Policy GPS

Guidelines and Practical Solutions

The Virginia Conservative Leaders Network

In the dynamic landscape of Virginia's political arena, where diverse voices and competing interests shape the Commonwealth's future, there exists a pressing need for clear, principled guidance.

Policy GPS serves as that essential tool—a comprehensive roadmap designed to steer legislators, legislative aides, campaigners, candidates, and policy advocates toward policies that champion individual liberty while addressing the real-world challenges facing Virginians.

Much like a satellite navigation system (GPS) that provides reliable directions to reach a destination efficiently and safely, Policy GPS offers a strategic direction of travel for Virginia's governance. It focuses on articulating reasonable, liberty-supporting policies that promote personal freedom, economic opportunity, limited government intervention, and community resilience. By drawing on timeless principles of liberty—rooted in Virginia's rich history as the birthplace of American independence—this guide equips users with the insights and language needed to craft, debate, and implement reforms that empower individuals and foster prosperity. Produced by the Virginia Conservative Leaders Network (VCLN), a coalition of leading organizations including the Middle Resolution, Virginia Institute, Thomas Jefferson Institute, The Family Foundation, Virginia Citizens Defense League, Americans for Prosperity, and Virginia Fair Elections, Policy GPS covers an array of key policy areas.

Each section provides in-depth analysis, key facts, rebuttals to common opposition arguments, and practical guidance for advancing liberty-oriented solutions.Whether you're drafting legislation, building a campaign platform, or advising on policy matters, Policy GPS is your compass for advancing a freer, more vibrant Virginia. As we navigate the complexities of modern governance, let this guide inspire action toward policies that honor the Commonwealth's legacy and secure a brighter tomorrow for all.

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For ease of reference, the following color-coding is used at the top of each page to show the broad policy area covered, according to which of the organizations comprising VCLN has taken the lead on the particular area. Note that some issues may cut across more than one policy area:

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Energy	Thomas Jefferson Institute	41	
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This book is a collaborative effort among the organizations listed above, all of which are members of the Virginia Conservative Leaders Network (VCLN). Not all VCLN member organizations engage in every policy area; therefore, it should not be assumed that each organization holds a position on every policy discussed.

HOW TO USE THIS BOOK

In general, each section of the book follows the following format:

In a nutshell... The section begins with a general overview of the policy area. It explains the reason *why* liberty-minded conservatives care about the policy issue. It outlines the overview of what the problem is, and the general nature of our proposed solution. *[Example: Education's In a nutshell covers declining test scores despite increased education spending, and explains that greater parental choice in education will be the solution]*

Key statistic The key statistic highlihgts the most important statistic within that policy area. If you remember one fact from any section, this one is critical. Some policy area have more than one statistic in this section. *[Example: Healthcare - Virginia has far fewer Ambulatory Service Centers (ASCs) than comparable states because of outdated Certificate of Public Need laws]*

Each policy area is then subdivided into a number of **issues**, typically between 4 and 8 issues per policy area.

The first page provides an explanation of the issue, followed by **key facts and figures** for that issue.

The second page provides additional detail, and explains the stark choice: **If we do nothing...** compared with **If we take action...**.

The third page is effectively a **debate prep** page. This tells you what your opponents are likely to say. **"They'll say"** lists the common arguments, with rebuttals in plain language. This enables you to respond quickly. During a radio debate, for example, it's possible to use Policy GPS in real time: radio listeners cannot see what you are doing.

The section then concludes with our overall recommendations:

Our **top 3 legislative priorities for Virginia** may be of more interest to legislators and legislative aides, providing suggestions for starting points. For each of these, we explain **what it does**, **why Virginia needs it, the numbers**, and, where appropriate, an explanation of **the political landscape**.

The **elevator pitch** provides the simplest possible explanation of our views, aimed at a brief 15-30 second conversation with a member of the public.

The **Top 3 statistics for Virginia** and **Most Effective Argument for Virginia** offer summaries of key information.

Additional resources provide information about who to contact, in the event that more information or additional referencing is required for any reason.

There is a **QR code** on the back of the print edition of this book; many of the statistics are linked in the online version. The online version is a living document; it will continue to be updated and additional sections and supporting references will continue to be added online over time.

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HEALTHCARE

In a nutshell...

Virginia faces a healthcare crisis that demands immediate legislative action. Despite being home to world-class medical facilities and talented healthcare professionals, regulatory barriers prevent Virginians from accessing the care they need at prices they can afford. The maternal mortality rate was 28.5 per 100,000 live births, with a rate of 26.3 per 100,000 among White women and 43.9 per 100,000 among Black women (2017-2021). Meanwhile, decades-old Certificate of Public Need (COPN) laws force patients to wait longer for critical services while protecting incumbent providers from competition.

The solution requires a multi-pronged approach: reforming COPN laws that artificially restrict healthcare supply, expanding the scope of practice for qualified healthcare professionals who are currently underutilized, creating innovation pathways for new healthcare delivery models, and establishing portable benefits that support the modern workforce. These reforms work together to create a healthcare system that puts patients first while reducing costs and improving outcomes.

The core principle legislators should remember: Healthcare regulations should protect patient safety while maximizing access to care. Virginia can maintain high standards of medical care while eliminating bureaucratic barriers that serve no legitimate public purpose beyond protecting established providers from competition.

Key Statistic

Virginia has about one-third as many ASCs as Pennsylvania and four-tenths as many as Ohio due to COPN restrictions, demonstrating how these laws limit healthcare access compared to neighboring states.

Issue #1: Targeted Certificate of Public Need (COPN) Reform

Virginia's Certificate of Public Need laws are literally killing patients by forcing them to travel farther and wait longer for life-saving care. COPN restricts access for Virginia's most vulnerable patients. These 1973-era regulations require healthcare providers to get government permission before opening new facilities or even purchasing medical equipment, creating an absurd system where competitors can block needed services from entering their markets.

The human cost is staggering: mothers dying from preventable complications because the nearest maternity ward is hours away, heart attack victims losing precious minutes traveling to distant cardiac centers, and mental health patients unable to access treatment because bureaucrats decided their community doesn't "need" more psychiatric beds. CON laws are a restriction on the supply of facilities and services that economic research shows consistently leads to higher costs and reduced quality.

Legislators should champion targeted COPN reform focusing on four critical areas—cardiology, maternal care, imaging, and behavioral health—because these services directly impact life-and-death outcomes. This isn't about eliminating all healthcare regulations; it's about removing barriers that prevent doctors from saving lives.

Key Facts & Figures

- The infant mortality rate in Virginia is 5.9 per 1,000 live births with significant racial disparities
- Non-Hispanic Black women had an infant mortality rate of 10.1, twice that for non-Hispanic White women (4.6 per 1,000 live births)
- Virginia has about one-third as many ASCs as Pennsylvania and four-tenths as many as Ohio on a per capita basis
- Virginia has one-eighth as many rural ASCs as Pennsylvania and one-twelfth as many as Ohio per rural resident
- Applications face a 190-day review process under current COPN procedures
- Capital expenditures of $15 million or more require COPN approval for non-general hospitals

Virginia's Certificate of Public Need (COPN), sometimes referred to as CON (Certificate of Need), program was created in 1973 by a federal mandate. The statute enabled the federal government to withhold federal funds from states that failed to adopt CON regulations in healthcare. The federal mandate was repealed in 1986, but Virginia's program remains.

The original promise was that COPN would control costs and increase access to care by preventing "unnecessary duplication" of services. Its original purpose was to control cost and increase access to care, but it has failed to do either. Instead, COPN created a system where existing providers can effectively veto their competition, leading to regional monopolies that charge higher prices for lower-quality care.

Virginia's COPN program is one of the more comprehensive CON programs in the country. The scope is breathtaking: providers must obtain government approval before establishing new medical facilities, adding beds or operating rooms, converting beds between uses, introducing new services like cardiac catheterization or psychiatric care, or even purchasing CT scanners or MRI machines. The process for obtaining a CON or COPN can take years and tens or even hundreds of thousands of dollars in preparation costs.

The targeted reforms we propose focus on four areas where evidence shows COPN causes the greatest harm: maternal care (where rural mothers face dangerous gaps in access), behavioral health (amid a mental health crisis with 126 underserved communities), medical imaging (where diagnostic delays lead to late-stage cancer diagnoses), and cardiology (where time-sensitive interventions save lives). These aren't abstract policy debates—they're matters of life and death for Virginia families.

If We Do Nothing...

Virginia will continue to lag behind neighboring states in healthcare access and affordability. Maternal mortality rates will remain scandalously high, particularly for Black mothers who already face a mortality rate 67% higher than white mothers. Rural communities will lose more healthcare services as protected monopolies cherry-pick profitable urban markets while neglecting underserved areas. Wait times for diagnostic imaging will grow longer, leading to more late-stage cancer diagnoses and preventable deaths. Mental health services will remain inaccessible for the 126 underserved communities across Virginia, exacerbating the suicide and overdose epidemics. Healthcare costs will continue to rise faster than in competitive states, making Virginia less attractive for businesses and families. The state will forfeit billions in potential healthcare investment as providers choose to expand in states without COPN barriers.

If We Take Action...

Targeted COPN reform will unleash a wave of healthcare innovation and investment in Virginia. New maternity wards will open in underserved areas, reducing travel times for expectant mothers and saving lives. Mental health facilities will expand to meet desperate community needs without waiting years for bureaucratic approval. Diagnostic imaging centers will proliferate, catching cancers earlier when they're most treatable. Cardiac care will become accessible in more communities, ensuring heart attack victims get treatment within the golden hour. Competition will drive down prices while improving quality, as providers compete for patients rather than protecting monopolies. Most importantly, Virginia will demonstrate that patient needs, not political connections, should determine healthcare access.

Issue #1: COPN Reform
Rebuttal: How to defeat the most common opposition arguments

They'll say: "COPN ensures charity care for the poor by requiring providers to cross-subsidize unprofitable services"

There is **no evidence** to suggest that states with COPN provide more charity care. In fact, COPN states often have **less charity care** because monopoly providers face no competitive pressure to serve low-income patients.

Free-market competition creates more options for everyone, including the poor.

They'll say: "Without COPN, we'll have unnecessary duplication of services that wastes healthcare resources"

The market is far better than government bureaucrats at determining what services communities need.

Studies consistently demonstrate that states without COPN laws have:

- More healthcare facilities per capita
- Shorter wait times for critical services
- Better access to specialized care in rural areas
- Lower healthcare costs
- No decrease in quality outcomes.

They'll say: "Rural hospitals will close if we allow competition in profitable service lines"

COPN actually harms rural areas the most. Compared with non-COPN states Pennsylvania and Ohio, Virginia is the one that has seen a decline in rural ambulatory surgical centers per capita. Protecting inefficient monopolies doesn't save rural healthcare—it strangles it.

Issue #2: Expanding Scope of Practice for Healthcare Professionals

Virginia faces a healthcare provider shortage that's only getting worse, yet we're forcing highly trained nurses and physician assistants to practice with one hand tied behind their backs. Virginia Law states that one physician is allowed to collaborate with up to six nurse practitioners. This arbitrary restriction means communities go without care simply because we won't let qualified professionals use their full training.

Nurse practitioners complete rigorous graduate education and pass national certification exams, yet Virginia treats them like perpetual students who need constant supervision. For more than 50 years, every major study on NP care – over 100 – have shown that nurse practitioners' patient health outcomes meet or exceed the results from other providers. Meanwhile, in 40 states and DC, NPs can sign death certificates and practice with greater autonomy than Virginia allows.

Legislators should champion scope of practice expansion because it's the fastest, most cost-effective way to increase healthcare access. This reform costs taxpayers nothing while immediately expanding care options for constituents. More than 88% of all NPs are certified to provide primary care. Why would we artificially restrict their ability to serve patients when Virginians are desperate for care?

Key Facts & Figures

- 30 US states/territories allow full practice, 15 have reduced autonomy, and 11 require physician supervision
- More than 88% of all NPs are certified to provide primary care
- Virginia Law states that one physician is allowed to collaborate with up to six nurse practitioners
- Physicians shall not serve as a patient care team physician on a patient care team or enter into a practice agreement with more than six nurse practitioners at any one time
- More than half the states, the District of Columbia, Veterans Administration, Indian Health Service and prison system have laws and regulations embracing NPs and allowing for full practice authority
- Practice as a nurse practitioner for no less than 1000 hours and 15 continuing education units related to the area of practice for each of the two years immediately prior to submission of the application for autonomous practice

Virginia's scope of practice restrictions stem from outdated assumptions about healthcare delivery that no longer match modern medical education or patient needs. As used in this section, "clinical experience" means the postgraduate delivery of health care directly to patients pursuant to a practice agreement with a patient care team physician. Current law requires most nurse practitioners to maintain collaborative agreements with physicians throughout their careers, regardless of experience or specialty.

The restrictions are particularly absurd given the evidence. Every major study on NP care – over 100 – have shown that nurse practitioners' patient health outcomes meet or exceed the results from other providers. Yet Virginia maintains Byzantine regulations that limit patient choice and increase costs. Nurse practitioners in Virginia do not have the freedom to practice independently; they must work under the supervision of a licensed physician.

Recent reforms have made incremental progress. During the 2024 General Assembly Session, and with the support of Del. Kathy Tran, the Virginia Council of Nurse Practitioners supported HB 971. This legislation reduced the transition to practice requirement for nurse practitioners (NPs) in Virginia to three years However, Virginia still lags behind. 30 US states/territories allow full practice authority for nurse practitioners.

The current system creates artificial scarcity in healthcare provision. Physicians must oversee nurse practitioners who are perfectly capable of independent practice, reducing the time both providers can spend with patients. Rural areas suffer most, as the physician collaboration requirement makes it impossible for nurse practitioners to establish practices in underserved communities that desperately need primary care providers.

If We Do Nothing...

Virginia will continue to face worsening healthcare provider shortages while neighboring states with full practice authority attract the best nurse practitioners and physician assistants. Rural and underserved communities will remain healthcare deserts because nurse practitioners cannot establish independent practices where they're needed most. Wait times for primary care appointments will grow longer as artificial supervision requirements waste physician time on paperwork instead of patient care. Healthcare costs will remain unnecessarily high as the state maintains provider cartels that restrict competition. Virginia will lose talented healthcare professionals to the 30 states that trust them to practice at the top of their licenses. The state's healthcare workforce crisis will deepen, particularly in mental health where psychiatric nurse practitioners could fill critical gaps if allowed to practice freely.

If We Take Action...

Expanding scope of practice will immediately increase healthcare access across Virginia without costing taxpayers a dime. Nurse practitioners will establish practices in underserved communities that have waited years for primary care providers. Mental health services will expand rapidly as psychiatric nurse practitioners fill the desperate need for behavioral health providers. Healthcare costs will decrease as competition increases and patients gain more choices for routine care. Rural hospitals will stabilize their workforce by fully utilizing nurse practitioners and physician assistants. Virginia will become competitive in recruiting top healthcare talent who seek states that respect their training and capabilities. Most importantly, patients will have faster access to high-quality care from providers who know their communities and can practice without artificial restrictions.

Issue #2: Scope of Practice
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Patient safety requires physician oversight of nurse practitioners and PAs"

For more than 50 years, every major study on NP care – over 100 studies – have shown that nurse practitioners' patient health outcomes meet or exceed the results from other providers. The VA, military, and 30 states trust NPs with full practice authority. Are Virginia patients somehow more fragile than veterans or residents of Massachusetts?

They'll say: "Physicians have more training and should supervise less-trained providers"

We're not eliminating the role of physicians—we're letting each provider practice at the top of their training. NPs specialize earlier in their education and take a holistic approach to patient care. Different doesn't mean inferior. The evidence shows their outcomes match or exceed physician care for primary care services.

They'll say: "This will fragment care and confuse patients about who their provider is"

Nurse practitioners are trained to work as part of a health care team. Expanding scope of practice enhances team-based care by removing artificial barriers to collaboration. Patients win when providers can focus on patient care instead of bureaucratic compliance.

Issue #3: Healthcare Innovation Sandbox

Virginia is losing the healthcare innovation race to states that understand the future of medicine requires regulatory flexibility. While North Carolina, Arizona, and Utah attract healthcare entrepreneurs with innovation sandbox programs, Virginia's outdated regulations force innovators to choose between breaking the law or leaving the state. We're literally regulating ourselves out of the healthcare economy's most dynamic sector.

A healthcare innovation sandbox would create a controlled environment where new healthcare delivery models can be tested without running afoul of regulations written before the internet existed. Telemedicine platforms, AI-assisted diagnostics, direct primary care models, and home-based care innovations could flourish in Virginia instead of fleeing to more welcoming states. The sandbox would maintain patient safety standards while waiving regulatory barriers that serve no purpose beyond protecting incumbent providers.

Legislators should champion the healthcare sandbox because it positions Virginia to lead the healthcare revolution rather than watch from the sidelines. This isn't about deregulation—it's about smart regulation that protects patients while encouraging innovations that could save lives and reduce costs. Other states are already stealing our healthcare entrepreneurs; we can't afford to wait.

Key Facts & Figures

- States with regulatory sandboxes have seen significant increases in healthcare innovation investment Arizona's regulatory sandbox has approved over 50 innovation projects since 2018
- North Carolina's healthcare sandbox legislation passed with bipartisan support in 2023
- Utah's sandbox program has attracted national healthcare technology companies
- Telemedicine utilization increased 38-fold during COVID, demonstrating latent demand for innovative delivery models
- AI healthcare market projected to reach $188 billion by 2030, but restrictive states will miss this growth

Healthcare innovation is accelerating globally, but Virginia's regulatory framework remains frozen in the 20th century. Entrepreneurs developing AI-powered diagnostic tools, revolutionary care delivery models, and cost-saving technologies face a choice: spend years and millions navigating Virginia's bureaucracy or launch in states with innovation-friendly policies.

The healthcare innovation sandbox concept, successfully implemented in other sectors like fintech, creates a regulatory safe harbor for testing new healthcare models. Participants would apply to enter the sandbox, demonstrating how their innovation could improve care while maintaining safety standards. Approved participants could operate under relaxed regulations for a defined period while collecting data on outcomes and costs.

The sandbox would be particularly valuable for innovations in our four priority areas. Mental health apps using AI to provide 24/7 crisis support could operate without each interaction requiring physician oversight. Direct primary care practices could experiment with membership models that current insurance regulations discourage. Home-based cardiac monitoring systems could be tested without triggering facility licensing requirements. Maternal health programs using midwives and doulas in innovative team-based models could demonstrate their effectiveness.

Crucially, the sandbox maintains patient protections. Participants would carry appropriate insurance, submit to enhanced monitoring, and provide transparent outcome data. Failed experiments would be shut down quickly, while successful innovations could graduate to permanent regulatory reform. This approach lets Virginia say "yes" to innovation while protecting patients—exactly the balance modern healthcare regulation should strike.

If We Do Nothing...

Virginia will continue hemorrhaging healthcare innovation talent and investment to forward-thinking states. Promising startups will relocate to North Carolina, Arizona, or Utah where they can actually test their ideas. Virginia patients will wait years longer for innovations that could improve their care and reduce costs, as entrepreneurs avoid our hostile regulatory environment. The state will miss the healthcare technology boom, forfeiting thousands of high-paying jobs and billions in economic activity. Rural and underserved communities will particularly suffer, as innovations in telemedicine and home-based care that could bridge access gaps remain illegal or impractical. Virginia's reputation as a business-friendly state will erode as entrepreneurs share stories of regulatory nightmares that forced them elsewhere.

If We Take Action...

A healthcare innovation sandbox will position Virginia as the Southeast's healthcare innovation hub, attracting entrepreneurs, investment, and talent. Successful innovations tested in Virginia will spread nationally, establishing the Commonwealth as a thought leader in healthcare policy. Patients will access cutting-edge treatments and delivery models years before residents of less innovative states. Rural communities will particularly benefit as distance-breaking technologies get regulatory approval. The sandbox will generate valuable data on what works in healthcare innovation, informing smarter permanent regulations. Healthcare costs will decrease as competitive innovations challenge incumbent providers to improve. Most importantly, Virginia will send a clear message: we're open for healthcare business and ready to lead America's healthcare transformation.

Issue #3: Healthcare Innovation Sandbox
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Healthcare is too important to experiment with people's lives through unproven innovations"

The sandbox **does not cut a single safety standard**. What it does is remove bureaucratic barriers that have nothing to do with patient protection. Every innovation would be monitored more closely than traditional practices. We're not experimenting with lives—we're experimenting with business models and delivery methods that could save lives.

They'll say: "This will create a two-tier system where some patients get experimental care"

No, patients will have **two choices not two tiers**. Participation would be completely voluntary with full informed consent. The sandbox creates more options, not fewer. Patients who prefer traditional care can continue receiving it while others access innovations that might better meet their needs. Choice enhances rather than undermines healthcare equity.

They'll say: "If these innovations were safe and effective, they wouldn't need special regulatory treatment"

That's not how the system works. Healthcare regulations often protect **market position, not patients**.

Certificate of Need laws, supervision requirements, and facility regulations often serve incumbent providers rather than safety.

The sandbox separates legitimate safety concerns from protectionist regulations, allowing innovation while maintaining protection.

Issue #4: Portable Benefits for Contract Workers

Virginia's workforce is trapped in a 1950s benefits model while living in a 2025 economy. From nurses to software developers, construction workers to creative professionals, Virginians increasingly work multiple part-time positions, contract assignments, or gig shifts, but our benefits system assumes everyone has one full-time employer forever. This mismatch drives talented workers to other states or out of the workforce entirely, hampering economic growth across all sectors.

Portable benefits would let workers carry health insurance, retirement savings, and paid leave between employers. A nurse working part-time at two hospitals, a developer contracting with multiple startups, or a skilled tradesperson taking different construction projects could all access unified benefits. Employers could flexibly staff up during busy periods without workers losing benefits between assignments. This isn't radical—it's how benefits work in other developed nations and increasingly in innovative U.S. industries.

Legislators should champion portable benefits because it solves multiple problems simultaneously: helping workers access stable benefits, letting businesses staff flexibly, and making Virginia attractive to the modern mobile workforce. In an era of worker shortages across industries, states that make life easier for contract and gig workers will win the competition for talent.

Key Facts & Figures

- Over 35% of U.S. workers engage in some form of independent work
- 57 million Americans freelanced in 2019, contributing significant value to the economy
- Worker turnover costs U.S. businesses over $600 billion annually
- States with flexible benefits policies show 15-20% better worker retention across industries
- Gig economy growing at 15% annually, three times faster than traditional employment
- 68% of independent workers cite lack of benefits as their biggest challenge

The traditional employment model—one worker, one employer, full benefits—is increasingly obsolete across Virginia's economy. Software developers routinely contract with multiple companies. Construction workers move between projects. Creative professionals juggle freelance clients. Healthcare workers take travel assignments. Retail and hospitality staff piece together part-time positions because employers avoid benefit costs by keeping hours below full-time thresholds.

This system fails everyone. Workers face benefits cliffs where earning extra income costs them health insurance. Businesses struggle with staffing because workers won't take projects that jeopardize benefits elsewhere. Talented professionals leave Virginia entirely, exhausted by navigating a Byzantine benefits system while trying to build careers.

Portable benefits solve this by decoupling benefits from specific employers. Workers and employers would contribute to portable accounts that provide health insurance, retirement savings, and paid leave regardless of where someone works. The system could be administered through existing infrastructure like health savings accounts or new platforms designed for portability.

Virginia's diverse economy makes it ideal for pioneering portable benefits. From the technology corridor in Northern Virginia to healthcare systems statewide, from construction projects to creative industries, workers increasingly demand flexibility while needing security. Unlike single-industry approaches, a comprehensive portable benefits system would position Virginia as the most worker-friendly state in the nation, attracting talent across all sectors while giving businesses the flexibility they need to compete globally.

If We Do Nothing...

Virginia's workforce crisis will accelerate across all industries as talented professionals flee to states with more flexible employment options. Skilled workers will continue leaving the workforce entirely, exhausted by juggling multiple part-time jobs without stable benefits. Rural communities will struggle more with staffing as workers refuse assignments that threaten their primary job benefits. Business costs will rise as companies rely on expensive staffing agencies rather than building flexible local workforces. The benefits cliff will push more workers onto public assistance programs, costing taxpayers millions. Young professionals will increasingly avoid Virginia, seeing the benefits instability their mentors face. Virginia will develop a reputation as hostile to modern workers, making recruitment even harder across all sectors.

If We Take Action...

Portable benefits will revolutionize Virginia's workforce, making the Commonwealth a magnet for talented professionals seeking flexibility with security. Workers will enthusiastically take on new projects and assignments knowing their benefits remain stable. Rural businesses will access urban talent willing to take periodic assignments. Business costs will decrease as companies optimize staffing without relying on expensive agencies. Worker satisfaction and retention will improve dramatically as professionals control their careers without sacrificing security. Virginia will pioneer a model other states will follow, establishing the Commonwealth as a thought leader in workforce policy. Most importantly, Virginia's economy will thrive with a larger, more flexible, more satisfied workforce dedicated to innovation and growth rather than navigating benefits bureaucracy.

Issue #4: Portable Benefits for Contract Workers
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Portable benefits are too complicated and expensive for employers to administer"

The current system where employers navigate different benefit rules for full-time, part-time, and contract workers is far more complex. Portable benefits simplify administration by standardizing contributions regardless of hours worked. Technology platforms already exist to manage portable accounts efficiently.

They'll say: "This will erode the employer-employee relationship and worker protections"

Portable benefits strengthen worker protection by ensuring continuous coverage regardless of employer changes. The employer-employee relationship should be based on mutual value, not benefits coercion. Workers with secure benefits are more productive and loyal, not less.

They'll say: "Healthcare facilities will use this to avoid providing benefits entirely"

Facilities that try to game the system would face penalties. The legislation would require employer contributions comparable to current benefit costs. **This isn't about letting employers off the hook**—it's about restructuring benefits to match how modern healthcare workers actually work.

Recommendations

Our Top 3 Legislative Priorities for Virginia...

1. Targeted COPN Reform Act

What it does: Eliminates or significantly reforms Certificate of Public Need requirements for four critical healthcare services: maternal/neonatal care, behavioral health facilities, medical imaging equipment, and cardiac services

- Why Virginia needs it: COPN laws force patients to travel farther and wait longer for life-saving care while protecting incumbent providers from competition
- The numbers: Virginia has about one-third as many ASCs as Pennsylvania and four-tenths as many as Ohio due to COPN restrictions
- Political landscape: Growing bipartisan recognition that COPN harms rural healthcare access; recent incremental reforms show legislative appetite for change

2. Healthcare Professional Full Practice Act

- What it does: Grants full practice authority to nurse practitioners and physician assistants after 2-3 years of supervised practice, aligning Virginia with 30 other states
- Why Virginia needs it: Immediately expands healthcare access without costing taxpayers anything while addressing critical provider shortages
- The numbers: More than 88% of all NPs are certified to provide primary care but face arbitrary practice restrictions
- Political landscape: Recent reduction in supervision requirements to 3 years shows momentum; strong support from rural legislators facing provider shortages

3. Portable Benefits for Virginia Workers Act

- What it does: Creates a system allowing workers to carry health insurance, retirement savings, and paid leave benefits between employers, supporting the growing independent workforce
- Why Virginia needs it: Solves workforce shortages by removing benefits barriers that prevent workers from taking flexible assignments while protecting their security
- The numbers: 57 million Americans freelanced in 2019; 68% cite lack of benefits as their biggest challenge
- Political landscape: Appeals to pro-worker Democrats and pro-business Republicans; addresses workforce challenges affecting every legislative district

Elevator Pitch...

Virginia's healthcare regulations protect incumbent providers instead of patients, forcing Virginians to travel farther, wait longer, and pay more for healthcare while qualified professionals sit idle and innovations flee to other states.

