



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE VETERAN ADVOCATE

January 23, 2024

The Honorable John C. Velis
24 Beacon St., Room 513
Boston, MA 02133

The Honorable Gerard J. Cassidy
24 Beacon St., Room 171
Boston, MA 02133

Dear Chairs Velis and Cassidy,

The Office of the Veteran Advocate (OVA) submits this testimony in support of H.4172, *An Act Honoring, Empowering, and Recognizing Our Servicemembers and Veterans*. This support also extends to bills S.1750, H.2627, and H.2662, all titled, *An Act relative to veterans' buyback*. In addition to modernizing and aligning language to existing definitions and references, these bills propose significant changes that will extend benefits and services to improve the lives of veterans and their families in the commonwealth.

The Office of the Veteran Advocate offers the following additional recommendations to complement the clarity, federal alignment, and inclusivity intent of H.4172.

1. Amend clause Forty-third, section 7 of chapter 4, of the General Laws, as appearing in the 2022 Official Edition, by striking out the term "Veteran" and inserting in place thereof the following definition:-

Forty-third, "Veteran" shall mean (1) any person, (a) whose last discharge or release from their wartime service as defined herein, was under honorable conditions and who (b) served in the army, marine corps, navy, air force, space force, coast guard, commissioned corps of the public health service or commissioned corps of the national oceanic and atmospheric administration of the United States, or on full time national guard duty under Titles 10 or 32 of the United States Code or under sections 38, 40 and 41 of chapter 33 for not less than 90 days active service, at least 1 day of which was for wartime service; provided, however, than any person who so served in wartime and was awarded a service-connected disability or a Purple Heart, or who died in such service under conditions other than dishonorable, shall be deemed to be a veteran notwithstanding their failure to complete 90 days of active service; (2) a member of the American Merchant Marine who served in armed conflict between December 7, 1941 and December 31, 1946, and who has received honorable discharges from the United States Coast Guard, Army, or Navy; (3) any person (a) whose last discharge from active service was under honorable conditions, and who (b) served in the army, marine corps, navy, air force, space force, coast guard, commissioned corps of the public health service, or

commissioned corps of the national oceanic and atmospheric administration of the United States for not less than 180 days active service; provided, however, that any person who so served and was awarded a service-connected disability or who died in such service under conditions other than dishonorable, shall be deemed to be a veteran notwithstanding their failure to complete 180 days of active service.

Amend subsection Forty-third (e), section 7 of chapter 4, of the General Laws, as appearing in the 2022 Official Edition, by striking out the term “Armed forces” and inserting in place thereof the following definition:- “Armed forces” shall include army, marine corps, navy, air force, space force and coast guard, including reserve components thereof.

Amend subsection Forty-third (e), of the General Laws, as appearing in the 2022 Official Edition, by inserting after line 444:- “Uniformed services” shall include armed forces, commissioned corps of the public health service and commissioned corps of the national oceanic and atmospheric administration.

Rationale: These recommendations align the definition of veteran in 10 USC, Section 101 used by the U.S. Department of Veterans Affairs and enhances continuity of benefits and services between federal and state agencies. It also sustains equal eligibility for veteran services and benefits under separate chapters of M.G.L. referencing this definition. According to the Commissioned Officers Association of the U.S. Public Health Service, current Massachusetts population estimates for the two commissioned corps totals less than 200.

2. This change also necessitates a review of additional portions of General Laws, as appearing in the 2022 Official Edition, where the less inclusive term “armed forces” is used. In these cases, replace “armed forces” with the term “uniformed services” to best align with definitions in U.S. Code.

Rationale: This opens opportunities (e.g. veterans service agent and veterans graves officer) and benefits (e.g. annuities, veterans homes and veterans bonus) to uniformed services veterans that are otherwise excluded by the term armed forces.

3. Throughout chapter 115 of General Laws, as appearing in the 2022 Official Edition, replace “Veterans' Administration of the United States government” with “U.S. Department of Veterans Affairs”.

Rationale. This updates M.G.L to the current agency name.

4. In addition to the changes stated in lines 484-487 of H.4172, corresponding text should result in - chairs of the boards of trustees of the veterans’ homes.

Rationale. Clarifies that each veterans’ home chair of the board of trustees is included in the nominating committee.

The Office of the Veteran Advocate is committed to advising you and the public about how the commonwealth may improve its services for veterans and their families and is prepared to liaison with federal and state executive agencies to best serve this community. Please reach out to me with any questions. I welcome the opportunity to assist in identifying additional areas of improvement for veterans and their families.

A handwritten signature in black ink, appearing to read "Robert Notch". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Robert Notch
Veteran Advocate