



**Division of
Veterans' Services**

2019 Annual Report New York State Division of Veterans' Services

*Celebrating 75 Years of Service to New
York's Veteran Families*

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About the Division

The New York State Executive Department created the Division of Veterans' Services (DVS) in 1945, tasking the Division with assisting returning World War II Service Members in their readjustment from military to civilian life. This objective soon expanded to encompass New York State's Veterans, Service Members, and their families from all eras. For the past 75 years, the Division has subsequently connected generations of Veterans, members of the Armed Forces and Uniformed Services, and their families and dependents to various economic, medical, and social benefits and services earned as a result of military service.

Mission

The Division assists New York's Veterans, Service Members and their families the rest of the way. At all times, we provide quality support, advice, and advocacy for New York State's Veterans, Service Members, and their family members, helping them obtain State and Federal benefits earned by their service to New York State and to the United States of America.



Director's Message

75 years ago, as allied victories in Europe and the Pacific became the setting for a prolonged period of relative peace across the globe, New York State's Executive created the Division of Veterans' Affairs (now the Division of Veterans' Services) to support the needs of its returning Veterans and their families.

At that time, the nation began to transition from its war footing to a country unified in creating what we know today as a modern economy that cares for its citizens, most importantly those who fought, died, and survived the horrors of modern warfare.

In the ensuing years, benefits delivery for our nation's Veterans and their families began to modernize, with programs and services developing at a rapid pace to ensure the nation's continuing commitment to Veterans and their families remain preeminent in purpose.

Today, some 75 years later, New York State continues to lead the nation in our efforts to support our Veterans and their families. And while much has changed, our commitment to serving the needs of our Veteran families remains our north star, our purpose, and that will not waiver.

In this year's annual report, I encourage readers to explore how we are performing our mission and fulfilling our responsibilities. With the best team in the country and the backing of Governor Andrew M. Cuomo's unprecedented commitment to our Veterans, today's New York State Division of Veterans' Services has never been stronger or more effective, and its future never brighter.

Thank you for your support.

Jim



Serving New York's Veterans in 2019

NEW YORK STATE OF OPPORTUNITY. Division of Veterans' Services **DVS INFOGRAPHICS**

Number of Veterans in NYS in 2019:

718,000



NUMBER OF CLAIMS FILED FOR VETERANS BY DVS IN 2019

13,800



MONTHLY AMOUNT OF RECURRING FEDERAL DOLLARS BROUGHT IN BY DVS

\$63 MILLION



Every Veterans Benefits Advisor =

\$689,000



in Veteran Benefits brought into NYS



New York State Approving Agency has approved

\$550 MILLION

in educational benefits



DOLLAR VALUE OF STATE BENEFITS VETERANS RECEIVED IN 2019

\$229 MILLION



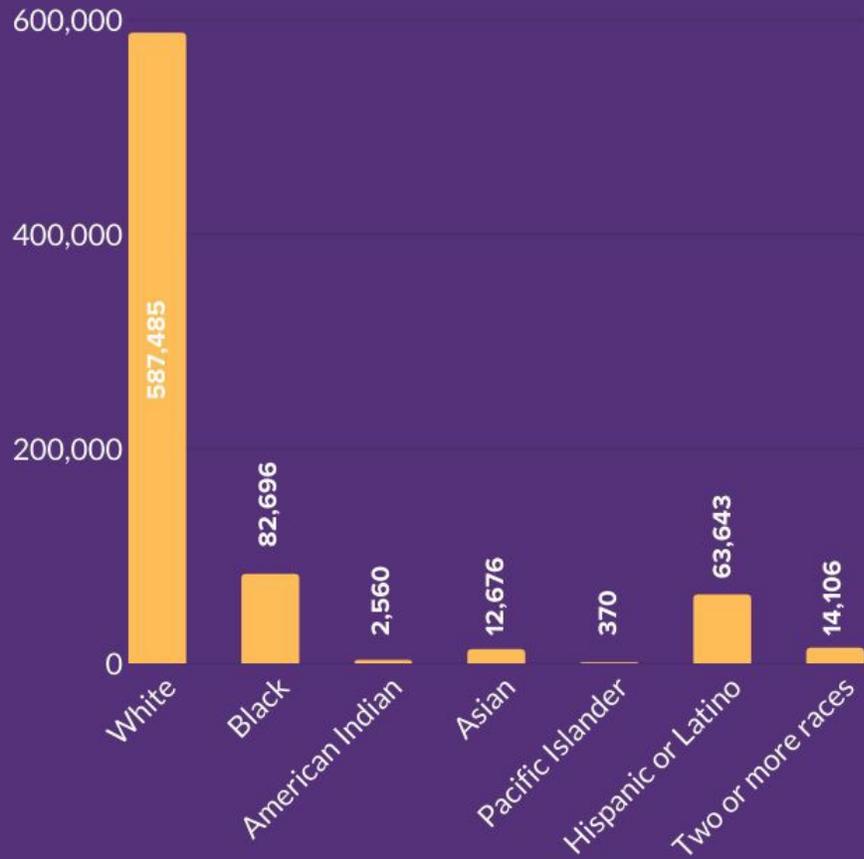
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2019

NEW YORK VETERANS

RACE AND ETHNICITY



2019

NEW YORK VETERANS

ERA OF
SERVICE



2019

NEW YORK VETERANS

GENDER



2019

NEW YORK VETERANS

AGE

600,000

400,000

200,000

0

18-34

61,426

35-54

153,383

55+

504,091



By the Numbers: Serving Veterans and Their Families in 2019

Total Number of Veterans in New York	718,900
Division of Veterans' Services (DVS) Offices	55
VA-Accredited DVS Employees	95
Money Awarded in Claims Filed by DVS Advisors (monthly recurring)	\$63,356,685
Total Number of Blind Annuitants	3,499
Total Amount of Blind Annuity Payments	\$5,019,245
Total Gold Star Parents	203
Total Amount of Gold Star Parent Annuity Payments	\$98,515
New York Residents Using Post G.I. Bill Education Benefits	29,172
Bill Approved Educational Schools in New York	2,001
Money that G.I. Bill-Approved Programs Brought Into New York	\$574,109,000
Residents of State Veterans Nursing Homes	947
Percentage of Beds Filled in State Veterans Nursing Homes	95%
Total Licenses with Veteran Notation Issued	198,000
Businesses Certified as Service-Disabled Veteran-Owned Businesses	732
Veterans Currently Listed in the State's Veterans Temporary Hiring Portal	679
Veterans Currently Listed in the State's "55-c Program" Hiring Portal	414
Veterans with Disabilities Issued State Parks Lifetime Liberty Passes in 2019	1,680
Total Number of Veterans Issued Lifetime Liberty Passes	13,883
Recipients of New York State's Veterans Real Property Tax Exemptions	514,516



