

**MINUTES  
of the  
SECOND MEETING  
of the  
MILITARY AND VETERANS' AFFAIRS COMMITTEE**

**July 20-21, 2010  
Student Services Center, Room 260  
University of New Mexico, Albuquerque  
City Hall, Rio Rancho**

The second meeting of the Military and Veterans' Affairs Committee (MVAC) for the 2010 interim was called to order by Senator David Ulibarri, co-chair, on Tuesday, July 20, 2010, at 10:00 a.m. in Room 260 of the Student Services Center of the University of New Mexico in Albuquerque.

**Present**

Sen. David Ulibarri, Co-Chair  
Rep. Thomas A. Garcia, Co-Chair (7/21)  
Rep. Elias Barela (7/20)  
Rep. Nathan P. Cote  
Sen. Eric G. Griego (7/20)  
Rep. Dianne Miller Hamilton  
Sen. John Pinto (7/21)

**Absent**

Sen. William E. Sharer

**Advisory Members**

Rep. Eliseo Lee Alcon  
Rep. Thomas A. Anderson  
Sen. Mary Jane M. Garcia (7/20)  
Rep. Karen E. Giannini  
Sen. Richard C. Martinez  
Rep. Rodolpho "Rudy" S. Martinez  
Sen. William H. Payne (7/20)  
Rep. Edward C. Sandoval (7/20)

Sen. Rod Adair  
Sen. Dianna J. Duran  
Rep. Kathy A. McCoy

**Guest Legislator**

Rep. James P. White

(Attendance dates are noted for those members not present for the entire meeting.)

**Staff**

Damian Lara  
Rebecca Griego  
Jennifer Rabinowitz

## **Guests and Handouts**

The guest list is in the meeting file. Copies of all handouts and written testimony are in the meeting file.

## **Tuesday, July 20 — Student Services Center, Room 260, University of New Mexico (UNM)**

### **Welcome and Introductions**

Members of the committee and staff introduced themselves.

### **Minutes**

Upon a motion by Representative Cote, seconded by Senator Ulibarri, the committee approved without objection the minutes from the first meeting of the MVAC held on June 10, 2010.

### **Welcome**

David W. Harris, executive vice president for administration, UNM, welcomed the committee and described UNM's 60-year relationship with the Reserve Officer Training Corps (ROTC). UNM has plans to expand its Veterans Resource Center.

### **UNM ROTC Programs and Overview**

Captain Ronald W. Kennedy, Naval ROTC, and Lieutenant Colonel Raul V. Garcia, Air Force ROTC, summarized ROTC's contribution to UNM. ROTC offers nationally competitive, merit-based college scholarships. Approximately 30% of UNM's ROTC students receive a scholarship that covers tuition, textbooks and university fees. Air Force ROTC scholarships amount to \$1.2 million over four years for 30 UNM students. ROTC also pays \$1.6 million toward UNM professors' and staff salaries. ROTC offers summer programs, such as "Project GO" (global officer), a language and culture immersion program. Overall, ROTC contributes \$5 million annually to UNM and has produced over 2,000 officers in the 60 years that it has been on campus. ROTC recommends amending New Mexico law to permit out-of-state ROTC recruits to qualify for in-state tuition.

Committee members explored ROTC admission standards, scholarships and recruiting processes. ROTC recruits have a 1,100 minimum SAT score, rank in the top 10% academically, pass rigorous physical tests and are engaged in volunteer activities in their communities. Students spend four to eight years in active duty (depending on military branch). Upon graduation, ROTC students earn approximately \$45,000, inclusive of housing costs. Scholarships to college can be unlimited, in which case, a ROTC student can go to a college of choice; or scholarships can be capped.

Army students who disenroll or fail the ROTC program must repay the scholarship money or enlist; the Navy does not require a refund of the scholarship. Students choose three areas of specialization upon completing three years of general college courses. ROTC also operates a junior ROTC in high schools. Students transferring from community colleges are entitled to the same scholarships as UNM students. ROTC aims to increase the number of

minorities in that program. Generally, 50% of ROTC recruits transfer from community colleges. The committee urged ROTC to expand recruitment from community colleges as a way to achieve greater diversity.