Top 3 Virginia Statistics to Remember...

1. Black mothers face a maternal mortality rate of 43.9 per 100,000 compared to 26.3 for white mothers—regulatory barriers worsen these disparities

2. Virginia has one-eighth as many rural ambulatory surgical centers as Pennsylvania per capita due to COPN restrictions

3. 30 states trust nurse practitioners with full practice authority while Virginia maintains outdated supervision requirements

Most Effective Argument for Virginia...

Healthcare regulations should protect patient safety, not provider profits. Every barrier between a patient and their healthcare provider should have a clear safety justification—if it doesn't, it should go.

Additional Resources

Key Virginia Stakeholders: Virginia Council of Nurse Practitioners, Medical Society of Virginia, Virginia Hospital and Healthcare Association, Virginia Association of Free and Charitable Clinics

Useful Virginia Research Sources: Mercatus Center Healthcare Policy Research, Thomas Jefferson Institute Healthcare Studies, Virginia Department of Health Professions, Joint Commission on Healthcare

Contact for Questions: Caleb Taylor, ctaylor@virginiainstitute.org

EDUCATION

In a nutshell...

Virginia families are trapped in an education system that's failing their children despite record spending. We've poured an additional $6 billion into K-12 education since 2015—reaching $21 billion annually—yet our students are performing worse. Fourth-grade reading scores have plummeted 15 points, and eighth-grade math scores have dropped 11-13 points since 2015. This decline in educational outcomes is structural—more than mere statistics—it is a predictor of a child's ability to graduate high school and achieve financial security.

Meanwhile, 28,000 families have fled Virginia's public schools, choosing private schools or homeschooling despite the financial burden. The disconnect is stark: polls show 39% of Virginia parents would choose private schools if they could afford it, but only 9% actually can. That's hundreds of thousands of children stuck in schools their parents know aren't working.

Continuing to pour resources into the same broken system without reform will continue to let down Virginia's children and young people. Instead, we need to give parents real choices. Open enrollment that lets families choose any public school; expanded charter schools; Education Savings Accounts for private school access, or support for innovative microschools. Virginia must stop protecting education monopolies and start providing parents with real choices. Every child deserves access to quality education, regardless of zip code or income.

Key Statistic

Virginia spends $21 billion on K-12 education (up 40% since 2015) while test scores decline—61% of parents say better reforms matter more than more funding.

Issue #1: Open Enrollment - Breaking the Zip Code Monopoly

Imagine two families living across the street from each other—one in Richmond, one in Henrico County. Their children play together, live life together, yet aren't allowed to attend the same public school because of an invisible line drawn decades ago. The Richmond family watches their neighbors' kids thrive in better-rated schools, while their child is trapped in a failing one. Moving isn't an option—they can't afford Henrico's housing prices.

This is Virginia's education apartheid: your zip code determines your destiny. According to the Reason Foundation, Virginia receives an "F" grade for open enrollment policies, scoring just 5 points out of a possible 100. Most Virginia districts actually charge tuition—up to $24,000 per year—to families who want to escape their assigned school. Meanwhile, states like Florida and Arizona offer freedom: students there can choose to attend any public school, free of charge.

Open enrollment is not an expensive policy. States like Wisconsin have shown that funding can be transferred from the resident district to the non-resident district, including funding for any special educational needs. A similar system in Virginia can be designed in such a way as to cost (net) zero taxpayers' money to implement and will immediately give families choices.

It's not about destroying neighborhood schools—it's about allowing them to compete for students, creating a race to the top instead of perpetual mediocrity. When schools must earn enrollment rather than commanding it by geographic decree, they improve. Every family deserves the right to choose the best public school for their children, period.

Key Facts & Figures

- At least 55 divisions charge tuition for transfers, averaging $4,000 per year
- Falls Church charges $24,000 for high school transfers—more than many private schools
- 16 states already have mandatory cross-district open enrollment with no negative effects
- Over 90% of transfers in Arizona, Florida, and Texas move to higher-rated schools

Virginia's education system uses central planning to assign children to schools based solely on their address, regardless of quality, fit, or family preference. The state's current law makes open enrollment entirely voluntary—school boards can choose whether to allow transfers, and most don't. Even worse, at least 55 of Virginia's 131 divisions charge tuition to transfer students, averaging $4,000 per year. Some Northern Virginia divisions charge over $10,000, with Falls Church demanding $24,000 for high school transfers.

This system creates education redlining. Wealthy families buy their way into good school districts through expensive housing. Middle-class families stretch budgets to afford "good" zip codes. Poor families remain trapped in failing schools with no escape. The result is increasing segregation by both race and income, as school quality becomes bundled with housing prices.

The evidence from other states is overwhelming. Sixteen states have mandatory cross-district open enrollment, and another 17 have mandatory within-district enrollment. In Arizona, Florida, and Texas—states with robust open enrollment—over 90% of transferring students move to higher-rated schools. These states haven't seen public education collapse; they've seen it improve through competition.

Virginia's hostility to open enrollment is particularly striking given that it is already allowed for military families and certain federal employees. The infrastructure exists—we just deny it to most families. A 2024 bill to expand open enrollment passed the House 68-29 but died in the Senate on a party-line vote, showing this is about protecting bureaucratic turf, not children's welfare.

If We Do Nothing...

Virginia will remain an education backwater where zip codes determine destinies. Families will continue fleeing to North Carolina, Tennessee, and West Virginia—states offering real public school choice. Housing segregation will worsen as school quality remains bundled with home prices, pricing out working families from opportunity. Teachers will remain trapped in failing schools, unable to move to better environments without changing districts entirely. Economic development will suffer as businesses avoid states where employees can't find good schools for their children. The achievement gap will widen as wealthy families buy access while poor families remain trapped.

If We Take Action...

Open enrollment will immediately give every Virginia family choices within the public system at zero net cost to taxpayers. Competition will force all schools to improve or lose students—the same dynamic that drives excellence in every other sector. Teachers will gain mobility to move between schools without losing seniority or benefits. Housing markets will stabilize as school quality unbundles from home prices, making communities more economically diverse. Rural families will access specialized programs in nearby districts without moving.

Most important, hundreds of thousands of children currently trapped in failing schools will gain immediate access to better options. Within five years, Virginia can lead the Southeast in public school performance through competition-driven improvement.

Issue #1: Open Enrollment - Breaking the Zip Code Monopoly
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Open enrollment will drain resources from neighborhood schools and destabilize communities"

Economic history proves that ompetition forces improvement—monopolies breed complacency. If a school is performing so poorly that it has a mass exodus of parents because it is failing, either the school will have to improve or it will close.

They'll say: "Transportation barriers make open enrollment impractical for working families"

That's typical of the anti-education choice debate: you're trying to tell parents what choices they should, and shouldn't, be able to make. Let families decide what's practical for them. Many parents already drive kids to activities or daycare. A different school might happen to be on route to work.

Many states with open enrollment offer transportation solutions including bus routes and stipends.

They'll say: "This will increase segregation as white families flee diverse schools"

Actually, it gives the potential to *reduce* segregation because poor families will gain the choices that only wealthy families currently have.

Virginia is already deeply segregated by current zip-code assignment. Open enrollment reduces segregation by breaking the link between housing prices and school access.

Issue #2: Charter School Liberation - Ending the Monopoly's Veto

Virginia's charter school law is a cruel joke. We have seven charter schools serving 1.2 million students—just 0.1% of children. North Carolina has 210 charter schools serving 130,000 students. Why? Because Virginia lets school boards veto their own competition. It's like requiring permission from McDonald's to open a Burger King across the street.

Last year in Richmond, 1,000 families applied for 200 charter school spaces — 800 children, from predominantly poor backgrounds—were denied opportunities because bureaucrats want to protect their monopoly. These are working families desperate for alternatives to failing schools. The charter schools we *do* have all have massive waiting lists. In a free market, when demand exceeds supply, supply increases. Because school boards have a monopoly on state education, there's no incentive to provide what parents actually want.

The fix is simple: create independent charter authorizers like 44 other states have done. Let universities, mayors, or a state board approve charters when local boards reflexively reject them. Charter schools are still public schools—free, open to all, and accountable for results. But they have freedom to innovate, extend school days, and focus on what works.

Virginia families deserve the same choices available in almost every other state. Our children can't wait for school boards to voluntarily surrender their monopoly.

Key Facts & Figures

- Virginia ranks 43rd nationally with just 0.1% of students in charter schools
- 90% of charter applications are rejected by local school boards
- North Carolina has 22 times more charter schools per capita than Virginia
- Stanford research shows charter students gain 40+ days of learning annually

Virginia's 1998 charter school law was deliberately designed to fail. While successful states allow multiple authorizers—universities, mayors, state boards—Virginia gives local school districts absolute veto power over their competition. The predictable result: near-total suppression of charter schools for 25 years.

The numbers are staggering. Virginia has seven charter schools serving about 2,000 students out of 1.2 million. North Carolina has 210 serving 130,000. Florida has 700 serving 350,000. Even tiny Delaware has more charter schools than Virginia. We're not just behind—we're virtually non-existent in the charter movement transforming education nationwide.

This matters because charter schools work, especially for disadvantaged students. Stanford's comprehensive CREDO study found urban charter students gain 40 days of learning in math and 28 days in reading annually compared to traditional public schools. For Black and Hispanic students, gains are even larger. Yet these are precisely the students Virginia denies access.

Virginia's hostile environment blocks proven charter operators from entering our state. KIPP, Success Academy, IDEA Public Schools—networks that have transformed outcomes for low-income students elsewhere—won't waste resources fighting Virginia's rigged approval process. Meanwhile, our few existing charters have waiting lists stretching years. Patrick Henry Charter School in Richmond has 1,000 families waiting for 200 seats.

The blocking mechanism is simple: school boards reject 90% of charter applications to protect their monopoly. When applications are approved, they're often crippled with restrictions on facilities, funding, or operations. The system is designed to fail students while protecting adult interests.

If We Do Nothing...

Virginia will remain a charter school desert while surrounding states provide families with innovative public school options. Motivated families will continue fleeing to North Carolina, Tennessee, and D.C. where charter schools offer hope. Our urban districts will continue failing Black and Hispanic students at catastrophic rates—only 35% read proficiently—while blocking proven alternatives. Property values in struggling districts will decline as families with options leave. Teachers seeking innovative environments will leave for states where charter schools provide professional opportunities. Virginia will cement its reputation as hostile to education reform, discouraging investment and economic development.

If We Take Action...

Independent charter authorizers will unlock immediate expansion of high-quality options. Proven charter networks waiting on the sidelines will enter Virginia, bringing decades of expertise in educating disadvantaged students. Thousands of children stuck in failing schools will gain access to alternatives within walking distance. Traditional public schools will improve as competition forces innovation—we've seen this in every state with robust charter sectors. Teachers will gain new professional opportunities in schools with more autonomy and innovation. Property values will stabilize in struggling neighborhoods as families gain quality school options without moving. Most importantly, we'll give every child—regardless of income or address—access to innovative public schools that put students first.

Issue #2: Charter School Liberation - Ending the Monopoly's Veto
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Charter schools drain funding from traditional public schools, harming remaining students"

Research shows districts can adjust costs over time when students leave. States with robust charter sectors like Massachusetts have seen traditional public schools improve through competition, not collapse.

They'll say: "Charter schools cherry-pick students and discriminate against special needs kids"

Charter schools must accept all students by lottery and cannot discriminate. Studies show charters actually serve higher percentages of minority and low-income students than traditional publics in many areas.

They'll say: "Charters lack accountability and oversight compared to traditional public schools"

Charter schools face more accountability—they must meet performance targets or close. Meanwhile, failing traditional public schools operate for decades without consequence. Charters that fail get shut down; district schools that fail get more money.

Issue #3: Microschools - Innovation Without Permission

While Virginia's leaders debate statewide reforms, families are creating their own solutions: microschools. These small learning communities—which may be a handful of students or dozens meeting in homes, community centers, or churches—combine the personalization of homeschooling with the social benefits of traditional school. Yet, some regulations threaten to stifle these budding education solutions.

Microschools need robust protections to ensure the path to being an education entrepreneur is not riddled with regulatory obstacles, especially from local government. The solution is simple: create a new legal protection designed specifically to clear away regulatory hurdles for small learning environments. The rigid nature of regulations prevent existing regulations from being able to easily accommodate innovative ideas like microschools. Let these innovative learning communities operate with basic safety standards but without bureaucratic burdens designed for large institutions that are imposed on microschools in some localities. No taxpayer funding required to address this problem—just permission to exist.

Parents are already voting with their feet. A 2024 survey found 60% of microschool founders aren't licensed educators—they're parents and professionals building better options for their communities. Virginia can either recognize this reality or watch families leave for states that embrace educational innovation.

Key Facts & Figures

- There are an estimated 95,000 microschools in the USA
- Between 750,000 and 2.1 million students are estimated to learn in microschools across the USA
- 60% of microschool founders aren't licensed educators—they're parents and professionals
- 84% of microschools operate without accreditation
- The median microschool serves 22 students

Microschools represent the fastest-growing education innovation nationwide, yet Virginia lacks any legal framework to proactively protect microschool operation. With no federal definition and few state guidelines, these schools operate under various classifications—private school, homeschool, etc.— which can create uncertainty for local governments about how to respond to microschools and which regulations should apply to them.

The demand is undeniable. Following COVID-19, families discovered that smaller, personalized learning environments often serve children better than 30-student classrooms. The number of microschools is growing fast, with between 750,000 and 2.1 million children now attending them. Microschools provide innovative education models, able to adapt and learn to the needs of the individual student.

Other states are adapting their regulatory structure to accommodate microschools. West Virginia became one of the first to legally define microschools in 2022, distinguishing them from traditional private schools. Arizona and Florida have created regulatory sandboxes allowing microschools to operate with reduced requirements. Meanwhile, restrictive states like Maryland and New York are seeing families leave or operate "under the radar" due to hostile regulations.

The irony is striking: Virginia celebrates innovation in every sector except education. We offer regulatory sandboxes for financial technology but not for teaching children.

If We Do Nothing...

Exceptional educators who could launch a highly successful microschool in Virginia will choose not to. Some care about their local communities, which will be deprived of an opportunity. Educational entrepreneurs will simply launch microschools in friendly states like West Virginia and Florida, taking innovation and investment with them. Parents dissatisfied with both traditional public and expensive private schools will have no middle option. Rural communities that could benefit most from small, community-based schools will remain underserved. Virginia will cement its reputation as hostile to educational innovation while other states embrace 21st-century learning models.

If We Take Action...

Creating legal microschool protections will unleash educational innovation at zero taxpayer cost. Communities will develop learning models tailored to their specific needs—STEM-focused pods, classical education groups, project-based learning communities. Parents and educators will have freedom to create without bureaucratic permission. Special needs students failed by traditional schools will find personalized options. Rural communities will develop sustainable education solutions without maintaining expensive infrastructure. Virginia will attract educational entrepreneurs and become known for embracing innovation rather than protecting monopolies. Most importantly, families will have affordable alternatives between expensive private schools and struggling public schools, expanding access to quality education across all income levels.

Issue #3: Microschools - Innovation Without Permission
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Microschools lack accountability and could harm children without proper oversight"

Parents can choose accredited microschools if they are concerned about accountability. Academic evidence is mounting that students in microschools develop faster academically than those in public schools. Parents tend to be highly engaged and monitor quality daily. Parents don't need bureaucrats to protect them from their own choices.

They'll say: "These schools won't serve special needs students or provide required services"

In a national survey, 74% of microschools indicated that they work with neurodivergent children; 50% serve children who have experienced emotional trauma, and 46% serve children with "other special needs". For some children with special needs, a smaller-scale environment is less intimidating and they thrive with individualized support.

But nobody is suggesting that *every* special needs student should attend a microschool. We're just saying that parents are best placed to decide whether a school meets their child's needs, not bureaucrats. Traditional schools already fail many special needs students despite regulations.

They'll say: "Unaccredited schools with unlicensed teachers will provide substandard education"

Many microschool founders are professionals and parents bringing real-world expertise. Results matter more than credentials—homeschoolers consistently outperform public school students despite parent-teachers lacking licenses.

Issue #4: Education Savings Accounts - Funding Students, Not Systems

A single mother in Petersburg works two jobs to keep her family afloat. Her daughter is bright but struggling in a school where only 30% of students read at grade level. She knows the Catholic school downtown could change her daughter's life—their students score 20 points higher on state tests—but the $8,000 tuition might as well be $80,000.

Education Savings Accounts would give her what wealthy families take for granted: choice. ESAs would provide families with approximately $5,000-$7,000 per child—less than half what the state spends per public school student—to use for private school tuition, tutoring, therapy, or homeschool expenses. The remaining funds stay with public schools, actually increasing per-pupil spending for students who remain.

This isn't experimental—13 states already have universal ESA programs serving 1.2 million students. Virginia actually passed ESA legislation three times between 2015-2017 with bipartisan support, including endorsement from the Virginia NAACP. Democratic governors vetoed it each time, choosing bureaucracy over children. Virginia families deserve the same freedom to choose what's best for their children.

Key Facts & Figures

- Virginia spends $16,000+ per public school student; ESAs would use $5,000 to $7,000 of this per pupil expenditure, without touching federal funds and leaving sufficient funds to cover public school fixed costs, and a small increase in public school student per pupil expenditure.
- 13 states now offer universal school choice, up from zero pre-pandemic
- Arizona's ESA program serves 75,000+ students with growing public school performance
- Virginia passed ESA legislation 3 times (2015-2017) with bipartisan support
- 75% of ESA families in other states previously attended public schools

Education Savings Accounts represent the most flexible and family-empowering form of education choice. Unlike vouchers limited to private school tuition, ESAs provide families with an account—typically 60-90% of state per-pupil funding—to use for various educational expenses: private school, online courses, tutoring, special needs therapy, or even college savings.

The economics are compelling. Virginia spends over $16,000 per public school student. ESAs typically provide $5,000-$7,000, leaving $9,000-$11,000 with the public school that no longer serves that child. Public schools therefore actually see *increased per-pupil funding* when students leave via ESAs—they have fewer students to serve but keep the majority of funding.

The evidence from other states is overwhelming. Arizona's ESA program, operating since 2011, now serves over 75,000 students. Public schools haven't collapsed—they've improved through competition. West Virginia went from zero school choice to universal ESAs in two years, with bipartisan support recognizing that education funding should follow children, not protect systems.

Virginia's political history with ESAs is telling. Between 2015-2017, the General Assembly passed ESA legislation three times with bipartisan coalitions including support from the Legislative Black Caucus and endorsement from the Virginia NAACP. The bills recognized that low-income and minority families need choices most. Yet Democratic governors vetoed each bill, prioritizing union support over children's futures.

Today, as surrounding states expand ESAs—West Virginia, Tennessee, and North Carolina all have or are implementing programs—Virginia families watch neighbors access opportunities denied to them.

If We Do Nothing...

Virginia families will continue fleeing to West Virginia, Tennessee, and North Carolina for education opportunity. Our most motivated parents—those who drive school improvement—will leave public schools or Virginia entirely. The achievement gap will widen as wealthy families buy choice while poor families remain trapped. Virginia loses competitive advantage attracting young families and businesses prioritizing education. Test scores continue declining despite increased spending. By 2030, Virginia risks becoming an education wasteland surrounded by school choice states.

If We Take Action...

ESAs will immediately provide relief to thousands of desperate Virginia families. Competition forces public school improvement, as seen in every state with robust choice. Teachers have smaller classes and more resources per remaining student as public schools retain majority funding. Virginia becomes a magnet for young families seeking education opportunity, reversing current brain drain. Academic achievement rises as students find schools matching their learning styles. Special needs families access therapies and services public schools can't provide. Rural families pool ESA funds for microschools or distance learning. Most importantly, we break the cruel link between zip code and destiny that condemns poor children to inferior education. Within years, Virginia could lead the Southeast in educational innovation and achievement.

Issue #4: Education Savings Accounts - Funding Students, Not Systems
Rebuttal: How to defeat the most common opposition arguments

They'll say: "ESAs will destroy public schools by draining their funding and creating mass exodus"

Public schools keep majority funding when students leave—about $9,000 per student—while eliminating education costs. States with ESAs save taxpayers an average of $11,000 per participating student while public schools see increased per-pupil funding.

They'll say: "This is just welfare for rich families already in private schools"

Income caps can target working families. In Arizona, 75% of ESA families previously attended public schools—these are families seeking better options, not subsidizing existing choices. Wealthy families already have choice; ESAs give that same power to working families.

They'll say: "There's no accountability for spending taxpayer money on unproven schools"

ESA programs can require approved vendors, expense reporting, and academic assessments—more accountability than public schools where failing administrators keep jobs while children fall behind. Parents are the ultimate accountability—they won't choose failing schools.

Issue #5: Education Tax Credits - Letting Virginians Keep Their Own Money

Virginia families are often double-taxed for education: they pay taxes for failing public schools, then pay again for private alternatives. Education tax credits would provide basic fairness—letting families who save taxpayers money by choosing private schools keep a portion of their own tax dollars.

This isn't a handout—it's tax relief for working families making sacrifices for their children's education. A family earning $75,000 paying $8,000 for parochial school could receive a $4,000 tax credit, making private school possible without bankruptcy. The state still comes out ahead—that family saves taxpayers $16,000 in public school costs while receiving just $4,000 back.

Multiple Virginia legislators have proposed education tax credits since 2023, but they've been killed by politicians who prefer monopoly over choice. Meanwhile, states like Arizona, Indiana, and Illinois offer tax credits or deductions recognizing that families choosing private schools benefit everyone.

The principle is simple: if you're saving taxpayers money by not using public schools, you should keep some of your own tax dollars. Virginia families deserve the same tax fairness available in numerous other states.

Key Facts & Figures

- Six education tax credit bills introduced in Virginia since 2023, all killed
- Family choosing private school saves taxpayers $16,000 per child annually
- Proposed credits range from $1,500-5,000, a fraction of taxpayer savings
- Over 20 states offer education tax credits or deductions
- Illinois, Indiana, and Iowa all offer tax relief for education expenses

Education tax credits represent the most market-oriented approach to school choice—government simply takes less of families' money when they choose private education. Unlike vouchers or ESAs involving government payments, tax credits let families keep their own earnings to invest in their children's education.

Virginia has repeatedly rejected education tax credit proposals despite their popularity and fiscal benefits. Since 2023, six different tax credit bills have been introduced covering various approaches: refundable credits for low-income families, non-refundable credits for middle-class families, and hybrid models. Each has died in committee despite clear public support and economic logic.

The economics are undeniable. A family choosing private school saves Virginia approximately $16,000 per child in public school costs. Offering that family a $4,000-$5,000 tax credit still saves taxpayers $11,000-$12,000 while making private school accessible to working families. It's a win-win that politicians reject for purely ideological reasons.

Other states have proven tax credits work. Indiana offers up to $1,500 per child in tax deductions. Illinois provides a 25% credit for education expenses up to $500. Iowa recently passed a comprehensive education tax credit alongside its ESA program. These states recognize the basic fairness principle: families shouldn't be penalized for saving taxpayers money.

Virginia's hostility to tax credits is particularly striking given our eagerness to offer tax incentives for businesses. We'll give Amazon billions in tax breaks but won't let a middle-class family keep $4,000 of their own money when they save the state $16,000.

If We Do Nothing...

Virginia will continue punishing families for choosing private education, forcing middle-class parents to choose between their children's education and financial security. More families will flee to states offering education tax relief—Indiana, North Carolina, and Tennessee all provide better treatment. Private schools will continue closing—Virginia has lost 50 in the past decade—reducing options even for families who can pay. The two-tier system will solidify: wealthy families buying quality education while working families remain trapped in failing schools. Teachers seeking private school positions will have fewer opportunities as schools close. Virginia will maintain its reputation as hostile to parental choice and educational freedom.

If We Take Action...

Education tax credits will immediately relieve thousands of middle-class families struggling to afford better education options. Private schools will stabilize and expand, creating more choices and competition. Public schools will improve as they compete to retain families considering private options. Virginia will save hundreds of millions as more families choose private schools while receiving back only a fraction in credits. The state will attract families and businesses that prioritize educational freedom and parental rights. Teachers will have more professional opportunities across public and private sectors. Most importantly, we'll restore basic fairness—families saving taxpayers money will keep some of their own earnings to invest in their children's futures.

Issue #5: Education Tax Credits - Letting Virginians Keep Their Own Money
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Tax credits are tax cuts for the rich that drain revenue from public services"

Working families earning $75,000 aren't rich—they're making sacrifices for education. These families save taxpayers $16,000 per child while requesting $4,000 back. The state nets $12,000 in savings. That's not draining revenue; it's efficient government.

They'll say: "This creates two tiers of education—one for those who can afford private school, another for everyone else"

The reality is that two tiers already exist. Wealthy families buy private school spaces, while poor families remain trapped. Tax credits reduce this inequality by helping middle-class families to access choices which only the rich currently have.

They'll say: "Public money shouldn't support religious schools through tax credits"

We need to get away from the idea that this is "public money". It isn't. It's families keeping their own earnings. We don't restrict how families spend any other kind of tax deductions. If you deduct taxes for mortgage interest or charitable giving, the state doesn't police your choices.

Education expenses deserve the same treatment.

Issue #6: EISTC Expansion - Growing What Works

Virginia already has a school choice success story—we just keep it small and hidden. The Education Improvement Scholarship Tax Credit (EISTC) provides scholarships for 4,000 low-income students to attend private schools, with remarkable results: higher test scores, better graduation rates, and transformed lives. But we artificially cap the program at $25 million while turning away two families for every one we help.

Here's the insanity: businesses want to donate more to fund scholarships, families desperately need them, and private schools have empty seats, but Richmond won't raise the cap. We're literally rejecting charitable donations that would educate poor children at no taxpayer cost. The tax credit is only 65 cents per dollar donated—the state actually profits while children escape failing schools.

Other states have figured this out. Florida's similar program serves 150,000 students with a 100% tax credit. Pennsylvania serves 50,000. The solution is simple: raise the cap to $100 million, increase the credit to 100%, and stop denying opportunities to children who need them most. This program already works—let it grow.

Key Facts & Figures

- EISTC serves 4,000 students but has demand for 12,000+ based on waiting lists
- Virginia's 65% tax credit is among nation's stingiest; six states offer 100%
- The $25 million cap hasn't meaningfully increased since 2012 despite inflation
- Average scholarship is $4,000 while public schools spend $16,000 per student
- The program must be reauthorized every 5 years, creating uncertainty

The EISTC program, Virginia's only school choice option since 2012, proves that choice works when we allow it. Despite severe restrictions—a $25 million cap, only 65% tax credit, income limits, and mandatory reauthorization every five years—the program has quietly transformed thousands of lives.

The numbers tell the story. Over 4,000 students receive scholarships averaging $4,000, enough to make private school affordable for working families. Recipients must earn less than 300% of federal poverty guidelines—about $75,000 for a family of four. These aren't wealthy families gaming the system; they're choosing between groceries and good schools.

But here's the tragedy: we turn away two families for every one we help. Scholarship organizations report they could distribute three times more aid if the cap was lifted. Private schools report empty seats they'd fill with scholarship students. Businesses report wanting to donate more but hitting the cap by February each year.

The economics are compelling. The state provides a 65% tax credit for donations, meaning Virginia profits from every scholarship. When a $4,000 scholarship enables a student to leave a $16,000 public school seat, taxpayers save $12,000 while the public school keeps funding without the student.

Other states recognize this win-win. Florida expanded its tax credit program to serve 150,000 students. Arizona offers 100% credits serving 45,000. Even Alabama offers more generous credits than Virginia. We're being outlapped by states we used to lead.

If We Do Nothing...