Annual Budget – FY 2019-20

State Operations	
Administration (General Fund)	\$480,000
Veterans Benefits Advising Program (General Fund)	\$6,242,000
Veterans Education (Special Revenue Federal)	\$2,025,000
Subtotal - State Operations	\$8,747,000
Aid to Localities	
Aid to Localities (not including Community Projects)	\$12,004,000
Special Revenue - Federal	\$500,000
Subtotal - Aid to Localities	\$12,504,000
Reappropriations	
State Operations	\$4,882,000
Aid to Localities	\$11,920,000
Total reappropriations	\$16,802,000
Agency Total	\$21,251,000



Division of Veterans' Services Highlights in 2019

I. Direct Agency Services to Veterans and their Family Members

Veterans Benefits Advisors Assisting Veterans and their Families

The largest single program in the Division of Veterans' Services (DVS) is the Veterans Benefits Advising Program. The agency's Veterans Benefits Advisors, all of whom are Veterans accredited by the United States Department of Veterans Affairs (VA), secure and maintain a substantial portion of the federal VA benefits paid annually to Veterans and their dependents in New York State. Veterans Benefits Advisors currently staff 68 field offices located throughout every region of New York.

In 2019, DVS' Veterans Benefits Advisors generated over \$63 million in new and recurring monthly VA benefits payments for New York State Veterans and their dependents. DVS continues to file Fully Developed Claims, significantly reducing the VA's processing time and the waiting period before the claimant starts receiving benefits.

Additionally, DVS' Veterans Benefits Advisors help Veterans access the VA's network of health care, State Veterans' Homes, and nursing homes, as well as many local public assistance programs and private venues offering initiatives to assist Veterans and their families. This provides a significant financial savings for many Veterans and their families across the State. This has resulted in over \$229 million worth of state benefits and over \$756 million in federal benefits for New York's Veteran families.



Veterans Education Program

The Veterans Education Program staff, stationed at office locations in Albany and New York City, investigates and approves post-secondary educational and vocational institutions after determining whether they provide a legitimate and quality education. This federally mandated approval process enables Veterans and their dependents to use VA educational benefits at scholastic institutions and facilities throughout New York.

There are 2,001 approved educational programs in New York State, with around 29,172 Veterans presently utilizing these educational opportunities. These programs currently bring approximately \$574,109,000 into New York State.

Gold Star Parent Annuity Program

New York's Gold Star Parents — mothers and fathers (including adoptive and step parents) of Service Members killed in action, as defined by federal law — are eligible to receive a biannual annuity payment from the State. As of September 2019, a total of approximately 203 New York Gold Star Parents receive this annuity from the State in bi-annual installments. In 2019, New York State paid a total of \$98,515 to Gold Star Parent Annuitants.

In 2019, Governor Cuomo signed a bill raising the annual amount for the Gold Star Parent Annuity from \$500 to \$510. This new legislation amended the Executive Law to provide an annual increase in the rate of compensation for Gold Star Parents who have lost a child in the armed services during a time of war. It allows for an annual increase at a rate equal to the percentage increase of benefits set by the U.S. Department of Veterans Affairs.

All Gold Star Parents residing and domiciled in New York State are eligible for this annuity, regardless of their household income.



Blind Annuity Program

New York State provides an annuity for legally blind wartime Veterans, and un-remarried surviving spouses of legally blind wartime Veterans who reside and are domiciled within New York State. Blindness need not be a service-connected disability to qualify. DVS evaluates eligibility for all Blind Annuity applicants. As of September 2019, a total of 3,499 New York Blind Annuitants receive this annuity from the State on a monthly basis. In 2019, New York State paid a total of \$5,019,245 to Blind Annuitants. Each year, the Blind Annuity dollar amount is eligible to change in accordance with a cost of living increase between 1-4 percent.

Supplemental Burial Allowance

New York State's Supplemental Burial Allowance helps defray funeral and interment costs for Service Members dying inside a combat zone or from wounds sustained in combat. This program reimburses family members for up to \$6,000 in documented funeral and interment expenses not covered by federal benefits.

In 2019, no requests for reimbursements were made from the Supplemental Burial Allowance.



II. New Statewide Initiatives and Programs for Veterans and their Families

Working with Law Schools to Close the Justice Gap

New York State's Justice for Heroes initiative – the first program of its kind nationwide – was created in 2017 and provides three-year grants of \$150,000 apiece to five law schools in New York offering experiential learning programs addressing the unmet legal needs of Veterans and their family members. The five law schools that received these grants – Albany, Buffalo, Hofstra, Syracuse, and Touro – have already provided free legal services to more than 250 Veterans since the grant's inception.

Success stories include securing discharge upgrades for Veterans who wrongfully received less-than-honorable discharges, thereby connecting them with a wide universe of benefits and services that were previously unavailable to them; Veterans receiving proper representation to overturn wrongfully suspended driver's licenses; Veterans gaining access to Veterans Treatment Courts and receiving proper representation in these problem-solving courts; Veterans winning appeals before the Federal Circuit and the Court of Appeals for Veterans Claims for benefits for which they had been fighting for several years; and Veterans accessing VA healthcare services which they had previously and wrongfully been denied.

In addition, law school programs receiving funding through these grants have connected Veterans to attorneys who have drafted wills, health care proxies, and powers of attorney for them, giving them updated and properly executed advance directives that these Veterans otherwise could not have afforded to obtain; brought Veterans in financial distress together with lawyers who drafted bankruptcy petitions for them, giving these Veterans the pathway to a fresh financial start; connected Veterans with attorneys who represented them in Social Security Disability appeals; and linked Veterans with attorneys who have advised them in civil legal matters ranging from employment disputes to tax law questions to child support modifications impacted by military service.

Lastly, these grant funds empowered the recipient law schools to become leaders in the legal education



realm concerning Veterans, Service Members, and their families. For example, one law school created New York State's first-ever online course about the legal needs of Veterans and how to address them, opening this course to law students and legal practitioners alike. Other schools have used grant funds to hold widely attended Continuing Legal Education programs and legal services conferences focusing on unmet legal needs confronting Veterans, Service Members, and their families, and developing culturally competent strategies for addressing these legal needs. One recipient school even used some of its grant funds to establish a Veterans' Law Fellowship for a law student to receive a stipend for providing otherwise unpaid legal services to Veterans during a summer-long or semester-long internship.