### **Higher Education**

Dr. Viola Florez, secretary, Higher Education Department (HED), and Brendan Trujillo, director, State Approving Agency (SAA), HED, discussed the need to standardize the evaluation and transfer of credits earned by military veterans in their pursuit of an undergraduate or graduate degree, including experience or training gained while enlisted. Secretary Florez said that establishing a standard protocol for evaluating credits is a challenge. While college general education courses are usually transferable within New Mexico colleges, higher-level courses are less uniformly transferable. Both Secretary Florez and Mr. Trujillo recognized the need for veterans to receive credit for their in-service experience.

Committee members asked whether courses across colleges could be more uniformly defined. Secretary Florez explained that naming and defining the content of a course remains at the discretion of individual schools. The HED has created an "articulation committee", which is responsible for defining general education courses.

Committee members asked about the ability of students to appeal an adverse determination of transfer credit. Secretary Florez said that students may lodge a complaint, which is an online process. Secretary Florez added that the HED has not received one appeal or complaint since she took office. Committee members responded that students may feel that it is not worth the effort if the system will not respond.

Committee members noted that the military offers more high-level, specialized courses and fewer general education courses, which, under the present system, precludes students from receiving a transfer of credit. Secretary Florez explained that her department evaluates schools' decisions to determine if a valid transfer or rejection was made. The HED is hampered in that process, however, in that the HED has no way of identifying a student as a veteran. Committee members saw this as a problem because of time limitations in accessing G.I. Bill benefits. Secretary Florez said that the SAA was transferred to the HED to address this issue. She said there are 33,000 veterans in New Mexico who are eligible for educational benefits, but the HED does not know how many are using those benefits.

### **University Educational Resources**

Elise Wheeler, lieutenant colonel, United States Air Force (Retired), and director of the veterans resource center; Roberta L. Derlin, associate vice president for student success and associate dean, New Mexico State University (NMSU); and Laura Grant, student and veteran affairs coordinator, Office of Veterans Programs, discussed the range of services offered to students who are military veterans and challenges to improving those services. UNM's Veterans Resource Center is a veteran-run, centralized resource for veterans and their families. It was established in 2009 and seeks to increase admission and graduation rates of veterans. The number of students who are military veterans at UNM increased by 40% between 2009 and

2010. The complexity of navigating the G.I. Bill challenges students' ability to get access to the full range of benefits available to them. Further, there is no protocol for evaluating transfer credits for military coursework and experience. The timing in which credits are awarded to a student who is a veteran can affect a student's eligibility for certain kinds of federal student loans. Lieutenant Colonel Wheeler urged the HED to enter into discussions with stakeholders on these issues.

NMSU is expanding its services to students who are veterans. NMSU's Center of Excellence for Veteran Student Success (CEVSS) aims to be a single point of contact for veterans' academic, financial, physical and social needs. The process of identifying and establishing an expanded CEVSS program will involve collaboration between NMSU students who are veterans and supervisors from NMSU's services departments. NMSU estimates that, systemwide, it has almost 1,300 student's who are veterans and their dependents.

Committee members focused on evaluating and transferring credits for military coursework or experience. Committee members opined that the process of getting access to G.I. Bill benefits should be streamlined and simple. Lieutenant Colonel Wheeler agreed, saying a trained staff member who can sit down with students who are veterans to tailor their educational paths and to inform them about financial aid is needed.

Committee members asked Mr. Trujillo if the SAA kept a formalized list of criteria for transferring and awarding credits. Mr. Trujillo said the SAA will be working with New Mexico schools and will get back to the committee with its results at the next MVAC meeting. Committee members invited UNM and NMSU veteran centers to submit a list of their needs to the MVAC. Committee members also invited recommendations for a bill in November.

The committee passed a motion to write a letter of support for a grant request to the HED on behalf of the UNM Veterans Resource Center. Finally, the committee passed a motion to write a certificate of recognition to a homeless veteran seen folding a tattered American flag.