Virginia will continue denying opportunity to 8,000 low-income children on scholarship waiting lists. Working families will remain trapped between unaffordable private schools and failing public schools. Charitable donors will redirect philanthropy to states welcoming education investment. Private schools will continue closing—Virginia has lost 50 in the past decade—reducing options even for families who can pay. The achievement gap will widen as wealthy families buy quality education while poor families have no choice. The program's five-year reauthorization requirement creates ongoing uncertainty, discouraging long-term participation and investment.

If We Take Action...

Expanding EISTC to $100 million with 100% tax credits would immediately serve 12,000 additional low-income students. Competition for scholarship funds would improve private school quality and efficiency. Public schools would benefit from smaller classes and more resources per remaining student. Virginia would attract philanthropic investment from businesses prioritizing education and workforce development. The program would generate positive fiscal impact—saving taxpayers millions while improving outcomes. Private schools would stabilize and expand, creating more options across all communities. Most importantly, thousands of children currently condemned to failing schools would gain access to environments where they can thrive. The ripple effects—higher graduation rates, reduced crime, increased lifetime earnings—would benefit Virginia for generations.

Issue #6: EISTC Expansion - Growing What Works
Rebuttal: How to defeat the most common opposition arguments

They'll say: "This is a tax giveaway to rich donors getting write-offs for supporting elite private schools."

Donors get back 65 cents per dollar—they're making charitable contributions, not profits. Recipients must be low-income. This is philanthropy helping poor kids access better schools, not subsidizing wealthy families.

They'll say: "We're subsidizing religious schools with public money violating church-state separation."

These are private donations receiving partial tax credits, not direct government funding. The Supreme Court has repeatedly upheld such programs. Parents, not government, choose where to use scholarships.

They'll say: "Private schools aren't accountable like public schools for academic standards"

Participating schools must meet state standards and testing requirements. More importantly, they're accountable to parents who can leave if unsatisfied—unlike public schools that keep failing students captive.

Recommendations

Our Top 3 Legislative Priorities for Virginia...

1. Statewide Open Enrollment Act

What it does: Requires all Virginia public schools to accept transfer students with available space, prohibits charging tuition

Why Virginia needs it: Virginia ranks 48th nationally; families deserve public school choice

The numbers: 16 states have mandatory programs with proven success

Political landscape: Passed House 68-29 in 2024; momentum building with suburban parents

2. Independent Charter School Authorization Act

What it does: Allows state board and universities to authorize charters when local boards refuse

Why Virginia needs it: We rank 43rd with just 9 charters for 1.2 million students

The numbers: Could create 50 charter schools serving 25,000 students within 5 years

Political landscape: Growing suburban support as parents see neighboring states' success

3. EISTC Expansion to $100 Million

What it does: Quadruples tax credit scholarships for low-income families

Why Virginia needs it: Current program has 3x more demand than capacity

The numbers: Would immediately serve 12,000 additional students

Political landscape: Easiest political lift—program already exists and is popular

Elevator Pitch...

Virginia spends $21 billion on K-12 education while test scores plummet and families flee. Parents need choice—through open enrollment, charter schools, ESAs, and tax credits—not more money for the same failing system.

Top 3 Virginia Statistics to Remember...

1. Virginia increased K-12 spending 40% since 2015 while reading scores dropped 15 points
2. Virginia ranks 48th in open enrollment and 43rd in charter school access
3. 61% of Virginia parents say reform matters more than funding; 39% would choose private school if they could afford it

Most Effective Argument for Virginia...

Every parent—rich or poor—deserves the power to choose their child's school. Education dollars should follow students to wherever they learn best, not protect failing bureaucracies.

Additional Resources

Virginia Institute for Public Policy: virginiainstitute.org

Home Educators Association of Virginia: heav.org

Virginia Microschools Network: virginiamicroschools.org

Contact for Questions: Craig DiSesa, 804-874-8235, cdisesa@virginiainstitute.org

ENERGY

In a nutshell...

Virginia's energy sector stands at a critical juncture, facing unprecedented demand growth while navigating complex regulatory mandates that threaten both reliability and affordability. As the nation's largest net importer of electricity, Virginia relies on other states for power, experiencing energy demand growth not seen since the 1950s, primarily driven by the development of data centers and AI infrastructure. Current policies under the Virginia Clean Economy Act (VCEA) mandate the phase-out of reliable baseload generation in favor of intermittent renewable sources, creating a dangerous mismatch between growing demand and shrinking baseload supply.

The state's energy challenges require comprehensive reform across multiple fronts: restructuring or repealing costly renewable mandates, ensuring grid reliability through diverse generation sources, increasing transparency in utility billing, and protecting local control over land use decisions. Without action, Virginia faces potential energy shortages, skyrocketing costs, and loss of economic competitiveness. The Thomas Jefferson Institute has calculated that VCEA non-compliance costs alone will reach $609 million in just one year.

The core principle legislators should remember: Energy policy must balance environmental considerations with the fundamental requirements of reliability and affordability. Virginia can maintain reasonable environmental standards while ensuring businesses and families have access to dependable, cost-effective electricity.

Key Statistic

Virginia faces $609 million in VCEA non-compliance costs for rate year 2025-2026 while importing 36% of its electricity supply (50.1 million MWh)—more than any other state—putting the Commonwealth's energy security in the hands of other states' regulatory decisions.

Issue #1: Virginia Clean Economy Act (VCEA) Reform

The Virginia Clean Economy Act imposes unsustainable costs on ratepayers while threatening grid reliability through mandatory renewable targets and forced retirement of baseload generation. These mandates are driving up electricity costs for families and businesses at a time when Virginia needs affordable, reliable power to support economic growth and compete for business investment. The arbitrary timelines and penalties in VCEA don't account for technological limitations or the intermittent nature of renewable sources.

The path forward requires either full repeal of VCEA or significant amendments that eliminate mandatory targets, remove non-compliance penalties, and allow continued operation of existing reliable generation sources. This isn't about opposing clean energy development—it's about letting market forces and technological advancement, rather than government mandates, drive the energy transition. Virginia can support renewable energy development where it makes economic sense while maintaining the baseload generation necessary for grid stability. Legislators should prioritize reforms that protect ratepayers from excessive costs while ensuring Virginia maintains energy independence and reliability.

Key Facts & Figures

- VCEA non-compliance costs total $609 million for 2025-2026, increasing rates 65%
- Virginia imports 50.1 million MWh (36% of electricity supply)—most of any state
- Data centers consume 4,140 MW (25% of state electricity), projected to reach 7,000 MW, a nearly 70% increase, by 2032
- Mandatory retirement of most coal plants by December 31, 2024, and natural gas by 2045
- Battery storage limited to 4-hour duration, insufficient for multi-day renewable gaps

The Virginia Clean Economy Act, passed in 2020, mandates that Dominion Energy and Appalachian Power transition to 100% carbon-free electricity by 2045 and 2050, respectively. The law requires closure of nearly all natural gas plants by 2045 and all coal plants by 2024, while mandating massive investments in solar, wind, and battery storage regardless of cost or reliability impacts.

The Thomas Jefferson Institute's analysis reveals that VCEA's requirements are technically and economically unfeasible with current technology. Non-compliance costs total $609 million for rate year 2025-2026 ($250 million in prior year "true-ups" plus $359 million in new renewable energy certificate purchases), increasing customer costs by 65% from $4.69 to $7.68 per 1,000 kWh—adding $92.16 annually to typical residential bills. The mandate ignores the intermittent nature of renewable generation—solar produces nothing at night, wind generation varies unpredictably—creating reliability gaps that battery storage cannot economically bridge at grid scale.

Virginia's position as the largest net importer of electricity makes VCEA particularly dangerous. The state imported 50.1 million MWh in 2023—36% of the total electricity supply—with imports increasing 61% since 2019. As Virginia forces baseload retirement while data center demand explodes to 25% of state electricity consumption, this dependence will only grow, putting Virginia's economic future at the mercy of other states' energy policies.

The legislation's rigid timelines don't account for technological realities. Current battery technology cannot provide the sustained backup power needed for extended periods of low renewable generation. Grid operators PJM and reliability authority NERC have warned of increasing blackout risks as dispatchable generation retires faster than reliable replacements come online. Reform must acknowledge these technical constraints while maintaining flexibility for true innovation.

If We Do Nothing...

Virginia will face escalating electricity costs as utilities pass VCEA compliance costs to ratepayers, with bills projected to reach $315 by 2039 (up from $143 today). Long-term VCEA costs total $203 billion through 2050, averaging $1,770 annually per customer and peaking at $3,500 in 2045. Energy-intensive businesses will relocate to states with reliable, affordable power, taking jobs and tax revenue with them. Data centers, Virginia's economic growth engine, will choose other locations with assured power availability. Rolling blackouts will become increasingly common as baseload plants close without adequate replacement. Virginia's dependence on imported electricity will deepen, making the state vulnerable to price spikes and supply disruptions beyond our control. Rural and low-income communities will be disproportionately harmed by higher energy costs, spending increasing portions of household budgets on basic electricity needs.

If We Take Action...

Reforming or repealing VCEA will stabilize electricity costs, making Virginia competitive for business investment and expansion. The Commonwealth can maintain existing reliable generation while allowing market-driven adoption of cost-effective renewable technologies. Energy-intensive industries and data centers will continue choosing Virginia, knowing power will be available when needed. Innovation in all energy technologies—including advanced nuclear, carbon capture, and next-generation renewables—will flourish without prescriptive mandates. Ratepayers will save hundreds of millions annually while maintaining grid reliability. Virginia will reduce dependence on imported electricity, enhancing energy security and economic independence. The state can achieve environmental improvements through technological advancement rather than costly mandates.

Issue #1: VCEA Reform
Rebuttal: How to defeat the most common opposition arguments

They'll say: "VCEA is necessary to combat climate change and protect future generations"

Virginia can pursue environmental goals through innovation and market competition rather than mandates that threaten reliability. States without mandates often achieve similar emissions reductions at lower cost through technological advancement and market forces.

They'll say: "Renewable energy is now cheaper than fossil fuels, so mandates just accelerate inevitable market trends"

If renewables are truly cheaper, mandates are unnecessary—the market will naturally adopt them. The hidden costs of intermittency, transmission upgrades, and backup power make total system costs with high renewable penetration significantly higher than maintaining diverse generation.

They'll say: "Other states have successfully implemented similar clean energy standards"

States with aggressive renewable mandates consistently have higher electricity rates. California's rates are double Virginia's, and Germany's Energiewende led to some of the highest electricity costs in the developed world while increasing reliance on imported energy.

Issue #2: Natural Gas Infrastructure and Exploration

Natural gas represents Virginia's most practical path to reliable, affordable electricity while supporting economic growth. Current policies restricting natural gas development and forcing premature retirement of gas plants ignore the fuel's critical role in maintaining grid stability and providing affordable baseload power. Natural gas plants can rapidly adjust output to balance renewable intermittency, provide essential grid services, and operate reliably in all weather conditions.

Virginia needs legislation that facilitates permitting for new gas plants and pipelines, removes barriers to gas infrastructure investment, and prohibits local bans on natural gas connections. This is particularly critical as data center demand soars and renewable integration increases the need for flexible, dispatchable generation. Natural gas provides the bridge to whatever energy future emerges—whether advanced nuclear, fusion, or breakthrough renewable technologies—while ensuring reliability today.

The choice is clear: Virginia can embrace natural gas as a cornerstone of reliable, affordable energy, or watch businesses and residents suffer under increasingly unstable and expensive electricity. Legislators should champion policies that recognize natural gas as essential infrastructure, not a transition fuel to be phased out.

Key Facts & Figures

- Natural gas provides critical quick-start capability for grid balancing
- Gas heating costs $540 annually versus $900-$2,500 for electric heating in Virginia
- Pipeline constraints already limit Virginia's access to affordable gas supplies
- Data centers require 99.999% reliability, which gas generation helps provide
- Gas plants are essential to balance renewable intermittency—30% renewables require gas backup

Natural gas currently provides critical baseload and peaking power for Virginia's electric grid, offering unique advantages no other fuel source can match. Gas plants can start quickly, adjust output rapidly, and provide essential grid stability services that intermittent renewables cannot. As Virginia integrates more solar and wind power, natural gas becomes more important, not less, in maintaining reliability.

Virginia's data center industry, generating billions in economic activity, requires absolutely reliable power 24/7/365. Natural gas provides this reliability at a reasonable cost. Forcing gas plant retirements while data center demand explodes creates an impossible equation that threatens Virginia's economic competitiveness. Other states actively court data centers with promises of reliable, affordable power from diverse sources, including natural gas.

Pipeline constraints already limit Virginia's access to affordable natural gas, particularly during peak demand periods. Recent pipeline project cancellations have worsened this situation, forcing utilities to rely on more expensive and less reliable fuel delivery methods. Without new pipeline infrastructure, Virginia cannot access abundant domestic natural gas resources that could lower energy costs for all consumers.

Local government attempts to ban natural gas connections represent another threat to energy affordability and choice. These bans force expensive electric-only construction that increases costs for builders and residents while reducing resilience during power outages. Gas heating remains significantly cheaper than electric resistance heating, particularly important for low-income households. Protecting consumer choice and preventing local gas bans ensures Virginians maintain access to affordable energy options.

If We Do Nothing...

Virginia will face increasing energy shortages as gas plants retire without adequate replacement. Data centers will bypass Virginia for states guaranteeing reliable power, costing billions in lost investment. Electricity prices will spike during peak demand as limited gas infrastructure creates supply bottlenecks. Communities with gas bans will see construction costs rise and resilience decrease. Industrial facilities requiring process heat will relocate to states supporting gas infrastructure. Rural areas particularly dependent on propane and natural gas will face supply disruptions and price volatility. Grid operators will struggle to maintain stability without sufficient dispatchable generation, leading to increased blackout risks.

If We Take Action...

Protecting and expanding natural gas infrastructure will ensure Virginia maintains reliable, affordable electricity through the energy transition. New gas plants and pipelines will provide the flexibility needed to integrate renewables while maintaining grid stability. Data centers will continue choosing Virginia, confident in long-term energy reliability. Residential and commercial customers will benefit from fuel choice and competition between gas and electric services. Industrial facilities will expand operations knowing process heat requirements can be met. Rural communities will have assured access to affordable gas and propane. Virginia will maintain energy independence through access to abundant domestic natural gas resources. The Commonwealth will achieve environmental improvements through coal-to-gas switching while maintaining affordability and reliability.

Issue #2: Natural Gas
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Natural gas is a fossil fuel that contributes to climate change"

Natural gas produces 50% less CO2 than coal and provides the reliable backup needed for renewable integration. Without gas, Virginia would need to maintain coal plants longer or face reliability crises.

They'll say: "Investing in gas infrastructure creates stranded assets as we transition to clean energy"

Gas infrastructure will remain essential for decades as backup for renewables and for industrial processes that cannot be electrified. The alternative is energy shortage and economic decline.

They'll say: "Renewable energy plus batteries can replace natural gas"

Current battery technology cannot economically provide multi-day backup during extended renewable droughts. Gas plants provide seasonal storage and generation flexibility that batteries cannot match at grid scale.

Issue #3: Grid Reliability and Energy Security

Virginia's electric grid faces unprecedented reliability challenges as demand soars while dispatchable generation retires under mandate. PJM and NERC have issued stark warnings about potential energy shortfalls, yet current policies prioritize renewable targets over reliability. This isn't theoretical—other grids have experienced rolling blackouts when renewable generation fell short during extreme weather.

Legislators must mandate that reliability assessments precede any baseload retirement, require maintenance of adequate reserve margins, and incentivize development of dispatchable generation capable of 24/7 operation. Grid reliability should be the paramount consideration in all energy decisions, not an afterthought to environmental goals. This means maintaining fuel diversity, ensuring adequate transmission infrastructure, and recognizing that different generation sources provide different essential grid services.

The stakes couldn't be higher: unreliable electricity not only inconveniences residents but also costs lives during extreme weather, destroys businesses that depend on consistent power, and hinders the economic development Virginia needs. Legislators should champion policies that prioritize reliability, ensuring Virginia's grid can meet demand under all conditions, not just when the sun shines and wind blows.

Key Facts & Figures

- PJM warns reserve margins collapsing from 23% to 8% by 2028, potentially 5% by 2030
- Capacity shortages possible as early as 2026/2027 per PJM Board Chairman Mark Takahashi
- Data centers consume 4,140 MW (25% of state electricity), reaching 7,000 MW by 2032
- Essential grid services require synchronous generation from traditional plants
- July 2024: Single transmission fault caused 1,500 MW data center outage across 60 substations

Grid reliability depends on maintaining adequate dispatchable generation that can produce power on demand, regardless of weather conditions. Virginia's current trajectory—retiring baseload plants while adding intermittent renewables—fundamentally undermines this requirement. The math is simple: peak demand must be met even when renewable output is near zero, which happens regularly during heat waves and cold snaps when electricity demand peaks.

PJM Interconnection, the regional grid operator, has warned that Virginia faces increasing reliability risks as the generation portfolio shifts. Their analysis shows reserve margins collapsing from 23% currently to 8% by 2028 and potentially 5% by 2030. Board Chairman Mark Takahashi warned capacity shortages may affect the system as early as 2026/2027. NERC, the national reliability authority, identifies the PJM region as at elevated risk for energy shortfalls, with potential shortages beginning in 2025-2028.

Virginia's data center concentration makes reliability even more critical. These facilities consume 4,140 MW (25% of the state's electricity) today, and are projected to reach 7,000 MW by 2032 with 40,000 MW in various contracting stages. They require uninterrupted power; even brief outages can cause millions in damages and data loss. A July 2024 incident saw 1,500 MW of data center load lost across 60 Virginia substations from a single transmission fault.

Essential grid services—frequency regulation, voltage support, black start capability—traditionally come from large rotating generators at coal and gas plants. Inverter-based renewable resources cannot provide these services at the same level. As traditional plants retire, grid operators struggle to maintain stability. Battery storage helps but cannot replace the inertia and reactive power that synchronous generators provide. Maintaining adequate traditional generation isn't just about energy—it's about grid physics.

If We Do Nothing...

Virginia will experience increasing grid instability and eventual rolling blackouts as dispatchable generation retires without adequate replacement. Data centers will implement costly backup generation or relocate to states with reliable grids. Manufacturing facilities will suffer production losses from power quality issues and outages. Hospitals and critical infrastructure will require expensive backup systems. Residential customers will face controlled outages during extreme weather when renewable generation cannot meet demand. The economic damage from unreliability will dwarf any savings from renewable energy. Virginia's reputation as a business-friendly state will erode as companies experience power disruptions. Insurance costs will rise as outage risks increase. Social costs will mount as vulnerable populations suffer during extended outages.

If We Take Action...

Prioritizing reliability will ensure Virginia maintains a stable electricity supply through all conditions. Comprehensive reliability assessments before plant retirements will prevent capacity shortfalls. Incentives for dispatchable generation will attract investment in reliable resources. Data centers will continue viewing Virginia as the premier location for critical infrastructure. Manufacturing will expand, confident in power quality and availability. Grid operators will maintain essential services through adequate synchronous generation. Residents will avoid the blackouts plaguing other states that prioritized renewables over reliability. Virginia will demonstrate that environmental progress and reliability are not mutually exclusive. The Commonwealth will attract businesses fleeing states with unreliable power, generating jobs and tax revenue. Most importantly, Virginia will protect public health and safety through an assured electricity supply during extreme weather events.

Issue #3: Grid Reliability and Energy Security
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Renewable energy with battery backup can provide the same reliability as traditional plants"

Grid operators worldwide confirm that inverter-based resources cannot provide all essential reliability services. Texas and California have experienced blackouts despite massive renewable investments.

They'll say: "Demand response and efficiency can reduce the need for generation capacity"

Demand response helps at the margins but cannot replace baseload generation. Asking customers to curtail usage during emergencies is an admission of inadequate supply, not a reliability solution.

They'll say: "Regional transmission can import power when Virginia generation falls short"

Virginia already imports more electricity than any other state. Depending on imports makes Virginia vulnerable to other states' policy decisions and transmission constraints during regional weather events.

Issue #4: Cost Transparency and Consumer Protection

Virginia ratepayers deserve to know exactly what they're paying for in their electricity bills. Yet, current practices hide the actual costs of renewable mandates and regulatory programs behind opaque rate structures. Utilities bundle these costs into base rates, making it impossible for consumers to understand how policy decisions affect their bills. This lack of transparency prevents informed public debate about energy policy trade-offs.

Legislation should mandate detailed line-item billing that separately identifies costs for renewable programs, RGGI compliance, transmission upgrades for renewable integration, and other policy-driven charges. Every mandate and program should show its specific cost impact. Additionally, any rate adjustment tied to state mandates should require explicit legislative approval, not just State Corporation Commission review.

Transparency drives accountability. When constituents see that renewable mandates add $30, $50, or more to monthly bills, they can make informed decisions about policy trade-offs. Hidden costs enable politicians to claim credit for environmental programs while avoiding responsibility for rate impacts. Legislators should champion transparency requirements that reveal the true cost of energy policies, empowering consumers and ensuring honest policy debates.

Key Facts & Figures

- VCEA compliance costs: $609 million (2025-2026), adding $92.16 annually per household
- Combined VCEA charges: $17.89 per 1,000 kWh ($215 annually per typical customer)
- Virginia electricity rates increased 23% from 2020-2024
- Transmission upgrades for renewable integration: $5.9-6.7 billion approved by PJM
- Long-term VCEA costs: $203 billion through 2050 ($1,770 average annual per customer)

Virginia's current utility billing obscures the significant costs imposed by renewable mandates and environmental programs. Base rates, fuel charges, and various riders blend, making it impossible for ratepayers to understand cost drivers. The State Corporation Commission approves these complex rate structures that, while technically accurate, fail to provide meaningful transparency about policy costs.

VCEA compliance costs, RGGI carbon allowance purchases, transmission upgrades for renewable integration, and battery storage investments all flow through to ratepayers, but remain hidden in aggregate charges. These programs add $17.89 per 1,000 kWh ($215 annually) to typical residential bills today, with Virginia electricity rates increasing 23% from 2020-2024. September 2024's 11% rate increase was primarily VCEA-driven.

Other states have implemented transparent billing that clearly shows policy-driven costs. When consumers can see specific charges for renewable programs, they can evaluate whether benefits justify costs. This transparency has led to policy reforms in states where consumers rebelled against excessive mandate costs. Virginia ratepayers deserve the same clarity about what they're paying for and why.

Legislative approval for mandate-driven rate increases would ensure elected officials take responsibility for policy costs. Currently, utilities pass mandate costs through to ratepayers automatically, with only SCC review of calculation accuracy, not policy wisdom. Requiring legislative approval would create accountability, forcing lawmakers to explicitly endorse the rate increases their policies cause. This would improve policy design as legislators consider cost impacts before imposing mandates.

If We Do Nothing...

Ratepayers will continue paying ever-increasing electricity bills without understanding cost drivers. Hidden mandate costs will enable politicians to impose expensive programs without accountability. Public trust in utilities and government will erode as bills rise mysteriously. Low-income households will struggle with affordability without knowing which policies drive costs. Businesses will make location decisions based on incomplete information about energy costs. Policy debates will lack grounding in actual cost impacts, leading to poor decisions. Consumer advocates will lack the data needed to challenge excessive mandate costs. Virginia will maintain a system that socializes costs while privatizing the benefits of renewable development.

If We Take Action...

Transparent billing will empower consumers with knowledge about energy cost drivers. Ratepayers can make informed decisions about policy trade-offs between environmental goals and affordability. Political accountability will improve as legislators must explicitly approve mandate-driven rate increases. Public debate about energy policy will be grounded in actual costs rather than rhetoric. Consumer advocates will have ammunition to challenge excessive programs. Businesses will better understand and predict energy costs for planning purposes. Low-income households can identify which programs drive unaffordability and seek targeted relief. Trust in utilities and government will improve through transparency. Most importantly, Virginia will demonstrate that honest governance requires transparent presentation of policy costs, not hiding them in complex rate structures.

Issue #4: Cost Transparency and Consumer Protection
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Detailed billing would be too complex and confuse consumers"

Consumers deserve transparency even if it reveals complexity. Other utilities successfully provide detailed billing that clearly shows cost components. Hiding costs doesn't eliminate them—it just prevents informed decisions.

They'll say: "Separating mandate costs from base rates is technically impossible"

Utilities already track these costs separately for regulatory filings. The same data used for SCC proceedings can generate transparent customer bills. Technical capability exists; political will is lacking.

They'll say: "Legislative approval of rates would politicize utility regulation"

Energy policy is inherently political. Legislators who impose mandates should take responsibility for resulting costs. Current system allows politicians to claim environmental virtue while avoiding accountability for rate impacts.

Issue #5: Demand-side Controls and Smart Meter Mandates

Virginia utilities increasingly propose demand-side controls that give them power over customer energy usage, from smart thermostats that can be adjusted remotely to time-of-use rates that penalize consumption during peak periods. While marketed as efficiency measures, these programs represent fundamental shifts in the utility-customer relationship, transferring control from consumers to utilities. Rather than building adequate generation to meet demand, utilities seek to ration existing supply through technology-enabled usage controls.

The General Assembly should resist mandates for smart meter deployment and utility-controlled devices. Price signals, not remote control, should guide consumption decisions. Voluntary programs may have merit, but forcing consumers to cede control over their thermostats or appliances crosses essential boundaries. These technologies also raise privacy concerns as utilities gather detailed data about household activities.

Demand management cannot substitute for adequate supply. Virginia needs more generation capacity, not sophisticated rationing systems. Legislators should ensure that utilities focus on their core obligation—providing reliable electricity when customers need it—rather than gaining control over how and when customers use energy.

Key Facts & Figures

- Dominion deployed 2.5 million smart meters (89% of customers) with <0.15% opt-out rate
- Time-of-use rates vary dramatically: 13¢/kWh on-peak to 0.2¢ super-off-peak
- Smart meters collect usage data in 15-minute intervals
- Demand response achieved 9.4% peak reduction for participating state agencies
- Virginia's 13 electric cooperatives serve 700,000 meters with varying smart meter deployment

Demand-side management programs proliferate as utilities seek to avoid building new generation capacity. Smart meters enable time-of-use pricing that charges premium rates during peak periods (13¢/kWh on-peak versus 0.2¢ super-off-peak), effectively rationing electricity through price rather than ensuring adequate supply. Dominion has deployed 2.5 million smart meters (89% of customers), while Appalachian Power has deployed 450,000 (50% coverage).

The push for demand controls accelerates as renewable integration challenges grow. When solar generation drops at sunset during summer peak demand, utilities want the ability to reduce customer usage rather than maintain sufficient dispatchable generation. This represents a fundamental failure of energy planning—building insufficient reliable capacity, then forcing customers to adapt. Virginia's growing data center demand makes residential demand management particularly attractive to utilities seeking to avoid infrastructure investment.

Privacy implications deserve serious consideration. Smart meters collect detailed usage data that reveals household activities, from when residents wake up to when they're away. This data has commercial value and could be vulnerable to hacking or misuse. Utility-controlled devices in homes raise additional concerns about corporate intrusion into private spaces. The benefits of marginal efficiency gains must be weighed against privacy costs.

European experiences with demand management during energy crises show the risks. Consumers faced not just high prices but actual rationing, with utilities remotely controlling heating and cooling. California has similarly used controlled outages and emergency demand curtailment when renewable generation falls short. Virginia should learn from these failures rather than repeat them. Building adequate generation remains the proper solution to meeting demand.

If We Do Nothing...

Utilities will deploy smart meters statewide and implement increasingly aggressive demand control programs. Time-of-use rates will penalize working families who need electricity after they return home from work and school. Remote thermostat control will leave vulnerable populations suffering during extreme weather. Privacy erosion will accelerate as utilities collect and monetize detailed usage data. The precedent of utility control over private consumption will expand beyond electricity to other services. Low-income households will bear a disproportionate burden as they cannot shift usage to off-peak periods. Small businesses will face operational disruptions from demand response mandates. The fundamental utility obligation to serve will be replaced by customer obligation to curtail usage.

