctions between violent and non-violent crimes in restoring rights, he is now asserting that information is irrelevant. I doubt those who were the victims and families of victims of these convicted felons would concur with that assessment.

Why, you may ask, is the Governor only estimating the number of violent felons whose rights have been restored? Well, it appears his Administration cannot produce accurate records of who has benefitted from this order. Now, we have learned that individuals who are still under the supervision of the criminal justice system—including criminals who are still incarcerated, awaiting trial for other offenses, or under supervised probation—have been included in the Governor's rights restoration order. The Administration's response to this bureaucratic incompetence: The Governor's spokesman said those who are ineligible should "contact our office immediately." The Administration probably should not wait by the phone.

An audit of the list could easily be performed, but the Governor has refused to release it. The Administration claims the list of felons whose rights have been restored are "working papers." This facade

is a clear and flagrant abuse of Virginia's Freedom of Information Act. The list is the result of the policy, not an item that went into formulating the policy.

What the Administration really fears is that a review of the list will reveal how many individuals who have had their political rights restored still owe restitution, have unpaid fines, or are still incarcerated in another state or in a federal institution. Governor McAuliffe's refusal to release the list is protecting only his reputation and shielding his Administration's incompetence from public scrutiny.

In their rush to applaud McAuliffe, many of the state's editorial pages ignored the real consequences to the state. The Literary Fund, established by the Constitution of Virginia, supports our public schools with low-interest loans for school construction and other essential funding. Criminal fines and fees provide the primary source of revenue for the Fund. Now, the Governor has made it much less likely the Fund will ever see the fines owed it from those whose political rights he has restored.

McAuliffe's order also restored the rights of these felons to serve on juries. Imagine the added challenge facing Virginia's Commonwealth's Attorneys, who now face the prospect of impaneling juries with felons as evidenced by the Trooper Walker murder trial.

The final sentence of Governor McAuliffe's order reads, "Nothing in this Order restores the right to ship, transport, possess, or receive firearms." Perhaps that statement was included because the order was issued by a politician publicly committed to gun control. Effectively, however, the order strengthens the hand of convicted felons—including those convicted of violent crimes—seeking full restoration of their gun rights.

Executive overreach, which has become commonplace in Washington during President Obama's tenure, is now fully ensconced in Richmond. Having spectacularly failed at his attempt to subvert the Constitution's clearly stated process for appointing judges last year, Governor McAuliffe has now moved on to extra-constitutional actions that carry a bigger payoff: votes.

These are the all too real consequences of decisions made solely to advance a political goal, in this case adding voters to the electorate perceived to be sympathetic to a particular party.

For Governor McAuliffe, all of these consequences are for a greater good: President Hillary Clinton. ▮

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How the Virginia Housing Development Authority Helps Grow Virginia's Economy with Affordable Housing By MAURICE A. JONES

Governor McAuliffe recently issued a proclamation declaring June as Virginia Homeownership Month, recognizing the Virginia Housing Development Authority (VHDA) and its many partners' contributions to this important quality-of-life cornerstone. This month provides a great opportunity to focus on the many benefits of buying and owning a home and to remind first-time homebuyers about VHDA.

VHDA was created by the General Assembly in 1972 to address Virginia's affordable homeownership and rental housing challenges. Although the organization is accountable to the government of Virginia, it receives no state taxpayer dollars to fund its programs and operations. As one of the largest housing finance agencies in the country, VHDA has effectively and efficiently used investor capital to leverage other public sector resources to increase a variety of affordable housing opportunities for Virginians as well as to support viable and vibrant local communities.

In the Governor's proclamation, VHDA was highlighted for its efforts to help people achieve one of life's fundamental dreams: owning a quality, affordable home. During FY 2016, VHDA will provide over \$882 million in financing for approximately 4,765 single-family mortgage loans for Virginians living across the Commonwealth.

First-time homebuyers benefit from VHDA's new down payment assistance grants, funded from its internally generated "REACH" funds. In addition, Mortgage Credit Certificates, which allow qualifying first-time homebuyers in Virginia to claim an annual federal tax credit for a portion of the mortgage interest paid, were provided to reduce the overall cost of homeownership for the life of the loan. For many years, VHDA has also offered free homeownership education and counseling, both on-line and in-person, to make sure homebuyers understand the costs and obligations of owning a home. These programs significantly contribute to Virginia's homeownership rate, which is higher than the national average.

Homeownership projects are just a part of the many services provided by VHDA. Affordable rental housing is also critically important for a strong state economy. VHDA's Rental Housing Division provides financing to for-profit and non-profit developers of affordable, quality rental housing. In addition to financing new construction and mixed-use/mixed income developments, VHDA also finances the rehabilitation of older properties.

Most of these rental housing projects involve multiple layers of financing, with funds coming from taxable and tax-exempt bonds issued by VHDA, federal Low-Income Housing Tax Credits (which VHDA administers), and other sources such as historic tax credits and VHDA's REACH program.



Housing is, and will remain, a key policy priority with far-reaching economic and social consequences. In communities all over Virginia, we've seen the difference that quality, affordable housing makes. Businesses, schools and health care all benefit when our communities have safe, decent and affordable housing.

VHDA partners with the Virginia Department of Housing and Community Development (DHCD) and the Virginia Housing Commission to help address priority state housing needs. Together, VHDA and DHCD are providing administrative support for Governor McAuliffe's Housing Policy Advisory Council and the housing policy initiatives being carried out under Executive Order 32, which build upon the Commonwealth's ongoing efforts to reduce homelessness, provide affordable housing, and ensure that housing continues to be a key contributor to Virginia's economy.

One key state priority is the Commonwealth's commitment to supporting a broader array of housing and service options to enable people with intellectual and developmental disabilities to be more fully integrated into our communities. VHDA is partnering in the implementation of this effort, led by Virginia's Health and Human Resources Secretariat, by allocating housing subsidies and supporting regional planning teams in collaboration with DHCD, the Department of Behavioral Health and Developmental Services, the Department of Medical Assistance Services, and other state and local agencies.

VHDA's success has required a long-term financial focus that balances addressing immediate housing needs with VHDA's ongoing capacity to serve as a provider of affordable housing financing, assistance and services. It has also required organizational flexibility and innovation in order to respond to changes in the structure and operation of capital markets; shifts in federal, state and local housing programs and capacities; and ongoing changes in unmet housing needs.

Last but not least, VHDA's decades of success have been centered on building and strengthening partnerships with local governments, non-profits, housing authorities, and for-profit entities across the Commonwealth. Outreach efforts include building partner capacity to develop and preserve vibrant communities.

As we all know, housing helps define communities and is a major component in determining the quality of life for individuals, families and the Commonwealth's general prosperity. Along with a good job and a good education, affordable housing provides the building blocks for the American Dream. Housing has always been a major force in the vitality of the Commonwealth, and VHDA is a fundamental part of Virginia's housing equation. To learn more about VHDA, you can visit its website at vhda.com.

Secretary of Labor and Commerce Maurice Jones recently announced that he will resign effective September, 2 2016 to take a position as President and CEO of the Local Initiatives Support Corporation."

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Hurricane Season Preparedness: *Resilience is Shared Responsibility* By BRIAN MORAN

Many people believe a resilient community maintains the capacity to resist and rapidly recover from a disaster; however, the more important aspect of resiliency is the goal for communities to grow following a disaster. Building resilient communities supports the Governor's New Virginia economy initiative. A safe, secure, and resilient Virginia ensures we have the environment needed to grow our economy and quickly rebound after disasters. To achieve this goal, Governor McAuliffe has led an effort to bring together various key stakeholders to directly tackle issues to enhance the Commonwealth's resilience, especially from the potential impact of hurricanes and severe flooding. Hurricane season officially opened on June 1 and will continue through November.



More deadly and powerful storms have impacted communities across the country over the last several years. We have already witnessed record snowfall and the most deadly tornados ever recorded in the month of February this year alone. The real and emerging threat of sea level rise, land subsidence, and climate change brings the potential for more unpredictable and devastating storms. Hurricanes have the potential to produce flooding, severe storm surge, high winds and tornadoes causing impacts across the Commonwealth, not just coastal communities. Every Virginian and every community has a role to play to assist in enhancing our resilience.

In 2014, Governor McAuliffe recognized the need to enhance hurricane preparedness and directed his cabinet to collaborate with local and federal partners to identify potential enhancements. A diverse group of stakeholders identified 46 short and long-term goals to improve five key areas of preparation: evacuation, sheltering, public information, information sharing between emergency response agencies, and providing assistance to people with disabilities and other access and functional needs. Local and state agencies took action to improve processes, build capabilities, and address other shortfalls to improve hurricane preparedness. Many gaps have been addressed; however, our effort to enhance community resilience continues.

The Commonwealth was recently awarded \$120.5 million in a competitive grant program from the U.S. Department of Housing and Urban Development. Our grant application included several revolutionary approaches to building community resiliency. First, the project will develop innovative and integrated water management solutions in Norfolk's Ohio Creek watershed as a model for other communities to follow. In addition, the grant provides funding to establish a Coastal Resilience Laboratory and Accelerator Center that will serve as a hub for resilience technological and organizational innovation.