### **Interstate Compact on Educational Opportunity for Military Children**

Dr. Sheila Hyde, deputy secretary, and Rod Ventura, deputy general counsel, Public Education Department, summarized the Interstate Compact on Educational Opportunity for Military Children, of which New Mexico is a signatory. The compact was created to remove barriers to educational success imposed on children of military families that must frequently relocate. The compact was drafted by the federal Department of Defense (DoD) and the Council of State Governments' Military Interstate Children's Compact Commission and has been submitted to all 50 states. The New Mexico Legislature adopted an amended version of the compact in 2010. As amended, rules enacted by the commission do not supersede New Mexico laws, and New Mexico may withdraw from the compact without having to wait one year upon notice.

The compact requires New Mexico to form a state compact council consisting of the secretary of public education, a superintendent of a school district with a high concentration of

military children, a representative of a military installation, a representative from the executive branch of state government and representatives of any other offices or stakeholder groups that the state compact council deems necessary. The state compact council must designate a military family educational liaison to assist military families and the state. The governor must appoint a state compact commissioner. Neither the liaison nor the compact commissioner is a voting member of the state compact council. The compact specifies the conditions by which New Mexico public schools will administer to the needs of military children. Among other things, enrolled military children are afforded 30 days in which to obtain required immunizations. Further, New Mexico public schools are required to place military children in the same classes that they had in their previous school, pending placement testing. Schools must honor class placements and educational assessments from sending schools, and military children must have an opportunity to join extracurricular activities, regardless of deadline. Military children are to receive needed excused absences if a parent is deployed or on leave. A military child can be enrolled in school by a non-parent possessing a power of attorney. New Mexico public schools must waive courses required for graduation if similar coursework was taken elsewhere and must accept exit or end-of-course exams taken from a sending state. Military students ineligible to graduate from a receiving school may receive a diploma from the sending school, provided that all graduation requirements are met.

Committee members asked how public schools are conforming with the compact's requirements. Dr. Hyde said that New Mexico schools are in compliance.

Committee members asked about conflicting immunization policies. The Department of Health and the PED will have to amend existing rules to comply with the compact.

Committee members asked about military children's ability to join extracurricular activities. Dr. Hyde said that these requirements would either have to be changed or waived.

### **School and Family Support at Kirtland Air Force Base**

Molly Hayes, flight chief, Airmen and Family Services, summarized the role of Kirtland Air Force Base's School Liaison Office (SLO). The SLO coordinates and assists military and DoD civilian parents to maximize educational opportunities for their children. Challenges that military children face include transfer of records, immunization requirements, calendars and schedules, graduation requirements, extracurricular activities and special educational needs. The SLO promotes parental involvement in children's education; develops and coordinates community educational partnerships; helps parents overcome obstacles associated with the military lifestyle; and educates the community regarding the needs of the military. Ms. Hayes highlighted school choice and special education as priorities of the SLO. Ms. Hayes also suggested that New Mexico public schools adjust attendance policies for children with a family member being deployed; increase educators' awareness of military culture; facilitate transfer of classes between host and receiving schools; and create protocols for the timely transfer of records.

Committee members asked about the experiences of military families in educating their

children. Ms. Hayes said that the quality of schools is a major concern of military parents and is a determinant of whether a family lives on- or off-base. DoD schools have a 99% graduation rate and are awarded millions of dollars in scholarships. Committee members suggested that the SLO establish a relationship with local parent-teacher associations. Committee members thanked Ms. Hayes and said that the MVAC is a resource for the SLO.

Following the presentation, Senator Ulibarri recessed the meeting at 3:55 p.m.

### **Wednesday, July 21 — City Hall, Rio Rancho**

The second meeting of the MVAC for the 2010 interim was called back into session by Senator Ulibarri on Wednesday, July 21, 2010, at 9:00 a.m. at the City Hall in Rio Rancho.