Law schools are the crucible in which tomorrow's advocates are formed. By inspiring today's law students and providing them with opportunities to positively impact the lives of Veterans, Service Members, and their families, these Justice for Heroes grants have established the foundation for tomorrow's landscape of Veterans' advocates – ensuring that they will be brighter, more proficient, and more culturally competent than ever before. Therefore, through addressing the immediate unmet legal needs of Veterans, Service Members, and their families without charging them a penny for these services, the Justice For Heroes grants have also formed the basis for a bright long-term future of advocacy for Veterans, Service Members, and their families in New York State and beyond — an ideal mechanism to ensure that these unmet needs do not remain unmet in the years to come.

Leading New York's First Veterans Human Rights Conference Series

Recognizing that many human rights concerns confronting Veterans, Service Members, and their family members too often go unaddressed, the Division of Veterans' Services in 2017 initiated the first Veterans Human Rights Conference Series in the history of New York State. In 2019, the Division planned and led five of these full-day conferences – in Manhattan, Albany, Buffalo, Syracuse, and Long Island – in collaboration with the New York State Division of Human Rights and multiple community partners, bringing to the forefront difficult conversations and challenging debates about often-ignored issues of law and policy pertaining to Veterans, Service Members, and their families in New York State and nationwide.

Keynote speakers at these conferences included Harvard Law School Veterans' Legal Clinic Director Daniel Nagin, American Civil Liberties Union President Susan Herman, and Yale Law School Veterans' Law Clinic Director Michael Wishnie. Nationally recognized panel members included *Rescuing Soldiers of Misfortune* author Evan Seamone, MuslimMarine.org Founder Mansoor Shams, High Ground Veteran Advocacy Founder Kristofer Goldsmith, Buffalo Human Rights Center Director Tara J. Melish, Veteran Advocacy Project Founder Coco Culhane, We Exist Coalition Founder Diana Patton, Institute for Veterans and Military Families Chief Operating Officer Maureen Casey, New York City Veterans Alliance Founder Kristen Rouse, New York State Health Foundation Veterans Health Officer Derek Coy, leading Native American Veterans advocate Cheryl Dupris, Volunteers of Legal Service Elderly Project Director Pete Kempner, and many other leaders in the Veterans' Rights and Human Rights arenas.

More than 500 people in total attended these conferences, listening to and taking part in discussions about topics such as improving services for Veterans in the criminal justice system, removing barriers for Veterans with disabilities, advocating for Veterans who unjustly received a less-than-honorable discharge, increasing ease-of-access to healthcare for Veterans and their caregivers, enhancing the military cultural competency of the family court system, and overcoming historic stigmas and prejudices against populations of Veterans on the basis of race, ethnicity, religion, sexual orientation, gender identity, or national origin.

The conversations generated at these conferences led to the formation of multiple new sustainable



**Division of
Veterans' Services**

partnerships and collaborations among advocates who had never met one another prior to these functions.



Honoring the Service and Sacrifice of Former Prisoners of War

On April 9, National Former Prisoner of War Recognition Day, the Division of Veterans' Services hosted a special program of remembrance in Westchester County. Norman Bussel, a Westchester County resident, shared with an extremely attentive audience the story of his service in World War II: how the B-17 on which he served as a radioman and gunner was shot down over Germany, leading to his imprisonment in Stalag Luft IV. Later, he was transferred to another POW camp in Bavaria, where he was imprisoned until the camp was liberated by General Patton's forces.

Since returning home to New York, Mr. Bussel has served as a devoted advocate for his fellow Veterans and their families. He has been outspoken about his own battle with PTSD, helping shatter historic stigmas concerning mental illness. With his wife, Melanie, he has led a chapter of the American Ex-Prisoners of War Veterans Service Organization, helping connect Veterans and their families with the benefits that they have earned. He has repeatedly testified before Congress concerning Veterans' matters, leading to systemic change at the federal level in favor of Veterans and their family members. He also is the author of *My Private War*, an account of his military experiences and his battle with PTSD and re-acclimation to civilian life after coming home.

Brigadier General Michel Natali, Assistant Adjutant General of the New York Army National Guard, offered remarks of recognition and remembrance on behalf of all Service Members who were ever confined as Prisoners of War, as did Military Order of the Purple Heart National Senior Vice-Commander William Nazario and Town of Cortlandt Supervisor Linda Puglisi. The program concluded with a moment of silence in remembrance of all Prisoners of War from every era of military service.



Funding Not-For-Profit Organizations Helping Veterans

In 2018, Governor Cuomo oversaw the State's first-ever set of financial awards for not-for-profit organizations providing peer-to-peer assistance for Veterans and their family members. Ten Veteran-focused not-for-profit organizations — Clear Path for Veterans, the Veterans Defense Program, AIM Independent Living Center, Directions in Independent Living, The Association for Mental Health and Wellness, Rockland Independent Living Center, Compeer of Greater Buffalo, Homeward Bound USA, the Albany Housing Coalition and Black Veterans for Social Justice — were awarded \$500,000 in grants, all of which are renewable for a three-year period to ensure the sustainability of these initiatives.

Each of these grants furthers the work of these organizations to provide peer-to-peer services for Veterans in the criminal justice system and/or peer-to-peer services that help steer Veterans away from criminal justice involvement. These grants allow for crucial services that provide temporary housing for Veterans who were previously homeless, employment counseling and vocational training to help Veterans find sustainable jobs in the public and private sectors, mental health counseling and therapeutic services for Veterans (to include, where necessary, family counseling and alcoholism and substance abuse services), access to pro bono legal assistance, and social settings where Veterans can interact with other Veterans in furtherance of their common bond of service.



Hosting New York's Women Veterans Art Exhibition

In June 2019, the Division of Veterans' Services honored Women Veterans Day in the State of New York by opening and hosting an exhibition of 49 original works of art created by Women Veterans. The artists contributing their time and talents to this unique exhibit came from across multiple regions of New York State – from Binghamton to New York City, and from Buffalo to Hyde Park to Long Island – and represented every branch of the United States Armed Forces.

The artwork was displayed for a month and a half in the lobby of the Abrams Building for Law and Justice in Albany, adjacent to the New York State Vietnam Memorial and Gallery, and included paintings, photographs, digital art, pencil drawings, and mosaics. Many of the Veterans who contributed artwork to this exhibition are not professional artists, and for several of these Veterans this exhibition represented the first time that they had displayed their artistic talents to the general public.

The exhibition received positive media attention and excellent reviews from members of the public who visited the exhibit during its display period in Albany. Most of the works of art from this exhibition were subsequently sent to other locations around New York State that became aware of this exhibition and wanted to showcase these works of art created by these Women Veterans. The resulting "road show" of this artwork will continue into 2020 at venues ranging from Glens Falls to Hempstead to Mount Morris.