Recently, the Governor signed into law HB903 creating the Commonwealth Center for Recurrent Flooding Resiliency. The bill, proposed by Delegate Chris Stolle of Virginia Beach, will help to coordinate actionable research, scientific, technical, and policy analysis support to enable decision-making by planners, emergency managers, and elected officials across Commonwealth.

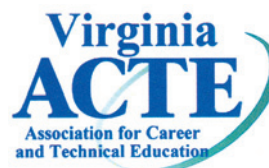
But hurricane preparedness and disaster resilience is not the sole responsibility of government. Each citizen has a responsibility to ensure their families and communities are prepared. Resilience is a shared responsibility that strengthens our communities as we work together to overcome disasters like hurricanes. Please do your part, take action now to be prepared for this hurricane season and other community emergencies.

How to Prepare

- **Sign up for text alerts/weather warnings that may be offered by your locality.**
- **Talk to an insurance agent about flood insurance.**
 - ▼ Most homeowner's insurance policies do not cover flooding. That is a separate policy. Renters and business owners also can get flood insurance.
 - ▼ Just one inch of water in a mid-size home or office can mean \$20,000 in repairs.
 - ▼ Go to www.floodsmart.gov or call 1-800-379-9531 for more information. Typically, there's a 30-day waiting period from the date of purchase before the policy goes into effect.
- **Assemble a disaster supply kit for your home, office and car.** Items that are important to have during an emergency include: cell phone backup power, batteries, flashlights, lanterns, bottled water, first aid kits, NOAA Weather Radios and portable generators. For a complete list of important emergency items, visit www.ReadyVirginia.gov.
- **Download the free Ready Virginia app for iPhone® and Android™.** Features include: NWS warnings; customizable emergency plan; an emergency supplies checklist; the "I'm Safe!" text feature for notifying friends and family in an emergency; and an interactive map to identify potential storm surge risks.
- **Create a family emergency communications plan.**
 - ▼ Decide how and where everyone will meet up with each other if separated.
 - ▼ Choose an out-of-town emergency contact for your family and give that person's phone number to each family member. Make a sheet of emergency contacts and post it in visible places in your home and workplace, rather than relying on smartphones or online contact lists.
 - ▼ Get a free emergency plan worksheet at www.ReadyVirginia.gov or www.ListoVirginia.gov or use the new Ready Virginia app.
 - ▼ People with disabilities and other access and functional needs may require additional steps. Visit www.vaemergency.gov/readyvirginia/getakit/disabilities for tips.

Remember, no matter how many named storms that forecasters predict will make landfall this season, it takes only one hurricane or tropical storm to cause major damage and loss of life. A ready Virginia is a resilient Virginia.

Brian Moran is the Secretary of Public Safety and Homeland Security for the Commonwealth of Virginia. He was appointed by Governor Terry McAuliffe as Virginia's first Chief Resilience Officer.



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Business Leadership to Secure Virginia's Energy Future

By KEITH MARTIN

There is a transformation going on today in the energy industry and the march toward more clean power is going to continue. It's important that businesses and utilities are out in front leading that change.

That was the message from Tom Kuhn, president of the Edison Electric Institute (EEI), to a record attendance of more than 450 business and industry leaders at the Virginia Chamber's annual Energy, Sustainability and Resiliency Conference May 10 in Richmond. As the association that represents all U.S. investor-owned electric companies, EEI's members provide electricity for 220 million Americans.

"The basic core of our mission has remained the same," said Kuhn. "We want to provide safe, reliable, affordable, and increasingly clean electricity."

Kuhn recently surveyed his executive committee and board, asking them where their companies would be fifteen years from today in 2030. They responded, he said, "Much more clean power, much more focus on individual customer solutions, and third, a much smarter energy infrastructure—a much smarter distributed, resilient grid."

That change in energy mix is already underway, in part driven by the abundance of inexpensive natural gas in the United States. "We have closed 72 gigawatts of coal in our country—that's about a quarter of the coal capacity in our country, and a lot of it's been replaced by natural gas. We are blessed in this country with the shale revolution and low natural gas prices."

Dr. Alireza Haghighat, professor and director of the nuclear engineering program at Virginia Tech noted that today in Virginia, 36 percent of our energy comes from natural gas, 35 percent from nuclear, 20 percent from coal, with renewables and other sources constituting the remaining 9 percent.

Renewables are already playing an increasingly significant role in our energy mix nationally, according to Kuhn. "Utilities are leading



the way on renewables... Last year, in terms of new generation that came on board, about a third of it was wind, a third of it was solar, and a third of it was natural gas. So you see that changing mix coming down the road."

Nuclear energy will also continue to play a role, with four new plants being built in the United States. Kuhn noted that 60 percent of our zero carbon energy comes from nuclear.

Energy efficiency is a significant priority for the energy industry as a whole, and data analytics are enabling utilities and businesses alike to find new ways to improve in that regard. "We are spending as an industry \$7 billion a year on energy efficiency programs. People wonder why I'm out there encouraging people to use less of our product. It's because if they can use it more efficiently, it's going to be a better value to them."

One of the panel discussions centered around resiliency and cyber security in the data and energy industries. Kuhn said that cyber and physical security are, "one of the most important threats that our country faces. There are a lot of jobs that are going to be in cyber in the future. I think Virginia is well-positioned because of all of the strengths that it has in defense and other industries to be a part of that."

Kuhn commended the Virginia Chamber for its Blueprint Virginia business plan for the commonwealth, which lays out long-term goals to create a balanced, sustainable energy policy that supports economic development and job growth while meeting the growing needs of our population and business community. When it comes to a forward-looking energy agenda and preparing the cyber workforce of the future, Kuhn said there's no substitute for business leadership through state and regional chambers, "to project the important business agenda out in each and every state."

You can see the full remarks from Tom Kuhn and other energy and business leaders at the 2016 Energy, Sustainability and Resiliency Conference online at www.vachamber.com

Keith Martin is the Executive Vice President for Public Policy and General Counsel of the Virginia Chamber of Commerce.

This Blue Ridge PBS Week IN RICHMOND

VIEWING SCHEDULE

Blue Ridge PBS -WBRA (Roanoke, Lynchburg)—Fridays at 7:30 p.m., Sunday at 2:30 p.m. • Tuesday at 7 p.m.

Southwest Virginia PTV

Monday at 6:30 a.m. & 8:30 p.m. • Tuesday at 11:00 a.m. • Friday at Noon

WCVE 23.1 (Richmond)—Sunday at 9 a.m.

WHTJ 41.1 (Charlottesville)—Sunday at 9 a.m.

WVPT (Harrisonburg)—Tuesday at 5 p.m.

WHRO-World (Norfolk)—Tuesday at 5 p.m. • Thursday at 5:30 p.m.

Norfolk's Neighborhood Network, TV-48—Sunday through Tuesday, 12 noon • Wednesday through Saturday, 7:30 a.m.

Weekly show information is on Facebook—**THIS WEEK IN RICHMOND**

All shows are archived here:

<http://blueridgepbs.org/index.php/videos/local-productions/this-week-in-richmond>

The “Communicator of Achievement” Achieves Impossible Dreams...

By SARAH ALDERSON



American author and activist Robin Morgan wrote, “Only she who attempts the absurd can achieve the impossible.” It’s no wonder that our very own Virginia author and activist, Bonnie Atwood, would list Morgan as one of her favorite writers. Throughout her life, Atwood has not only attempted the seemingly absurd, but also achieved what others might have considered impossible. And she’s made her dreams possible by pursuing them all with exceptional passion.

At age 8, she decided that she wanted to skate with the “Ice Capades,” even though she had never skated before. In fact, she didn’t get the opportunity to actually skate until she was about 14, which was a late start for someone attempting to become a professional. By age 18, when she was a freshman in college, she gathered the courage to audition for the show and was accepted.

After traveling with the “Ice Capades” for a year, she decided to go back to college at George Mason University. In 1973, she began to work as a reporter in their information office, which started her lifelong career as a writer. After graduation, she joined the staff of the “Manassas Journal Messenger.” And in 1980, she moved to Richmond and became a freelancer with “The Richmond Times-Dispatch.”

Atwood explains that she comes from a family of readers and writers, so both come naturally to her. She specifically credits her mother for inspiring her to pursue writing. Her mom would read and talk about newspaper articles to her when she was as young as 4. And her mom would go on to achieve her own writing dream late in life by having a story published in a magazine when she was 97 years old.

Even though she loved writing, Atwood found that it wasn’t enough to fulfill all of her ambitions. She continued to look for additional ways to broaden her horizons and to help others. Soon she found herself pursuing yet another dream at a time that many would have considered to be late in the game. In 1993, she entered the University of Richmond School of Law. While working on her law degree, she also wrote an etiquette column for young lawyers in the school newspaper, and she had several stories published in a national magazine, “The Student Lawyer.”

