

**DISTRICT OF COLUMBIA**  
**OFFICIAL CODE**

**TITLE 49.**  
**MILITARY.**

**CHAPTER 10.**  
**OFFICE OF VETERANS AFFAIRS.**

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**DISTRICT OF COLUMBIA OFFICIAL CODE**  
**CHAPTER 10. OFFICE OF VETERANS AFFAIRS.**

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# **CHAPTER 10. OFFICE OF VETERANS AFFAIRS.**

## **§ 49-1001. DEFINITIONS.**

For the purposes of this chapter, the term:

- (1) "Benefit" means any payment, service, commodity, function, or status, entitlement to which is determined under laws administered by the U.S. Department of Veterans Affairs or by any agency of the District government that affects veterans, their dependents, or their survivors.
- (2) "Claim" means an application made pursuant to:
  - (A) Title 38 of the United States Code, and implementing regulations, for entitlement to U.S. Department of Veterans Affairs benefits, reinstatement, continuation, or increase of benefits, or the defense of a proposed agency adverse action concerning benefits; and
  - (B) District of Columbia law or regulations for entitlement to benefits, reinstatement, continuation, or increase in benefits, or the defense of proposed agency adverse action concerning benefits.
- (3) "Resident of the District" means:
  - (A) An individual who currently lives in the District of Columbia and has no present intention of moving elsewhere; or
  - (B) An individual who previously lived in the District, is temporarily absent from the District, and intends to return to live permanently in the District after the temporary absence.
- (4) "Veteran" means any individual who:
  - (A) Has previously served on active duty in the United States Army, Air Force, Navy, Marine Corps, or Coast Guard, or served as a Merchant Marine between December 7, 1941 and August 15, 1945, has been honorably discharged or relieved from active duty, and has served for a minimum of 2 years, unless:
    - (i) Earlier release was granted because the individual was wounded or injured in the line of duty and rendered unfit for further service; or
    - (ii) The individual was released prior to 2 years of active duty for the convenience of the government; and
  - (B) Is a resident of the District.

(Oct. 3, 2001, D.C. Law 14-28, § 702, 48 DCR 6981.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Emergency Act Amendments*

For temporary (90 day) addition of section, see § 702 of Fiscal Year 2002 Budget Support Emergency Act of 2001 (D.C. Act 14-124, August 3, 2001, 48 DCR 7861).

#### *Legislative History of Laws*

Law 14-28, the "Fiscal Year 2002 Budget Support Act of 2001", was introduced in Council and assigned Bill No. 14-144, which was referred to the Committee Of the Whole. The Bill was adopted on first and second readings on May 1, 2001, and June 5, 2001, respectively. Signed by the Mayor on June 29, 2001, it was assigned Act No. 14-85 and transmitted to both Houses of Congress for its review. D.C. Law 14-28 became effective on October 3, 2001.

## **§ 49-1002. ESTABLISHMENT OF THE OFFICE OF VETERANS AFFAIRS; APPOINTMENT OF DIRECTOR; COMPENSATION OF DIRECTOR; ORGANIZATION.**

- (a) There is established an Office of Veterans Affairs ("Office").
- (b) The Mayor shall appoint a Director of the Office with the advice and consent of the Council, pursuant to § 1-523.01. The Director shall be responsible for the management and operation of the Office and shall serve at the pleasure of the Mayor.
- (c) The Mayor shall fix the compensation of the Director pursuant to subchapter IX of Chapter 6 of Title 1.
- (d) The Director is authorized to hire staff in the Career Service, consistent with budgetary authorization, as he or she deems necessary to perform the functions of the Office. The Director may engage qualified volunteers in accordance with District law.
- (e) The Director shall have authority to delegate to other employees of the Office any of the Director's duties and powers.

(Oct. 3, 2001, D.C. Law 14-28, § 703, 48 DCR 6981.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Emergency Act Amendments*

For temporary (90 day) addition of section, see § 703 of Fiscal Year 2002 Budget Support Emergency Act of 2001 (D.C. Act 14-124, August 3, 2001, 48 DCR 7861).