Celebrating the Service of Military Families

In April 2019, the Division of Veterans' Services led its second annual Month of the Military Child celebration at the New York State Capitol. Military families came from communities ranging from New York City to Rochester for a fun-filled day of activities organized by DVS throughout the Capitol Complex.

The day included guided "behind the scenes" tours of the State Capitol, visits to the observation deck in the Corning Tower, rides on the historic carousel at the New York State Museum, and a pizza party buffet lunch.

Each military child in attendance received a gift package from DVS, including a Month of the Military Child T-shirt, a set of New York Military Child temporary tattoos, a personalized certificate thanking them for their service, and a proclamation signed by Governor Cuomo. The day ended with a ceremony honoring every military child in attendance at the Blue Room of the Capitol Building.



Improving Appellate Advocacy for Veterans and Their Families

Recognizing the growing statewide need for more and better appellate advocacy on behalf of Veterans and their families, the Division of Veterans' Services launched its first-ever Appellate Unit in the autumn of 2019. For the first time in the Division's history, a group of Veterans Benefits Advisors will focus exclusively on preparing cases for arguments – both written and oral – before the Board of Veterans' Appeals.

Currently, the United States Department of Veterans Affairs faces perhaps the largest backlog of appellate cases in the agency's history. Given the enormous volume of appeals that the Board of Veterans' Appeals is processing and the public pressure to resolve these cases as rapidly as possible, the likelihood of success increases when these appeals are carefully prepared, meticulously researched, authored with proper citations to relevant case law and the record on review, and drafted in a succinct and impactful manner. The attention to detail necessary to accomplish these objectives necessitates a unit that focuses solely on appellate work, functioning as a miniature law firm with the Division.

Already, this new Appellate Unit has made significant progress, preparing high-quality appeals that have been well-received by the Veterans Law Judges of the Board of Veterans' Appeals. While the decisions from these appeals are still pending as of this writing, the anticipation is that a track record of success from this new unit's work will be reported as of this time next year.

Additionally, the Division was honored this year by a visit to the agency's headquarters from Board of Veterans' Appeals Chairman Cheryl Mason, who provided the agency's leadership with a half-day training in the VA's multiple new policies under the Appeals Modernization Act. This training from one of the key authors of this new Act set the agency up for success as appellate advocates throughout 2019 and beyond.



Properly Honoring and Properly Serving Veterans Who Identify As LGBTQIA*

Nationally, the military's legacy of treatment of Veterans and Service Members who identify as Lesbian, Gay, Bisexual, Transgender, Queer or Questioning, Intersex, or Asexual (LGBTQIA*) is deeply troubling. Within the armed forces, institutionalized discrimination based on sexual orientation and/or gender identity has led to many LGBTQIA* individuals receiving less-than-honorable discharges from the military despite their earnest desire to serve their nation and risk everything, including their lives, to do so. Even after the long-overdue repeal of federal policies such as "Don't Ask, Don't Tell," Veterans and Service Members who identify as LGBTQIA* continue to confront stigma and bias, all too often cutting them off from the benefits and services that they have earned and causing many to be reluctant to self-identify as Veterans. New federal policies, such as the so-called "transgender ban," only perpetuate these historic wrongs against LGBTQIA* Americans who bravely defend the freedoms for which this nation stands.

To break down these historic walls of isolation and disenfranchisement, DVS partners closely with advocates from organizations such as SAGEVets, American Veterans for Equal Rights, the We Exist Coalition, New York Transgender Advocacy Group, OutServe-Service Members Legal Defense Network, the Transgender American Veterans Association, LeGaL, the National Action Network, the Richard C. Failla Commission of the New York State Courts, and Gender Equality New York to bring services and information to Veterans who identify as LGBTQIA* in forums recognized as safe spaces in their community.

In February 2019, for instance, the Division partnered with SAGEVets and the Richard C. Failla Commission to hold an extremely well-attended community resource fair for Veterans who identify as LGBTQIA*. Given the success of this event, which was held at The LGBT Community Center in Manhattan, plans are already in progress to host another resource fair in this same location in 2020.

On March 29 – the day observed nationwide as Vietnam War Veterans Day – the Division partnered with SAGEVets and American Veterans for Equal Rights to host the State's first-ever commemoration of the service of Vietnam War Veterans who identify as LGBTQIA*. Held before a full house at the Edie Windsor Center, this program brought together Vietnam War Veterans joined by the common bond of



military service and honored them for their contributions to the United States of America, providing them with a proper welcome home that was long overdue. Each Veteran in attendance received a Vietnam War Veterans Day proclamation signed by Governor Cuomo, personally presented by Division leadership to each Veteran. One Veteran, upon receiving the proclamation, stated to the crowd: "This is the first time since I took off my Army uniform that I actually feel like a real Veteran."

June 2019 marked the fiftieth anniversary of the Stonewall Uprising, the event commonly recognized as the starting date of the LGBTQ Rights Movement. The Division was active throughout this month on behalf of Veterans who identify as LGBTQIA*, including participating in the NYC Pride Human Rights Conference and taking lead roles in Pride Month commemoration programs/benefits and services clinics at the VA Medical Centers in Montrose and Castle Point.

In Autumn 2019, the Division became the first state Veterans' service agency in the nation to have 100% of its staff complete the Rainbow Shield certification program provided by the Modern Military Association of America. This leading cultural competency program – taught by Veterans, aimed toward Veterans and their advocates – provides vital knowledge about properly serving Veterans and Service Members who identify as LGBTQIA*, including strategies for properly representing these Veterans and Service Members in actions such as discharge upgrade appeals and name changes on official military documents. The Division will remain in close contact with the Modern Military Association of America going forward to ensure that the Division retains and builds upon the cultural competency gained from this training.

In November, Governor Cuomo signed into law the Restoration of Honor Act, a historic measure that provides a crucial pathway to state benefits for Veterans who received a less-than-honorable discharge due to the military's stigmatization of their sexual orientation, gender identity, or service-connected mental illness. Under this new statute, access to more than fifty Veterans' benefits offered by New York State will no longer be blocked by a less-than-honorable characterization of discharge if the Veteran's discharge was due to now-repealed federal policies that discriminated on the basis of sexual orientation or gender identity, or if the actions leading to the Veteran's less-than-honorable discharge were linked to the Veteran's service-connected Post-Traumatic Stress Disorder, Traumatic Brain Injury, or mental health condition caused by suffering Military Sexual Trauma.