Atwood had originally planned to set up her own disability or elder law practice, but she credits the founder and publisher of “Capitol Connections” for helping her change direction once again to become a lobbyist after law school. She explains that she saw David Bailey giving a presentation about lobbying and that something just clicked in her. She immediately knew that’s what she wanted to do. “Instead of advocating for one person at a time, I could advocate for a whole group of people,” says Atwood.

Soon afterwards, in the late 1990s, she became involved with “Capitol Connections” as an editor and writer. “It was a perfect fit, because I could combine lobbying with writing,” she explains. She is still with David Bailey Associates to this day because she says the work still brings her joy.

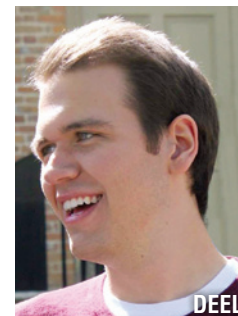
Even the name of her own business incorporates the idea of achievement. In 2008, Atwood started “Tall Poppies Freelance Writing LLC,” a woman owned writing and legislative consulting service.

See *Communicator of Achievement*, continued on page 15



Reading the Tea Leaves: *Do the Virginia Presidential Primaries Offer a Clue to November's Vote?*

By JOHN MCGLENNON AND JAKOB A. DEEL



On March 1, Virginia voters went to the polls as part of the Super Tuesday Presidential Primaries. While primaries are not necessarily predictive of the outcomes of general elections, the patterns and trends in participation and support may offer clues as to the potential appeal of the Presidential candidates in November.

With Virginia likely to be a highly contested state, we provide analysis of the city and county votes for each party. We demonstrate the relationships between candidate support and factors such as region of the state, minority share of the population, income levels, and residents in college. Our findings include:

Key Points

Turnout

Participation by Virginians in the 2016 Presidential primary surpassed all previous levels for the Commonwealth. More than one-third (34.32%) of Virginia's voters voted. The previous record was 31.77%, set in 2008.

GOP turnout was 19.43% of registered voters, up 8.92 points

from 2008, breaking the record set in 2000. Democratic turnout was 14.89%, down from 2008's record of 21.42%.

Republican turnout increases were biggest in rural areas and the Washington and Richmond suburbs. Democrats lost turnout the most in Hampton Roads and Southwest but held steadier in college towns and the Northern suburbs (Tables 1 and 2).

Republican turnout was negatively correlated with African-American, Hispanic, and student population but positively correlated with median income. Democratic turnout was positively correlated with all those characteristics. Most of these correlations were stronger this year than in 2008.

Democratic Results

Hillary Clinton won overall with 64.29% of the vote to Bernie Sanders' 35.20%. Clinton won by large margins in most areas except in college towns and the white, rural Southwest (Table 1).

Support for Clinton was positively correlated with African-American population and negatively correlated with student population and median income. However, Clinton performed better in some key college towns than she did in 2008.

Republican Results

Donald Trump won with 34.80% of the vote to Marco Rubio's 31.98%, Ted Cruz's 16.69%, and John Kasich's 9.54%. Trump did best in whiter, more rural areas, dominating in the Southwest and beating his overall average in the Shenandoah Valley. Ted Cruz's performance was very similar, and he did especially well in the Valley. Rubio and Kasich fared best in suburbs and college towns (Table 2), and they actually took first and third, respectively, in Northern Virginia.

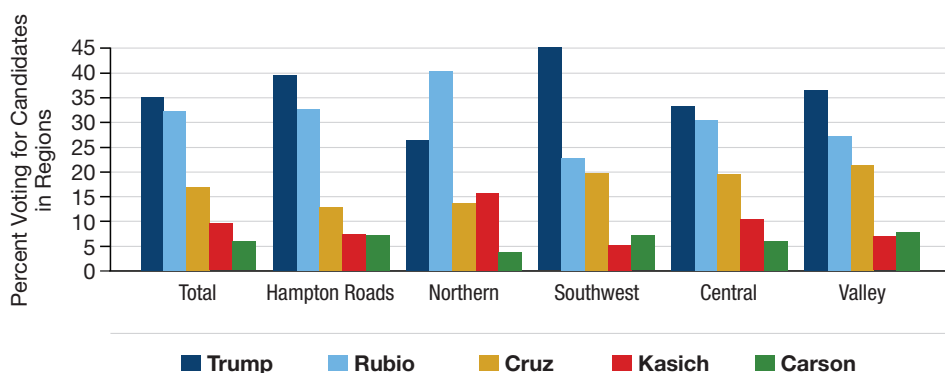
Marco Rubio and John Kasich both performed better in localities with higher median incomes, larger Hispanic populations, and higher shares of the population in college. Support for Donald Trump and Ted Cruz had negative correlations with those characteristics.

Implications for the General Election

Democrats

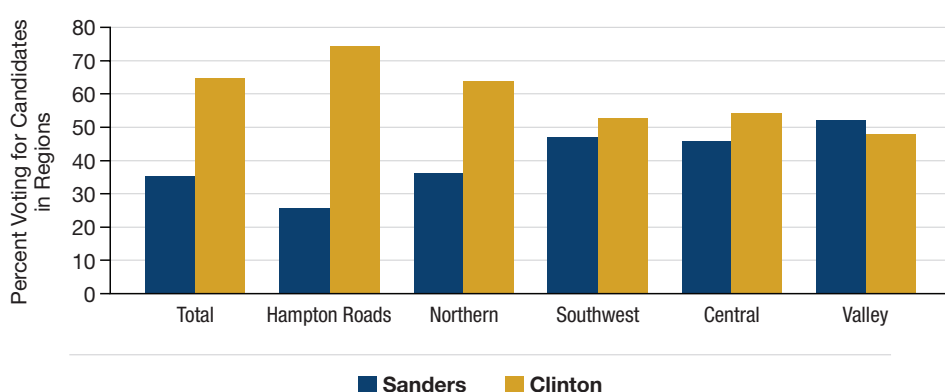
Clinton had strong support among low-income and African-American voters. She also fared well in the Washington and Richmond suburbs, which, along with Hampton Roads, were the areas with the highest Democratic primary turnout. These results among the Democratic base suggest she will perform well in Virginia come November.

2016 Republican Primary in Virginia by Selected Regions



Presents the percent of the vote for these candidates won by each;
Ignores the <1% of statewide vote for other candidates

2016 Democratic Primary in Virginia by Selected Regions



Presents the percent of the vote for these candidates won by each;
Ignores the <1% of statewide vote for other candidates

More detailed primary results and analysis are available at: <https://www.wm.edu/as/government/documents/virginia-2016-primary-results-report.pdf>

Clinton is not without weaknesses. Her lack of support in college towns suggests a challenge in motivating these key voters. However, her improved performance in Williamsburg and Charlottesville compared to her results against Barack Obama in 2008 shows her potential to win over young voters. Given Trump's poor performance here in the Republican primary, Clinton may benefit from negative motivation against the GOP standard bearer. Clinton's poor performance in rural areas like Southwest and the Valley are unlikely to concern Democrats too much, as the region offers limited additional gains for the already dominant GOP.

Bernie Sanders' strengths and weaknesses were the exact opposite of Clinton's. His support among young voters could inspire their turnout for the general election. But he did not perform as well in some college towns as did Obama. His greatest support came from white rural voters in Southwest and the Valley, areas with the lowest turnout for the Democratic primaries and where Democrats are likely to be uncompetitive in November. Most importantly, his weaknesses in the population centers of metro Richmond, Hampton Roads and Northern Virginia would be major problems because these areas represent the Democratic base, lots of voters, and the keys to a Democratic win in November.

Republicans

While Clinton's advantage as a nominee over Sanders is convincing, divining the omens from the GOP primary is more challenging. The coalitions assembled by each candidate suggest strength in very different facets of a general electorate. Essentially, Trump or Cruz would more likely to generate turnout among rural whites while John Kasich and Marco Rubio could more easily reach out to other demographics.

Support for Trump and Cruz was in areas of high Republican primary turnout. Either of these candidates would excite rural white voters that have recently anchored the GOP's coalition. Both performed very well in the Southwest and Shenandoah Valley. Trump's support was highly correlated with lower median (though not low) income. Despite Trump's claims that he would draw new voters to the Republicans, his support in Virginia was largely correlated with Mitt Romney's 2012 general election performance (0.39), with almost no relationship between support for Trump and a locality's increase in

total turnout since 2008. While Trump swept a larger GOP turnout in Grayson County, the two-party vote in the county remained static from 2008 to 2016, while it increased statewide.

Rubio and Kasich, had less appeal to rural voters but more to new primary voters. Their support was concentrated in greater Richmond, the suburbs around D.C., and in college towns. Unlike Cruz and Trump, the performances of Rubio and Kasich were positively correlated with Hispanic, student, and higher median income populations. Support for both candidates was negatively correlated with Romney's general election performance. So in Loudoun County, which Obama carried in two general elections, Democratic turnout was only down slightly while GOP turnout almost doubled as Rubio won the county easily.

The primary demonstrated that Rubio/Kasich had more appeal than Trump/Cruz to voters who might upset the tilt of Virginia to the Democrats. But Republican primary turnout in these areas was still low, suggesting GOP may have a low potential support ceiling here.