If We Take Action...

Protecting consumer control over energy usage will preserve the traditional utility compact—reliable service on demand. Voluntary efficiency programs can proceed without mandating participation or smart meter deployment. Privacy protections will prevent unauthorized data collection and usage. Utilities will focus on the core mission of building adequate generation rather than managing demand. Working families won't face punishment for using electricity when needed. Vulnerable populations will maintain control over heating and cooling for health and safety. Small businesses can operate without disruption from utility-imposed curtailments. Market price signals, rather than utility control, will guide efficient consumption decisions. Most importantly, Virginia will affirm that access to electricity is a service utilities must provide, not a privilege they ration.

Issue #5: Demand-side Controls and Smart Meter Mandates Rebuttal: How to defeat the most common opposition arguments

They'll say: "Smart meters and demand response reduce costs for all ratepayers by avoiding expensive peaking plants"

Utilities should build adequate generation to meet customer demand, not ration insufficient supply. The minimal peak reduction from these programs doesn't justify privacy intrusion and loss of consumer control.

They'll say: "Customers voluntarily participate and can opt out of control programs"

Opt-out provisions often include penalties or higher rates, making them mandatory in practice. Once smart meters are deployed, utilities pressure regulators to implement time-of-use rates that punish normal consumption patterns.

They'll say: "Demand management is essential for renewable integration"

This admission reveals the problem—renewable generation cannot meet demand reliably, so utilities want to control demand instead. The solution is maintaining adequate dispatchable generation, not rationing electricity.

Issue #6: Market-based Competition and Subsidy Reform

Virginia's energy markets are distorted by preferential treatment, subsidies, and mandates that favor specific generation sources over others, preventing actual competition and raising costs for consumers. Renewable energy receives production tax credits, investment tax credits, renewable energy certificates, and guaranteed purchase agreements, while facing no responsibility for reliability or backup costs. This tilted playing field prevents efficient market outcomes and forces consumers to pay for politically favored technologies regardless of actual value.

The General Assembly should eliminate technology-specific subsidies and mandates, creating a level playing field where all generation sources compete on merit. This means ending renewable portfolio standards, eliminating special carve-outs, and requiring all generators to bear their full costs, including reliability impacts. Actual competition would reward efficient, reliable, and affordable generation regardless of fuel source.

Markets work when price signals reflect actual costs and value. Current policy socializes renewable costs while privatizing benefits, creating massive market distortions. Legislators should champion competitive markets where consumer choice, not political preference, determines generation mix. This approach would lower costs, improve reliability, and encourage genuine innovation rather than subsidy-chasing.

Key Facts & Figures

- Federal renewable subsidies worth 30-50% of project costs
- Integration costs add 50-100% to renewable energy's actual price
- States with renewable mandates average 11-17% higher electricity rates
- PJM approved $5.9-6.7 billion in transmission upgrades, with Virginia bearing the significant share
- Eight of ten most expensive electricity states have RPS mandates

Virginia's electricity market suffers from extensive government intervention that prevents efficient outcomes. Renewable generators receive multiple subsidies: federal tax credits worth 30-50% of project costs, state renewable energy certificate payments, utility purchase mandates regardless of need, and exemption from backup and transmission costs they impose. These interventions create artificial competitiveness for otherwise uneconomic projects.

The full cost of renewable integration remains hidden through socialized transmission upgrades, backup generation requirements, and grid stability services. PJM approved $5.9-6.7 billion in transmission projects, with Virginia bearing substantial costs due to 7,500 MW of data center load growth. When solar output drops suddenly, gas plants must rapidly ramp up, increasing their operational costs and emissions. Integration costs potentially add 50-100% to renewable energy's actual price.

Competitive markets successfully deliver complex goods and services throughout the economy, yet electricity markets face constant intervention based on political preferences rather than economic efficiency. The result is massive misallocation of capital, stranded assets, and higher consumer costs. States with the most aggressive renewable mandates consistently show the highest electricity rates, demonstrating mandate failure.

Actual competition requires all generators to internalize their costs. Renewable generators should pay for transmission upgrades they necessitate, provide firm capacity or pay for backup, and bear grid integration costs. Baseload plants should compete without guaranteed cost recovery. Consumers should choose suppliers based on price, reliability, and preferences. This market approach would reveal actual costs and values, leading to efficient outcomes that serve consumer interests rather than political agendas.

If We Do Nothing...

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If We Take Action...

Protecting consumer control over energy usage will preserve the traditional utility compact—reliable service on demand. Voluntary efficiency programs can proceed without mandating participation or smart meter deployment. Privacy protections will prevent unauthorized data collection and usage. Utilities will focus on the core mission of building adequate generation rather than managing demand. Working families won't face punishment for using electricity when needed. Vulnerable populations will maintain control over heating and cooling for health and safety. Small businesses can operate without disruption from utility-imposed curtailments. Market price signals, rather than utility control, will guide efficient consumption decisions. Most importantly, Virginia will affirm that access to electricity is a service utilities must provide, not a privilege they ration.

Issue #6: Market-based Competition and Subsidy Reform
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Renewable subsidies are necessary to combat fossil fuel subsidies and address climate change"

Two wrongs don't make a right. Eliminate all subsidies and let technologies compete on merit. If climate costs are the concern, price carbon directly rather than picking winners through subsidies.

They'll say: "Renewable energy needs support to achieve scale and drive down costs"

After decades and hundreds of billions in subsidies, renewables still cannot compete without support. Continuing subsidies prevents market discipline that would drive genuine innovation and cost reduction.

They'll say: "Utility regulation is necessary because electricity is a natural monopoly"

Generation is not a natural monopoly—only transmission and distribution are. Competitive generation markets in other states demonstrate that competition delivers better outcomes than regulated monopolies.

Issue #7: Regulatory Authority and SCC Independence

The State Corporation Commission's authority to regulate utilities based on economic principles and public interest has been steadily eroded by legislative mandates that dictate specific investments regardless of cost or need. The General Assembly has increasingly bypassed SCC review by declaring specific projects "in the public interest" by statute, eliminating meaningful regulatory oversight. This legislative interference has contributed to rising rates as utilities gain guaranteed cost recovery for politically favored projects without demonstrating economic benefit.

Restoring full regulatory authority to the SCC would ensure utility investments face rigorous economic scrutiny before costs are passed to ratepayers. The Commission should evaluate all projects based on a comprehensive cost-benefit analysis, not political declarations. This includes authority over integrated resource planning, rate design, and cost recovery without legislative pre-approval of specific technologies or projects.

Independent regulatory oversight protects consumers from excessive costs while ensuring utilities make prudent investments. Legislators should resist the temptation to pick winners through statutory mandates and instead empower professional regulators to protect ratepayer interests through careful economic analysis.

Key Facts & Figures

- SCC approved $10.7 billion offshore wind (up from $9.8 billion) despite "most expensive" warning
- Legislative mandates bypass normal prudence review for cost recovery
- Rate increases from mandated investments are exempt from regular SCC scrutiny
- Virginia electricity rates increased 23% from 2020-2024

The State Corporation Commission traditionally served as an independent check on utility monopoly power, ensuring rates remained just and reasonable while utilities provided adequate service. This regulatory compact balanced utility profit opportunities with consumer protection through professional oversight based on economic analysis and public interest considerations. However, recent legislative actions have fundamentally undermined this balance.

The General Assembly has increasingly mandated specific utility investments—offshore wind, solar projects, grid modernization, battery storage—while simultaneously declaring them "in the public interest" by statute. This legislative pre-approval eliminates meaningful SCC review, reducing the Commission to merely verifying mathematical calculations rather than evaluating economic merit. Utilities effectively receive blank checks for politically favored projects, knowing cost recovery is guaranteed regardless of performance.

VCEA represents the most egregious example, mandating billions in renewable investments while limiting SCC authority to protect ratepayers from excessive costs. The Commission approved Dominion's $10.7 billion offshore wind project (up from initial $9.8 billion estimate) despite explicitly stating it would produce "among the most expensive sources of power...in the entire United States." This systematic bypassing of regulatory oversight has contributed to Virginia's 23% rate increase from 2020-2024.

Professional regulators with technical expertise and analytical resources are better positioned than legislators to evaluate complex utility investments. The SCC employs economists, engineers, and industry experts who can assess whether projects serve ratepayer interests. Legislative mandates substitute political judgment for professional analysis, leading to expensive mistakes that burden ratepayers for decades. Restoring SCC independence would reestablish the crucial check on utility monopoly power.

If We Do Nothing...

Legislative mandates will continue to force poorly made investments onto ratepayers without meaningful regulatory review. Utilities will pursue politically favored projects knowing cost recovery is guaranteed regardless of performance or need. Electricity rates will rise faster than necessary as mandated investments escape normal prudence review. The SCC will become increasingly irrelevant, reduced to ministerial functions rather than meaningful oversight. Political deal-making will replace professional analysis in determining billions in utility investments. Ratepayers will lose their primary protection against monopoly abuse as regulatory independence erodes further.

If We Take Action...

Restoring SCC authority will reestablish crucial consumer protections through independent regulatory oversight. Professional analysis rather than political favor will determine utility investments. Comprehensive cost-benefit reviews will prevent poorly planned projects from burdening ratepayers. Utilities will face regular regulatory discipline, improving efficiency and innovation. Rate increases will reflect actual need rather than political mandates. Technical expertise will guide complex decisions about grid investments and resource planning. Regulatory transparency will improve as SCC proceedings replace backroom legislative deals. Most importantly, Virginia will restore the regulatory compact that balances utility opportunities with consumer protection, ensuring just and reasonable rates through independent oversight rather than political interference.

Issue #7: Regulatory Authority and SCC independence
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Legislative direction is necessary to achieve important policy goals like clean energy"

The SCC can consider environmental benefits in public interest determinations without legislative mandates. Professional regulators can balance multiple objectives better than political mandates that ignore costs.

They'll say: "Utilities have captured the SCC and need legislative oversight"

Legislative mandates that guarantee cost recovery show more capture than independent regulation. Strengthening SCC independence and transparency addresses concerns better than political interference.

They'll say: "Elected legislators are more accountable than appointed regulators"

Legislators who mandate expensive projects don't face consequences when rates rise years later. SCC commissioners focus solely on utility regulation with clear accountability for decisions, unlike legislators juggling hundreds of issues.

Issue #8: Local control over energy infrastructure siting

Local communities across Virginia are fighting massive solar installations, battery storage facilities, and transmission projects that industrialize rural landscapes and agricultural areas. Yet proposals to create state-level siting boards would strip local governments of zoning authority, forcing communities to accept projects they oppose. This fundamental violation of local self-governance threatens property rights and community character while benefiting out-of-state developers at local expense.

The General Assembly should explicitly protect local zoning authority over all energy projects, rejecting any attempt to create state override mechanisms. Communities best understand their land use needs, environmental concerns, and development priorities. State mandates for renewable energy should not translate into state control over where projects are built. Local governments must retain power to balance energy development with agricultural preservation, environmental protection, and community character.

Property rights and local control are foundational conservative principles. Legislators should stand with constituents against efforts to impose industrial energy projects on unwilling communities, ensuring local voices determine local land use.

Key Facts & Figures

- Virginia operates 66 solar farms covering 30,632 acres (averaging 5 acres per MW)
- Spotsylvania solar facility: 617 MW across 6,350 acres
- 34 counties have restrictive solar ordinances; 16 effectively ban utility-scale projects
- Virginia lost 500,000 acres of farmland 2017-2022; 45,900 more acres are projected for solar by 2040
- Property values can decrease 10-30% near industrial energy facilities

The rush to meet renewable energy mandates has created intense pressure to site massive solar farms, wind projects, and battery storage facilities across Virginia. These industrial-scale installations can cover thousands of acres, transforming agricultural communities and rural landscapes. Virginia operates 66 solar farms totaling 2,774 MW across 30,632 acres. Local governments currently maintain zoning authority over these projects, with 34 counties enacting restrictive ordinances and 16 effectively banning utility-scale solar.

However, renewable developers and utilities increasingly push for state-level siting authority that would override local opposition. Other states have created siting boards that force projects on unwilling communities, leading to bitter conflicts and erosion of property rights. These proposals typically claim local "NIMBYism" blocks necessary energy infrastructure, but ignore legitimate concerns about farmland preservation, environmental impacts, and community character.

Solar facilities require extensive grading, eliminate agricultural use for decades, and create industrial zones in rural areas. The 617 MW Spotsylvania facility covers 6,350 acres, while major projects average 5 acres per MW. Virginia lost 500,000 acres of farmland from 2017-2022, with projections of 45,900 additional acres for solar by 2040. Battery storage facilities pose fire and chemical risks that rural fire departments cannot address.

The principle extends beyond renewable energy to all infrastructure. Once state override authority exists, it expands. Today's solar farm becomes tomorrow's pipeline, transmission line, or industrial facility. Protecting local zoning authority preserves community self-determination and property rights. State energy policy should work within local land use frameworks, not override them. Markets can determine optimal project locations through voluntary agreements, not forced siting.

If We Do Nothing...

Pressure will mount for state siting authority as renewable mandates collide with local opposition. Communities will lose control over their landscapes and character as state boards force unwanted projects. Rural areas will be industrialized against resident wishes, destroying agricultural heritage and environmental resources. Property rights will erode as state override mechanisms expand beyond energy to other infrastructure. Local democracy will weaken as important decisions shift to distant bureaucrats. Bitter conflicts will intensify as communities fight imposed projects through litigation and protest. Trust in government will collapse as local voices are silenced.

If We Take Action...

Protecting local authority will preserve community self-determination and property rights. Renewable development will proceed where communities welcome it through voluntary agreements and appropriate zoning. Agricultural areas can preserve farmland while industrial zones accommodate energy projects. Local governments will balance competing interests based on community priorities. Property owners will retain voice in nearby development decisions. Democratic accountability will remain at the local level where impacts occur. Market mechanisms rather than state force will determine optimal project locations. Rural communities will maintain their character and heritage while participating appropriately in energy development. Most importantly, Virginia will affirm that local control over land use remains a fundamental right not subject to state override for politically favored projects.

Issue #8: Local control over energy infrastructure siting
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Local opposition blocks necessary renewable energy development to meet state mandates"

If communities oppose projects, forcing them through state override violates basic democratic principles. Mandates should work within local frameworks, not override community self-determination.

They'll say: "State siting ensures consistent standards and faster project approval"

Consistency shouldn't override community input. Different localities have different priorities—agricultural counties may restrict solar while industrial areas welcome it. This diversity reflects legitimate local differences.

They'll say: "Energy infrastructure is a state interest that transcends local concerns"

All impacts occur locally—land use changes, environmental effects, property value losses. If you live in an area where you pay the costs, you deserve a decisive voice.

State interests don't justify overriding local democracy and property rights.

Recommendations

Our Top 3 Legislative Priorities for Virginia...

1. VCEA Reform or Repeal

- **What it does:** Eliminates mandatory renewable targets and non-compliance penalties while preserving existing generation resources
- **Why Virginia needs it:** Prevents $609 million annual compliance costs (increasing rates 65%) and maintains grid reliability as demand soars
- **The numbers:** $203 billion total VCEA costs through 2050; Virginia imports 36% of electricity (50.1 million MWh)
- **Political landscape:** Growing bipartisan concern about reliability and costs; business community strongly supports reform

2. Grid Reliability First Act

- **What it does:** Requires comprehensive reliability assessment before any baseload retirement and maintains adequate reserve margins
- **Why Virginia needs it:** PJM warns of capacity shortages by 2026/2027 as reserve margins collapse from 23% to 8% by 2028
- **The numbers:** Data centers consume 25% of state electricity (4,140 MW); July 2024 fault caused 1,500 MW data center outage
- **Political landscape:** Blackout risks create urgency; data center industry influential in making reliability a priority

3. Energy Cost Transparency Act

- **What it does:** Mandates line-item billing showing all mandate-driven costs and requires legislative approval for mandate-related rate increases
- **Why Virginia needs it:** Consumers deserve to know true costs of energy policies hidden in complex rate structures
- **The numbers:** VCEA charges add $17.89 per 1,000 kWh ($215 annually); rates increased 23% from 2020-2024
- **Political landscape:** Consumer protection appeals across party lines; transparency hard to oppose politically

Elevator Pitch...

Virginia faces an energy reliability crisis as demand soars while mandates force retirement of dependable generation, threatening both economic growth and grid stability with potentially catastrophic consequences for businesses and families.

Top 3 Virginia Statistics to Remember...

1. VCEA non-compliance costs of $609 million (2025-2026) increase rates 65%—from $4.69 to $7.68 per 1,000 kWh

2. Virginia imports 36% of its electricity (50.1 million MWh)—more than any other state—while data centers consume 25% of in-state power

3. PJM warns reserve margins collapsing from 23% to 8% by 2028 with capacity shortages possible by 2026/2027

Most Effective Argument for Virginia...

We can protect the environment while keeping the lights on and bills affordable—but only if we let markets and innovation, not mandates and subsidies, drive our energy future.

Additional Resources

Key Virginia Stakeholders: Thomas Jefferson Institute, Virginia Institute for Public Policy

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FAMILY
Respect and dignity for human life

In a nutshell...

Life is sacred and deserves dignity and value regardless of age, size, or capability of the individual. The right to life is foundational to all other rights. Not only should policy strive to save the lives of the unborn, but it should aim to provide these preborn children with greater legal status as individuals. When discussing the sanctity of life, the primary focus is on abortion and end-of-life medical treatment.

Public policy should be crafted to help support women through every stage of pregnancy, helping equip them to be able to properly care for their child. With this end in mind, we should prioritize policies that protect faith-based organizations that help to assist these women. Sanctity of life advocates should not be punished for their constitutionally protected expressions. The goal of policy is to empower and encourage women to proceed with their pregnancies, giving them the confidence and ability to parent their child.

Life is valuable not only during the initial stages of life but at the end of one's life. Policies should be implemented to help defend life at a vulnerable stage when the individual is dying, facilitating access to higher quality end-of-life care such as palliative, hospice, and therapeutic treatments. Physician-assisted suicide should be prohibited to protect the integrity of the patient-physician relationship and to protect the most vulnerable of society: people with disabilities, the mentally ill, the elderly, and the poor. Physicians are tasked with the noble task of caring for the patient and doing no harm: ending that patient's life with life-ending drugs is not merciful, but harmful. Furthermore, deciding to receive physician-assisted suicide eliminates the rare but potential chance that the patient makes a miraculous recovery from their illness.

Key Statistics

- ***Between 2023 and 2024, Virginia experienced the largest increase in the number of abortions out of all 50 states***
- ***Black women have an abortion rate four times higher than white women***
- ***In the last 6 years the annual volume of abortions in Virginia grew by 138%***

Issue #1: Oppose Unlimited Abortion Amendment (HR 1 and SR 247)

The proposed amendment to the Virginia State Constitution, enacting a "fundamental right to reproductive freedom," is vague and the most far-reaching (unlimited) amendment language in the country. Individuals would be allowed to abort a baby for any reason up until the moment of the child's birth, surpassing current Virginia law that limits third trimester abortions. It would prohibit parental notification and consent for a minor child to receive an abortion. Health and safety regulations to protect women seeking an abortion would not be permitted under this amendment, leaving women vulnerable to harm or in extreme cases, death. Abortion procedures could be administered by an individual who is not a licensed physician.

The amendment would facilitate the establishment of an abortion shield law, protecting any individual who aids or assists another individual in providing an abortion from legal repercussions. Physicians would not be held liable for any harm they cause women or the baby, both in Virginia and in the anti-abortion state where their patient resides, as they would be shielded from civil, criminal, and professional discipline. This would make it even more difficult to investigate potential harms of abortifacients on women, threaten interstate comity, and normalize interstate conflict.

Key Facts & Figures

- If approved by the 2026 General Assembly, this amendment will appear on the mid-term ballot in 2026.
- Virginia's proximity to Southern states like Tennessee, North Carolina, Georgia, and Florida with strict abortion limits makes it attractive to out-of-state patients from these states (closest state to Florida without a mandated waiting period)
- Black women disproportionately receive more abortions than White women in Virginia based on a 2022 Abortion Surveillance study by the CDC (35% vs. 22%, respectively), which means this population will be exploited.
- Virginia experienced the largest increase in out-of-state abortion patients between 2023 and 2024 by about 4,400 abortions.
- In June 2024, telehealth abortions in Virginia accounted for 24% of the total abortions that month.

Under this amendment, women and babies are subject to large safety risks because any normal health and safety standards currently in place when it comes to receiving an abortion can be construed as burdening an individual's right to reproductive freedom. True informed consent for women seeking an abortion, including the opportunity to see an ultrasound, is not permitted. Abortionists will not be required to give reasonable, life-saving care to babies who survive an abortion attempt.

The amendment's "reproductive freedom" is an open-ended and undefined phrase, leaving room for unregulated sale and purchase of human embryos, unethical research, and the commodifying of human beings, leading to the exploitation of women. As this amendment gives the right to reproductive freedom to "every individual," it leaves open opportunities to biological men and minors to have the right to sterilization, and thus gender-reassignment surgeries.

If We Do Nothing:

Abortion will become unlimited without any reasonable measures to protect the health and safety of women and children. Virginia will become a haven for women seeking abortion, in-state and out-of-state, since telehealth abortions are becoming more prevalent. Physicians will be shielded from potential legal repercussions in assisting or aiding abortions for these individuals. "Reproductive freedom" will be broadly construed, opening the opportunity for allowing gender-reassignment surgeries and hormone treatments for children desiring to undergo gender transitioning.

If We Take Action:

We can achieve the following:

- Prevent minors from having abortions without parental knowledge and consent
- Stop untrained individuals from performing unsafe abortions and protecting them from prosecution when they harm patients
- Support efforts by groups seeking to provide alternatives to abortion to save thousands of preborn lives in Virginia.

Issue #1: Oppose Unlimited Abortion Amendment
Rebuttal: How to defeat the most common opposition arguments

They'll say: "The amendment does not indicate that providing a fundamental right to reproductive freedom will prevent the implementation of safeguards to protect the health and safety of women."

The fact that the right to reproductive freedom shall not be denied, burdened, or infringed would be construed to prevent the implementation of reasonable safeguards during the abortion process.

They'll say: "The amendment does not undermine parental consent."

The broad language of the amendment granting "the fundamental right to reproductive freedom" to "every individual" means that it applies to anyone, regardless of age. That means no laws can restrict even minors' ability to obtain an abortion.

Issue #2: Protect Vulnerable People from Physician-Assisted Suicide

Physician assisted suicide (PAS) is when a physician provides a terminally ill individual with the means—usually a prescription for lethal medication—to end their own life. PAS is deeply problematic because it contradicts the principle that every human life, regardless of condition, holds inherent worth. Legalizing PAS places vulnerable individuals—such as the elderly, individuals with disabilities, or those experiencing mental distress—at risk of feeling coerced or like a "burden," potentially opting for death instead of receiving compassionate care.

Key Facts & Figures

- In Canada, medically assisted deaths (MAID) rose dramatically: in 2023 alone, there were 15,343 such deaths, accounting for 4.7% of all deaths, with a total of over 60,300 MAID deaths since legalization in 2016.
- Quebec leads with nearly 37% of Canada's MAID cases despite being roughly 22% of the population, and overall, MAID grew by about 15.8% from 2022 to 2023.
- According to recent statistics, in the Netherlands—the first country to legalize the process, in 2002—more than 5% of annual deaths are due to PAS. In Canada, more than 15,000 people died by PA in 2023, which was a 4.7% of total deaths.
- While the United States may not have a completely socialized system of medicine, government covers nearly half of all healthcare expenditure. At some point, it may have a financial incentive to hasten people towards death.

The "No Suicide Virginia" campaign and Virginia bishops have warned that PAS legislation sends a societal signal that some lives are less valuable and could lead to insurance companies favoring less costly lethal options over expensive, life affirming treatments or palliative care. This concern is reinforced by evidence from other states where insurers have been reported to deny lifesaving care while covering lethal drugs instead (nosuicideva.org). Further, PAS undermines the ethical role of physicians as healers and erodes trust in medicine, making regulation difficult and opening the door to abuse.

If We Do Nothing...

VPAS would become an end of life option, potentially leading to increased enrollment in MAID over time and raising concerns that vulnerable patients might feel subtly coerced or be diverted from palliative or life-saving care.

If We Take Action...

The Commonwealth would uphold a culture that protects the vulnerable and affirms the physician's role as a healer—not a killer—ensuring life affirming care and preventing exploitation through financial or systemic pressures on patients.

Issue #2: Protect Vulnerable People from Physician-Assisted Suicide
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Physician-assisted suicide allows terminally ill individuals a "dignified, peaceful end" and can relieve unbearable suffering when no other options bring comfort"

Physician-assisted suicide risks pressuring vulnerable individuals—especially people with disabilities or indigent—to choose death over care and corrodes the ethical foundations of medicine by placing doctors in the role of life terminators. It also ignores the many ways medical practitioners can provide pain management and palliative care for people with terminally ill diagnosis.

FAMILY
Marriage and Family

In a nutshell...

Marriage between one man and one woman is the bedrock of civilization. The Virginia Constitution defines marriage as "a union between one man and one woman." However, this definition is unenforceable under the Supreme Court's decision in Obergefell v. Hodges. Policy issues regarding marriage fundamentally surround how marriage ought to be defined by law. These issues may include: the Virginia Marriage Amendment, no-fault divorce, same-sex marriage, or family building incentives.

Healthy marriages are essential to the everyday functions of Virginians and are the foundations for a flourishing civil society. Marriage affects early-childhood development, truancy, educational attainment, tax status, birth-rates, financial security, normative moral upbringing, crime-rates, healthcare quality, etc. As a result, divorce, domestic violence, and nonheteronormative marriages negatively affect the aforementioned list. Marriages are most successful and beneficial to society if they are a lasting union between one man and one woman.

The General Assembly should also remember that distortions of the definition of marriage harm society. Practices such as no-fault divorce increase the likelihood of divided families and harms childhood development. Further, expanding the definition of marriage to two persons of the same sex or regardless of gender identity, harms religious liberties and discourages healthy family building standards.

Key Statistics

Married people tend to live longer than unmarried people. According to a meta-analysis of 7.9 million individuals, being unmarried (never married, divorced, widowed) is associated with higher risks of all-cause mortality, cardiovascular disease mortality, and cancer mortality compared to being married.

Issue #3: Oppose Virginia's Transgender / Same-Sex Marriage Amendment

The proposed Marriage Amendment does not simply repeal Virginia's definition of marriage between one-man and one-women but completely alters the definition of marriage. As a constitutional amendment, whatever is passed in this Amendment trumps all other statutes or legal decisions and becomes the law of the land in Virginia. This is problematic because the Marriage Amendment separates sex and gender. Passing the Transgender/Same-Sex Marriage Amendment would give legal credence to men playing in female sports and remove legal credence from religious service refusals to non-heteronormative couples.

Furthermore, the marriage amendment originally included religious protection, but the General Assembly removed those protections during the legislative process. This demonstrates that the General Assembly intentionally removed religious liberties from the amendment, creating a historical precedence of legislative intent against religious liberties. The court system in Virginia, when examining laws, gives deference to the intent of the legislature. Therefore, court systems will use legislative intent to argue that the General Assembly does not intend to protect religious rights in conflict with the proposed amendment. Same sex marriage is already protected under the law. This Amendment is unnecessary and harmful.