#### **Welcome**

James C. Jimenez, city manager, Rio Rancho, welcomed the committee and described Rio Rancho as home to a large number of veterans and their families. Committee members asked where Rio Rancho is getting its water. Mr. Jimenez said that Rio Rancho has no source of surface water and depends on aquifers. The city is working on developing long-term solutions, including working on an injection process. New Mexico's water compacts complicate that undertaking. He said that Rio Rancho relies on high taxation of water to encourage conservation.

#### **Posttraumatic Stress Disorder and Traumatic Brain Injury**

George Marnell, director of the Veterans Administration (VA) health care system, Dr. Virginia Porterfield, co-director for behavioral health care line/chief of psychiatry, and Loren Pierce, Veterans Service Center manager, Albuquerque Regional Office, Veterans Benefits Administration, U.S. Department of Veterans Affairs, summarized existing services for treating veterans with posttraumatic stress disorder (PTSD) or traumatic brain injury. The VA Albuquerque office offers psychiatric services, counseling and evidence-based psychotherapy to veterans with military-related PTSD. PTSD-related treatment programs include substance abuse, trauma and rehabilitation residences; a women's stress disorder treatment team; a military sexual therapy group; a World War II/Korean Conflict support group; and a Native American talk circle group. A day treatment program and acute inpatient care are available to veterans with PTSD. All veterans desiring care receive comprehensive care by a primary care provider, registered nurse or social worker and a mental health provider. Veterans attend a five-week psychoeducational group, which can be specialized (e.g., for veterans with substance abuse issues). Veterans of all wars can receive PTSD treatment. Mr. Marnell said that for a long time there were no measurements for PTSD and medication had been marginal in treating it. Today's treatment approach, which is evidence-based, is an intensive therapeutic intervention, but it requires a veteran's commitment to treatment.

Committee members asked for examples of noncombat-related trauma. The panel replied that anything that can traumatize a civilian can traumatize a veteran or G.I. Committee members asked what kind of evidence is required for a diagnosis of PTSD. Mr. Marnell said a "major"

change in standards by which the VA determines PTSD has taken place, so that a veteran's exposure to traumatic events no longer needs to be documented.

Committee members suggested that veterans might be frustrated in navigating the VA system and might even resort to drug use as a form of self-medication in the absence of help. Mr. Marnell said the Veterans Benefits Administration is responsible for adjudicating benefits and determining whether a symptom is service-related. VA providers conduct a medical exam, but the determination is made by the Veterans Benefits Administration. All veterans get help within 30 days, and if immediate help is needed, a veteran will be seen immediately.

Committee members asked about finding and treating homeless veterans. The VA does homeless outreach through a medical van and at veteran centers. The VA also provides mental health therapy to military families. The VA routinely screens veterans for suicide, depression, substance use and other mental health conditions. If one or more of these conditions is found, a veteran is referred to a clinic and is assigned to a clinician within 14 days. Unless a veteran is in imminent danger, the veteran is responsible to attend an appointment.

Committee members inquired about compensation to veterans for service-related injuries. Compensation is based on the nature and degree of physical disabilities and stressors, as determined by the VA.

### **Veterans First Jail Diversion Grant**

Harrison Kinney, executive manager, and Hoyt Roberson, clinical supervisor, Presbyterian Medical Services' Behavioral Health Services Division (BHSD), discussed the Jail Diversion Program, whose mission is to provide trauma-informed behavioral health and substance abuse treatment alternatives for New Mexico veterans in contact with the legal and judicial systems. The program diverts veterans with trauma spectrum disorders from the justice system, increases awareness by law enforcement and the courts of trauma-related reaction and builds treatment providers' capacity to provide trauma-informed behavioral health services. The BHSD plans on developing a model of services statewide based on its study and development of a "best practices" model of treatment for veterans with PTSD who are in contact with the justice system, and it will use data collected by the state to apply for Substance Abuse and Mental Health Services Administration and other funding.

Committee members commented that people with mental illness in jails are often forgotten. Committee members asked whether the Jail Diversion Program has benefited veterans. Veterans in the program are tracked through a before-and-after set of interviews and by tracking clients' use of services. Committee members observed that the New Mexico prison system has no way of knowing who among its population is a veteran. Committee members asked at what point in the judicial process does the program intersect, which is at the pretrial stage and during parole or probation.