##### *Legislative History of Laws*

For Law 14-28, see notes following § 49-1001.

### **§ 49-1003. PURPOSES OF THE OFFICE OF VETERANS AFFAIRS.**

The primary purpose of the Office is to provide advocacy support, as appropriate, and information services to veterans, their dependents, and their survivors concerning federal and District laws and regulations affecting benefits and claims as defined in this chapter. The Office shall:

- (1) Provide assistance to veterans, their dependents and survivors that augments, and is not be duplicative of, assistance already provided to District residents by other District agencies;
- (2) Assist veterans, their dependents and survivors receive all benefits to which they are entitled from the District and federal governments;
- (3) In addition to its annual appropriation, endeavor to secure support for its operations from outside the District government, including the solicitation and receipt of donations, grants, and volunteer services in accordance with District law;
- (4) Satisfy the unmet needs of veterans, their dependents and survivors through federal benefits insofar as practicable instead of through District government benefits;
- (5) Assist unemployed and under-employed veterans in finding suitable employment;
- (6) Partner with federal and state governments, veterans service organizations, community groups, corporations, and other organizations to identify the needs of veterans, their dependents and survivors, and design and implement programs and services to meet these needs;
- (7) Educate the public, including District residents and employers, about the rights and needs of veterans, their dependents and survivors;
- (8) Obtain recognition of the Office by the U.S. Department of Veterans Affairs as the "State organization" for the District of Columbia;
- (9) Employ and train, as needed, individuals who are accredited by the U.S. Department of Veterans Affairs;
- (10) Establish a database on veterans, including an archive of DD-214's and other documents required in the adjudication of veterans' claims, and linkages with federal databases;
- (11) Research the demographics of veterans and analyze their needs and priorities;
- (12) Inform and counsel veterans, their dependents and survivors concerning benefits, procedures for filing claims, and status of claims when the Office is assisting in the claims process;
- (13) Provide, or assist in securing representation for appeals by veterans, their dependents and survivors to the federal Board of Veterans Appeals;
- (14) Liaison with the U.S. Department of Veterans Affairs, other federal agencies, state and local government agencies, community groups, veteran service organizations, other organizations, and individuals to promote veterans issues;
- (15) Pursue opportunities through public-private partnerships with veterans service organizations, businesses, labor organizations, religious organizations, private charities, and others to serve veterans more effectively;

(16) In collaboration with the Mayor, initiate, review, and support legislation beneficial to veterans, their dependents, and their survivors;

(17) Propose programs and services that are specific to meet the changing needs of veterans, from all service periods, and their dependents and survivors;

(18) Engage volunteers to assist the Office, including from veterans service organizations and the work-study and work therapy programs of the U.S. Department of Veterans Affairs;

(19) Prepare the Office's annual budget for use by the Mayor and the District's Chief Financial Officer;

(20) Prepare an annual report for the Mayor and the Council on the Office's activities and recommendations;

(21) Monitor and evaluate the quality of services that the District and federal governments furnish to veterans, their dependents and survivors;

(22) In accordance with District law, solicit, receive, and use donations of money and services from individuals and organizations, including funds and services to assist in maintaining and repairing the D.C. Veterans War Memorial and surrounding flora;

(23) Coordinate with and, on request, advise the Mayor and other agencies of the District government concerning veteran-related issues;

(24) At the Mayor's request, represent the District government at veteran-related events and programs; and

(25) Engage in other activities as needed to carry out the purposes of this chapter.

(Oct. 3, 2001, D.C. Law 14-28, § 704, 48 DCR 6981.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Emergency Act Amendments*

For temporary (90 day) addition of section, see § 704 of Fiscal Year 2002 Budget Support Emergency Act of 2001 (D.C. Act 14-124, August 3, 2001, 48 DCR 7861).