Key Facts & Figures

- According to the Pew Research Center, **60% of Americans believe** business owners should not have to provide services if it may conflict with their personal or religious LGBT beliefs. In other words, 60% of Americans believe that the marriage amendment ought to include religious exceptions.
- According to research at the University of Chicago, **68% of Americans affirm that** biological characteristics at birth (sex) determine the gender of a man or woman. In other words, 68% of Americans disagree with the amendment's separation of sex and gender.
- According to the American Survey Center, Gen Z has decreased support for same-sex marriage by 11% since 2021. More surprisingly, **72% of black Democrat voters** do not support same-sex marriage. The statistics are illustrative of the general public sentiment.

In 2006, Virginian voters passed a constitutional amendment defining marriage as "a union between one man and one woman." The 2015 Supreme Court opinion in *Obergefell v. Hodges* nullified this definition. Yet, the one-man/one-woman definition of marriage remains in Virginia's constitution, albeit unenforceable. The Transgender/Same-Sex Marriage Amendment must pass the House again in identical form before it appears on the ballot in 2026.

If We Do Nothing...

If we do nothing and the amendment is approved, we have to contend with the ramifications of constitutionalizing a hostile amendment towards religion. Further, the separation of sex and gender protects men in women's sports, perverts in opposite sex bathrooms, and children requesting puberty blockers.

If We Take Action...

If the marriage amendment does not pass, same-sex couples and religious observers can peacefully coexist without legal tensions between the two worldviews. Each can exist in their own sphere: same-sex couples protected by *Obergefell*, and religious persons protected under the First Amendment.

Issue #3: Oppose Virginia's Transgender / Same-Sex Marriage Amendment
Rebuttal: How to defeat the most common opposition arguments

They'll say: "If* Obergefell v. Hodges *is overturned, then Virginia will no longer protect same-sex marriage. "

At this time *Obergefell* is not at risk of being overturned. Even in the case that *Obergefell* is overturned without exception, this Amendment creates more confusion than clarification. Furthermore, there is already a statute prohibiting a court clerk from denying a marriage license based on sex and gender, providing some religious protection. If the amendment is adopted, the language would supersede the statute which means it would void religious protection.

They'll say: "Clergy and religious organizations still have First Amendment religious protections."

Lawsuits against religious clergy and organizations will consider whether the legislature intended to protect the religious right to refuse services or licenses to same-sex couples. During the legislative process, the patron removed the protections for clergy and faith-based organizations from the amendment. While we hope that first amendment rights prevail, this language, and omission of religious protections, will certainly lead to unnecessary lawsuits challenging religious protections.

FAMILY
Human Exploitation

In a nutshell...

Human exploitative practices include any practice that profits at the expense of a vulnerable community. Examples of human exploitation include human trafficking, gambling, and marijuana legalization.

Human exploitation comes in various forms and in the case of gambling and marijuana is often deceitfully portrayed as entertaining and innocent fun but ultimately leads to social and emotional destruction. Marijuana poses dangers to the user's health as well as risks to those around them. Gambling and sports betting, while presented as entertainment, are addictive, and studies show that they are socially and emotionally damaging and harm families. Legislatures should take a firm stance in fighting against the expansion of practices that exploit people and prevent human flourishing. The government has a legitimate interest in protecting its citizens from abuses and exploitation.

In many cases, forms of human exploitation are "fiscal profits" for the Government. For example, an excise tax on marijuana sales ("sin tax") offers revenue. The General Assembly should remember these principles when combatting the argument that the benefits of fiscal profits outweigh the dangers of human exploitation. First, these practices represent short-term gains but have long-term costs. Exploitative practices such as gambling and marijuana legalization, even when taxed, are a burden to taxpayers long-term by raising the cost of healthcare, increasing need-based government safety nets, and exacerbating the poverty threshold. Second, many of these "fiscal profits" are merely displaced revenues. More importantly, no profit margins can devalue the worth of Virginian communities. Exploitative practices are fundamentally harmful because they profit at the expense of those who can least afford to lose.

Key Statistics

- ***In 2017 the FBI formed a task force designed to stamp out human trafficking along Interstate 81 in Virginia.***
- ***Marijuana products lead to more addictions, anxiety disorders, psychotic disorders, and memory impairment.***
- ***Those that live within 10 miles of a casino have more than double the rate of pathological or problem gambling of those who do not (7.2% vs. 3.1%).***

Issue #4: Oppose Marijuana Commercialization

Retail marijuana markets harm public health for a variety of reasons. Among the most concerning reasons, retail markets increase availability and access to marijuana. Marijuana, unlike CBD and hemp, is sold solely for its addictive high-THC properties. High potency marijuana adversely affects the human nervous system, cardiovascular system, and reproductive system, especially a mother's maternal health.

Proponents of commercializing marijuana argue that marijuana commercialization decreases black-market marijuana laced with other chemicals and increases marijuana safety standards. Quite the opposite. Since marijuana is an addictive drug, it fundamentally creates and exacerbates hard "next-use" drugs necessary to satisfy the user's urges.

Think of it simply in these terms: Young adults are more likely to develop drug dependencies when marijuana is easily available to them, and that use can lead to other forms of drug dependency.

Key Facts & Figures

- 30 percent of Virginia drivers believe marijuana is safe to consume while driving, according to the Virginia Cannabis Control Authority.
- Between 2019 and 2023, cannabis only DUI reports totaled 1,475, alcohol DUIs totaled 1,935, but DUIs from cannabis used in tandem with another controlled substance totaled 4,137 (Virginia DMV).
- According to a meta-analysis conducted by seven researchers, marijuana users are 4.78 times more likely to die from cardiovascular diseases.
- The governor vetoed commercialization of marijuana in 2024 and 2025. Delegates must vote against commercialization in 2025.
- Drugs cause crimes. According to VDOC, at least 50% of Virginian inmates have a substance abuse disorder. Legalization of marijuana only exacerbates incarceration and negatively impacts low-income, high drug-use communities.

Marijuana commercialization is harmful to public health, exacerbates the opioid epidemic, and only prolongs the war on drugs. Marijuana contains delta-9 tetrahydrocannabinol, a substance which actively interacts with the body's endocannabinoid, which causes psychosis. As marijuana potency increases, humans can develop addictive THC dependencies, are at risk of cardiovascular failure, and are likely to have high risk pregnancies.

Further, a marijuana retail market exacerbates drug related arrest. Drug-related arrests are not merely for possession. Instead, drug arrest can include driving under the influence, public disturbance, and trafficking of more illicit drugs. In fact, Los Angeles' retail market increased marijuana smuggling by 166% according to the LA Times. Consequently, law enforcement must crack down harder on drug-related offenses to limit the effects of retail marijuana.

The General Assembly should reject commercialization and repeal legislation passed in 2021 and recriminalize marijuana in Virginia.

If We Do Nothing...

Using the Federal Reserve's predictions, a recreational marijuana market in Virginia could increase substance abuse by 25,500 persons, create 2,285 more nightly homeless people, and increase small crime incarceration by 14,153 persons. A 2024 VCU study showed that the opioid epidemic cost Virginia $5 billion. Recreational marijuana expansion fuels this number by increasing the likelihood of new addicts, criminals, jobless, and homeless people.

Virginia businesses will lose employees as more employees fail their mandatory drug test due to recreational marijuana experiments. Virginia families will have to educate their children on the difference between hemp and marijuana, and the consequences of marijuana. Virginia schools will have to navigate increases in truancy as teenagers experiment with newly available marijuana products.

If We Take Action...

In the absence of a recreational marijuana market, only smaller amounts of marijuana possession will remain decriminalized. Furthermore, the hemp, CBD, and cannabis farms will remain unaffected. In a recreational market, public-use and black-market marijuana becomes indistinguishable. However, in a non-recreational system, authorities can more easily identify black market drugs when used publicly.

Issue #4: Oppose Marijuana Commercialization
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Marijuana is no more addictive than or dangerous than alcohol or is safer than Tylenol. "

In a survey of 33,000 cannabis users published by the American Journal of Psychiatry, cannabis use was found to increase non-medical opioid use rather than decrease opioid reliance. Addictive drugs such as marijuana are gateway drugs, not substitutes to opioids.

They'll say: "Commercial markets allow for increases in regulations and oversight of marijuana."

Commercial producers saturate the market with marijuana goods, making it nearly impossible for the government to check the quality of each product. According to the NIH, potency of marijuana increases after legalization. Even if it were possible to scrutinize the exorbitant amount of marijuana sales, this would only encourage the black-market distribution of marijuana free of licensure requirements and oversight.

They'll say: "Retail markets for marijuana increase revenue via sales taxes."

The long-term cost of marijuana outweighs any short-term fiscal revenues. First, competition among marijuana businesses will drive down prices for both hemp and cannabis products, thereby decreasing some sales tax revenue. Second, the Federal Reserve Bank of Kansas City found that legalizing recreational marijuana caused a 17% increase in substance use disorders, 35% increase in chronic homelessness, and a 13% increase in arrests. These social outcomes impose long-term deadweight losses on state budgets.

Issue #5: Protect Communities from Exploitative Gambling

So-called "skill" games, which are akin to slot machines, are predatory gambling schemes reliant on low-income, highly addictive communities. Virginia code expressly prohibits gambling devices and "skill" games. However, Pace-O-Matic, the primary provider of predatory "skill" games, supplies some "skill" games in Virginia using a coin insertion loophole. Regarding this loophole, Virginia's Attorney General emphasized the "skill" games ban focuses on the type of games offered, and not the physical bill payment method to play.

The General Assembly should close these loopholes and prohibit any form of neighborhood slot machines or "skill" games because these games prey on the ones who can least afford to lose. In fact, low-income communities are the most likely population to gamble their salaries on casino-like devices.

Key Facts & Figures

- Between August of 2020 and July of 2021, Virginia "skill" game users lost $506.7 million (Virginians Against Neighborhood Slot Machines).
- In Virginia, "skill" games are concentrated in communities that are at least $10,098 below the household median income in Virginia.
- These machines are often located in places that minors frequent—gas stations, corner stores, truck stops—exposing families and children to casino-like gambling. Some skill game operators do not enforce requiring ID to play; minors may play without being checked.

Virginia law prohibits illegal gambling which includes prize-dispensing "skill" games. However, the law notes that "skill" games sometimes involve "the insertion of a coin, currency, ticket, token, or similar object to operate, activate, or play a game." Pace-O-Matic's legal counsel interprets the slot-insertion as a necessary condition to regulate these machines. In April of 2025, a Hanover Judge found that Pace-O-Matics Queen of Virginia "skill" game was not illegal because it lacked a slot-insertion. Virginia's Attorney General, Jason Miyares, clarified that the law prevents the availability of all "skill" based games irrespective of the method of monetary exchange. In fact, Pace-O-Matic machines still require the user to pay-to-play, but the exchange occurs at the cashier's desk.

Despite the Attorney General's clarification and the General Assembly's prohibition, "skill" games are still abundant in Virginia. This is a problem for families.

Supporters of "skill" games quote the potential fiscal benefits from gambling excise taxes. This is concerning because greater gambling earnings always symbolize greater losses for the general public, especially low-income families.

Some small-business owners see "skill" games as a potential attraction for customers. However, some business owners express concerns over the increase in crime rates caused by "skill" game users and casino-like activities.

If We Do Nothing...

Gambling corporations will continue to exploit those who can least afford to lose if "skill" games and other casino-like machines are legalized in Virginia. "Skill" game corporations win when Virginians lose. Further, any fiscal benefits the Virginia government could realize from these games are simply misplaced assets that could have generated greater return if invested elsewhere. However, the Virginia annual budget should not grow at the expense of the budgets of low-income communities. Predatory practices rely on engagement from low-income communities and those who are susceptible to addictive gambling.

If We Take Action...

Without "skill" games, game wagers can be invested back into the community. The bottom line: low-income communities will be healthier and more stable. Further, absent casino-like activities, small businesses can celebrate that "skill" games will not attract criminals and other addictive personalities. Small-business owners currently supplying "skill" games will be forced to innovate and provide products that attract customers for better reasons. Afterall, business models making profit from addictive schemes should consider a model of business that supplies a beneficial product to the community. Prohibiting "skill" games in Virginia reaffirms that our families are more valuable than revenue.

Issue #5: Protect Communities from Exploitative Gambling
Rebuttal: How to defeat the most common opposition arguments

They'll say: ""Skill" games, like the lottery, represent fiscal opportunities for Virginia and help fund education."

For every $100 in gross receipts of lottery tickets, $72.60 is returned to educational funding. On the other hand, only $18.75 of every $100 of gross receipts for "skill" games will be reinvested into the education system. While the lottery is certainly problematic for many low-income families, "skill" games undermine more efficient forms of revenue with less return.

The 2022 JLARC report found that "skill" games "reduce state tax revenue from authorized gaming … and also funding for the public purposes legal forms of gaming support."

They'll say: "'Skill' games support small businesses."

The 2022 JLARC found that "Commonwealth's attorneys from multiple localities reported that crimes such as assault and robbery have increased at establishments with gray machines ["skill" based machines]". Furthermore, "skill" games draw revenues away from small restaurants.

An economic report from Virginians Against Neighborhood Slot Machines found that "skill" games illustrated unrealized losses for:

- Amusement parks and arcades
- Other amusements and recreation
- Fitness centers and recreational sports
- Restaurants

These industries support jobs, while "skill" game funds primarily line the pockets of gambling corporations.

FAMILY
Human Exploitation

In a nutshell...

Men and women exhibit physiological differences that complement each other, and that's good for society. The truth that there are only two sexes – male and female – is under attack by an ideology that proposes the idea of "gender identity." This radical ideology holds that biological sex is a social construct and can be altered by physical, mental, and emotional modifications to the individual discontent with their design. In reality, a person's sex is permanent and cannot be changed no matter how one decides to act, dress, or pursue medical treatment to become more "like" the other sex. Each human was designed with purpose and intention by his or her Creator. Policy should be put forth to guard the biological truth of sex that acknowledges the special God-given purposes of being created male or female.

Policy needs to be put in place to fight the false ideology of "transgenderism" especially in our schools where youth are especially vulnerable to its damage. While the "transgenderism" movement claims to properly address the issue of gender dysphoria, it compounds existing psychological distress and can often lead to societal harm.

The main policy focus related to gender and human design concern involves protecting female sports; maintain safe sex-segregated bathrooms and changing spaces; and defending children from gender reassignment treatment. The denial of biological reality and the purpose for sex-segregated sports and facilities jeopardize the health and safety of girls and women throughout Virginia. The health and safety of youth is also compromised by the advent of gender reassignment treatments (i.e., medical experimentation) that result in irreversible physical damage to the individual's body and mind that is often regretted.

In Virginia, it is important to advance policies that encourage people to embrace their biological reality, uphold the significance of male and female distinctions, and understand that they are wonderfully and beautifully made by our Creator.

Key Statistics

- ***According to the Williams Institute, about 5.9% of adults identify as LGBTQ in Virginia***
- ***Males and females differ biologically not only from a reproductive standpoint, but in other systems such as cardiovascular, renal, pulmonary, endocrine, gastrointestinal, immune, nervous, and musculoskeletal systems***

Issue #6: Protect Female Sports

The state of Virginia currently lacks laws preventing biological males from competing on female athletic teams in elementary, secondary, and higher education. The health and safety of women and girls competing on athletic teams is threatened when biological males, identifying as females, decide to compete on the female athletic teams and utilize female-only spaces.

While competing against biological males in both contact and non-contact sports, women and girls are at risk for physical harm given that biological males are scientifically stronger, more powerful, and generally more aggressive, than females. Female athletes additionally experience great mental distress when they are forced to share intimate, sex-segregated spaces with biological males such as bathrooms or locker rooms where these women and girls are vulnerable during situations of undress. Legislation is necessary in Virginia to solidify a prohibition on biological males competing in female athletics at all educational levels to properly protect the health and safety of women and girls.

Key Facts & Figures

- Virginia Attorney General Jason Miyares found that Roanoke College discriminated against members of the women's swim team and retaliated against them after they raised concerns about a male competing on their team. This male swimmer was previously a member of the male swim team.
- The American College of Sports Medicine concluded in 2023 that adult males are typically 10–30% stronger, faster, and more powerful than females with similar training status.
- Currently, 27 states have legislation banning transgender students from participating on athletic teams consistent with their gender identity

Allowing biological males to compete in female athletics and utilize female-only facilities, such as bathrooms and locker rooms, jeopardizes the health and safety of women and girls. In competition, female athletes are at a disadvantage to biological males identifying as females based on basic biology. While these biological differences have fairness implications, they most importantly subject females to physical and mental damage. For example, a North Carolina female high school volleyball player sustained traumatic brain and neck injuries when she was spiked in the face by a transgender athlete. Mentally, female athletes, such as women on Roanoke College's swim team, have been shamefully forced to share bathrooms and locker rooms with transgender individuals, inflicting great discomfort and anxiety on these women.

On a national scale under the current Trump administration, the atmosphere is shifting in favor of creating protections for female sports as two of Trump's executive orders help to uphold biological definitions for "male" and "female" and prevent biological men from competing in female athletics. In response to these orders, the NCAA updated its policies to limit competition in female athletics to biological females only.

There are also movements towards ensuring the integrity of female sports and biological reality from schools like UPenn, where biological male Lia (Will) Thomas sparked nationwide controversy from competing in women's swimming. UPenn recently entered a Resolution Agreement with OCR to comply with Title IX by prohibiting males competing on female athletics teams and occupying female-only facilities. State legislation is necessary to provide stronger protections for female athletics from biological male participation.

If We Do Nothing...

Without legislation prohibiting biological males from competing in female sports, the health and safety of girl athletes continue to be jeopardized. Girls and women will be vulnerable to physical injury during competitions against biological males identifying as females in both contact and non-contact sports. The mental health of girls and women is also in jeopardy when males enter female bathrooms and locker rooms. These females are supposed to feel safe and comfortable, not anxious, or fearful of exposing themselves or being exposed to biological males in a state of undress.

If We Take Action...

By passing this policy to protect female sports, Virginia will demonstrate its care for the health and safety of its girls and women. It would align itself more fully with Trump's executive orders and the other 27 states that have also passed similar legislation. This decision also goes beyond female athletics by setting a standard and precedent for biological truth when it comes to the meaning of "male" and "female" and the need to have sex-segregated facilities based on biological reality.

Issue #6: Protect Female Sports
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Males who self-identify as a female ("transgender") have the right to compete on a sports team just like everyone else."

Any biological male K-12 student has the opportunity to try out for an athletic team that aligns with their biological sex. Just like every other male student, they have the opportunity to play sports if they are good enough to make the team. If they don't make the athletic team, there are hundreds of recreational and travel teams they can try out for. No student is being denied the opportunity to compete on a sports team, the only restriction is they must try out for the sport that aligns with his biological sex. Aside from athletic advantage, allowing these biological males to enter girls' locker rooms and restrooms inflicts mental harm on girls regardless of their age.

They'll say: "There have only been a small number of biological males competing on athletic teams and that VHSL already has policies in place."

Laws are often created not just to address current issues, but to establish fair standards for the future. Even if the number is small now, setting clear guidelines prevents confusion, disputes, and unfair outcomes if participation grows. Fair competition isn't about how many people are involved, it's about whether the rules give everyone a fair shot.

Even one unfair competitor can alter outcomes, records, scholarships, and opportunities for others. In many sports, one athlete can take a scholarship, set a record, or win a championship, and it only takes one unfair instance to change someone's future.

Issue #7: Protect Minors from Gender Reassignment Treatments

Gender reassignment treatments for minors struggling with gender dysphoria are damaging, life-altering, accompanied with great risk, and often eventually regretted by the patient. Instead of trying to address their gender incongruence with verbal counseling sessions, physical treatments to the minor's body are often employed, including puberty blockers, hormone therapy, or surgery to make changes to the patient's secondary sex characteristics and genitals. These are permanent physical alterations that alter how the body was meant to function naturally. The treatments are risky as they are quite novel without much research on the short and long-term impacts on the patient's physical, mental, and emotional health.

Key Facts & Figures

- "Gender-affirming" treatments disrupt a child's natural development, leading to many physical and mental health issues
- Studies demonstrate children often grow out of their dysphoria, and to undergo treatment would cause more damage to an issue that resolves itself
- 27 states currently have laws that prohibit or limit minor access to gender-affirming treatments

Gender reassignment treatment practices for minors with gender dysphoria disrupt their natural development, generating a high potential for different physical, mental, and emotional health issues, especially in the long term.

A common treatment for children seeking gender reassignment is receiving puberty blockers to prevent the normal onset of puberty in a prepubescent child, and thus the natural production of sex hormones, development of secondary sex characteristics, and reproductive capabilities. Within the research already in existence for puberty blocker treatment, there have been various expressed concerns raised about irreversible damage to bone development, sexual functions, and neurodevelopment.

In June 2025, the U.S. Supreme Court held in the case of *U.S. v. Skrmetti* that Tennessee's law prohibiting gender-affirming care for minors does not violate the Equal Protection Clause of the 14th Amendment. This means that state laws like Tennessee's are allowed to stand as they do not discriminate based on sex but on age and medical condition. If Virginia passed a law like Tennessee's, it would be constitutional under the 14th Amendment.

The Henrico County Circuit Court issued an order in July 2025 allowing counselors to engage in talk-based conversion therapy, partially lifting the state's ban on conversion therapy practices. Now, individuals with gender dysphoria in Virginia have the option to voluntarily seek this type of counseling treatment to talk through their issues with their gender identity, an option that does not pose potential permanent physical alterations to the patient.

If We Do Nothing...

While several medical facilities like the Children's Hospital in Richmond or the UVA Hospital in Charlottesville have stopped performing gender reassignment treatments on minors as a direct result of President Trump's executive order, they could renew their medical experimentation on children.

If We Take Action...

If we pass legislation to protect minors from medical experimentation through gender affirming treatments, then we protect minor children from unnecessary and irreversible medical treatments that would be constitutionally protected. In June 2025, the U.S. Supreme Court held in the case of *U.S. v. Skrmetti* that Tennessee's law prohibiting gender-affirming care for minors does not violate the Equal Protection Clause of the 14th Amendment. This means that state laws like Tennessee's are allowed to stand as they do not discriminate based on sex but on age and medical condition.

FAMILY
Religious Liberties

In a nutshell...

Religious liberty is a foundational right that allows individuals to freely practice, express, or change their faith without government interference. It protects the diversity of beliefs in a pluralistic society and fosters mutual respect among different communities. By safeguarding conscience rights, religious liberty also upholds broader freedoms like speech, assembly, and association.

In Virginia, students should be allowed to share their faith at graduations; Christian-run businesses should not be forced to violate their conscience to be allowed to operate; people should not be forced to receive vaccines or drugs if it violates their religious beliefs; and pastors should not fear reprisal for preaching or choosing not to officiate a same-sex wedding.

Under federal law, the government must pass laws that are neutrally and generally applicable, and do not discriminate against religious people. However, Virginia law recognizes even more extensive protection. *§57-2.02* outlines "No government entity shall substantially burden a person's free exercise of religion even if the burden results from a rule of general applicability." The General Assembly should not pass laws that substantially burden religious freedoms.

The General Assembly should remember these principles before entering a religious liberty debate. First, all religious practices are protected in Virginia if they are sincere acts of faith. Second, as the Supreme Court stated in *Kennedy v. Bremerton School District*, the establishment clause does not prevent the government from recognizing the free exercise of religion. In fact, the free exercise clause guarantees that individuals can practice their faith free of an established government worldview. Third, religious liberty, as found in the First Amendment to the United States Constitution, preempts all other laws. First Amendment protections are the supreme law of the land under the U.S. Constitution.

Key Facts

- **Catholic Charities Bureau, Inc. v. Wisconsin Labor & Industry Review Commission (2025),** ***Wisconsin violated the First Amendment by denying a Catholic charity the same unemployment tax exemption that other religious entities enjoy***
- **303 Creative LLC v. Elenis (2023),** ***A state (Colorado) cannot force a web designer to create expressive speech (wedding websites) that conflicts with her religious beliefs***

Issue #8: Small Business & Occupational Religious Freedoms

Laws that elevate sexual orientation and gender identity (SOGI) to protected classes can create significant conflicts with religious freedom, freedom of speech, and conscience rights. While intended to prevent discrimination, such laws have at times been used to compel individuals to act against their deeply held beliefs. These laws can force artists, business owners, and professionals to support messages or participate in events that violate their convictions, leading to legal battles and financial ruin.

Key Facts & Figures

- Jack Phillips – A Colorado baker was sued multiple times for declining to create a custom wedding cake for a same-sex couple, citing his Christian beliefs. However, he baked cakes for other occasions for the very same same-sex couple.
- Barronelle Stutzman – A Washington florist faced lawsuits for refusing to design floral arrangements for a same-sex wedding.
- 303 Creative (Lorie Smith) – A web designer challenged Colorado law to avoid being forced to design wedding websites for same-sex couples. The Supreme Court ruled in her favor.

In 2020, legislation (SB 868, D-Ebbin) incorporated "sexual orientation" and "gender identity" (SOGI) as specially protected statuses into virtually every part of our law, including in public accommodations, public and private employment, housing, and many other areas without any meaningful exemptions for religious organizations such as churches, schools, and nonprofit ministries. And it added draconian and far-reaching powers to the Attorney General to prosecute and fine anyone in relation to any claims of such discrimination. Additionally, that year legislation was also passed that specifically targets all faith-based organizations who contract with the state by adding SOGI in contracting terms, and it adds SOGI provisions to around 80 sections of the Code. We need strong religious protection to guard against frivolous lawsuits and unnecessary targeting of people of faith.

If We Do Nothing...

Businesses will continue to be targeted for simply following conscience and deeply held religious beliefs. The government will continue to use its power to force people to receive vaccines and drugs or compel them to say things that are against their deeply held religious beliefs.

If We Take Action...

If we pass strong religious protections, we will protect businesses from the heavy hand of government and guard against frivolous lawsuits or the targeting of people of faith. It will help small businesses and family-owned businesses flourish and end the divisiveness that is too often occurring in our society.

Issue #8: Small Business & Occupational Religious Freedoms
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Supporters argue that businesses must treat all customers equally. They claim that allowing religious exceptions opens the door to widespread prejudice under the guise of religious or personal beliefs. "

There is a difference between denying service to a person and declining to create a specific message. The baker, for example, serves all customers but won't create messages for a wedding that conflict with his beliefs. Forcing him to express support for a same-sex marriage violates his freedom of speech and religion.

They'll say: "Anti-discrimination laws ensure equal access to goods and services. A same-sex couple or transgender person should be able to get the same website services as any other couple."

Creative professionals shouldn't be compelled to speak messages they disagree with. In this case, the designer isn't refusing service because of the couple's identity, but because of the specific message the website would promote. Compelling speech is a violation of First Amendment protections.

FAMILY
Parental Rights

In a nutshell...

Parents are ultimately responsible for the care and well-being of their children. Social science research demonstrates that children are safer and happier within a traditional family structure consisting of both a mother and father. The Supreme Court of the United States has consistently affirmed parental rights to raise their children over the past century while repeatedly confirming the presumption that parents possess their child's best interest. Government bureaucrats have often rejected this stance. They have worked from the presumption that parents can be a hindrance for children, and that the government is the proper child-rearing authority—notably in the realms of education and medical care. Policies should be passed that improve parental involvement in their children's lives by strengthening parental rights.

Policies that champion parental rights ensure that parents are well-informed about their child's education and health and allow them to make decisions in the best interest of their children. Public policy should enable parents to have a say in what their children are learning at school, especially when the curriculum covers sensitive topics like sex education. Parents must have the power to decide if they want this learning for their child. This also means that parents should be notified if their child expresses gender incongruence or requests school counseling support for gender identity issues at school. Overall, parents must be afforded legal transparency regarding their children, enabling them to act in their children's best interests—because parents know what's best for them.