Division of Veterans' Services

The Division is developing the application forms and procedural guidance under this new law, which will be released to the public early in 2020. In 2020 and beyond, this law will stand as a cornerstone of the Division's efforts – and the State's commitment – to ending the historic disenfranchisement of Veterans who identify as LGBTQIA*, ensuring that we instead properly honor their service and connect them with the benefits that they have earned.

The Division's leadership also continues to serve on Governor Cuomo's Interagency LGBTQ Task Force, bringing the concerns of Veterans and Service Members who identify as LGBTQIA* to the forefront of the consciousness of the State's leadership in the executive branch.



Commemorating the 75th Anniversary of D-Day and the Battle of the Bulge

2019 marked the 75th anniversary of two of the most influential military battles in the history of the world: D-Day and the Battle of the Bulge, critical victories for the Allied forces in Europe during World War II. While no one can fully repay the Veterans who stormed the beaches in Normandy and who fought through the unending days of bitter cold in the Ardennes Forest, the Division ensured that the anniversaries of these historic campaigns were properly recognized in 2019, with the service and sacrifice of those who fought in those battles to preserve the ideals of liberty and justice fittingly honored and publicly acclaimed.

On June 6, the day on which the D-Day landings occurred, the Division's executive staff led programs in conjunction with military officers from the New York State Division of Military and Naval Affairs at each of New York's five State Veterans Homes. All D-Day Veterans and Battle of the Bulge Veterans in attendance at each of these programs were presented the New York State Medal for Merit in recognition of their courageous service. Lieutenant Governor Kathy Hochul joined the Division of Veterans' Services and the Division of Military and Naval Affairs at the Montrose State Veterans Home to take part in the presentation of these honors to Veterans at that facility.

Additionally, every World War II Veteran present at each of these ceremonies received a signed proclamation from Governor Cuomo in recognition of their service and sacrifice in defense of freedom against the forces of tyranny. More than 900,000 New Yorkers served in the Armed Forces during World War II, with more than 43,000 of these New Yorkers making the ultimate sacrifice in defense of these sacred ideals. Given the extraordinary impact that this war had upon the State of New York, it was fitting and proper to set aside this day to once again thank those members of the "greatest generation" whose service and sacrifice still resonates today.



Increasing Outreach and Services for Veterans Who Are Native Americans

Native Americans serve in the United States Armed Forces at a higher rate than any other demographic group. Since September 11, 2001, for instance, nearly 19% of Native Americans have served in the Armed Forces, compared to a 14% rate of service among other demographic groups in the United States.

In New York, this legacy of service among Native Americans dates to the Revolutionary War. Tribal members of the six nations of the Haudenosaunee Confederacy were the first sovereign entity to formally recognize the United States as an independent country. The Oneida Nation from Central New York saved George Washington's starving army during the winter at Valley Forge by sharing their grain. Red Jacket, a Seneca leader from Western New York, achieved military victories for the American forces in the War of 1812. This impassioned desire to defend values of liberty against enemy attacks continued into World War I, during which multiple Haudenosaunee tribes issued their own sovereign declarations of war against Germany.

In World War II, members of the Mohawk Indian Nation in northern New York served as "code talkers," successfully using their native language to send coded messages that could not be deciphered by the enemy. Members of each tribal nation in New York served in combat in Europe and the Pacific, with many making the ultimate sacrifice. In the Korean War, the Vietnam War, the First Gulf War, and the recent wars in the Middle East, similarly high rates of military service and combat deployments exist for the members of the tribal nations within New York State.

In recognition of this extraordinary legacy of military service, and in consideration of the fact that many of New York's Veterans who are Native Americans live in areas where they do not have readily available access to services and information about the benefits that they have earned by virtue of their service in the military, the Division has substantially increased its outreach efforts to Native American Veterans during the past three calendar years.

This year, the Division conducted more outreach programs with and for Native American Veterans than it had during any year in recent memory. In June, for instance, the Division was honored to take part in the Marvin "Joe" Curry Veterans Powwow, held on Seneca Nation of Indians land in Salamanca. Named



in honor of Snipe Clan member Marvin “Joe” Curry, who served in the United States Navy during both the Korean War and the Vietnam War, this powwow attracts Native American Veterans from across New York and beyond, as well as Gold Star Parents, who are honored by the Seneca Nation’s leaders in a special ceremony during the weekend. At the Powwow, DVS connected with many Veterans and Gold Star Parents who never previously knew that the Division existed and who never were previously away of the federal and state Veterans’ benefits they had earned.

Also, in June, the Division took part in “Bringing VA Benefits Home,” a special outreach program with the Mohawk Nation in Akwesasne. This function was particularly valuable as it focused not only on Veterans, but also on their spouses and children. At this program, many participants initially thought that the Division was the federal Department of Veterans Affairs, and the Division was able to work with these Veterans and their families to distinguish its functions – and to ensure that the Veterans in attendance were connected with all the federal and state benefits and services that they had earned.

The Division experienced similar success in its outreach to the Shinnecock Nation at their annual Powwow, held in eastern Long Island during Labor Day weekend. Again, this opportunity connected the Division with members of the Shinnecock Nation who never previously knew of the benefits that they had earned and never previously knew about the Division’s ability to represent them in attaining those earned benefits.

In December, the Division signed an agreement to become one of the first community partners of the New York Indian Council, a not-for-profit organization based in Queens and focusing on the well-being of Native Americans in New York City’s five boroughs. The Division looks forward to serving as a referral source for Veterans and their families who seek services from the New York Indian Council in the upcoming years.

The Division remains actively engaged in the ongoing push for improving the cultural competence of medical services provided by the federal VA to Native American Veterans, working closely with Cheryl Dupris from the American Indian Community House (a Veteran of five combat deployments to Iraq and Afghanistan) in this ongoing effort. Several positive changes have been made in this area to increase the opportunity for Native American Veterans to meet with medical providers who better understand the

interactions between their cultural heritage and their medical needs and treatments, but room for improvement remains. Partners in this important work include Disability Rights New York, the National Alliance on Mental Illness, and Indian Health Services, whose national conference in San Diego welcomed Cheryl Dupris as a delegate in 2019.

Also, in December, after VA Secretary Robert Wilkie testified on Capitol Hill about his desire to improve access to services to Native American Veterans, the Division sent a letter to Secretary Wilkie inviting him to a meeting in New York with Native American Veteran leaders from across the state. Given that New York is home to the largest population of Native American Veterans of any state in the Northeast, the Division is hopeful that Secretary Wilkie will accept this invitation to meet with Native American Veterans in New York and learn about the unique needs of Native American Veterans in this region of the country in 2020.