So, Trump would effectively forfeit new demographic groups and more populated localities, hoping to overcome this deficit by maximizing turnout in Republican-leaning areas. But these rural areas have fewer potential votes, and Clinton's unpopularity even among Democrats in these localities suggests any Republican nominee will do well here.

Conclusion

Record-breaking turnout in Virginia's primary offers clues to the November outcome in a true "swing state". The nomination contests produced two winners who have gone on to claim their party's nods and who are well suited to replicate the broad coalitions of support evident in recent Presidential contests in the Commonwealth.

While that template would suggest a narrow but clear advantage for Hillary Clinton, there are enough questions about the ability to mobilize voters for or against these particular candidates to shift the balance slightly. But those who are expecting that the battle lines to be significantly redrawn are likely to be disappointed.

John McGlennon is a professor of government at the College of William & Mary, Jakob A. Deel recently graduated from the College of William and Mary class of 2016 with a B.A. in Government and Public Policy.

Communicator of Achievement from page 13

"Tall poppy" is a term that's common in Australia for someone who stands above the rest.

But even with all of her achievements, the going hasn't been easy—especially in recent years. In 2012, her 102-year-old mother, whom Atwood cared for at home, passed away. And in 2013, she herself was diagnosed with leukemia. But while her illness slowed her down temporarily, she stayed active throughout the treatment and recovery process. She credits her son and her friends for helping her get through it all.

Today Atwood continues to work as a writer, legislative consultant, human rights advocate, and more. When asked what the common thread might be through all that she's done and continues to do, she simply said, "I like to find meaning in things, and I would like to feel as though I'm enhancing the human conversation."

It's because of that approach that Atwood has been singled out and recognized for her work so often throughout the years. She received her latest communications award this past April, and she says she was particularly honored to receive this one because of the organization that bestowed it.

The "Communicator of Achievement" award is the highest award given by the Virginia Professional Communicators. The VPC, as it is known, started out as the Virginia Press Women. The organization was originally formed to help women work together and strengthen each other in response to the discrimination that early female journalists faced in the workplace.

About a year ago, the name was changed to Virginia Professional Communicators in order to become more inclusive of men and

communicators who are not necessarily part of the newspaper industry. That inclusiveness has also expanded their outreach.

As a statewide winner of this award, Atwood will advance to the national level with the National Federation of Press Women. A national winner will be selected by that organization in September.

Here's to Bonnie Atwood standing tall as she represents Virginia communicators nationally in September. And here's to her proving once again that no dream is really impossible, if you have enough passion to try.

Sarah Alderson is an award-winning freelance writer who also works in the Senate broadcast control room during sessions and the Capitol Studio throughout the year. She can be reached at aldersonproductions@gmail.com

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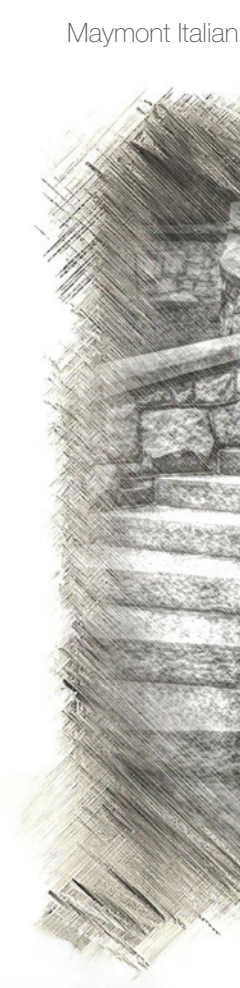
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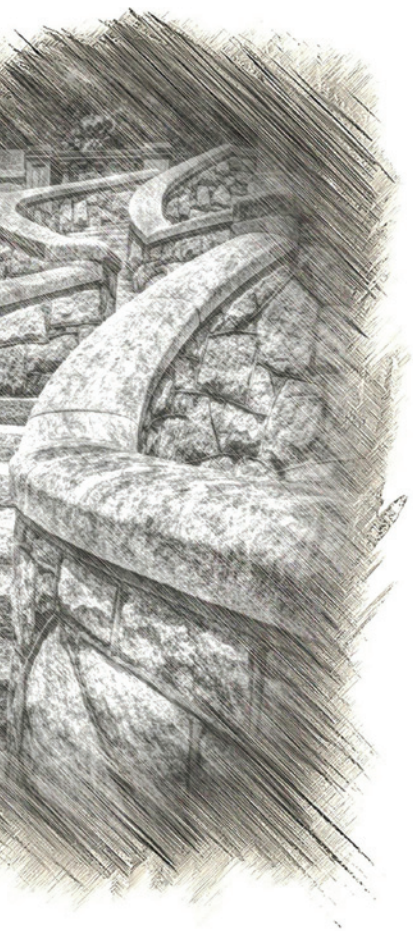
THE PHOTOGRAPHY OF Wanda Judd



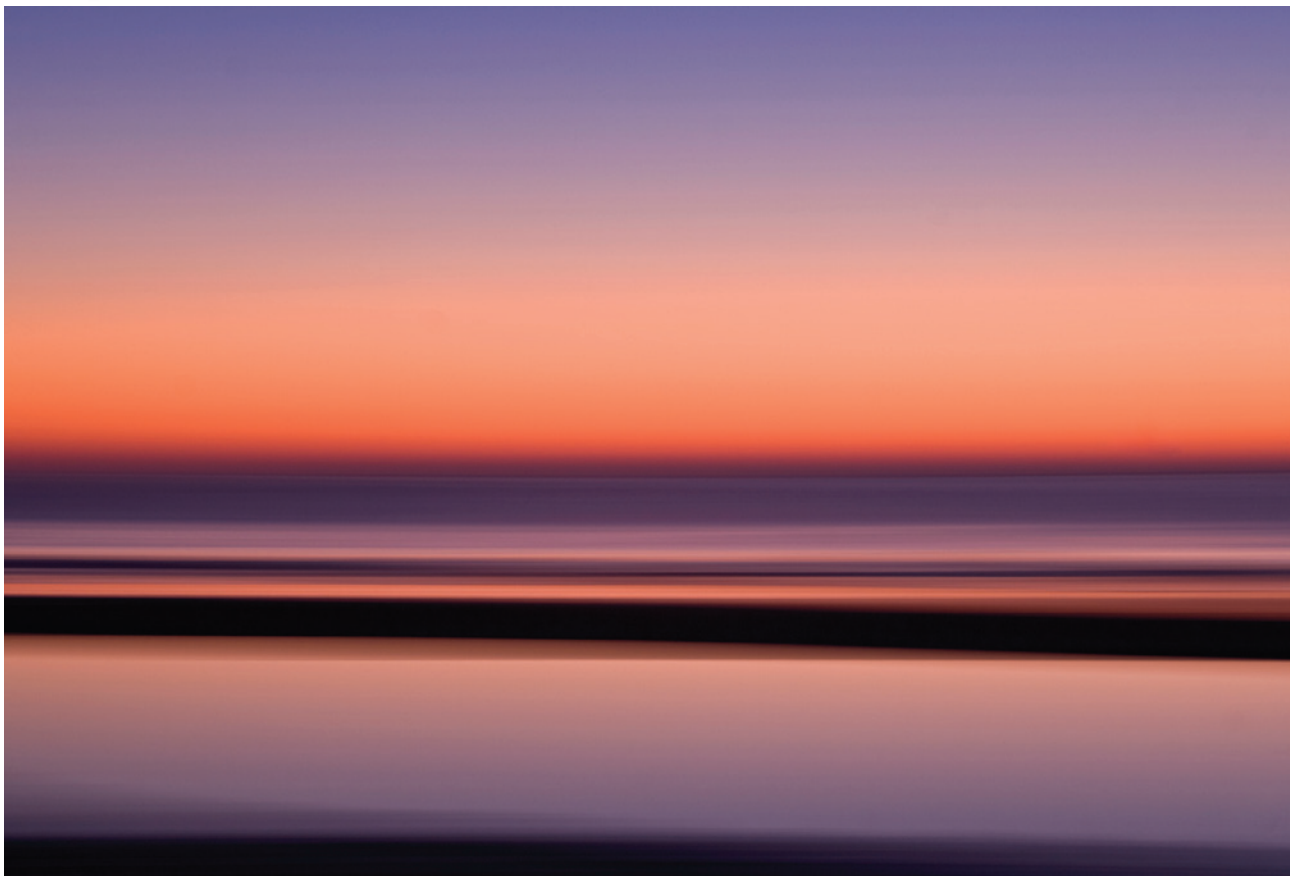
Blue and Yellow Tables – Chesterfield Va.

Sunflower – Lynchburg Va.





Yellow Umbrella—Virginia Beach



Sunrise—The beautiful Atlantic Ocean

The Great Unsettling

By TOM HYLAND

Americans today would be well-advised to heed the words of Virginian James Madison, who two hundred and twenty-nine years ago warned our then fledgling nation (in *THE FEDERALIST No. 10* of November 23, 1787) that “[a]mong the numerous advantages promised by a well-constructed Union, none deserves to be more accurately developed than its tendency to break and control the violence of faction. The friend of Popular Government never finds himself so much alarmed for their character and fate, as when he contemplates their propensity to this dangerous vice.”