##### *Legislative History of Laws*

For Law 14-28, see notes following § 49-1001.

## **§ 49-1004. ESTABLISHMENT OF THE OFFICE OF VETERANS AFFAIRS FUND.**

(a) There is established an Office of Veterans Affairs Fund ("Fund") into which monies received from federal payments, grants, donations, and other funds for the Office shall be deposited. The Fund shall be continuing. Revenues deposited into the Fund shall not revert to the General Fund at the end of any fiscal year or at any other time, but shall be continually available to the Office for the purposes and functions described in this chapter, subject to authorization by Congress in an appropriations act.

(b) The Mayor shall report annually to the Council on the revenues and activities of the Fund.

(Oct. 3, 2001, D.C. Law 14-28, § 705, 48 DCR 6981.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Emergency Act Amendments*

For temporary (90 day) addition of section, see § 705 of Fiscal Year 2002 Budget Support Emergency Act of 2001 (D.C. Act 14-124, August 3, 2001, 48 DCR 7861).

##### *Legislative History of Laws*

For Law 14-28, see notes following § 49-1001.

##### *Miscellaneous Notes*

Establishment - Advisory Board on Veterans Affairs, see Mayor's Order 2001-92, June 29, 2001 (48 DCR 6011).

Amendment of Mayor's Order 2001-92, dated 6-22-01, Establishing the Advisory Board on Veterans Affairs for D.C. and Appointments, see Mayor's Order 2002- 142, August 30, 2002 (49 DCR 8406).

## **§ 49-1005. TRANSFERS; ABOLISHMENT.**

(a) All positions, property, records, and allocations available or to be made available to the Department of

Human Services for the veterans affairs functions set out in Reorganization Plan No. 2 of 1979, effective February 21, 1980, Reorganization Plan No. 3 of 1986, effective January 3, 1987 (part B of subchapter VII of Chapter 15 of Title 1, D.C. Official Code), and Department of Human Services Organization Order No. 169, effective March 2, 1988, are hereby transferred to the Office of Veterans Affairs established by this chapter.

(b) The Office of Veterans Affairs, established as an organizational component of the Department of Human Services by section IV(a)(2) of Reorganization Plan No. 2 of 1979 (part A of subchapter III of Chapter 15 of Title 1, D.C. Official Code), and Reorganization Plan No. 3 of 1986, is abolished.

(Oct. 3, 2001, D.C. Law 14-28, § 706, 48 DCR 6981; Mar. 13, 2004, D.C. Law 15-105, § 88, 51 DCR 881.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Effect of Amendments*

D.C. Law 15-105 validated a previously made technical correction.

##### *Emergency Act Amendments*

For temporary (90 day) addition of section, see § 706 of Fiscal Year 2002 Budget Support Emergency Act of 2001 (D.C. Act 14-124, August 3, 2001, 48 DCR 7861).

##### *Legislative History of Laws*

For Law 14-28, see notes following § 49-1001.

Law 15-105, the "Technical Amendments Act of 2003", was introduced in Council and assigned Bill No. 15-437, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on November 4, 2003, and December 2, 2003, respectively. Signed by the Mayor on January 6, 2004, it was assigned Act No. 15-291 and transmitted to both Houses of Congress for its review. D.C. Law 15-105 became effective on March 13, 2004.

## **§ 49-1006. RULEMAKING.**

In accordance with subchapter I of Chapter 5 of Title 2, the Mayor is authorized to promulgate rules and regulations as necessary to implement this chapter.

(Oct. 3, 2001, D.C. Law 14-28, § 707, 48 DCR 6981.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Emergency Act Amendments*

For temporary (90 day) addition of section, see § 707 of Fiscal Year 2002 Budget Support Emergency Act of 2001 (D.C. Act 14-124, August 3, 2001, 48 DCR 7861).

##### *Legislative History of Laws*

For Law 14-28, see notes following § 49-1001.