Commemorating and Honoring Gold Star Families

There is nothing that this Division can do to fully ease the tragedy of the loss of a loved one in service to our State and our Nation. For these Gold Star Families, all New Yorkers and all Americans owe an eternal debt of gratitude that no words or deeds will ever be able to fully repay. All New Yorkers must never forget the sacrifice that these Service Members made on behalf of the United States of America and the values for which this nation stands. In so honoring those who have given their lives in their military service, we must likewise continue to honor their family members, and do all that we can to support them in the years ahead.

In 2019, Governor Cuomo exemplified New York State's commitment to this continued recognition of Gold Star families by expanding the New York State MERIT Scholarship to make it available for spouses, children, and financial dependents of Service Members who were killed in action or who were permanently severely disabled in their military service. Previously, this scholarship was available only to spouses, children, and financial dependents of Service Members who were killed or severely disabled in combat zones. This expansion recognizes that the dangers inherent to military service can exist far beyond the formalized perimeter of a combat zone, and that any death or severe disability in the line of duty needs to be properly recognized.

During the summer of 2019, the Division took part in the American Gold Star Mothers meeting in Cicero, attended by leaders from American Gold Star Mothers chapters across New York State. Participating in this program permitted the Division to speak about key federal and state benefits, programs, and services, including New York's Gold Star Parent Annuity, New York's MERIT Scholarship, and federal programs for surviving family members such as Dependency & Indemnity Compensation and Survivor's Pension.

On the last Sunday in September, recognized as Gold Star Family Day nationwide, the Division held a commemoration ceremony at the reflecting pool outside the New York State Capitol Building in honor of all Gold Star Family Members in New York State. Each attendee at this ceremony received a lighted luminary to place around the edge of the reflecting pool. The luminaries remained there through the night, a glowing tribute to all who made the ultimate sacrifice in military service and a burning reminder



**Division of
Veterans' Services**

of our unwritten essential commitment to serve their family members in any and all ways that we can.



III. DVS Partnerships with Other Government Entities

Assisting Veterans Who are Incarcerated

The Division of Veterans' Services has taken several steps to enhance access to services for Veterans who are incarcerated. In 2019, with the close collaboration of the New York State Department of Corrections and Community Supervision, the Division continued its well-established presence since 2017 at all the New York State prisons that maintain Veterans-specific housing units. At certain facilities, the Division continued its monthly visits where accredited DVS staff members meet one-on-one with Veterans inside these prisons and assist them in preparing benefits applications.

In 2019, Division personnel worked one-on-one with Veterans at the following Correctional Facilities: Attica, Auburn, Coxsackie, Greene, Groveland, Gouverneur, Mid-State, and Wyoming. This work helps not only the Veterans, but also their family members outside of prison, who are able to receive money through apportionment claims. Additionally, the Division participated in DOCCS programs in 2019 focusing on connecting recently paroled Veterans with the federal and state Veterans' benefits and services that they have earned. DVS continues to work closely with DOCCS to expand this prison outreach initiative, which will remain a priority goal of the Division in 2020.



FreshConnect Checks

The “FreshConnect” program began in 2014 as a collaboration between the Division of Veterans’ Services and the New York State Department of Agriculture and Markets. The program gives booklets of “FreshConnect” checks to Veterans, Service Members, and members of their families worth \$2 apiece (\$20 total booklet value), redeemable for fresh food products at New York’s farmer’s markets.

2019 marked the fifth year of DVS’s partnership with the New York State Department of Agriculture and Markets to distribute FreshConnect Checks to Veterans, Service Members, and their families. DVS distributed more than 60,000 FreshConnect Checks during this year’s farmers’ market season. In the past five years, DVS has distributed more than 400,000 FreshConnect Checks to Veterans, Service Members, and their families.

Feedback regarding this program from recipients and participants remains overwhelmingly positive. DVS and the Department of Agriculture and Markets plan to resume this statewide partnership during the 2020 farmer’s market season.



New York State Legislation Directly Affecting Veterans

These new laws directly affect New York State's Veterans and their families:

This year Governor Andrew M. Cuomo signed 23 bills to enhance support and bolster protections for New Yorkers who serve or have served in the armed forces. "Our Veterans put their lives on the line to defend our nation, and we must honor them and support them just as they supported us," Governor Cuomo said when signing a package of these bills into law on Veterans Day 2019. These bills, as the Governor noted, include "a wide range of protections and benefits to help ensure the Veterans across our state get the services, educational and employment opportunities, and respect they have earned through their many sacrifices."

Agency Name Change

The New York State Division of Veterans Affairs is renamed the New York State Division of Veterans' Services (A2006C/ S1506C)

For many years Veterans, Courts, Process Servers, and other NYS Agencies frequently confused the New York State Division of Veterans Affairs (DVA) with the United States Department of Veterans Affairs (VA). Veterans would not utilize the free services provided by DVA after having negative experiences with the federal VA. In addition, state and federal courts issued subpoenas to, and other state agencies issued document demands on, the DVA that were intended for the VA. Since renaming the agency the New York State Division of Veterans' Services, the agency has received no subpoenas or document demands intended for the VA, and Veterans rarely, if ever, confuse DVS with the VA.



Pension Poaching

[New York Protects Veterans from Pension Poachers \(A6292/S4807\)](#)

This law is designed to protect older and disabled Veterans from so-called pension poaching. Pension poaching occurs when financial planners, insurance agents or others claim they are assisting Veterans and their families get federal benefits but instead are convincing Veterans to reposition their assets to qualify for benefits they are ineligible to receive. The poachers then often sell the Veterans unneeded financial products or services.

Governor Andrew Cuomo signed this new legislation to make it illegal to receive compensation for the presentation, preparation, and prosecution of an initial claims for VA benefits or charge unreasonable fees for appellate representation of Veterans and their families. The law requires people offering these services to inform Veterans and their families that state and local governments can provide free services regarding Veterans' benefits.

Education

[Program for Veterans to Receive High School Diplomas Expanded \(A4654/S1660\)](#)

Under the State Education Department, Operation Recognition allows New York State Veterans who served in World War II, Korea, and Vietnam Veterans and who joined military service before graduating from high school to be awarded high school diplomas. This bill expands that program to all New York State Veterans, including those who deployed in Operation Desert Storm, Iraq, and Afghanistan.

Employment

[Employers Must Prominently Indicate if a Work Opportunity Is Set Aside for Disabled Veterans \(A6297/S3300\)](#)

Section 55-c of the Civil Service Law authorizes 500 positions be set aside for disabled Veterans. However, employers do not have to publicly post whether positions are 55-c eligible. Under legislation signed by Governor Cuomo in 2019, employers are now required to prominently display in their job postings that a job is 55-c eligible, so qualifying Veteran know of the opportunities available to them.