Our current presidential election campaign has been styled by political journalist and author David Marinass as the “Great Unsettling.” According to Marinass, and his co-author, Robert Samuel, in a *Washington Post* March 2016 series of reports, the proximate, and over-arching, cause of that unsettling is anger: “[s]pecific anger and undefined anger and even anger about anger. All of it is leading to this moment of great unsettling, with the Republican Party unraveling, the Democratic [Party] barely keeping it together, and both [parties] moving away from each other by the week, reflecting the splintering not only of the body politic but of the national ideal.”

Maraniss and Samuels recount how they traveled the country as a means of determining, “the causes and connections of the anger: Did all the noise of the campaign match the reality of how people were living their daily lives?”

What they did learn, among other things, was that “[f]or every disgruntled person out there who felt undone by the system and threatened by the way the country was changing, caught in the bind of stagnant wages or longing for an America of the past. . . . [they] found someone who had endured decades of discrimination and hardship and yet felt still optimistic about the future and had no desire to go back. On a larger level, there were as many communities enjoying a sense of revival as there were fighting against deterioration and despair.”

With respect to the “unraveling” of the Republican Party, it should be noted that the party is, arguably, currently made up of more numerous groups of widely-differing political, social, and economic beliefs than even the Democratic Party. Given that wide divergence of constituencies, it should not be surprising that the party would be having difficulty holding together in times of severe political, social and economic stress. Add to that mix, the polarizing language of the leading Republican presidential candidates and you have a toxic brew ripe for a political, social, and economic revolution not seen in this nation since the “Great Depression” of 1929, which led to the election in 1932 of Franklin D. Roosevelt, the first Democratic Party president since Woodrow Wilson.

Describing the scene at a Republican candidate rally, Maraniss and Samuels stated that “[a]t the center of it all, amid the kaleidoscope of candidates and issues, stood Donald Trump, the New York provocateur who had seized the Republican Party from its bewildered establishment. What raging current in the American public could explain the rise of this say-anything man of wealth which was breaking every rule of modern politics? The answer was in the question, to a certain extent. Many people were done with convention, sick of political correctness, and tired of waiting for the GOP to keep its unmet promises. Fear of *the other* was also a motivating factor, evident in individual discussions and behavior of crowds at a Trump rally. But we also found an aspirational strain

among his supporters. The evangelism of wealth—a respect for his authoritative vocabulary and monetary success, and a desire to follow him into a future of riches.”

Thomas Mann and Norman Ornstein, chroniclers of modern day federal politics, co-authored in 2012, a book entitled *It's Even Worse than It Looks*, describing the then current state of gridlocked and dysfunctional politics at the federal level, particularly the congress. This year they have come out with a second and updated edition of that book with the new title of *It's Even Worse Than It Was*.

Dan Balz, a political columnist for the Washington Post, commented in a column of March 27, 2016, that what has previously “. . . played out in the congressional wing [of the Republican Party] has come to consume the presidential nominating contest . . . [with] Trump and Cruz [having] brought to the surface the economic and cultural anger among those in the party's base as well as the distrust of the party's leadership—the same motivating forces behind the Freedom Caucus rebels in the House Republican conference.”

In responding to Balz's question about “...whether this presidential election ultimately will produce a true course change for the [Republican] party or merely end up intensifying the forces that have brought it to this moment,” Ornstein responded “This really is an existential crisis for the Republican Party. Will it be a Ryan-style conservative, problem-solving party, or will it be a Trump-style, authoritarian, nativist and protectionist party, or a Cruz-style radical anti-government party content with blowing things up as they now stand? Or, just as possible, will the party break apart, with no clue as to what will replace it or how the pieces will fit into the broader political system?”

The *Washington Post*, in an editorial on March 22, 2016, carried an account of its' editorial board's meeting with Donald Trump on the previous day and described his response to questions regarding “the seamliness of [the Republicans] trading insults and [Trump's] threatening critics,” as well as his highly- negative and often questionable or false accusations against immigrants and Muslims. Trump's response, as recorded, was “... I mean, actually I think it is presidential because it is winning [votes].”

In response to the March 21, 2016 terrorist attacks in Brussels, Belgium, Republican presidential candidate [and U. S. Senator] Ted Cruz declared at a recent political rally that “[w]e need to empower law enforcement [in the United States] to patrol and secure Muslim neighborhoods before they become radicalized,” a proposal of questionable constitutionality. That comment had been preceded several days before by statements also from Senator Cruz about the need for surveillance of Muslim mosques in the U.S. and an unsupported allegation of terrorist infiltration of the U. S. through the Mexican-U.S. border.

Peter Wehner, a former advisor to President George W. Bush, in a *New York Times* column of March 20, 2016, criticized Donald Trump's current political campaign for the Republican Party presidential nomination for its linkage of violence, passion, [and] anger [with] love of country. Mr. Wehner commented further (paraphrasing Madison's warning in *THE FEDERALIST No. 10*) that, “[t]he founders knowing history and human nature took great care to devise a system that would prevent demagogues and those with authoritarian tendencies from rising up in America. That system has been extraordinarily successful. We have never before faced the prospect of a political strongman becoming president. **Until now.**”

Tom Hyland is a retired local, state and federal lobbyist residing in Centreville, Virginia. ▮

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Capital Region Caucus Revived But Will It Continue? By NANCY FINCH

One of several promising actions in the 2016 General Assembly session was the revival of the Capital Region Caucus. Local governments, VCU and business leaders commended the reconvening of the 21 legislators from the capital region—Richmond, Henrico, Hanover and Chesterfield—into a collaborative group.

Delegate Jennifer McClellan (D-Richmond) sees the caucus as an opportunity for regional legislators to “collaborate on policy decisions that will promote the health, development and welfare of the greater region.”

The Capital Region Caucus was first organized in the 90s at the instigation of Jim Dunn, then president of the Greater Richmond Chamber of Commerce, but it had not met since 2011. Explanations vary. One regular attendee said, “There was a lack of interest. There was no defined leadership.”

Barrett Hardiman, director of government relations for Luck Companies and chairman of the Transportation Committee of the Greater Richmond Chamber, said he kept hearing there was interest in reviving the Caucus. Since Delegates Chris Peace (R-Hanover) and McClellan had collaborated for several years with op-ed columns in the Richmond Times-Dispatch, they seemed a likely pair to approach, Hardiman decided.

In early December, he met with both delegates. “They said they would like to talk to the others. They said they didn’t want to do it if people wouldn’t come,” Hardiman said.

The Northern Virginia Delegation is the model for an effective caucus. Partisan politics generally is left outside the conference room as the delegation members meet to work together for their constituents. When the explosive growth of Northern Virginia began in the 70s, it didn’t take long for elected leaders to figure out that if their 38 legislators came together, they could have clout. The delegation was able to swing votes for transportation, higher education and more.

Seeing the success of the Northern Virginians, a Hampton Roads caucus, 33 legislators, meets weekly during the General Assembly. Sen. Bill DeSteph (R-Virginia Beach) and Del. Monty Mason (D-Williamsburg) head the caucus that meets at 8 a.m. Thursdays, also in the Speaker’s conference room. “We get a pretty good turnout. The Speakers room is usually full,” said Julie Eyler, aide to Sen. DeSteph. The caucus meets a couple of times a year as well.

The Richmond delegation settled on 8 a.m. for four Friday mornings during the session. Meetings were substantive and legislators’ interest was lively.

Economic development was the topic of the first meeting in January. Kim Scheeler, president of the Greater Richmond Chamber of Commerce (now Chamber RVA) and chairman of the Board of Commissioners of the Virginia Port Authority, told the legislators about improvements underway at the Port of Richmond. A new crane, arriving in days, would replace a World War II era crane and provide opportunity for immense growth of James River shipping to Richmond. That means jobs, he said.

With every barge that arrives at the improved Port, 120 trucks will come off the road. Rail improvements worth \$600,000 will take barge shipments off highways, Scheeler said.

The other three meetings focused on transportation, education, and regional economic development and featured speakers including Secretary of Transportation, Aubrey Lane, and Richmond Public Schools Superintendent Dana Bedden.

Attendance was from seven to nine House of Delegates members. No senators attended any of the meetings. An Assembly watchdog defended the three newly elected senators’ absence as a result of being overwhelmed with their new jobs. There are six senators and 15 House of Delegates members in the Caucus.

Continued on next page

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Photo by Julie Coggsdale

Del. Kirk Cox (R-66) addresses colleagues at a meeting of the Capital Region Caucus. From left: Delegates Buddy Fowler Jr. (R-55), John O'Bannon III (R-73), Roxann Robinson (R-27), and James Massie III (R-72).

Of the legislators he met with, Hardiman said, "All see the need. The great thing is that legislators see the value—that they can have a conversation about how they can work together."

Del. Peace said of his and Del. McClellan's caucus leadership, "Jennifer and I are honored to take this effort on. With that said, Barrett and his colleagues at VCU and the area realtors have likewise helped bring this caucus back."