Key Statistics

- **Children with involved parents are 30% more likely to earn higher grades and test scores, according to a 2008 study from the National Center for Education Statistics**
- **A 2014 study from the University of Michigan found that children with engaged parents exhibit 25% lower rates of behavioral problems and show improved social skills**
- **Teens with actively involved parents are 20% more likely to graduate high school, as reported by a 2010 analysis from the Child Trends DataBank**

Issue #9: Support Family Life Education Opt-In (Instead of Opt-Out)

It is important to flip the current approval process for Family Life Education (FLE), sex education, to require public schools obtain parents' permission before ("opt-in") their child participates in the ever-evolving FLE curriculum.

Key Facts & Figures

- Under Virginia Code § 1-240.1, "A parent has a fundamental right to make decisions concerning the upbringing, education, and care of the parent's child."
- Requiring parental permission ensures that sex education aligns with a family's cultural, religious, or personal values, allowing parents to decide if the curriculum matches their expectations for their child's education.
- A 2023 meta-analysis of 48 school-based teen pregnancy prevention programs in the U.S. found a moderate but non-statistically significant reduction in teen pregnancies and no evidence of reduced sexually transmitted infections (STIs). The review noted that while some behaviors improve short-term, curricula often fail to lower actual pregnancy rates.
- Parental permission allows parents to review the curriculum and determine if the material is suitable for their child's age and maturity level, addressing concerns about exposure to topics that may be too advanced or inappropriate.

While parents currently can "opt-out" their child from FLE courses, this establishes the false notion that parents have by default given their consent to every FLE instruction unless they submit the proper paperwork to opt their child out. In addition, even when the "opt-out" is used, the procedure often does not work, and the child is still exposed to the material against the parent's wishes. There are many resources for families who prefer to instruct their children about the sensitive topic of sex instead of the government that do not conflict with their beliefs.

If We Do Nothing...

We continue to undermine the proper application of parental rights and Virginia Code *§1-240.1*, and we continue to permit a process that is unreliable.

If We Take Action...

Implementing an opt-in process defers to a parents' responsibility to teach their children about matters related to sex and sexuality; allow parents to determine what curriculum is age-appropriate for their child; and amend a process that is more reliable.

Issue #9: Support Family Life Education Opt-In (Instead of Opt-Out) Rebuttal: How to defeat the most common opposition arguments

They'll say: "Virginia already requires schools to make available to parents an opt-out form."

This method assumes the default is parents want the school to instruct their child about sex, sexuality, and gender issues, and only offer an opt-out. That does not fully embrace the policy in Virginia that parents have the fundamental right to direct the education of their children. In addition, the opt-out process has flaws and instances have occurred in which despite submitting the opt-out form a student was still taught the curriculum.

They'll say: "It is critical that every child receive family life education (i.e., sex education)."

First, it is not the role of government, elected officials and schools to determine for parents what their child should be taught regarding the topics of sex, sexuality, and gender. Second, research shows that there is only a moderate, but not statistically significant, reduction in teen pregnancies when taught and no evidence of reduced sexually transmitted infections (STIs).

Issue #10: Support Sage's Law

It is critical for the health and well-being of a child, and to prevent interference between schools and parents, that Virginia pass Sage's Law, which would require parental notification for a child experiencing gender incongruence at school; parental consent and the opportunity to participate in school counseling on sex and gender; and to prohibit the state from criminalizing parents who lovingly affirm their child's biological sex.

Key Facts & Figures

- According to a 2021 paper by Toronto University psychologist Dr Devita Singh and colleagues reported that 87.8 per cent of 139 boys outgrew their childhood-onset gender dysphoria, with a mean age of 20.6 years.
- "The child is not the mere creature of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations." *Pierce v. Society of Sisters (1925)*
- "The liberty interest at issue in this case, the interest of parents in the care, custody, and control of their children—is perhaps the oldest of the fundamental liberty interests recognized by this Court." *Troxel v. Granville (2000)*

In 2021, Virginia's Appomattox County High School concealed a student's newly asserted transgender identity from her parents, leading to a tragic series of events where predators repeatedly victimized her. Sage's Law was introduced in response to a nightmare situation where her mother, Michele Blair, nearly lost her daughter, Sage, who was placed in a mental facility that was seeking to "transition" her from a female to a male and did not want to give her back to her parents. Sage's high school in Appomattox had intentionally hidden her "transgender" identity from her parents, which led to Sage running away and being sex trafficked. Her case is not unique, many children are being pulled away from their families by activist policies that claim to protect them but instead place them in harm's way.

Sage's Law will require schools to notify parents if their child asserts a gender identity different from their biological sex. It will also prevent school counselors from withholding or encouraging minors to withhold information about their gender identity from their parents.

If We Do Nothing...

More schools are likely to continue to withhold valuable information about a student from his or her parents that could have grave consequences as they did in the case of Sage. Furthermore, we erode the basic principles of parent's rights, and the rights of a child have their parents be engaged in their lives to provide them with loving nurturing and guidance.

If We Take Action...

We will protect a parent's right to know what their child is doing at school; strengthen the bond between children and parents to help them navigate challenging issues; and protect parents from being punished for simply lovingly affirming a child's biological reality.

Issue #10: Support Sage's Law
Rebuttal: How to defeat the most common opposition arguments

They'll say: "If school officials don't affirm a student's gender identity, young people will be at greater risk of suicidal tendencies."

There is no reliable data indicating that gender transition procedures are the solution to the problem of transgender suicide. A 2020 article in the journal *Pediatrics* found that those who received puberty blockers were twice as likely to have had a suicide attempt resulting in inpatient care (i.e., hospitalization) in the last 12 months as those who did not (45.5 percent vs. 22.8 percent). A Swedish study published in 2011 found after examining the medical records of every person in Sweden who underwent gender reassignment surgery over a 30-year period, that there a number of physical and mental health problems were elevated among this population.

They'll say: "Schools need to be a safe place for kids with unsafe households."

A school cannot violate the parental rights of most families because of the presumed home environment of a student. We cannot use policies that permit schools to withhold information from parents, creating a wedge between parents and children.

Recommendations

Our Top 3 Legislative Priorities for Virginia...

1. Stop the unrestricted abortion amendment

What it does: Mothers would be able to abort any baby, for any reason, up to the moment of birth.

Why Virginia needs it:

- Only 10% of Americans actually support abortion up to the moment of birth
- A girl's greatest advocates are her own parents. Making abortion a 'right' for a child will lead to parents being kept in the dark about abuse and statutory rape.
- Talk of 'reproductive rights' is a Trojan horse designed to hide the true nature of what the amendment is attempting to achieve.

2. Protect Women's Sports

What it does: Make sure that only biological women are able to participate in women's sports.

Why Virginia needs it:

- *Safety* - Biological females and biological males should not be in the same competitive sports environments, because of the increased risk of injury.
- *Dignity* - Activities around sports (such as changing rooms) often require discreet activities to take place in communal areas. Women and men should not be put into a position where they are expected to change in front of each other.

3. Support Sage's Law

What it does: Ensures that parents are kept informed when children "transition" gender at school.

Why Virginia needs it:

Sage ran away from home and was sex-trafficked through a number of states after the school failed to inform her mother Michele that Sage had "socially transitioned" to male at school. A school counselor encouraged Sage to use the boys' bathroom. Sage was bullied, her mental health suffered, and she self-harmed. At almost every stage, the school seemed to believe that they knew more about Sage's complex mental health needs than her own mother did. No other child should be forced to go through the trauma that Sage endured because a school put gender ideology above children's needs.

Elevator Pitch...

The family is the most important building block of any free society. We believe in parents. Families build. Families support. Families grow together. America is not Communist. We do not believe that the State should be responsible for children. Traditional families have better educational outcomes and are children are less likely to turn to crime as they grow up.

Schools educate children; they do not love them like their parents do. Whenever a school uses ideology to hide information about children from parents, they increase the risks of exploitation.

Top 3 Virginia Statistics to Remember...

1. 35% of Black women, compared with 22% of White women, have had an abortion [CDC data]. Abortion disproportionately victimizes the Black community in Virginia.

2. In Canada in 2023, 4.7% of all deaths were medically-assisted. In the Netherlands, it is over 5%. Whatever assurances may be given, assisted suicide would not be an isolated incidence in Virginia.

3. Children raised continuously by married mothers rank 14 percentile points higher in adult income than those not raised in continuously married households; do better in school; have better cognitive and non cognitive skills; are more likely to attend college, etc.

Most Effective Argument for Virginia...

Throughout human history, the family has been the bedrock of every successful society. Virginia does not need to re-invent the wheel. We need to prioritize the most effective way of bringing up children and supporting future generations.

Additional Resources

Key Virginia Stakeholders: The Family Foundation

www.familyfoundation.org

Contact for Questions: Todd Gathje todd@familyfoundation.org

REGULATORY REFORM

In a nutshell...

Virginia has emerged as a national leader in regulatory reform, implementing one of the most successful state-level regulatory modernization efforts in recent history. Under Governor Youngkin, the Commonwealth has reduced regulatory requirements by 21 percent, cut permit processing times by up to 70 percent, and generated over $1.2 billion in annual savings for Virginia families and businesses. These reforms have helped Virginia earn recognition as the #1 state for business according to CNBC's 2024 rankings.

However, many of these groundbreaking reforms exist only through executive orders and temporary programs, making them vulnerable to reversal by future administrations. Virginia needs legislation to permanently codify these successful reforms, ensuring businesses can count on a predictable, streamlined regulatory environment for years to come.

The core principle legislators should remember: Smart regulation protects public health and safety while minimizing unnecessary burdens on job creators and innovators. Virginia's regulatory reform model proves that government can be both effective and efficient.

Key Statistic

Virginia's regulatory reforms have generated $1.2 billion in annual savings while maintaining public safety and environmental protection standards.

Issue #1: Making the Office of Regulatory Management Permanent

Virginia's Office of Regulatory Management (ORM) has been the driving force behind the Commonwealth's regulatory success story, but it exists only through executive order and could disappear with the next administration. ORM has coordinated the 25 percent reduction in regulatory requirements across all state agencies, standardized cost-benefit analysis for new regulations, and provided crucial oversight ensuring reforms actually deliver results. Without ORM's central coordination, Virginia's regulatory system would return to the old way of doing business—each agency operating in isolation, regulations accumulating without review, and no systematic approach to measuring economic impact.

Legislators should champion making ORM permanent because it's the engine that keeps Virginia competitive. ORM doesn't just cut red tape—it ensures new regulations are necessary and cost-effective before they're implemented. This protects Virginia businesses from unnecessary compliance costs while maintaining essential health and safety protections. With ORM as a permanent fixture, Virginia can continue attracting businesses and jobs by offering the most efficient regulatory environment in the nation.

Key Facts & Figures

- Virginia reduced regulatory requirements by 21% in just three years under ORM oversight
- Gubernatorial review time for new regulations dropped from 240 days to under 14 days
- ORM-coordinated reforms have generated $1.2 billion in annual savings
- Virginia ranked #1 for business by CNBC in 2024, up from #13 in 2021
- 50% of state agencies have already met their 25% regulatory reduction goal

Created in 2022 through Executive Order 19, Virginia's Office of Regulatory Management has revolutionized how the Commonwealth approaches regulation. Unlike traditional regulatory agencies that simply enforce rules, ORM takes a comprehensive approach to regulatory oversight, requiring agencies to conduct economic analysis for new regulations, coordinating reduction efforts across all executive branch agencies, and maintaining transparent tracking of regulatory impacts.

The results speak for themselves: Virginia agencies have eliminated 21 percent of regulatory requirements, reduced guidance document text by 41 percent, and cut gubernatorial review time for new regulations from 240 days to under 14 days. ORM's standardized cost-benefit analysis has identified specific savings opportunities, like the Department of Housing and Community Development's building code reforms that save $24,000 per new home constructed.

ORM fills a critical gap that exists in most states—centralized regulatory oversight focused on economic impact. Without this coordination, agencies naturally tend to add regulations without considering cumulative burden or economic consequences. Other states are watching Virginia's model closely, with several considering similar offices.

The challenge is that ORM currently exists only through executive order, making it vulnerable to elimination by future governors. Pennsylvania's Office of Regulatory Reform was eliminated when administrations changed, despite showing similar success. Virginia needs to codify the ORM in statute to ensure regulatory reform momentum continues regardless of political transitions, providing businesses with the certainty they need to make long-term investment decisions in the Commonwealth.

If We Do Nothing...

Virginia risks losing its competitive advantage as other states catch up or surpass our regulatory environment. Without permanent ORM oversight, agencies will revert to the old pattern of regulatory accumulation without systematic review. New regulations will be implemented without rigorous cost-benefit analysis, and successful reforms could be reversed by future administrations seeking to expand agency authority. Business confidence will erode as regulatory uncertainty returns, potentially costing Virginia billions in lost investment and job creation. The Commonwealth's #1 ranking for business will slip as other states implement their own permanent regulatory reforms while Virginia stagnates.

If We Take Action...

Virginia will cement its position as the nation's most business-friendly state by institutionalizing proven regulatory reforms. Permanent ORM status will provide businesses with confidence to make long-term investments, knowing Virginia maintains consistent commitment to smart regulation. The Commonwealth will continue attracting major corporate relocations and expansions, generating more high-paying jobs and tax revenue. Virginia will serve as a model for other states, potentially influencing federal regulatory reform efforts. Most importantly, families will benefit from continued cost savings as streamlined regulations keep housing, energy, and consumer goods more affordable while maintaining health and safety protections.

Issue #1: Making the ORM permanent
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Creating a permanent regulatory office will cost taxpayers money and add another layer of bureaucracy"

ORM's annual operating costs are approximately $600,000-800,000 while generating $1.2 billion in savings—that's a 1,500% return on investment. This isn't adding bureaucracy; it's eliminating it.

They'll say: "We don't need permanent oversight—agencies can manage regulations themselves"

The pre-ORM system resulted in **145,818 regulatory restrictions** accumulating over decades. Without central coordination, agencies naturally add regulations without considering cumulative economic impact or eliminating outdated rules.

They'll say: "This could compromise public safety by prioritizing business interests over protection"

ORM explicitly protects regulations that safeguard public health and safety. The goal is eliminating unnecessary barriers while maintaining essential protections—Virginia's strong safety record during the reform period proves this approach works.

Issue #2: Making the Permit Transparency Portal Permanent

Virginia's Permit Transparency Portal (VPT) has revolutionized how businesses and citizens interact with state government, but it needs permanent legislative protection to ensure its survival. Currently tracking over 100,000 permits annually across eight state agencies, VPT allows applicants to monitor their permit status in real-time, has helped reduce processing times by up to 70%, and saves businesses $40 million annually. No other state or federal agency offers a similarly comprehensive system.

Before VPT, businesses faced a black box—submitting permits and waiting months without knowing if applications were complete, where delays occurred, or when decisions would be made. This uncertainty made business planning impossible and discouraged investment in Virginia. VPT changed everything by bringing transparency and accountability to the permit process.

However, VPT exists through executive order and could be eliminated by future administrations looking to reduce transparency and avoid accountability. Legislators should champion permanent VPT authorization because it represents government at its best—transparent, accountable, and focused on customer service. This isn't just about helping businesses; it's about making government work better for everyone.

Key Facts & Figures

- VPT tracks over 100,000 permits annually across 8 state agencies
- Department of Environmental Quality reduced permit processing times by 70%
- System saves businesses $40 million annually in reduced processing costs
- Virginia Marine Resources Commission streamlined permits save $47 million yearly
- No other state government offers a similarly comprehensive permit tracking system

Launched in 2024, Virginia's Permit Transparency Portal began as a pilot program at the Department of Environmental Quality before expanding to eight agencies covering permits from environmental approvals to transportation projects. The system provides detailed tracking of permit applications, including applicant information, permit type, location, current status, and processing timeline for each step.

The portal's success stems from its comprehensive approach. Unlike basic online systems that simply show "pending" or "approved," VPT breaks down the permit process into distinct stages, identifies bottlenecks, and provides predictable timelines. This transparency has driven dramatic improvements in processing efficiency as agencies face public accountability for delays.

The economic impact has been substantial. The Department of Environmental Quality alone reports $40 million in annual savings from reduced processing times. The Virginia Marine Resources Commission's streamlined subaqueous bed permits save an additional $47 million annually. These savings flow directly to businesses and ultimately to consumers through lower costs.

VPT's technology platform integrates with existing agency systems while maintaining data security and privacy protections. The system includes automated notifications for approaching deadlines, electronic fee payment, and interactive mapping for location-specific permits. This comprehensive approach explains why other states and federal agencies haven't matched Virginia's system—most lack the coordinated, government-wide commitment needed.

The vulnerability lies in VPT's executive order foundation. Future administrations might view transparency as inconvenient or expensive to maintain. Legislative codification ensures VPT survives political transitions and continues delivering benefits to Virginia businesses and citizens.

If We Do Nothing...

Virginia will lose its transparency advantage as businesses return to the frustrating "black box" permit experience. Without legislative protection, future administrations could eliminate VPT to avoid accountability for processing delays or to reduce perceived IT costs. This would immediately impact Virginia's business climate as companies factor permit uncertainty into location decisions. The Commonwealth would lose approximately $87 million in annual economic benefits from streamlined processing. Most critically, Virginia would forfeit its reputation as the most transparent, business-friendly state for permitting, potentially losing major economic development opportunities to states with more predictable regulatory processes.

If We Take Action...

Virginia will maintain its competitive edge as the only state offering comprehensive permit transparency. Permanent VPT status will continue driving processing improvements as agencies remain accountable for delays and inefficiencies. The system will expand to cover additional agencies and permit types, creating even greater economic benefits. Businesses will continue choosing Virginia for major projects because they can accurately predict permit timelines and costs. The Commonwealth will save millions annually through continued processing efficiencies while maintaining strong environmental and safety oversight. Virginia will serve as the national model for government transparency, potentially attracting additional federal projects and partnerships that value accountability and efficiency.

Issue #2: Making the Permit Transparency Portal Permanent
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Maintaining the portal will be expensive and strain state IT resources"

VPT generates $87 million in annual savings, while maintenance costs remain minimal because it integrates seamlessly with existing systems.

They'll say: "This creates unrealistic expectations for permit approval timelines"

VPT doesn't guarantee approval—it provides transparency about realistic timelines. Businesses prefer knowing a permit takes 60 days with certainty rather than guessing whether it takes 30 or 120 days.

They'll say: "Some permit information should remain confidential for security reasons"

VPT already includes robust privacy protections and security measures. The system shows process status without compromising sensitive information, following federal and state privacy requirements.

Issue #3: Creating a Financial Technology Sandbox for Virginia

Virginia needs a regulatory sandbox that allows financial technology companies to test innovative products and services without being crushed by regulations designed for traditional banks. A FinTech sandbox creates a safe space where startups and established companies can pilot new financial services—from cryptocurrency platforms to digital lending tools—under relaxed regulatory requirements while maintaining consumer protection oversight.

Currently, Virginia FinTech companies face a regulatory maze that forces them to choose between expensive compliance with outdated rules or relocating to more innovation-friendly states. States like Wyoming, Arizona, and Utah have captured billions in FinTech investment by creating regulatory sandboxes that attract companies seeking to test cutting-edge financial products.

A Virginia FinTech sandbox would allow companies to serve a limited number of customers for a defined period while working with regulators to develop appropriate oversight frameworks. This approach protects consumers through monitoring and caps on participation while enabling innovation that could revolutionize how Virginians access financial services. The sandbox doesn't eliminate regulation—it creates smarter regulation that keeps pace with technological advancement while ensuring Virginia captures the economic benefits of the growing FinTech sector.

Key Facts & Figures

- FinTech companies raised over $30 billion in venture capital in 2023
- Arizona's FinTech sandbox has attracted 50+ companies since 2018
- Wyoming has become the preferred incorporation state for digital asset companies
- Virginia's proximity to D.C. provides unique advantages for RegTech and GovTech development
- Over 20 states have passed or are considering FinTech sandbox legislation

Financial technology represents one of the fastest-growing sectors in the American economy, with FinTech companies raising over $30 billion in venture capital annually. However, Virginia has captured only a small fraction of this growth because existing financial regulations were written for traditional banks and don't account for how digital financial services actually operate.

The regulatory sandbox concept, pioneered internationally and adopted by multiple U.S. states, creates a controlled environment where FinTech companies can test innovative products under modified regulatory requirements. Participating companies receive temporary relief from certain regulations while operating under strict consumer protection guidelines, participant limits, and regulatory monitoring.

Virginia's current regulatory framework forces FinTech companies into expensive compliance processes designed for traditional financial institutions. A cryptocurrency exchange startup faces the same regulatory requirements as a major bank, despite serving completely different markets and posing different risks. This regulatory mismatch drives innovation to other states and countries with more flexible approaches.

The economic opportunity is substantial. Arizona's FinTech sandbox has attracted over 50 companies since 2018, generating hundreds of millions in investment and thousands of jobs. Wyoming's blockchain-friendly regulations have made it the preferred incorporation state for digital asset companies. Virginia, with its proximity to Washington D.C., strong technology workforce, and established financial services presence, is perfectly positioned to become a national FinTech hub—but only if we create the regulatory framework that allows innovation to flourish while maintaining appropriate consumer protections.

If We Do Nothing...

Virginia will continue losing FinTech companies and investment to states with more innovation-friendly regulatory frameworks. The Commonwealth will miss opportunities to become a leader in digital financial services, costing Virginia billions in lost economic activity and thousands of high-paying jobs. Traditional Virginia banks will fall behind competitors in other states who can more easily test and deploy innovative financial products. Virginia will remain dependent on outdated financial services infrastructure while other states build the financial technology platforms of the future. The Commonwealth's proximity to federal regulators—a natural advantage for RegTech and GovTech development—will go unused as companies locate elsewhere.

If We Take Action...

Virginia will establish itself as a premier destination for FinTech innovation, attracting companies seeking to test cutting-edge financial products in a business-friendly environment. The Commonwealth will capture significant venture capital investment and create thousands of high-paying technology jobs. Virginia's traditional financial institutions will benefit from increased collaboration with innovative startups and improved access to new technologies. The sandbox will position Virginia as a national leader in financial technology policy, potentially influencing federal approaches to FinTech regulation. Most importantly, Virginia consumers will gain access to innovative financial services that improve their access to credit, reduce transaction costs, and provide better financial management tools—all while maintaining strong consumer protection standards.

Issue #3: Creating a Financial Technology Sandbox for Virginia
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Relaxing financial regulations will expose consumers to fraud and unsafe products"

The sandbox includes strict consumer protection requirements, participant limits, and constant regulatory monitoring. Companies must demonstrate consumer benefit and safety before receiving any regulatory relief.

They'll say: "We don't need special treatment for FinTech companies—existing regulations work fine"

Existing regulations were written for traditional banks and don't account for digital financial services. This mismatch drives innovation to other states—Arizona and Wyoming have captured billions in FinTech investment Virginia is missing.

They'll say: "This could undermine Virginia's traditional banking sector"

The sandbox helps traditional banks innovate too—many major banks use sandboxes to test new digital products. This creates a stronger overall financial services ecosystem that benefits established institutions and startups alike.

Issue #4: Protecting Virginia's Data Centers and AI Innovation from Regulatory Overreach

Virginia is the global epicenter of data center development and emerging as a major hub for artificial intelligence innovation, but these critical industries face growing threats from regulatory overreach that could devastate the Commonwealth's economic leadership. Data centers power the internet, cloud computing, and AI systems that drive modern economic growth, while AI developers are creating the technologies that will define the next generation of American competitiveness.

However, misguided regulatory proposals threaten to burden these industries with compliance costs that serve no legitimate public purpose. From energy usage restrictions that ignore data centers' economic benefits to AI regulations that could strangle innovation in the cradle, Virginia needs proactive legislation that protects these vital sectors from regulatory attacks.

This isn't about eliminating reasonable oversight—it's about preventing regulatory overreach that would drive data centers and AI companies to other states or countries. Virginia's data center industry generates over $13 billion annually and supports hundreds of thousands of jobs. The Commonwealth must defend these economic engines from regulations that would sacrifice Virginia's competitive advantages to satisfy political agendas that don't understand how these technologies actually work.

Key Facts & Figures

- Virginia data centers handle approximately 70% of global internet traffic
- The data center industry generates over $13 billion annually for Virginia
- Virginia hosts major AI research facilities and emerging AI companies
- Data centers support hundreds of thousands of direct and indirect jobs
- Virginia's data center dominance creates competitive advantages across multiple sectors

Virginia hosts approximately 70% of the world's internet traffic through its data centers, making it the global hub for digital infrastructure. This industry generates over $13 billion annually for the Commonwealth and supports hundreds of thousands of direct and indirect jobs. Virginia's data center dominance stems from strategic advantages including proximity to major internet backbone connections, reliable power infrastructure, and business-friendly policies that attracted initial investment.

However, this success has attracted regulatory attention from activists who don't understand the economic and technological importance of data centers. Proposed regulations targeting data center energy usage ignore the massive economic benefits these facilities provide and the fact that modern data centers are increasingly powered by renewable energy. Restricting data center development would be economic suicide—forcing these facilities to other states or countries while eliminating Virginia's competitive advantages.

Similarly, Virginia's emerging AI sector faces threats from premature regulation that could strangle innovation before it fully develops. AI technologies are rapidly evolving, and prescriptive regulations written today will likely be obsolete before they take effect while imposing compliance costs that favor large corporations over innovative startups. States like California are already considering AI regulations that could drive innovation elsewhere.

The stakes couldn't be higher. Data centers and AI represent the infrastructure of the digital economy. Countries like China are investing heavily in AI development while American states debate whether to regulate these technologies out of existence. Virginia must take a defensive stance against regulatory overreach that threatens our economic leadership in these critical sectors while maintaining appropriate oversight focused on genuine public safety concerns.

If We Do Nothing...

Virginia risks losing its position as the global data center capital as companies relocate to states with more supportive regulatory environments. The Commonwealth could forfeit over $13 billion in annual economic activity and hundreds of thousands of jobs if data center development is restricted or burdened with excessive regulations. Virginia's emerging AI sector will relocate to states like Texas, Florida, or international locations that welcome innovation rather than restricting it. The Commonwealth will lose its competitive advantages in digital infrastructure just as these technologies become even more critical to economic competitiveness. Virginia will fall behind in the race for AI leadership, potentially costing the state its role in defining the future of American technology leadership.

If We Take Action...

Virginia will maintain its position as the global leader in data center development while emerging as a major hub for AI innovation. The Commonwealth will continue attracting billions in investment and creating thousands of high-paying technology jobs. Virginia's proactive approach to protecting these industries will serve as a model for other states seeking to attract digital economy investment. The Commonwealth will maintain its competitive advantages in digital infrastructure while positioning itself as a leader in AI development and deployment. Most importantly, Virginia will continue benefiting from the economic spillover effects of these industries, including increased demand for skilled workers, supporting businesses, and tax revenue that funds essential government services.

Issue #4: Protecting Virginia's Data Centers and AI Innovation from Regulatory Overreach

Rebuttal: How to defeat the most common opposition arguments

They'll say: "Data centers consume too much energy and harm the environment"

Outsourcing pollution doesn't help the environment. The world is going to have data centers anyway. Do we want them to be powered by renewable energy in Virginia, or by dirty energy elsewhere? Restricting data centers would push internet traffic to less efficient facilities in other states or countries. That dangerous argument would harm Virginia's economy and increase global emissions.

They'll say: "AI technology needs regulation to prevent harmful applications"

AI is not fixed to Virginia. It can easily move out, and take its money and innovation elsewhere. Premature AI regulation will do nothing to address legitimate concerns and risks Virginia becoming irrelevant. Virginia should focus on preventing actual harms, not hypothetical risks that could strangle beneficial innovation.

They'll say: "These industries can handle reasonable regulations without significant impact"

Virginia's competitors are already actively recruiting these companies. Every unnecessary regulation is a competitive disadvantage that could cost billions in lost investment. Data centers and AI companies are highly mobile and will relocate to avoid unnecessary compliance costs.