[When Applying for Certain Public Service Positions, Veteran Applicants May Add an Additional Year of Service Credit to Deduct from Their Age \(A8282/S6474\)](#)

This bill allows for a Veteran to deduct up to seven years of military service from their age to qualify to sit for placement exams for certain public service positions, such as in the NYPD or FDNY. One must be 35 or younger to take the test, and applicants can deduct up to six years of military service from their age to qualify. The measure allows Veterans to deduct more time in service to recognize that they will be better prepared to serve in these important positions.

Health and General Services

[Mandates a Report to Determine How Many Homeless Veterans Are Living in New York State \(A5660/S4049a\)](#)

This bill mandates a report to be completed by the New York State Division of Veterans' Services, the Office of Temporary and Disability Service, the Department of Labor, and the Office of Children and Family Services to determine the number of homeless persons in New York State who are Veterans. The study will gather information on the number of homeless Veterans living in the state, including how many have children, so advocates and policy makers can better develop solutions to address this problem.

[Paid Leave for Combat Related Healthcare Allowed for More Veterans \(A1093/S1349\)](#)

Under current law, State employees who are Veterans can get additional paid leave from their work to receive health-related services without loss of pay. This bill allows municipalities to offer their Veteran employees the same opportunity, reflecting policy in place for Veterans employed by the State.

[The NYS Division of Veterans' Services Military Sexual Trauma Portal Expanded and Made Permanent \(A2459a/S5006\)](#)

Veterans who have experienced Military Sexual Trauma (MST) while on active duty or during military training should have easy access to resources that can assist Veterans in seeking treatment, counseling, and other related services. To inform Veterans suffering from MST, this bill expands and makes



permanent the Military Sexual Trauma portal on the NYS Division of Veterans' Services website.

Public Education Initiative to Eliminate Stigma and Misinformation about Mental Illness and Substance Abuse among Veterans (A2758/S3200)

Through their service, many military personnel in New York were exposed to or have experienced trauma, placing many in high risk categories of triggering underlying conditions, such as Post Traumatic Stress Disorder (PTSD), substance abuse problems or other mental health issues. This bill creates a public education initiative designed to eliminate stigma and misinformation about mental illness and substance use among military service members.

General Services

Updates the Duties of the Women Veterans Coordinator at the New York State Division of Veterans' Services (A7594/S5991)

This bill updates the duties of the Women Veterans Coordinator within the New York State Division of Veterans' Services to ensure that the coordinator addresses the unique needs and challenges faced by the State's Women Veterans population.

Requires the New York State Division of Veterans' Services Mobile App Be More Easily Accessible (A6792/S4477a)

The mobile application known as the New York State Veterans' App has been helpful to Veterans across New York by providing a multitude of material on federal and state Veterans benefits, programs and services. This bill makes permanent the link to the app on the Division of Veterans' Services website. It also makes permanent the “near me” feature of the app which provides region specific resources.

State Agencies to Document Important Information Pertaining to the Health Care of Veterans (A1804/S2377)

This bill requires the New York State Departments of Health and Corrections and Community Supervision



to collect certain additional information within the Veterans Health Care Information Program pertaining to the Veteran populations they service. The program shall provide health care information for Veterans, their surviving spouses, children of Veterans and health care providers on health issues associated with military duty such as Agent Orange, spina bifida, Gulf War Syndromes, toxic materials or harmful physical agents, hepatitis C, and specific mental and physical health issues, including post-traumatic stress disorder, traumatic brain injury and other brain-related injuries.

[The NYS Division of Veterans' Services Website Listing of Certain Local Veterans' Service Agencies Is Expanded and Made Permanent \(A4413/S2405\)](#)

To ensure that Veterans receive the benefits they earned due to their service, they must have access to a listing of the local Veterans' service agencies with the name, location, hours of operation, and contact information for each county and city Veterans' service agency in the State of New York. To provide this information, this bill expands and makes permanent the NYS Division of Veterans' Services online Directory of DVS offices and local Veterans' service agencies.

Voting

[Military Voting Provisions Are Now Available for School District Elections \(A7293/S5184\)](#)

Current law allows those serving in the military to register as military voters in New York State and to receive an absentee ballot for all federal, state, and local elections. Unfortunately, such provisions do not extend to ballots for school district elections. This bill makes military voting available for all school district elections for which absentee ballots are already authorized.

Restoration of Honor and Discharge Status

[Restoration of Honor Act \(A8097/S45B\)](#)

Governor Andrew M. Cuomo signed legislation enacting the Restoration of Honor Act, giving Veterans denied an honorable discharge because of their sexual orientation or gender identity, traumatic brain



injury (TBI), military sexual trauma (MST) and Post-Traumatic Stress Disorder (PTSD) the right to apply to have their New York State Veterans' benefits restored. Under Don't Ask Don't Tell and similar policies, many Veterans received less than honorable discharges. While military discharge decisions can only be formally changed by the federal government, the Restoration of Honor Act allows these Veterans to apply to claim their New York State benefits. This makes New York the first state in the nation to restore the state benefits of Veterans who received less than honorable discharges because of these traumas or because of their LGBTQIA* identity.

The NYS Division of Veterans' Services Discharge Upgrade Advisory Board Made Permanent (A8095a/S6467)

Effective January 11, 2020, this bill makes permanent the Division of Veterans' Services' Discharge Upgrade Advisory Board Program. Under the program, the Discharge Upgrade Advisory Board would review the evidence submitted by Veterans seeking to appeal their discharge status and issue written, non-binding advisory options to assist Veterans during the United States Armed Forces' appeals processes.

Local Veterans Service Agencies Are Now Required to Assist Veterans with Completing the Discharge Upgrade Application (A8096/S6527)

Local Veterans Service Agencies assist Veterans within their jurisdiction. Effective January 11, 2020, this bill requires these agencies to assist Veterans in applying for a discharge upgrade.

Taxes and Other Fees

Extends the Real Property Tax Exemption Extended to Active Members of the Armed Forces (A7289/S1681)

Only seriously disabled Veterans, not active members of the armed forces, have been eligible for a real property tax exemption when they must modify their homes to accommodate a service-related disability. This bill ends this discrepancy and extends the tax exemption to seriously injured active members who



stay in service despite their disability, so they can take full advantage of it when modifying their property.

Five Counties Authorized to Waive Fees for the Construction and Improvement of Veterans' Organizations (A7234/S6260, A8109/S6306, A8362/S6593)

Veterans' organizations throughout New York play an important role in ensuring that Veterans can experience a sense of community. These organizations have had to pay certain fees when building or improving their facilities, and the organizations have been placed in a position of having to increase dues and potentially discourage Veterans from participating. Under legislation signed by Governor Cuomo, the Counties of Erie, Nassau, Suffolk Saratoga Washington counties may waive certain fees for building construction and capital improvements for Veterans' organizations.