"VCU has already seen benefit of the reactivated Capital Caucus. Giving our legislators a common forum to learn about issues facing the region and how best to advocate for them with a common voice is invaluable," said Matt Conrad, government relations head for VCU.

In agreement, Del. Peace said, "With so much change of leadership (locally) Jennifer and I decided it was time to recommit to this important caucus so that current policy makers can get to know one another, get better educated on issues and discuss ideas important to the region."

The co-chairs and caucus supporters plan for the collaboration to continue beyond the General Assembly session as it does for the other two locality caucuses.

At the last meeting, March 4, Del. Peace said, "We're going to work with Barrett and John Easter, senior vice president, government & community affairs for the Greater Richmond Chamber. The goal would be to continue the Caucus beyond the General Assembly."

"If you want to get something done, you have to be in the room," Hardiman said. Leadership is a core value at Luck Stone so his company encouraged him to help "as an administrative assistant" to the caucus co-chairs. "This is an opportunity to get

our leaders to work together."

The next meeting of the Capital Region Caucus will take place on August 17th.

Nancy Finch is a former journalist, public relations practitioner and lobbyist. 

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Virginia School Divisions Showcase the Governor's STEM Academies and Governor's Health Sciences Academies

By BRENDA LONG

Since 2008, with the Board of Education's approval of the first Governor's Career and Technical Academy, and later through the **Governor's STEM Academies**, school divisions have been challenged to design programs to expand options for the general student population to acquire STEM literacy—an interdisciplinary area of study within the strands of science, technology, engineering, and mathematics—and other critical skills, knowledge, and credentials.

In addition, **Governor's Health Sciences Academies** are designed to expand options for students' health science literacy and other critical knowledge, skills, and credentials.

Both the Governor's Health Sciences Academies and Governor's STEM Academies prepare students for high-demand, high-wage, and high-skill careers in Virginia. Each academy is a partnership among school divisions, postsecondary institutions, and business and industry.

As stated on the Virginia Department of Education Career and Technical Education website, the academies are defined by program content, and all programs must include opportunities for internships, job shadowing, mentorships, projects, service learning, work-based learning instruction, or a combination thereof.

There are 23 Governor's STEM Academies in partnership with 45 school divisions, and nine Governor's Health Sciences Academies. Each academy is designed for high-demand and high-skill areas for that region and/or statewide.

A brief description of three school divisions' academies is provided and shows how each addresses unique workforce needs of the region.

Roanoke County Public Schools Governor's STEM Academy at Burton Center for Arts and Technology is comprised of four programs: Engineering, Mass Communications, Mechatronics/Robotics, and Motorsports. Key industry partnerships include Balzer and Associates Inc.; Wheeler Broadcasting; WDBJTV; WSLSTV; Graham White Manufacturing Company; Miller Electric Manufacturing Company; Appalachian Power; The Roanoke Times; Virginia Tech Carilion Research Institute; and Novozymes, as well as educational partnerships with Virginia Polytechnic Institute and State University and Virginia Western Community College.

A long-term goal of the STEM Academy is to foster workplace experiences for students, including, but not limited to, supervised internships, job shadowing, mentoring and/or job simulations involving project based learning, or guest speakers. The purpose of the STEM Academy is to develop and expand awareness of STEM-related career pathways among Roanoke County's middle and high school students. This awareness emphasizes STEM-oriented critical thinking, dual enrollment, and industry credentials that prepare students for high-demand, high-wage, and high-skill careers to meet workforce trends and evolving needs within the Commonwealth, as well as in national and global markets.

Credentials available through this academy include, but are not limited to, Manufacturing Technician Level 1 (MT1), Workplace Readiness Skills for the Commonwealth, and Welding.

Loudoun County Public Schools Governor's STEM Academy is housed within the Monroe Technology Center and focuses on four career pathways: Agriculture, Food and Natural Resources; Plant Systems Pathway; Health Sciences: Diagnostic and Therapeutic Services Pathways; Science, Technology,



Engineering and Mathematics: Engineering and Technology Pathway; Transportation, Distribution and Logistics: Facility and Mobile Equipment Maintenance Pathway.

Partners include Monroe Technology Center; Northern Virginia Community College; Shenandoah University; Virginia Polytechnic Institute and State University; The George Washington University; REHAU; Fortessa Inc.; Lockheed Martin; Metropolitan Washington Airports Authority; America Online, Inc.; Loudoun County Department of Economic Development; The Claude Moore Charitable Foundation; TELOS/Xacta Corporation; Hayes Large Architects; and Jerry's Automotive Group.

Academy students pursue a rigorous STEM curriculum that also earns concurrent dual enrollment college credit. Academy students can earn up to nine college credits each semester.

The Claude Moore Scholars program is a three-year program that is one of four career cluster programs housed within the Loudoun Governor's STEM Academy. All health sciences students begin with the Introduction to Health and Medical Sciences course. Students then specialize in the second and third year of study in one of the following health sciences pathways: biotechnology research and development, diagnostic services, health informatics, and therapeutic services. Students also receive dual enrollment college credit from Northern Virginia Community College for many of the program courses. There are plans to expand the program in the very near future to include additional healthcare fields.

Virginia Beach Public Schools houses the Governor's STEM Academy at Landstown High School and offers advanced academic programs of study in engineering, marketing/entrepreneurship, and business/information technology. Each of these strands consists of one or more comprehensive career and technical education pathways where students may select a focus of study that will prepare them for industry certifications, a college major, and an ultimate career choice. Student opportunities for exposure to real-world experiences are enhanced by the diverse and numerous partnerships that support the program, from local ties with AVW Technologies Inc. to work with Virginia Commonwealth University.

STEM Academy students engage in authentic, rigorous, project-based work and are also provided myriad competition venues where they apply and showcase their unique skills and leadership abilities. Such invaluable resources also assist the program in achieving its goal of providing students with the 21st century, STEM-enriched technological skills and knowledge necessary to succeed in postsecondary education and in the world of work. In fact, this past fall, Landstown was recognized by the Partnership for 21st Century Learning (P21) as one of 60 exemplar schools in the nation.

Some of the industry credentials offered include Engineering Technology; Preengineering Certification; Preengineering/Engineering Technology; Fundamental Marketing Concepts; Principles of Marketing CLEP; Agricultural Biotechnology; Biotechnology; Business Information Processing; Certified Surgical Technologist (CST); Logistics Technician/Distribution Center Services; Microsoft Technology Associate (MTA); Motorcycle Service Technology; Small Engine Technology; and Spatial Technology and Remote Sensing (STARS) Certification.

Career and technical education addresses high-demand, high-wage careers by integrating rigorous academic and technical skills. Career and Technical Education is STEM!

Dr. Brenda D. Long is the Executive Director of the Virginia Association for Career and Technical Education. [V]

All Schools Need To Be Charter Schools

BY EDGAR H. THOMPSON

Virginia's General Assembly and Senate should debate the need for charter schools and eventually take the debate to voters. In the meantime, however, the vision that inspired this legislation might already be possible. An examination of Virginia's current assessment requirements, especially those so-called high stakes tests in place over the last fifteen years or so, reveals mixed results. Schools have improved when measured against the criteria adopted; however, students are still not achieving as highly intellectually as many of us would like. How can improvements be made? I believe making all schools charter schools—not legally, but in spirit and practice—might accomplish what we all desire.



What I am suggesting is that all school instructional staffs be given the freedom to develop programs consistent with the best research and knowledge known about instruction. They should align these programs with local and state requirements and ensure that these programs are appropriate for and consistent with the culture and the needs of the community that feeds students into the schools. Finally, they need to survey existing assets and figure out how to acquire the resources necessary to take all students in the school from where they are to their highest potential level in all subject areas taught.

Why is this not happening now? A part of the answer is a lack of trust. Policy makers don't seem to think currently practicing teachers and principals—who are licensed by the Commonwealth of Virginia—can develop and administer such creative programs without letting children fall through the cracks. Development should not be stopped because a program might not work for some. Accounting for factors such as difficulties in students' cultural or home environments, as well as individual learning challenges, should be identified and addressed so all students benefit.

When it comes to instruction, teachers are prepared to engage students in the best possible learning experiences if they are given the freedom to do so. Teachers are required to recertify their skills periodically, and yet they are often unable to implement what they have learned due to the requirements of the assessment system in place. The assessment system needs to be recertified as often as teachers need recertification to keep up with changing environments.

What about teachers in training? I have personally trained hundreds of elementary teachers in my career. I have tried to ensure that when my students graduated from Emory & Henry they possessed cutting edge knowledge about how best to teach children

to read and write. However, just like practicing teachers, when my students have been hired in public schools in Virginia, they have often been unable to do what they were trained to do because too many schools are driven by the potential consequences of not meeting benchmarks required by the Commonwealth of Virginia. For example, readers construct meaning by blending their prior knowledge with cues suggested in a text. Students must learn phonics and the concept of word among other things to do this. They also must be taught the larger structures or patterns used by writers to organize thoughts and ideas. However, if the approved assessment focuses on phonics, then teachers tend to spend less time on the integrally important concept of text structure. Such a reduced emphasis can negatively affect the quality and depth of the comprehension attained.