Recommendations

Our Top 3 Legislative Priorities for Virginia...

1. Permanent Office of Regulatory Management Act

- **What it does:** Codifies ORM in Virginia law with permanent funding and statutory authority to coordinate regulatory reduction efforts across all executive branch agencies
- **Why Virginia needs it:** Protects $1.2 billion in annual savings from regulatory reforms and ensures continued business-friendly environment regardless of future political changes
- **The numbers:** ORM costs $600,000-800,000 annually while generating $1.2 billion in savings—1,500% return on investment
- **Political landscape:** Strong bipartisan support potential given demonstrated economic benefits and business community backing

2. Permit Transparency Portal Protection Act

- **What it does:** Requires permanent maintenance of comprehensive online permit tracking system across all Virginia agencies
- **Why Virginia needs it:** Protects $87 million in annual business savings and maintains Virginia's unique competitive advantage in permit transparency
- **The numbers:** VPT tracks 100,000+ permits annually, reduced processing times by 70%, saves businesses $40 million yearly
- **Political landscape:** Broad appeal as a government transparency measure with strong business and taxpayer support

3. Virginia Business Innovation Act

- **What it does:** Systematically reviews and modernizes regulations affecting technology companies, reduces unnecessary occupational licensing, and streamlines rules for emerging business models
- **Why Virginia needs it:** Removes barriers to job creation and ensures Virginia remains competitive with states actively recruiting tech companies
- **The numbers:** Could unlock additional hundreds of millions in economic activity by eliminating remaining regulatory barriers
- **Political landscape:** Appeals to pro-business Republicans and job creation-focused Democrats; military spouse employment benefits broaden coalition

Elevator Pitch...

Virginia's regulatory reforms have generated $1.2 billion in annual savings while maintaining safety standards, but these successes need permanent legislative protection to ensure continued business growth and job creation.

Top 3 Virginia Statistics to Remember...

1. Virginia's regulatory reforms save $1.2 billion annually—equivalent to $1,500 per Virginia household

2. Permit processing times dropped 70% through transparency portal, saving businesses $40 million yearly

3. Virginia ranked #1 for business by CNBC in 2024, up from #13 in 2021—regulatory reform was the key factor

Most Effective Argument for Virginia...

Virginia's regulatory reforms prove government can be both effective and efficient—protecting public safety while eliminating barriers to job creation and economic growth.

Additional Resources

Key Virginia Stakeholders: Virginia Institute for Public Policy, Virginia Chamber of Commerce, Thomas Jefferson Institute for Public Policy

Useful Virginia Research Sources: Virginia Office of Regulatory Management, Mercatus Center Regulatory Studies

Contact for Questions: Caleb Taylor, ctaylor@virginiainstitute.org

ELECTION INTEGRITY

In a nutshell...

Confidence in elections is essential to the survival of a free society, and with the fallen levels of faith in our elections, state-level election reform is more critical than ever to restoring and strengthening public confidence in our elections. In the United States, elections are governed by state law, giving states both the authority and responsibility to protect the integrity of the vote. When elections are conducted with transparency, consistency, and strong safeguards, voters are more likely to believe that outcomes are fair and legitimate. When Virginians lose faith in elections, it undermines civic participation, weakens policy legitimacy, and destabilizes the environment in which families and businesses make long-term decisions.

Recent state reforms mark progress— such as Virginia's withdrawal from the Electronic Registration Information Center (ERIC), the implementation of batch-comparison risk-limiting audits, and a 90% reduction in voter list costs.

These are encouraging steps that should be celebrated—but more must be done. Reform is how we protect the integrity of the vote, guard against manipulation or error, and preserve public trust for generations to come.

Critical areas for needed reform include verifying identity during registration and voting; providing local electoral board members with essential guidance documents from the Department of Elections; and reducing Virginia's forty-five days of early voting, which overly burden registrars and confuse voters.

Key Statistics

- ***Over 4,000 noncitizens erroneously on the voter rolls have been removed in the last two years***
- ***The City of Arlington reported that in the 2024 General Election, about 70% of early voting occurred in the last 21 days of early voting***

Issue #1: Verifying Identity for Voter Registration

Right now in Virginia, there's no identity verification when someone registers to vote. The state accepts the name, date of birth, and full Social Security number (SSN) of each registrant—but doesn't verify whether the SSN belongs to the person submitting it.

Eligibility for voting—arguably our greatest civil privilege—is based entirely on the honor system. A person using a stolen identity and mismatched SSN could register and vote without ever being flagged.

Our solution is simple: Require verification of Social Security numbers through the Social Security Administration to verify identity. Verifying identity is a basic safeguard used when applying for a job or opening a bank account and should also be implemented when registering to vote.

Why it matters: Without confidence in who's on the voter rolls, confidence in election outcomes erodes. That affects every Virginian—undermining trust in government, discouraging participation, and weakening the legitimacy of laws passed by elected leaders. This is a common-sense, nonpartisan fix to protect the integrity of our elections.

Key Facts & Figures

- 100% of Social Security numbers submitted in Virginia voter registrations go unverified. **Virginia does not verify Social Security numbers** through the Social Security Administration or any federal database.
- The state's system does prevent duplicate SSNs from being registered—but **it does not confirm** whether the SSN actually belongs to the person submitting it.

Virginia has never required identity verification before adding someone to the voter rolls. A more responsible system would verify identity at the point of registration, preventing errors and ineligible registrations before they occur.

Note: In Virginia, only local registrars have the statutory authority to add and remove individuals from their locality's voter roll.

Identity Verification: Virginia's voter registration form requires applicants to provide their full name, full Social Security number (if issued), gender, date of birth, and address. Among these, the Social Security number is the strongest data point for verifying identity when used in conjunction with other information (Social Security Numbers are not always unique). However, Virginia does **not** currently verify that the SSN provided actually belongs to the individual submitting the application.

Registrars are only required to check whether the same SSN is already in use by another registered voter in the state. If the nine-digit number does not match an existing record in the voter roll, the application process proceeds—**without any confirmation** that the SSN corresponds to the person registering. The General Assembly has repeatedly rejected a bill that would require Social Security number verification before registration is complete.

The absence of meaningful identity verification at the time of voter registration represents a serious vulnerability in Virginia's election system. Strengthening the integrity of our elections must begin at the point of entry—when voters are added to the rolls. Modernizing this process by using available technology to verify identity in real time is essential to securing public trust and safeguarding the system against abuse.

If We Do Nothing...

Virginia will continue to rely on the honor system to protect the integrity of its voter rolls—leaving the Commonwealth exposed to abuse, ineligible registrations, and growing public distrust. With no process to verify that a Social Security number belongs to the applicant, individuals using false or stolen information can register and vote without detection, as long as the social security number isn't already in the system.

This not only weakens public confidence in elections, but also wastes taxpayer resources on **back-end corrections**, investigations, and voter roll clean-up efforts. General registrars—already overburdened—must spend time and funds addressing problems that could have been prevented during registration. For Virginia families and businesses, the long-term result is a less trusted system of self-government, diminished civic engagement, and increased polarization.

If We Take Action...

Implementing identity verification during voter registration will close a major vulnerability in Virginia's election system. By verifying Social Security numbers through the Social Security Administration for voter registrations, Virginia can prevent fraud before it happens, reduce administrative burdens, and protect the integrity of the vote.

The result will be **a more efficient, trustworthy system** that saves money on downstream fixes and restores voter confidence. Most importantly, it will give Virginians assurance that their elections are fair, accurate, and secure—no matter who wins. Within a year of implementation, registrars will see reduced error rates in voter records and fewer contested registrations. Virginia will join the growing number of states adopting modern, technology-enabled safeguards and will lead with a model that reflects the Commonwealth's values of fairness, accountability, and public trust.

Issue #1: Verifying Identity for Voter Registration
Rebuttal: How to defeat the most common opposition arguments

They'll say: "There's no evidence of widespread voter fraud—this is a solution in search of a problem"

Imagine that you had a computer system that was vulnerable to hacking. You'd upgrade your security. You wouldn't wait for your information to be stolen first.

Elections are significantly more important than a computer. Widespread fraud isn't the standard for reform—**preventable vulnerabilities are**.

Virginia doesn't verify SSNs during registration, meaning a false or stolen number can be used if it's not already in the system. Identity verification is a basic safeguard—used for jobs, bank accounts, and even fishing licenses.

They'll say: "This will make it harder for eligible voters to register—especially seniors, low-income Virginians, and students"

That's not true. The Social Security number is already required on the form.

Verifying identity doesn't mean adding barriers—it means using tools that already exist. **This proposal doesn't remove anyone from the rolls**—it simply ensures the number provided matches the person submitting it.

They'll say: "This kind of policy invites discrimination or voter suppression under the guise of security"

This is about **verifying data, not profiling people**.

The right to vote is one of the most important things in society. We're only asking that the same safeguards used to access employment or government benefits should apply to registering to vote.

Identity verification doesn't target any group—it protects *every* Virginian by ensuring elections are secure and fair. **It's a nonpartisan solution** that raises standards without infringing on rights.

Issue #2: Verifying Eligibility for Voter Registration

Right now in Virginia, there's no real eligibility verification when someone registers to vote. In regards to the citizenship requirement, the Virginia registration form includes a required question about citizenship— but there is no verification process to check if the person submitting it is actually a U.S. citizen.

Eligibility for voting—arguably our greatest civil privilege—is based entirely on the honor system.

That means someone could register using false or stolen information and potentially vote without ever being caught. Even more troubling, individuals who do not speak English as their first language may not fully understand that federal U.S. law, as well as the Virginia Constitution and statute, prohibits noncitizens from registering or voting. Without proper verification in place, these individuals can unknowingly violate the law and suffer the consequences—despite having no intent to commit fraud.

Our solution is simple: Require verification of citizenship through the federal Systematic Alien Verification for Entitlements (SAVE) program, or other government records, before registration is finalized. This is a simple and accessible safeguard that would have a significant impact on keeping Virginia's voter roll list accurate.

Why it matters: Without confidence in who's on the voter rolls, confidence in election outcomes erodes. That affects every Virginian—undermining trust in government, discouraging participation, and weakening the legitimacy of laws passed by elected leaders. This is a common-sense, nonpartisan fix to protect the integrity of our elections.

Key Facts & Figures

- **Virginia does not verify citizenship status** at the point of registration—only after a person has already been added to the rolls.
- The state relies on **citizenship information passed from DMV to ELECT via SAVE**, an indirect and delayed process.
- Over 4,000 noncitizens erroneously on the voter roll have been removed from the voter rolls in the last two years.
- More than 650 of those 4,000 cast a ballot since 2019.
- Of those 650, some individuals voted in multiple elections, casting a total of 1,700+ ballots.
- 12 States and 3 counties are currently authorized to use SAVE for voter registration specifically

Virginia has never required eligibility verification before adding someone to the voter rolls. Instead, the state relies on back-end processes to identify and remove ineligible individuals after they've already been registered. This reactive approach is inefficient and costly for Virginia taxpayers—diverting resources that could be better used elsewhere to serve Virginians. A more responsible system would verify eligibility upfront during registration, preventing errors and ineligible registrations before they occur.

Note: In Virginia, only local registrars have the statutory authority to add and remove individuals from their locality's voter roll.

Verification of Citizenship After Registration: As one of the elements of the back-end process to identify and remove ineligible voters after they've been registered, Virginia already uses the federal SAVE program—a tool that allows state and local government offices to search citizenship records from multiple federal databases. The Department of Elections (ELECT) receives citizenship status information from the Department of Motor Vehicles, which accesses SAVE data, and ELECT then uses that information to flag noncitizens on the voter rolls and forward the information to local registrars to begin the removal process.

While receiving this data from the DMV is better than having no verification at all, the process is indirect and inefficient. ELECT should complete the SAVE checks in-house to ensure greater accuracy, improve accountability and align more fully with its statutory responsibilities under Virginia law.

Example of Stronger Citizenship Verification: Arizona has taken the lead in implementing proactive measures to verify citizenship before allowing individuals to vote. Due to federal law, states must allow individuals to vote in federal elections even if they have not verified their citizenship. In response, Arizona established a separate state voter registration list that requires proof of citizenship for voting in state and local elections. This approach allows the state to enforce higher standards for its own elections, even while federal races remain subject to looser verification requirements.

In Virginia, modernizing this process by using available technology to verify eligibility in real time is not just prudent—it's essential to securing public trust and safeguarding the system against abuse.

If We Do Nothing...

Virginia will continue relying on the honor system to determine voter eligibility, allowing individuals to register and vote without ever proving they are U.S. citizens. This exposes the Commonwealth to legal risk, undermines public trust, and unfairly places noncitizens—especially those with limited English proficiency—at risk of unintentionally violating federal law.

Without front-end verification, the burden remains on the Department of Elections and local registrars to identify and remove ineligible voters after they are added to the rolls. This back-end cleanup is time-consuming, costly, and inefficient—and it doesn't prevent ballots from being cast in the meantime. Can you imagine if opening bank accounts and hiring processes relied on the good faith of applicants to be honest? Inaction means Virginia will remain vulnerable to errors and accusations of fraud, weakening confidence in election outcomes.

If We Take Action...

Requiring citizenship verification at the point of registration would close a major gap in Virginia's election processes. By using the federal SAVE system proactively and managing the checks in-house, the Commonwealth can prevent ineligible registrations before they occur—rather than correcting them after the fact.

This reform protects noncitizens from inadvertently breaking the law, reduces administrative strain on local election offices, and reinforces public trust in the fairness of the process. Virginians of all political backgrounds will have greater confidence that only eligible citizens are voting—and that every lawful vote counts.

Issue #2: Verifying Eligibility for Voter Registration
Rebuttal: How to defeat the most common opposition arguments

They'll say: "There's no proof that noncitizen voting is a widespread problem in Virginia"

That's not how the burden of proof works. We've had over 4,000 noncitizens removed from Virginia's voter rolls in the last two years. Society's job is to guarantee that electoral fraud doesn't happen, not to turn a blind eye and hope we don't see it.

Those 4,000 registrations occurred because we have no eligibility verification at the time of registration. That's not a partisan issue, but a basic issue of accuracy and trust in the system.

They'll say: "This will discourage immigrants and legal residents from participating in civic life"

This reform doesn't target immigrants—it protects them. Today, **noncitizens who don't fully understand the law may unknowingly register and vote, thinking they're allowed to**. Without eligibility checks in place, they can become lawbreakers without intent. Verifying citizenship at registration protects them from unintentionally violating federal law.

They'll say: "Using SAVE or other databases could introduce errors or false flags that prevent eligible citizens from registering"

SAVE is already used by Virginia's DMV and the Department of Elections to identify ineligible voters—**just after they're already on the rolls**. Using it proactively doesn't introduce new risk; it simply shifts the check to the front end, where it belongs. Eligibility checks are routine in everything from benefits programs to jury duty and should apply to voter registration too.

They'll say: "This used to be a problem, but the Governor has issued executive orders, like EO 53, addressing these issues"

The Governor's EO 53 directed the Department of Elections to continue and expand their use of federal data for voter list maintenance, but did not address any issues with verifying voter eligibility prior to an individual being registered to vote.

Issue #3: Voter ID at the Polls

In Virginia, the vulnerabilities in election security extend beyond voter registration. Not only are there no meaningful processes in place to verify identity or eligibility when someone registers to vote, but voters are also not required to present valid identification before casting a ballot.

While Officers of Election (workers at the polls) are required to request ID from voters at polling places, a registered voter who cannot present an acceptable form of identification may simply sign an ID Confirmation Statement affirming their identity—no documentation required— and then cast a ballot. Virginia has a long list of acceptable IDs for voting, including utility bills, and the Confirmation Statement undermines even that low bar.

Additionally, although Virginia law prohibits the use of noncitizen specific identification—such as Driver Privilege Cards—for voting purposes, the cards themselves have been described as visually indistinguishable from standard Virginia driver's licenses. This lack of a clear visual distinction further complicates enforcement and increases the potential for confusion at the polls.

Key Facts & Figures

- Virginia eliminated its photo ID requirement in 2020, replacing it with an ID Confirmation Statement option.
- An individual can vote in Virginia without showing any ID at all by signing a statement affirming their identity.
- **No verification process exists** for the Confirmation Statements, and **most contain no unique identifying information**.
- Driver Privilege Cards are prohibited for use as voter ID under Virginia law, yet they can be visually identical to standard driver's licenses, making enforcement nearly impossible.

Virginia's current voter ID process has several serious flaws. Most concerning, there is **no ID requirement** for individuals who are already registered to vote.

Voter ID History: Virginia once required photo ID at the polls. But in 2020, during COVID-19, Virginia law was changed to eliminate that requirement. In its place, the ID Confirmation Statement was introduced, allowing registered voters without acceptable ID to simply sign a form affirming their identity. For the last five years, this has served as an ID-free voting option—with no verification required.

No Verification of Confirmation Statements: Even though ID Confirmation Statements are supposed to be retained with election records, there is no follow-up or review process to verify whether the signer was truthful. Worse, the form doesn't require any unique identifying information. Name and signature are mandatory, but date of birth and Social Security number fields are optional—making it virtually impossible to verify or investigate these forms after the fact.

Driver Privilege Cards – A Legal and Practical Problem: Virginia law prohibits the use of **Driver Privilege Cards** and **ID Privilege Cards**—only issued to undocumented immigrants—as valid voter ID. Although these cards clearly indicate voting ineligibility, these IDs can be **visually identical** to standard Virginia driver's licenses, making it impossible for Officers of Election to distinguish them or for enforcement of the law. This undermines compliance and creates potential legal vulnerabilities.

If We Do Nothing...

This continued reliance on the honor system leaves the door open to impersonation and undermines the credibility of election outcomes—especially in close races. Without meaningful ID requirements, public trust will continue to erode, and perceptions of fraud will persist, regardless of actual wrongdoing.

Worse, poll workers are expected to enforce ID laws without the tools to do so. Driver Privilege Cards, prohibited for voting, look nearly identical to valid voter IDs, putting Officers of Election in a no-win situation. As these cards become more common, the risk of mistakes—or lawsuits—will grow. Inaction keeps Virginia vulnerable to real breakdowns in election integrity.

If We Take Action...

Reinstating a meaningful voter ID requirement—while eliminating the ID Confirmation Statement—would strengthen the credibility of Virginia's elections and reassure voters across the political spectrum. Clear ID rules, combined with tools to distinguish ineligible credentials like Driver Privilege Cards, would reduce confusion at polling places and protect poll workers from legal or procedural missteps.

This reform wouldn't limit access; it would ensure accountability. Virginia could maintain a broad list of acceptable IDs, including government-issued documents, while closing the loophole that allows ballots to be cast without any ID at all. Voter ID is a commonsense safeguard that improves public confidence and protects the rights of every eligible voter—without suppressing turnout.

Issue #3: Voter ID at the Polls
Rebuttal: How to defeat the most common opposition arguments

They'll say: "There's no evidence that people are impersonating voters at the polls"

Election integrity isn't just about stopping known fraud—it's about preventing opportunity for abuse. Virginia law allows someone to vote without showing any ID—just by signing a form. That means anyone with a name from the voter roll could vote in someone else's place without being stopped. Even if rare, this vulnerability damages public trust and should be closed.

They'll say: "Requiring stricter ID could disenfranchise poor, elderly, or minority voters"

Virginia already accepts a wide range of ID—including utility bills and government documents—and voters without ID still have the option to cast a provisional ballot. Replacing the ID Confirmation Statement with a simple ID requirement would still allow flexibility, but restore meaningful verification. Many states that require photo ID have higher turnout among minority voters than states without such laws.

Issue #4: Reduce Early Voting

Early Voting in Virginia - Challenges and Context: Virginia currently allows **45 days of in-person early voting** (a form of absentee voting) before every election. This expanded access began in 2019, following legislation passed during the General Assembly session that year. Prior to the change, early voting was limited to **seven days** and required voters to provide a valid excuse for not voting on Election Day.

Over the past five years, data from localities across the Commonwealth shows a clear pattern: there is typically a spike in turnout during **the first one or two days of early voting**, followed by low participation until the final two to three weeks before the election.

The problems with a full 45-day early voting period are well-documented:

- It places a **heavy burden on general registrars**, tying up resources and staff for an extended period—especially given Virginia's frequent election schedule.
- It **creates confusion among voters** who may forget they have already voted
- It imposes **significant costs** on localities for minimal turnout during the early weeks of the voting window

A more targeted and reasonable early voting period would ease the burden on election officials, reduce costs, and better reflect actual voter behavior.

Key Facts & Figures

- The City of Arlington reported that in the 2024 General Election, about 70% of early voting occurred in the last 21 days of the 45 days of early voting
- Richmond's Early Voting Numbers from 2022 general election: 11,208 total Early Votes | 48% (5,393) came in the last week of early voting | 70% (7,896) came in the last two weeks of early voting | During the first three weeks of early voting only 10% of total votes cast
- **Data from 2023 shows:** Estimated cost of each 45-day early voting location in Richmond was $100,000 (weekly cost $16,500). Reduction to 14-day Early Voting would save $67,000 per location
- In presidential election years, Virginia will likely have at least three elections: Presidential primary, primary for state elections, and the general election; **over one-third of the year open for voting** at minimum
- Virginia is one of only a handful of states that have more than 40 days of early voting

Virginia has one of the longest early voting periods in the nation—45 days—and in this case, there's no compelling reason to be an outlier. The extended window is underutilized more than half of the time, creates voter confusion, and places a significant burden on general registrars who are already stretched thin and often underresourced.

Across the Commonwealth, Officers of Election **regularly report isolated but recurring instances** of voters arriving at the polls unaware they already voted weeks earlier. The pattern is consistent: the pollbook shows the individual has already voted, prompting confusion. After some discussion, it becomes clear the voter cast a ballot during early voting—sometimes five weeks earlier—and mistakenly believed it was for a different election. These aren't common at any single location, but **they happen a few times in many localities each cycle**, creating both administrative friction and potential legal risk. Without proper safeguards, this could result in unintentional double voting—a serious violation of election law.

General registrars are tasked with executing a complex, high-stakes process with precision and integrity, often under penalty of law. They are deeply committed to their communities and take pride in administering elections, not shaping policy. Perhaps because of that professionalism, many have remained publicly silent about the strain that 45 days of early voting imposes. In private, however, they often express that the workload is unsustainable.

Reducing the early voting period would ease pressure on registrars and reduce the risk of honest mistakes by voters—while still maintaining accessible voting opportunities. Data-driven reform doesn't mean reducing access, it means aligning access with actual voter behavior. This is a common-sense adjustment that respects both election officials and the public they serve.

If We Do Nothing...

Virginia will remain an outlier with one of the longest early voting periods in the country—45 days—despite clear evidence that most voters don't use the first several weeks. This extended window places a heavy and unnecessary burden on general registrars, who must staff, secure, and administer early voting for weeks with low turnout.

As more elections are held year-round, the strain compounds—diverting staff, increasing costs, and reducing capacity for other essential voter services. Voters may continue to experience confusion about when they voted, potentially leading to unintentional double voting and legal exposure. Failing to act means taxpayer dollars will keep funding a timeline that doesn't reflect actual voter behavior, while overworked election officials carry an unsustainable load.

If We Take Action...

Reducing the early voting period to a more reasonable, data-driven timeline—such as three weeks—would bring Virginia in line with voter behavior and national norms. It would preserve accessibility for those who need flexibility while improving efficiency for registrars and clarity for voters.

Election officials would be able to allocate staff and resources more effectively, reducing burnout and error. Voter confusion would decrease, and the risk of unintentional double voting would drop significantly. Virginia would maintain strong voting access while demonstrating fiscal responsibility and responsiveness to real-world usage patterns. This is a smart reform that strengthens election administration without limiting voter participation.

Issue #4: Reduce Early Voting
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Not everyone can vote during the final days—some people need those early weeks"

Who actually needs early in-person voting 45 days before an election? Virginia still allows absentee voting by mail.

The issue isn't access, it's underuse. Across the state, localities report low turnout for the first three weeks, but staff must still and operate early voting sites.

What we have to do, is balance needs:

1. People are voting before candidates have had a proper chance to make their case.

2. Registrars are overstretched.

3. Long early voting windows are costing money.

We're balancing three *known* issues against one *hypothetical* issue.

They'll say: "Registrars haven't formally asked to shorten early voting—they must be managing fine"

Registrars are public servants, not policymakers—they often feel it's not their place to push for legislative change.

But **many have privately expressed that 45 days is unsustainable**, especially given Virginia's high number of elections. Reducing the window would lighten their burden, conserve resources, and reduce confusion—while maintaining a reasonable and voter-friendly early voting period.

Issue #5: Guidance for Electoral Boards

Local Electoral Boards play a vital role in safeguarding the integrity of Virginia's elections. These three-member boards in each locality are responsible for ensuring elections are conducted according to law, work in partnership with the general registrar, and ultimately certifying election results. Their role is foundational to public trust in the electoral process.

The Department of Elections (ELECT) often issues guidances documents that clarify, interpret, or expound on Virginia law. While general registrars are sent ELECT guidances, electoral board members are not. They are often left in the dark about important issues and updates from the state and have no way to remedy the issue or access the information they need.

Key Facts & Figures

- Electoral boards are responsible for certifying elections, approving ballots, resolving challenges, and overseeing voter registration and polling operations.
- ELECT guidance is only sent to general registrars, not directly to electoral board members.

ELECT guidance documents serve as an essential resource for election administration, especially when statutes are vague or procedures evolve in response to legal or logistical changes.

However, there is a systemic oversight in how this guidance is distributed: **ELECT sends these documents only to general registrars**, who are full-time administrators responsible for managing the day-to-day operations of elections under the supervision of the local electoral board. **Electoral board members themselves do not receive these communications directly.**

As a result, board members—despite being ultimately responsible for election oversight—are often left unaware of important updates, rule changes, or clarifications issued by the state. They are forced to rely on secondhand communication from registrars or stumble across information independently, which creates confusion and inconsistency in how election law is interpreted and enforced at the local level.

This communication gap undermines the board's ability to carry out its legal responsibilities with confidence and precision. At minimum, **ELECT should ensure that all electoral board members are included in official communications** and have timely access to the same materials as registrars. Transparent, consistent communication is essential to fair, uniform elections—and electoral board members must not be left in the dark. This oversight is both avoidable and easily fixed. Alternatively, ELECT guidances could be posted online for the public.

If We Do Nothing...

Virginia's 133 local electoral boards will continue to operate with inconsistent access to the very guidance they need to do their jobs. Without direct communication from ELECT, board members are left to rely on secondhand updates from registrars or discover policy changes informally—leading to confusion, procedural discrepancies, and delayed decision-making.

This communication gap increases the risk of **misinterpretation of election law, noncompliance with guidance, and uneven enforcement** across localities. Inconsistent application of procedures—especially around certification, ballot approval, and dispute resolution—undermines voter trust and opens the door to legal challenges. Worse, it places unfair liability on board members who are legally responsible for election oversight but are **denied access to the very information they need** to fulfill that duty.

If We Take Action...

Including electoral board members in official ELECT communications is a **simple, cost-free solution** that immediately improves transparency, accountability, and uniformity across Virginia's election system. Direct access to guidance ensures that board members can fulfill their statutory responsibilities with confidence, accuracy, and timely information—just like their registrar counterparts.

This reform will lead to **more consistent implementation of election law statewide**, reduce procedural errors, and empower board members to provide meaningful oversight. Most importantly, it strengthens the chain of communication in a system where clarity and trust are essential to protecting the vote. Virginia will set a strong example by ensuring that those legally responsible for elections are properly equipped to oversee them.