State fee waived for marriage licenses for active duty members of the Armed Forces (A55/S3756)

This bill waives the state portion of the marriage license fees for young men and women actively serving in our military and authorizes towns and cities to elect to waive their fees for marriage licenses and certificates. It is but a small gesture to show our gratitude and thanks for the service of members of our country's armed forces.

Miscellaneous

A Section of Route 8 in the Village of Sidney Is Designated "Sidney Veterans' Memorial Highway" (A8223/S6377a)

To honor all those who have sacrificed and served our country, a section of route 8 between the Susquehanna River and interstate eighty-eight in the village of Sidney was designated the "Sidney Veterans' Memorial Highway." This section of NYS Route 8 travels by the newly developed Sidney Veterans' Memorial Park.



Homeless Veterans Assistance and the Veterans' Remembrance and Cemetery Maintenance and Operation Funds Report

This is the report for calendar year 2019, required by New York State Consolidated Laws State Finance, Article 6, § 99-V and § 97-mmmm regarding the utilization of funds for the Homeless Veterans Assistance and the Veterans' Remembrance and Cemetery Maintenance and Operation funds.

The total dollars in the Homeless Veterans Assistance Fund as of October 2019 is \$820,749. No funds were disbursed in calendar year 2019.

The total dollars in the Veterans Cemetery Maintenance Fund as of October 2019 is \$457,248. No funds were disbursed in calendar year 2019.

It is the Division of Veterans' Services understanding that funds are not currently sufficient to meet the programmatic needs outlined by the laws governing these funds. As such, no process for the awarding of funds has been designated.



Supplemental Burial Allowance Report

This report is submitted in accordance with the requirements contained in Section 354-b(4)(i) of New York State's Executive Law.

Since there were no applications submitted during calendar year 2019, there were no applications for the \$6,000 Supplemental Burial Allowance payout for DVS to approve.

There were no new rules or regulations promulgated in calendar year 2019 that relate to the supplemental burial allowance.



Gold Star Parent Annuity Program Report

This report is submitted in accordance with the requirements contained in Section 367(4) of New York State's Executive Law.

New York State's Gold Star Parent Annuity continues to recognize the ultimate sacrifice paid by New Yorkers during military service. While no amount of money can ever replace the loss of a child in combat, New York provides this annuity in honor of the deceased Service Member and his or her family, and in recognition of their tremendous sacrifice.

In 2018, Governor Cuomo signed legislation amending the Executive Law to allow for an annual increase at a rate equal to the percentage increase of benefits set by the U.S. Department of Veterans' Services. Additionally, the term 'Gold Star Parent' for this Annuity now includes any biological parent, step-parent, and parent by adoption who was serving in the role of a parent to the Service Member at the time of the Service Member's death.

As of September 2019, New York State paid a total of \$98,515 (\$510 annually) to 203 Gold Star Parent Annuitants.

Signed in 2018 and implemented in 2019, the annual amount for the Gold Star Parent Annuity was raised to \$510. This new legislation (S1124B) amended the Executive Law to allow for an annual increase at a rate equal to the percentage increase of benefits set by the U.S. Department of Veterans' Affairs.



Report on Women Veterans and Special Program

In 2019, DVS' Veterans Benefits Advisors continued to make outreach to their local Veteran communities a priority with attendance at over 527 events this year alone. DVS brochures and materials were displayed at numerous additional events. With the increased popularity of the FreshConnect program June outreaches increased over the previous year with most of the events being DVS staff attending Farmers Markets to distribute FreshConnect checks to Veterans and their families. Outreach events reached a diverse audience of Veterans – from Veteran farmers to incarcerated Veterans to Native American Veterans – and took place in a variety of settings, including legal clinics, Veteran centers, and at recognition events for holidays like Memorial Day and Veterans Day.

DVS participated in 309 outreach events in the Western Region in 2019. This included outreach conducted at the New York State and Erie County (largest county fair in Nation) Fairs on their Veterans' recognition days. During these two events, Division personnel interacted with more than 1,000 Veterans, resulting in numerous Veterans seeking assistance for the first time to obtain benefits they earned due to their service. Another major event where Veterans Benefits Advisors assisted Veterans, Service members and their families was the "Buffalo Stand Down" that was sponsored by the Buffalo VA Medical Center. This is the largest Veterans event in Western New York with over 1,000 Veterans in attendance.

DVS participated in 218 outreach events in the Eastern Region in 2019. This included outreach from the southern end of the region with the Shinnecock Nation on Long Island to the northern end of the region at the Clinton Correctional Facility in Dannemora. DVS also participated in the 100th anniversary of the New York City Veterans Day Parade, marching alongside tens of thousands of Veterans, Service members, military families, and other participants. Further, the Division's Veterans Benefits Advisors attended local meetings at Veterans Service Organizations posts and halls, distributed Fresh Connect coupons at farmers markets, and interacted with the crowds at the Bethpage Air Show at Jones Beach State Park.

Women Veterans continue to be the largest growing subgroup of Veterans and outreach events specifically directed at Women Veterans continued in 2019. The Women Veterans Program Coordinator (WVPC) participated in a variety of events throughout the year across the state. Female VBAs also



attended events focused on Women Veterans. 2019 also saw the creation of the first Women Veterans Retreat in Western New York, which DVS helped to facilitate and at which DVS gave a presentation. This event was the culmination of roundtables in Western New York with Women Veterans, and it resulted in over 70 new referrals for Veterans who had otherwise little to no interaction with the State or federal systems.

When speaking about Women Veterans in New York, it is important to recognize that the needs of Women Veterans are unique based on gender as well as age. While the overall number of Veterans in New York State is declining, the number of Women Veterans is on the rise in New York State as well as nationally. Approximately 8% (58,984) of the 718,900 New York State Veterans are female. The Women Veterans population is on average younger than the male Veteran population, which creates differences in terms of the types of medical care, employment, and benefits that are important and necessary for Women Veterans. Unfortunately, policies to serve Veterans often fail to acknowledge the unique needs of Women Veterans.

Recognizing the increasing needs of this growing population, DVS has expanded the role of Women Veterans Program Coordinator by hiring its first-ever Deputy Director for Diversity, Equity, and Inclusion, dedicated to creating greater equity for Women Veterans as well as other marginalized portions of our Veteran population. This represents an unprecedented commitment to addressing current needs and anticipating future needs in serving all Veterans across New York State.

Thank you for reading the 2019
Annual Report of the New York
State Division of Veterans'
Services.