There is just too much "teaching to the test" and an emphasis on traditional teaching and learning approaches that come from the 19th century. If our students, teachers, and administrators are given some freedom to do what they know how to do—as illustrated from some of the ideas coming out of the SOL Innovation Committee—maybe some progress can be made towards preparing our students for the 22nd century. Don't forget, a large number of current kindergarten students will live into the next century.

All schools need to be given more control over their practice and destiny. They should be encouraged to develop a research knowledge driven plan, and then present it to local school boards, who would then use guidelines developed by content experts, for approval. This work could be done in summer workshops or weekend meetings. New knowledge teachers have learned could be applied to existing rules and practices. Programs could either be (1) approved as presented, (2) approved with revisions or requested changes, or (3) rejected. If programs were rejected, then the situation, the system already in place, would stay the same. I would expect these guidelines to be created under the guidance and supervision of Virginia Department of Education specialists, and then approved by the Virginia State School Board. While we wait for new policies on the creation of charter schools to come to fruition, the process I am suggesting could lead to a more desirable educational outcome for what is the essence of the future of Virginia, our children.

Herb Thompson is a Professor Emeritus of Education at Emory & Henry College, Emory, Virginia. He is currently President of the Association of Teacher Educators—Virginia.

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My political hero is a person who rescued many people. He fought for others' lives to give them freedom and happiness. Today, I can proudly say that person, Burhanullah Shinwari, the Deputy Chairman of the Upper House of Afghanistan's Legislature, is my father. He is a brave man who put his life at risk for others. He lived most of his life in Afghanistan helping others, but then he moved to reside in Virginia in 2010. My father started helping people as a doctor, a politician, and as a leader of youth in Afghanistan.


As a doctor, my father put others' lives before his own, especially the unfortunate ones. He helped people as a doctor from 1992-2004. My father helped those who were injured during suicide bombings that occurred daily. He would examine and treat the patients for free if they couldn't pay. Unlike many doctors, he was the owner of a pharmacy and would give poor patients free medicine. Sometimes during the night, people would come to our house for emergency treatment. My dad would treat them and then follow through with them until they were well. He even sent food and supplies to the houses of victims of suicide bombings who couldn't afford to pay for medical attention. My dad was also a principal of a university in Afghanistan and trained medical students to become good doctors. My father served as head of the Department of Preventative Health in Laghman, and chief doctor of the Nangarhar Health Polyclinic. In these positions, he was in charge of assessing Nangarhar province and serving the medical needs of the entire community. As a medical professional he was able to see to the needs of all people, regardless of their status in society.

Later, my father was elected as Deputy Chairman of the Upper House of Afghanistan's Legislature and continued helping others as a politician. His key ideas were to provide education for people who were uneducated, to provide security for people, and to give them freedom and justice. To do this he had to travel to different countries. In 2008, my dad came with President Hamid Karzai and met President Bush and other great leaders to get help for Afghans' education and security. In July, 2008, he led a delegation of legislators to investigate the Deh Bala wedding party bombing, an incident where an American helicopter fired on a wedding party killing 47 people, mostly women and children. My father helped the families by giving them land, money and food. Another incident that showed his humanitarianism when Afghan prisoners were not given food by their guards. Since the prisoners who weren't getting food, they decided to sew their mouths shut. My father went to the prison and gave medical attention to the prisoners by removing the string that the prisoners used to sew their mouths. In addition to that he met with the guards to make sure that prisoners were getting food and being treated fairly. My father showed generosity not only as a doctor but as a politician, too.

My father also helped many young adults. He was a leader of Afghan youth in Afghanistan. He helped many youth to find their careers. He started an organization called Afghanistan Parliamentary Youth Caucus (APYC) where he trained youth how to become political leaders. In that program he sent those trained students to 34 provinces of

Afghanistan to work with the governors there. They would get the experience they need to become political leaders in the future. Another way in which he helped young people is when he went to meet the Prime Minister of India to negotiate with him to allow 500 students an opportunity to win scholarships to universities in India. Students in Afghanistan had limited opportunities to get an education in Afghanistan. My father knew the importance of education for everyone and wanted to help provide opportunities for them. He also created a new school for little kids in Nangarhar provinces. He organized teachers from cities to transfer to newly built schools in poor villages. My father found many ways to help the youth of Afghanistan, so they could have bright futures.

I cannot think of another person in my life that has a more significant influence on me than my father. He always tells me how important education is and how important it is to help others and make them smile. According to Clarence Budington Kelland, "My father didn't tell me how to live, he lived and let me watch him do it." Everything he does is like a lesson to me and gets me inspired. He teaches me discipline and the importance of life. My father is a brave, strong, and generous man. Every single day I thank God for giving me such a great role model.

Sohaila Shinwari is a rising senior at Stone Bridge High School in Ashburn, Virginia and winner of the 2016 Virginians for Integrity in Government My Political Hero essay scholarship contest. 

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Veterans, Have You Had Your Benefits Check Up Lately?

By MR. THOMAS J. HERTHEL

Time and time again, I learn of instances where veterans served this nation and Commonwealth, yet failed to file for earned benefits from the U.S. Department of Veterans Affairs (VA). More common, veterans filed for compensation years ago but have never reviewed their benefits since. In each case, veterans should visit one of the Virginia Department of Veterans Services (DVS) 26 offices located throughout the Commonwealth for their "Benefits Check Up."



Virginia leads the nation in taking care of our veterans. DVS advocates for Virginia's veterans, and connects them to the federal and state benefits they have earned through their service. Caring and trained personnel are available to educate veterans and their family members on available benefits and assist them in filing claims.

The most common benefit paid to Virginia's veterans is disability compensation. This benefit is paid to veterans when their military service caused or aggravated an injury or illness. While many injuries and illnesses begin while the veteran is still on active duty, many do not surface until years later. For example, thousands of veterans who served our nation in Vietnam and were exposed to Agent Orange, a defoliant used during the conflict, later develop certain types cancers and other illnesses. Those service connected disabilities can be compensable, years and even decades after military service.

As you can imagine, there is much more to the process than just filling out the paperwork. Each case is different and should be reviewed by our VA-accredited Veterans Service Representatives (VSR) located in each of our offices. Our VSRs can assist veterans to review their military service and medical records, as well as properly advise them on needed documentation to file a successful benefits claim. Of course, we also assist with the claims applications themselves, which are often complicated. Moreover, Virginia DVS is the first and only state to file veteran's claims electronically, which reduces the time it takes for the VA to receive and adjudicate claims. Successful claims result in monetary compensation (from just over \$100 to over \$3000 per month) and access to the VA's health care system. In all, Virginia's veterans received over \$2.5 billion in service connected compensation benefits last year alone.

Our representation of Virginia's veterans does not stop when the claim is filed. We assist veterans throughout the process and represent them on appeal should the VA wrongly deny benefits for service connected illnesses and injuries.

In addition to disability compensation claims and appeals, we also assist veterans obtain copies of their military records (DD-214s for example) and their VA home loan Certificates of Eligibility. We frequently work with surviving spouses to apply for death and burial benefits. Also, we often assist low-income veterans and their widows apply for VA pensions. We are here to guide Virginia's veterans through the bureaucratic claims process.

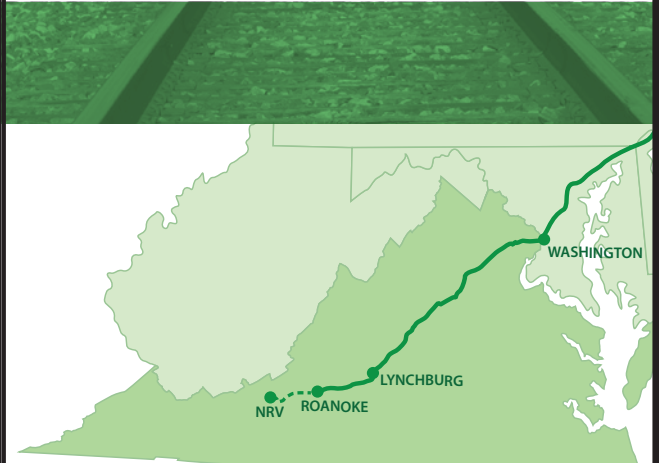
We are honored to serve our veterans. In short, whether they are homeless, suffer from disabilities, or still enjoy jumping out of airplanes on the weekends, DVS is here to educate, assist, and advise our veterans.

To learn more about how DVS can help, please visit our webpage at www.dvs.virginia.gov. Give us a call or stop by one of our 26 DVS Benefits Offices located throughout the Commonwealth for your "Benefits Check Up."

Mr. Tom Herthel, JD, is the Director of Benefits for the Virginia Department of Veterans Services and a 26-year Army and Air Force veteran.

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Workplace Safety Violation Penalties to Increase

By JENNIFER ROSE, RON GRAHAM AND DIANE DUELL

Why the increase?