### **State Response to Jet Fuel Leak**

James P. Bearzi, chief of the Hazardous Waste Bureau, Department of Environment,

discussed the spread of a plume of leaked jet fuel from Kirtland Air Force Base into Albuquerque's ground water. The leaked fuel, which is one-foot to three-feet thick, has migrated off Kirtland Air Force Base toward residential areas in Albuquerque and is threatening drinking water. The leaked fuel contains contaminants that are known to be carcinogenic. The state and Kirtland have been aware of the leak for 10 years, but they realize it is a bigger problem than originally thought. The state does not know how fast or in what direction the plume is traveling or from how many sources leaks are occurring. Mr. Bearzi urged the state to take an aggressive approach toward the military in its response to the problem. He said the Air Force needs to keep the public informed about the issue, and progress being made. He said the Air Force immediately needs to: (1) complete studies of the tank farm, piping and fuel offloading rack to determine leakage; (2) identify where the fuel is reaching ground water supplies; (3) study the composition and spread of the plume; (4) draw new boreholes for soil sampling from surface to ground water; (5) establish new soil-gas monitoring sites; (6) excavate contaminated soil to a depth of 20 feet; and (7) install early detection ground water monitoring wells. Mr. Bearzi estimates that 500,000 people would be affected by the plume's spread.

Committee members inquired about the plume's potential health effects on people. The contaminants are carcinogenic if residents consume a lot of the ground water. Committee members said they want information on all wells in Albuquerque, not just those wells the Air Force is paying to have monitored.

#### **Kirtland Air Force Base — Update and Status**

Colonel Matthew Bartlett, commander, Mission Support Group, gave an overview of Kirtland Air Force Base operations and its contribution to New Mexico and the Albuquerque community. Kirtland has 20,721 personnel and 777 buildings located on 51,606 acres. Kirtland is the largest employer in the state and offers an average salary of \$75,000. It brings in \$56 million in payroll/job creation in New Mexico. Kirtland sees education as a national security challenge, and to that end it seeks to strengthen science curricula, investing \$5 million per year in K-12 and university educational institutions, as well as to strengthen professional development in the sciences. Currently, 42,000 students from 326 schools in 76 districts have participated in Kirtland's educational science initiatives.

#### **Office of Military Base Planning and Support**

Brigadier General Hanson Scott, United States Air Force (Retired), director, Office of Military Base Planning and Support, gave an update on the Air Force's operations and bases in New Mexico, as well remediation efforts of a fuel leak that has migrated from Kirtland Air Force Base toward residential ground water supplies. Brigadier General Scott characterized remediation of the leak, which has been absorbed to a depth of 500 feet, as a challenge.

Committee members' questions focused on remediation efforts. The Air Force has considered pumping the fuel out from the ground, but that approach will leave an environmental trail. The Air Force is looking at other solutions and technologies, such as destroying the vapors as the fuel oil is brought to the surface, bioremediation and other solutions.

Committee members expressed concern for the residential communities in the path of the plume and inquired how long it would take to remove. Brigadier General Scott said that he did not know.

Committee members inquired about planned realignment of bases. Brigadier General Scott replied that legislation would have to be passed first, but that Kirtland, Holloman and White Sands will be "in good shape". Committee members observed that they have spent a lot of time talking about the welfare of veterans, but less attention has been given to bases. They inquired about ways to help the bases. Brigadier General Scott replied that the Air Force sees land use and renewable energy initiatives as important and invited legislators to the bases to learn more about operations there.

Committee members inquired about the status of Fort Wingate. Mr. Lara referred to a 2020 plan to have Fort Wingate remediated and placed in the jurisdiction of the Navajo Nation and the Pueblo of Zuni. Committee members asked that Fort Wingate be placed on November's agenda. Committee members also expressed an interest in extending the gross receipts tax reduction on military bases, which expires on September 30.

### **Adjourn**

There being no further business before the committee, the second meeting of the MVAC was adjourned at 2:26 p.m.