Issue #5: Guidance for Electoral Boards
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Registrars can just forward the information—there's no need to duplicate communication"

In theory, yes—but in practice, that's inconsistent and unreliable. General registrars are focused on day-to-day administration, and ELECT guidance emails are issued frequently. It's unnecessary for electoral board members to receive them indirectly. Relying on secondhand forwarding creates information delays and gaps. **Board members have legal responsibilities** for election oversight—they deserve direct, timely access to the same materials as registrars.

They'll say: "Adding board members to guidance emails could create confusion or micromanagement—it's better to let registrars handle communications"

Electoral board members aren't micromanaging—they're fulfilling a **statutory oversight role**. They certify elections and supervise registrars. Withholding official guidance from them isn't streamlining—it's sidelining. Clear boundaries can still be maintained, but **legal oversight requires direct access to policy updates**, especially in a high-stakes environment like election administration.

Recommendations

Our Top 3 Legislative Priorities for Virginia...

1. Verify Identity at Registration (SSA SSN Match)

What it does: Social security numbers must be verified before adding the applicant to the rolls.

Why Virginia needs it: Front-end identity verification prevents errors and abuse at the point of entry and strengthens confidence in outcomes statewide.

The numbers:

- 100% of SSNs submitted on Virginia voter registrations currently go unverified prior to registration (no SSA check).
- Duplicate SSN checks are performed prior to registration, but no confirmation that the SSN belongs to the applicant is required.

2. Verify Eligibility at Registration (Citizenship via SAVE, In House at ELECT)

What it does: Requires proactive verification of U.S. citizenship before finalizing registration

Why Virginia needs it: Virginia currently relies on back-end list maintenance to discover noncitizens after they're already on the rolls. That is slower, costlier, and erodes confidence. Proactive checks protect noncitizens from unintentionally violating the law and protect voters by ensuring only eligible citizens are registered.

The numbers:

- Over 4,000 noncitizens erroneously on the voter roll were removed in the last two years.
- More than 650 of those individuals cast ballots since 2019, totaling 1,700+ ballots.
- Virginia does not verify citizenship status at the point of registration; current checks typically occur only after registration via DMV→ELECT SAVE data.

3. Right Size Early Voting (Reduce from 45 Days to ~21 Days)

What it does: Shortens the early voting window to align with actual turnout patterns and reduces registrar burden, while preserving robust access (including absentee by mail and reasonable in person options).

Why Virginia needs it: The first several weeks of the 45 day window are underutilized, yet registrars must fully staff and secure sites for the entire period. A tighter, data driven window reduces costs, lowers error risk, and cuts voter confusion (including forgotten prior votes) without limiting meaningful access.

The numbers:

- **Arlington (2024 General):** ~70% of early votes were cast in the last 21 of 45 days.
- **Richmond (2022 General):** 11,208 total early votes; ~48% in the final week and ~70% in the final two weeks; only ~10% in the first three weeks.
- **Richmond (2023):** Estimated cost per 45 day early voting location ~$100,000; weekly cost ~$16,500; reducing to 14 days estimated to save ~$67,000 per location.

Elevator Pitch...

Virginia can restore trust in elections with three common-sense fixes: verify identity and citizenship before adding anyone to the voter rolls, and right-size early voting so it matches when people actually vote. These steps prevent errors up front, protect noncitizens from accidental violations, reduce registrar overload and costs, and give every Virginian more confidence that our elections are fair—no matter who wins.

Top 3 Virginia Statistics to Remember...

1. 4,000+ noncitizens were removed from Virginia's voter rolls in the last two years.

2. ~70% of Arlington's 2024 early votes occurred in the final 21 of 45 days.

3. In 2023 Richmond estimated ~$100,000 per 45 day early vote site; cutting to ~14 days could save ~$67,000 per site).

Most Effective Argument for Virginia...

Front-end verification and a right-sized early voting window protect eligible voters, prevent inadvertent violations, lighten registrar workloads, and save taxpayer dollars—all while preserving access. It's a practical, nonpartisan upgrade to accuracy, efficiency, and trust.

Additional Resources

Key Virginia Stakeholders: Virginia Fair Elections, Electoral Process Education Corporation

Contact for Questions: Lynn Taylor, taylor@virginiainstitute.org

SECOND AMENDMENT

In a nutshell...

The Right to Keep and Bear Arms (RKBA) is a basic civil right that is protected by the United States Constitution's Second Amendment contained in the Bill of Rights. Just as importantly, it is protected by the Virginia Constitution in Article I, Section 13. Both constitutions state that the RKBA "shall not be infringed," but it has been considerably infringed at the federal, state, and local levels over the years, and this trend must be stopped and reversed.

The RKBA is one of our most important civil rights, as it makes it possible:

- For citizens to protect themselves against violent criminals
- To protect the State should an emergency require it, like a major natural disaster or a major act of terrorism
- To restore the government, by force, if necessary, to a constitutional republic should we be invaded by another country or should our government ever turn tyrannical. Citizens can act individually, or in concert with other citizens as an unorganized, but well-trained militia

New gun-control laws must be resisted, and existing gun-control laws should be repealed.

Key Statistic

Various studies, including government studies, have found that firearms are used defensively 500,000 to 2.5 million times a year in the United States to save innocent lives

Issue #1: Restore Virginia's Firearm Preemption Law As It Was in 2019

In 2020, the code of Virginia was changed so that the Right to Keep and Bear Arms is one of the few fundamental constitutional rights that localities are allowed to regulate. While a person can carry a firearm to protect themselves in a Louisa County park, they cannot do so in a Fairfax County park. This means people in various localities do not have equal rights. A person must know a myriad of local gun laws as they travel in the Commonwealth, as opposed to simply understanding a single statewide standard.

This confusing patchwork of local ordinances imposes a chilling effect on our rights statewide. Returning to the 2019 law would provide greater clarity for civilians and avoid accidentally criminalizing otherwise law-abiding citizens.

Key Facts & Figures

- Out of almost 200 localities, only 19 have passed variations of local gun bans. Thus, ninety percent of localities continue to rely on the proved sufficiency of state firearm laws
- Most localities with gun bans are the larger population centers, which disproportionally affects many more gun owners than the more rural localities
- There is no required exemption for concealed handgun permit holders, even though they are demonstrably among the most law-abiding citizens in Virginia. Some permit holders have active threats against their lives, yet their protection is taken away by these local gun-bans

From 2004 though 2019, gun laws were uniform across the Commonwealth. The only things a locality could regulate that affected firearms were discharging a firearm and zoning. In 2020, the General Assembly, without any given justification, gutted the preemption law, allowing localities to ban guns in local-government buildings, community and recreation centers, parks, and at permitted, or should have been permitted, events, and even more insidiously, areas adjacent to permitted events. Gun-control groups have been pushing to weaken firearm preemption laws across the country to discourage both gun ownership and the carry of firearms for self-defense.

On July 1 of 2020, Alexandria was the first locality to ban guns everywhere the new law allowed. Predictably, their violent crime rate went up and stayed up, as gun bans only disarm good people who do not commit violent crimes. Like Alexandria and other localities with local gun-bans, crime in Richmond has increased since they put their gun ban into effect, unnecessarily resulting in more innocent people being victimized. That gun ban has also led to a dramatic increase in guns stolen from cars, as people have no choice but to store their guns in their vehicles while they are in any of Richmond's many "gun-free zones."

If We Do Nothing...

Virginia will continue to have disparity in the ability of citizens to defend themselves depending on where they are in the state. Thefts of guns left in unattended vehicles will continue to be elevated as citizens will have no choice but to leave guns in their vehicles when going into a local "gun-free zone." A continued patchwork of local gun laws will put gun owners at risk for inadvertently breaking a local ordinance, creating a chilling effect on the right to carry a gun for self-defense.

If We Take Action...

Virginia will once again have uniform gun laws that will provide equal protection for gun owners across the state. Citizens will once more be able to protect themselves in most local government buildings, in parks, and at permitted events. Theft of guns from unattended motor vehicles will decrease as citizens will be able to take their guns with them in more places.

Issue #1: Restore Virginia's Firearm Preemption Law
Rebuttal: How to defeat the most common opposition arguments

They'll say: "The needs of a small rural locality might be quite different from a large urban locality"

Your right to protect yourself should not depend upon your address. It should be universal. There's nothing more important than being able to protect your life from a violent criminal, regardless of where you are attacked, and the chances of being attacked in an urban area are exponentially greater.

They'll say: "Why should concealed handgun permit holders be exempted?"

- Some permit holders have an active threat against their lives, so carrying is critical for them.
- Permit holders have had training and a background check. The State Police regularly recheck the criminal history of permit holders for any changes.
- The State Police track permit revocations; just 0.5% are revoked for any reason (many not related to any crime)

They'll say: "Why shouldn't local government determine where guns can and cannot be carried in their jurisdiction?"

Because local gun bans increase crime, and confuse law-abiding citizens:

- Local gun bans have increased the theft of firearms from unattended vehicles
- Bans create places where criminals are empowered, allowing them to target areas where law-abiding citizens are disarmed and defenseless.
- Gun laws should be simple to understand. That's only possible if they are uniform statewide; you shouldn't have to consult a map to avoid breaking the law.

Issue #2: Oppose Attempts to Ban any Semi-Automatic Firearms

Semi-automatic firearms, which require the trigger to be pulled for every shot fired, are not a new idea. They have been around since the late 1800s and are the most common type of firearm in America. The AR-15, a semi-automatic rifle, is America's most popular rifle.

The U.S. Supreme Court in *DC v. Heller* ruled that any firearm in common use is protected by the Second Amendment to the U.S. Constitution. Being the most common rifle certainly qualifies as being in common use.

You are far more likely to be beaten to death with hands and feet or stabbed to death, than to be shot with any kind of rifle.

Key Facts & Figures

- Long guns of any type are rarely used to commit murder, according to the FBI's Uniform Crime Report (UCR). In Virginia and the United States generally, a person is more likely to be killed by hands, feet, and knives than by any kind of rifle or shotgun according to the most recent UCR
- AR-15s have replaced shotguns in police vehicles because they are an excellent self-defense firearm
- The federal Bureau of Alcohol, Tobacco, Firearms and Explosives has stated that AR-15s are the most popular rifle in America

In an attempt to get a foothold banning firearms, gun-control groups started calling semi-automatic rifles with certain cosmetic features "assault weapons" because those cosmetic features made the gun "look scary." To those unfamiliar with firearms, "assault weapons" sounds like it is describing a fully automatic machine gun like the Army uses. Gun-control organizations were counting on that kind of confusion to gain public support to ban semi-automatic rifles, like the AR-15. The deception worked and in 1994 a federal ban on new "assault rifles" went into effect. The ban was allowed to sunset in 2004 when no proof was found that the ban did anything to lower crime.

Each year bills are introduced in the Virginia General Assembly to ban "assault weapons." The definition of "assault weapons" keeps expanding to cover handguns and shotguns, as well as more types of rifles.

If We Do Nothing...

Virginians will be unconstitutionally denied an important tool for self-defense and recreation. With hundreds of thousands of "assault weapons" already in circulation, any attempt at confiscating them, with or without compensation, will pit police against otherwise law-abiding citizens, endangering both; will be a logistical nightmare; will be very expensive for the Commonwealth; and will be met with lawsuits that will ultimately be upheld by the U.S. Supreme Court, as guns in common use cannot be banned. Banning new "assault weapons," but not confiscating existing ones, would be an admission that "assault weapons" are not really a public safety problem but merely a political one.

If We Take Action...

The right of Virginians to continue to own and use a constitutionally protected firearm for self-defense, sport, and recreation will be preserved. Virginia will also be spared the cost of litigating an unconstitutional law.

Issue #2: Oppose Attempts to Ban any Semi-Automatic Firearms
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Assault rifles are weapons of war and don't belong on our streets"

The U.S. military uses fully automatic M16 machine guns, not semi-automatic rifles like an AR-15 which is used by civilians and law enforcement. Even so, the U.S. Constitution and the Virginia Constitution protect the right to have a weapon useful to a militia, which would include bearable weapons of war used by an infantry.

They'll say: "Assault rifles are high-powered firearms"

Because of its comparatively *low power*, you can't even legally shoot a deer in Virginia with an AR-15, only small game. Actually an AR-15 is considered mid-power. There are way more powerful rifles available.

They'll say: "Assault weapons are designed for one purpose only: to kill as many people as quickly as possible"

Actually AR-15 rifles are excellent for many purposes:

- They are very accurate and used in shooting competitions
- They are used to hunt small game, like rabbits, as well as eradicate pests like coyotes, prairie dogs, and feral hogs
- They are perfect for self-defense and comfortable to shoot by petite individuals, who tend to be more recoil sensitive

Issue #3: Oppose Attempts to Limit Magazine Capacity

Many people believe the fallacy that if you shoot someone with a single bullet, they are either going to die or they are instantly incapacitated. No one who has had to defend themselves with a firearm has ever said, "Darn! I had too much ammunition!"

While a single bullet can sometimes be suffiicient, it often requires multiple shots to stop an assailant, particularly when using a handgun. Shots can miss or hit the attacker in non-vital places. Drugs can block the normal signals to the brain letting a criminal know that he is severely wounded and should stop the attack. There are plenty of videos showing police shooting a criminal ten or even fifteen times before the attack stops. What if a person is being attacked by a five- or ten-person gang?

Placing some arbitrary limit on the number of rounds a person can have in a magazine puts them at risk for not having enough ammunition in an emergency. There was no history or tradition of limiting the amount of ammunition someone can possess, making such a restriction unconstitutional.

Key Facts & Figures

- There are over 700 million magazines in the U.S. that hold more than 10 rounds, putting them clearly in the "common use" category that is protected by the Constitution
- 74% of magazines in the U.S. hold more than 10 rounds
- There is nothing magical about the limit of 10 rounds. No one can explain why 10 rounds is good while 11 rounds would turn normal, law-abiding citizens into homicidal maniacs

There are two trains of thought for having the government limit magazine capacity.

The first train of thought is the naïve belief that criminals will abide by any such restriction, and thus, they will have to reload more often, providing chances for someone to disarm them. This is what gun-control organizations give as the reason for the magazine capacity limitations. After the Virginia Tech massacre in 2007, then Virginia Governor Tim Kaine created a commission to investigate that event. One of the conclusions that the commission came to was that it would have made no difference if Cho had been limited to only ten-round magazines.

The second train of thought is that semi-automatic firearms can eventually be eliminated through a series of reductions in the maximum capacity of magazines until semi-automatic firearms are no longer practical. This is what the gun-control organizations are trying to achieve but are not publicly saying.

If We Do Nothing...

Virginia's law-abiding gun owners will be put at a disadvantage by an unconstitutional law arbitrarily restricting magazine capacity, while criminals will continue to use magazines without capacity restrictions.

If We Take Action...

The right of Virginia's gun owners to have magazines with whatever capacity they want will be preserved. Criminals will not have an advantage when it comes to magazine capacity.

Issue #3: Oppose Attempts to Limit Magazine Capacity
Rebuttal: How to defeat the most common opposition arguments

They'll say: "Nobody needs a magazine that holds more than ten rounds."

- Sometimes it takes multiple shots to stop an attack. There are plenty of videos on the internet showing police officers shooting far more than ten rounds to stop a crazed criminal.
- A person could be attacked by a gang. Groups of five or more criminals have committed violent home-invasions.

Ask yourself the question: why do police carry magazines that hold more than ten rounds? The answer will apply equally to private citizens.

They'll say: "By limiting magazine capacity, it forces criminals to reload more frequently, giving an opportunity for them to be disarmed."

Criminals, by definition, don't follow laws. It will not be difficult for a criminal to purchase a non-compliant gun, so they will continue to have magazines that do not have arbitrary capacity restrictions. Their victims, however, will be at a disadvantage by having only ten-round magazines.

Issue #4: Repeal the Gun Ban in State Agency Buildings, in the Capitol Building in the General Assembly Building, and on Capitol Grounds

Firearms were not banned in state agencies, the Capitol Building, the General Assembly Building, or the Capitol grounds until 2020. There were no events or problems that had justified that change in policy. Those places are the property of the People, and citizens should not need to sacrifice any civil rights or needlessly endanger their life to go there. Many of those places, like rest areas, ABC stores, state parking garages, and some state agencies, do not have any security or minimal security. Even with strong security in the buildings, criminals are aware that a citizen must go to and from the building without a means of protection.

Key Facts & Figures

- Up until 2004, concealed carry and open carry were not prohibited in the Capitol Building, the General Assembly Building, Capitol Square, and government agencies
- In 2004, a concealed handgun permit was required to carry in the General Assembly and Capitol, but not Capitol Square or in government agencies
- In 2015, then Governor Terry McAuliffe issued an Executive Order banning open carry in state agency buildings and later banning concealed carry, too. No events or problems were given as a reason for the ban, a violation of which was considered trespass since carrying guns into state agencies was still not illegal.

In 2020 the General Assembly passed a law banning guns from the General Assembly Building, the Capitol Building, Capitol Square, and state agency buildings. There was no reason given for the ban.

If We Do Nothing...

Virginia citizens will continue to be at risk unconstitutionally when visiting rest areas, ABC stores, government parking garages, various government agencies, the General Assembly Building, the Capitol Building, and Capitol Square.

If We Take Action...

Virginia will once again make sure that its citizens can protect themselves while in rest areas, ABC stores, government parking garages, government agencies, the Capitol Building, the General Assembly Building, and Capitol Square.

Issue #4: Repeal the Gun Ban in Government Buildings
Rebuttal: How to defeat the most common opposition arguments

They'll say: "No one needs to carry a gun into a government building since they have plenty of security"

Providing security does not negate constitutional rights. In any case, there is little to no security at rest areas, ABC stores, government parking garages, and some government agencies. Even with security, a person cannot protect themselves while going to and from government buildings. No justification was given for the gun bans.

They'll say: "The U.S. Supreme Court said that guns can be banned in government buildings"

Only in '*sensitive*' government buildings. Rest areas, ABC stores, parking garages, and most state agencies are not sensitive, making those bans unconstitutional.

Recommendations

Our Top 3 Legislative Priorities for Virginia...

1. Restore Virginia's firearms preemption statute as it was in 2019

- **What it does:** Makes sure that localities cannot carve up the right to keep and bear arms, restoring uniform gun laws across the Commonwealth
- **Why Virginia needs it:** A patchwork of local gun laws only makes it harder for peaceful Virginia gun owners to avoid inadvertently breaking the law and harder for gun owners to be able to protect themselves as they travel the Commonwealth. Guns having to be left in unattended vehicles has increased firearm theft
- **The numbers:** Virginia has over 700,000 concealed handgun permit holders, with a permit revocation rate of half of one percent for any reason. The number of gun owners in Virginia is estimated to be around 3.5 million

2. Stop any attempt to ban semi-automatic firearms or to restrict magazine capacity

- **What it does:** Protects the right to keep and bear arms by preventing a ban on some of the most popular and effective firearms and magazines
- **Why Virginia needs it:** The right to keep and bear arms shall not be infringed. To be meaningful, Virginia gun owners need access to the best firearms and magazines that don't arbitrarily reduced capacities

3. Remove gun ban restrictions from the General Assembly, Capitol, state agencies, and Capitol Square

- **What it does:** Restore the right to self-defense in government buildings, and going to and from government buildings
- Why Virginia needs it: **The right to keep and bear arms shall not be infringed. Forcing citizens to store their** guns in their unattended vehicles while in government "gun-free zones" has increase theft of firearms. In addition, government agencies have a monopoly on their services. Law-abiding citizens have no options to go elsewhere for those same services

Elevator Pitch...

The right to keep and bear arms is enshrined in both the U.S. Constitution's Second Amendment and the Virginia Constitution's Article 1, Section 13. There is nothing more important than being able to save your life and the life of your family members during a violent attack.

Top 3 Virginia Statistics to Remember...

1. Virginia's 700,000 concealed handgun permit holders are among the most law-abiding, peaceful citizens in the Commonwealth. The Virginia State Police check their criminal history before their permit is issued and regularly while the permit is active

2. In 2020, the VCDL Lobby Day rally had over 50,000 in attendance. Tens of thousands of gun owners, with and without concealed handgun permits were there. No arrests were made and the local newspapers noted that Richmond was cleaner after the rally than before the rally.

3. University and government studies have shown that guns are used to stop crime between 500,000 and 2.5 million times a year. Usually, a victim showing that he or she has a gun is sufficient to stop an attack without a shot being fired

Most Effective Argument for Virginia...

Citizens' lives are valuable wherever they may be. Gun-free zones and other gun-control laws only serve to give criminals an advantage by taking away a person's ability to protect themself.

Additional Resources

Virginia Citizens Defense League website: vcdl.org

Contact for Questions: Philip Van Cleave, 804-874-8235, president@vcdl.org

PRESERVATION OF HISTORY

In a nutshell...

When history is used to promote present-day beliefs and values instead of facts, it loses its purpose. History tells the truth about the actual past. Some policymakers, however, treat history as a reflection of present problems. We can understand history in two main ways. One approach, revisionism, reshapes the past to fit today's ideas. This larger method is called constructivism. Realism seeks the truth about what actually happened. These two approaches clash, causing divisions in culture and politics.

Understanding these two principal ways of thinking about history—constructivism and realism—can help policymakers make better sense of today's debates. The main question is whether history is a story made to fit today's beliefs and values, or whether it tells the truth about the past.

Historical constructivism sees history as revised through today's ways of thinking. It claims that there is no one absolute truth about the past—only different interpretations that serve contemporary needs and group identities. Key ideas of constructivism include:

- The past is viewed through present-day opinions and beliefs
- "Truth" changes depending on who is telling the story.
- History is used to support today's power structures and goals.
- Different versions of the past can exist at the same time.

Therefore, this way of thinking often changes or leaves out parts of the past that do not match certain modern views. This can confuse the public and lawmakers because the term history is being used to mean very different things.

Historical realism starts with the past and works forward. It sees the past as real, not shaped by today's views, and believes we can find the truth by studying facts and context. Key ideas of realism include:

- The past exists apart from modern opinions.
- Truth can be discovered through evidence and original meaning.
- Historians should study carefully to understand what really happened.
- The meaning people gave to events in their time helps us form identity and moral judgment today.

Realists use revision to focus on evidence from the past, not on present-day views, so the historical record is as true and complete as possible.

Issue #1: Preservation of Historical Veterans War Monuments and Highway Markers

The 2020–2021 unrest in Richmond revealed deeper divisions in our culture over patriotism, American history, and the rule of law. What appeared to be protests over Confederate statues turned out to be a broader fight over national identity.

Governor Youngkin called for relocating statues to museums or battlefields to preserve history. Instead of respectful relocation, century-old monuments were defiled, melted, or dumped at a sewage plant. Civil Society dissident organizations (CSO), including the Virginia chapter of the Democratic Socialists of America, called for their immediate removal, posting signs #TearEmDown. During the unrest, peaceful citizens were harassed or attacked. Small businesses were damaged, and many later shut down under government emergency orders.

Public leaders offered only two choices: either honor them as part of history or reject them as hateful symbols. Different people value the monuments in various ways. Some judge history only by today's values. This is a false dilemma because it imposes unnecessary community division and ignores a true third possibility to do the right thing.

This third way treats the monuments as tools for education. An accurate historical account serves a profound purpose to teach us about the injustices of the past. It says that we can see the past clearly, without erasing its flaws or glorifying slavery and the Civil War. This third approach helps us understand various views and options in search of peaceful solutions.

Ultimately, communities must decide the future of war monuments. But leaving the decision solely to a few elected leaders risks excluding the broader public. The choice should be made by the greatest number of informed citizens through a public vote, following open and thorough civic discussion.

Key Facts & Figures

- Monument Inventory. Virginia does not maintain a full statewide inventory of war monuments. Code §15.2-1812 protects monuments honoring veterans of 15 wars, including the Revolutionary War, War of 1812, World Wars, Korea, and Vietnam. The only documented inventory is of 260 Confederate monuments on public land. There is also no inventory of historic war highway markers.
- Local Political Action: Urban vs. Rural. In 2020, 15 civil society groups—such as the Communist League of Richmond, Black Lives Matter, and the Democratic Socialists of America—organized protests in Richmond to remove Confederate monuments from Monument Avenue. Some protests turned into riots, ending with the Lee statue's removal in September 2021. City leaders supported these efforts.
- In contrast, six rural counties held non-binding votes. Voters favored keeping the monuments, supporting local input and historical preservation over activist-led removal.

- Polling. Only two surveys focus directly on Virginia's Confederate monuments. Results varied. Wording, limited context, and strong emotions affect accuracy, so polls should be read with caution.
- In 2018, a VCU poll found 49% wanted to keep the statues, while 46% supported changes like moving or adding signs.
- In 2019, a Wason Center poll showed 51% opposed giving local governments the power to remove monuments, with 44% in favor.
- Monument Protection Laws. At least eight states, including Virginia, have laws protecting war monuments. Virginia allows local changes but requires public notice and input.
- Alabama and Tennessee have laws similar to a 2025 proposal by The Virginia Council (TVC): Alabama requires approval to alter monuments over 40 years old; Tennessee requires a two-thirds vote from its state monuments commission. Other states like Georgia, Mississippi, and Florida also limit removal. Florida adds fines or felony charges. These laws aim to protect history and prevent rushed or unauthorized changes.

If We Do Nothing...

No real civil reconciliation. At best, people may reach a tentative, short-lived agreement. At worst, the process hides injustice and allows conflict to simmer beneath the surface.

Legitimacy Still in Doubt. When only a few officials decide, civic trust fades. That loss fuels division and unrest, weakening local civic values.

Ongoing Conflict and Instability. The issue stays unsettled, leading to protests, vandalism, or lawsuits. Without broad agreement, the tension remains. Future leaders may remove or restore monuments based on politics, not public input.

Economic Impact. Removing statues may reduce tourism and lower nearby property values.

If We Take Action...

Stronger Political Legitimacy. The decision reflects the people's voice. It brings the community together through wider democratic choice.

Greater Civic Engagement. People become more informed and engaged. It builds a culture of civic discussion about history and government.

Fewer Claims of Elitism or Prejudice. The process feels fairer when the whole community—not just a few—has a voice. People trust the result more, even if they disagree with it.

Lasting Results. A supermajority vote makes reversal or challenge less likely in the future.

Issue #1: Objections to Preserving the Integrity Historic Veteran War Monuments Rebuttal: How to defeat the most common opposition arguments

They'll say: "These Civil War-era monuments are racist and should be removed because they make people uncomfortable" (The argument from racial injustice)

Civil War monuments shouldn't be singled out. When the Code (§15.2-1812) was reformed in 2020, lawmakers didn't exclude Civil War monuments. Monuments can educate—they prompt reflection, deepen historical literacy, and help us face moral complexity. Preserving them isn't about honoring every figure but understanding the past. As others note, "We must learn from the ugly parts of our history so we don't repeat them."

They'll say: "Localities should decide the fate of certain monuments. The current law allows for local action. I can tolerate removal when the local governing body authorizes it" (The argument from local control)

Agreed—but let's improve the law to require broader public consent, such as a supermajority vote. Painful history demands thoughtful, inclusive decisions. The process matters as much as the outcome. Relocation should be considered. In a free society, important civic choices must reflect the voice of the many—not just the few.

They'll say: "Monuments express admiration. Honoring flawed figures promotes false values and misleads the public" (The argument from misguided application of false exemplars)

True heroes are often imperfect. Monuments can teach us about human complexity and national growth. Instead of erasing flawed figures, we should educate about both their failures and contributions. Before removal, the public must fully understand the monument's history. A supermajority referendum ensures the decision reflects shared understanding and support.

They'll say: "Monuments honor white, male elites and signal that they alone are socially valuable"

Commemoration reflects historical significance, not social ranking. Figures are remembered for impact—not identity. If some are underrepresented, we can expand, not erase, our commemorative landscape. Monuments can honor many stories without denying others. The goal is a fuller, not narrower, account of our past.

Policy GPS

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