Federal OSHA has been one of only three federal agencies since 1990 that was exempt from the Federal Civil Penalties Inflation Adjustment Act. This Act required federal government agencies to raise penalties to keep up with inflation. The 2015 Budget Act contains an amendment that eliminates this exemption for Federal OSHA. On November 2, 2015 the Bipartisan Budget Act of 2015 provided the federal Occupational Safety and Health Administration (OSHA) with the ability to increase penalties for workplace safety violations for the first time in 25 years.

In testimony given at a March 2010 hearing before the U.S. House of Representatives Education and Labor Committee's Subcommittee on Workforce Protection, Assistant Secretary Michaels shared the Department of Labor's views on the issue of enhanced penalties. "Most employers want to do the right thing. But many others will comply with OSHA rules if there are strong incentives to do so. OSHA's current penalties are often not large enough to provide adequate incentives, and we are very low in comparison with those of other public health agencies" said Michaels¹.

What is the increase?

The penalty increase will be based on a one-time adjustment limited to the inflation rate measured by the Consumer Price Index (CPI) from 1990 to 2015, which is expected to be around 82%. Penalties will then increase every year based on the inflation rate for the prior fiscal year.

Citations for Serious violations that previously resulted in a \$7,000 penalty will increase to approximately \$12,000. Willful citations could increase to as much as \$126,000.

While these penalties may seem high compared to current penalties, in general, Federal OSHA penalties are much lower than penalties of other government agencies. The Environmental Protection Agency (EPA) can impose much heavier penalties for violations of the Clean Air Act. For instance, in 2001 a worker was killed at a Delaware refinery when a tank containing sulfuric acid exploded. His body was literally dissolved in the acid. The OSHA penalty was \$175,000. Yet, in the same incident, thousands of dead fish and crabs were discovered, allowing the EPA to impose a \$10 million civil penalty for a Clean Water Act violation².

What does this mean for Virginia?

The new law does not provide any specific instructions on how to implement the penalty increase to the 28 states that run their own safety and health programs, Virginia being one of the 28. However, it is anticipated that the new federal penalty structure will be required by the State Plan programs. Virginia, as well as other States Plans are required to adopt comparable measures that are "at least as effective as" in providing safe and healthful employment to workers within the Commonwealth. While State Plans can have penalty reduction policies and procedures that may differ from OSHA's, they must be deemed as stringent as OSHA's.

Penalties have been an area of particular federal oversight interest. OSHA monitors and evaluates State Plans annually through the Federal Annual Monitoring Evaluation (FAME) process. OSHA has established State Activity Mandated Measures (SAMM) to assess State Plan Activities. One of the mandated

measures is the average current serious penalty. This measure is tracked by the total and size of the employer. According to OSHA, this measure was selected because of the role of penalties as part of an effective enforcement approach.

When will the increase take place?

The increase will take effect August 1, 2016 at the federal OSHA level. Accordingly, the Virginia Department of Labor and Industry plans to submit a legislative package for consideration by the 2017 General Assembly to increase maximum penalties in Virginia to levels that will match those of federal OSHA. OSHA has historically allowed states up to one year to adopt or amend legislative changes.

The Department does recognize the potential impact that an increase in penalties could have on employers in the Commonwealth, particularly small employers which make up over 80% of the companies inspected by the Virginia Occupational Safety and Health (VOSH) Program. Historically, VOSH has been able to adopt a more prudent and reasonable approach to identify ways that penalties can be used more effectively to encourage employers to comply with VOSH rules both before and after a compliance visit.

VOSH is here to help!

VOSH works closely with employers and workers in cooperative and voluntary ways to enhance safety and health protections in the Commonwealth. The Department offers free and confidential On-Site Consultation Services to help small employers better understand and voluntarily comply with VOSH standards. DOLI also offers two voluntary recognition programs, the Virginia Voluntary Protection Program (VPP), generally for large employers, and the Safety and Health Achievement Recognition Program (SHARP) for businesses of 250 workers or fewer.

National debate has focused on the perceived need for larger penalties and their relationship to effective deterrence. OSHA hopes higher penalty amounts will provide a greater deterrent and further encourage employers to furnish a safe and healthful workplace for all workers. This increase in penalty costs emphasizes the importance of developing and implementing safety and health programs in the workplace.

Effective safety and health programs, including policies, hazard-recognition, training, management commitment, and employee involvement ensure that workers are kept safe. A safe workplace that is in compliance with VOSH standards can protect against penalties from citations issues because of non-compliance with standards.

Jennifer Rose, Ron Graham and Diane Duell are employees of the Virginia Department of Labor and Industry. [V]



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¹https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=17259

²https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=17259

Virginia State Parks Look Back

By SHANNON JOHNSON

During the Great Depression, the nation's unemployment rate reached a record high. Families were struggling. In the midst of this economic hopelessness, President Franklin D. Roosevelt created a program to conserve our natural resources and put young men to work.

The Civilian Conservation Corps, which arose from the Emergency Conservation Work Act, employed more than 3 million men in parks, forests and range lands from 1933 to 1942. During those nine years, our nation's landscape changed; billions of trees were planted, millions of acres of land were improved, telephone lines were hung and many roads were built.

As a result of the hard work of the CCC, Virginia was the first state to open an entire park system in one day. On June 16, 1936, six state parks were opened: Douthat, Westmoreland, Hungry Mother, Fairy Stone, Staunton River and Seashore, now First Landing. Later, the CCC also developed Pocahontas, Holliday Lake, Bear Creek Lake and Twin Lakes state parks.

In 1936 visitors could choose from around 65 cabins and 100 campsites. General admission was 10 cents, and cabin rates started at \$15 per week. Today there are 36 parks, parking fees for admission range from \$3 to \$7, and cabin rates start at \$62 per night. What a difference 80 years makes.

This year Virginia State Parks celebrate their 80th anniversary with tree plantings, a time capsule burial, a partnership with the National Park Service's centennial through the Find Your Park campaign, and the 80 Things to Do contest in which guests receive prizes for visiting state parks and completing 10 or more activities.

Among the 80 activities are a stay at an original CCC cabin at Douthat State Park and participating in a nationally recognized star party at Staunton River State Park. Special anniversary activities, such as geocaching, hiking in the rain, and snapping a photo with the Virginia State Parks' mascot, Parker Redfox, then sharing it on social media using #vastateparks, are being held at all parks.

State park staff is also sharing recipes in an 80th anniversary cookbook as a token of appreciation for supporting parks and increasing visitation each year. The recipes are easy to prepare in a cabin or over a campfire. The cookbook will be available online on June 15 at virginiastateparks.gov.

The men of the Civilian Conservation Corps built the original parks 80 years ago, and today friends and volunteers continue to build the park system. To date, more than 1,300 volunteers donated 227,467 hours of work, a value of \$5.9 million, which helps parks generate a significant impact to our economy. In 2015, the economic impact totaled \$222.8 million; \$171 million in "new money" is brought to the state each year through state parks.

Many volunteer programs offered at parks connect young people to the environment. A typical day for a Youth Conservation Corps volunteer would be to wake up at 7 a.m. for physical training followed by a healthy breakfast. YCC members then start a morning project, such as working on a trail or building bluebird boxes. After lunch they work on projects such as restoring wetlands or fixing osprey ramps and platforms.

The evening may consist of team-building games, swimming and of course dinner. They may end the day with an evening hike and writing a journal entry that recaps the day.

The Youth Conservation Corps, AmeriCorps Interpretive Trail Program, and the Virginia Service and Conservation Corps promote a strong sense of stewardship for the commonwealth's natural and cultural resources while changing the lives of many.

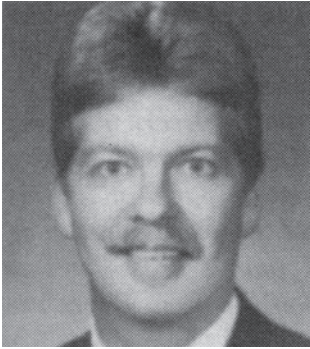
Looking back on the decision made by a president during one of the most difficult economic times in American history, FDR's choice



to put thousands of men to work to conserve and protect our nation's lands was a wise one. It led to a park system that continues to grow and sets the foundation for future workers and volunteers.

Shannon Johnson is the Public Communications and Marketing Director of the Virginia Department of Conservation and Recreation.

In Memoriam



Thomas G. Baker, Jr.

April 15, 2016

Member of the House of
Delegates, 1992-1999



Johnny S. Joannou

May 6, 2016

Member of the House of
Delegates, 1976-1983

Member of the Senate, 1984-1991

Member of the House, 1998-2015



Warren E. Barry

March 31, 2016

Member of the House of
Delegates, 1968-1983

Member of the Senate, 1991-2002



John C. Miller

April 4, 2016

Member of the Senate of Virginia,
2007 until his death



**Frederick H.
Creekmore, Sr.**

January 30, 2016

Member of the House of
Delegates, 1974-1990

Judge on the Chesapeake Juvenile
and Domestic Relations Court,
1990-1998

Judge on the Chesapeake
Circuit Court, 1998-2008



Otho Beverly Roller

March 30, 2016

Member of the House of
Delegates, 1965-1972



Jackie T. Stump

June 2, 2016

Member of the House of
Delegates, 1990-2005

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