

HB

28

<TARGET><BILL>HB 28</BILL><SUBJECT>HB
28</SUBJECT><COMM>SSTA27</COMM></TARGET>

SENATE COMMITTEE REPORT

DATE: 2/24/11

FURTHER: Labor and Commerce

DATE TURNED

IN TO OFFICE: 3-22-11

State Affairs Committee considered CS FOR HOUSE BILL NO. 28(FIN)

HB 28-TEMP LICENSES FOR PROFESSIONALS

"An Act relating to temporary courtesy licenses for certain nonresident professionals and to a temporary exemption from fees and other licensing requirements for active duty members of the armed forces."

and recommends:

be replaced with SCS HB 28 (STA)
 Same Title Technical Title Change or New Title & SCR No. _____

adopt previous SCS _____
 Same Title Technical Title Change or New Title & SCR No. _____

attached amendment(s)

adopt _____ Letter of Intent

further referral to _____ Committee

Dept Abbr.	
ADM	LEG
CED	LAW
COR	LWF
CRT	MVA
EED	DNR
DEC	DPS
DFG	REV
GOV	DOT
DHS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
CED		 	X	

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	No REC	AMEND
<i>Alfunt Kookesh</i>	Kookesh	X			
<i>Joe Paskvan</i>	Paskvan	X			
<i>K. Meyer</i>	Meyer	X			
<i>Cathy Giessel</i>	Cathy Giessel	X			
CHAIR: <i>[Signature]</i>	Wiederhowsk.	✓			



REPRESENTATIVE BILL THOMAS

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Sponsor Statement for CSHB 28

An Act Relating to Temporary Licenses for Certain Nonresident Professionals and to a Temporary Exemption from Fees and other Licensing Requirements for Active Duty Members of the Armed Forces

HB 28 allows the spouses of service members on active duty to obtain a temporary license if they practice in an area that is regulated by the Division of Corporations, Business, and Professional Licensing.

The lives of military families are dominated by frequent deployments, relocations, and extended periods of single parenthood. Military spouses are some of the most mobile populations in our country, making the maintenance of professional licenses a large obstacle. When deciding whether or not to stay in the armed forces, service members often take into account the well being of their spouses and families. Being able to practice in their field of expertise goes a long way towards fulfilling the needs of our military spouses and their families.

CSHB 28 allows a military spouse to obtain a temporary license in their field of practice as long as they meet the professional standards which are already required by law or regulation. The temporary license will be valid for six months at which time the military spouse has the option of obtaining an Alaska license or asking for a renewal of the temporary license.

Military spouses are just like their civilian counterparts. They depend on two incomes and want to achieve their goals and aspirations. CSHB 28 helps to alleviate the hardships that they face due to their highly transient lifestyle. I strongly urge your support of CSHB 28.



REPRESENTATIVE BILL THOMAS

ALASKA STATE LEGISLATURE DISTRICT 5

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State Capitol

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Professions Covered by HB 28

- (1) Acupuncturists;
- (2) Architects, Engineers, and Land Surveyors;
- (3) Collection Agencies;
- (4) Audiologists and speech-language pathologists;
- (5) Barbers and Hairdressers;
- (6) Big Game Commercial Services;
- (7) Concert Promoters;
- (8) Chiropractic Examiners;
- (9) Construction Contractors;
- (10) Dental Examiners;
- (11) Dietitians and Nutritionists;
- (12) Dispensing Opticians;
- (13) Electrical Administrators;
- (14) Euthanize Domestic Animals;
- (15) Geologists;
- (16) Guardians and Conservators;
- (17) Hearing Aid Dealers;

*Attorneys - not regulated
+ teachers - already covered
by Commerce*

- (18) Home Inspectors;
- (19) Marital and Family Therapists;
- (20) Mechanical Administrators;
- (21) Medical Board;
- (22) Midwives;
- (23) Morticians;
- (24) Naturopathy;
- (25) Nurses Aides;
- (26) Nurses;
- (27) Nursing Home Administrators;
- (28) Optometrists;
- (29) Pharmacists;
- (30) Physical and Occupational Therapists;
- (31) Professional Counselors;
- (32) Psychologists and Psychological Associates;
- (33) Public Accountants;
- (34) Real Estate Appraisers;
- (35) Real Estate Commission;
- (36) Social Work Examiners
- (37) Underground Storage Tank Workers
- (38) Veterinary Examiners
- (39) Marine Pilots

Working Around the Military Challenges of Military Spouse Employment

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Key findings

Military wives are employed at lower rates and earn less than civilian wives, on average.

Civilian wives with the same characteristics as military wives actually have better employment outcomes than the average civilian wife.

The majority of military spouses believe that the military lifestyle — including frequent moves, deployments and long hours that keep service members from assisting with parenting, and living in areas with poor local labor market conditions — has negatively affected their employment opportunities. Almost half believe that their educational opportunities have suffered.

Military spouses work for different reasons, based on their own education level, their service member's pay grade, and their financial situation.

Successful recruiting and retention of the active duty force depends in large part on the extent to which service members and their spouses are satisfied with the military lifestyle. Prior research suggests both that the most satisfied military families are those with an employed spouse and that the influence of military spouses on service member retention decisions has increased with the proportion of military spouses working outside the home.

The majority of military spouses are employed. Nonetheless, the RAND Corporation finds that they are less likely to be employed, are more likely to be seeking work, and earn less than comparable civilian spouses.

Common explanations for their different employment outcomes are that military spouses tend to be younger, which influences their earnings and employability; that they may choose not to work; or that there may be aspects of the military lifestyle that preclude their employment or affect the types of jobs they accept (and thus their earnings).

To parse these varied explanations and gain a more detailed picture of military spouse employment, RAND researchers characterized military spouse employment based on the analysis of available Census and other data, including the personal perceptions and experiences of military spouses gained from interviews with more than 1,100 military spouses. The goal was to consider the demographics of military spouses, such as age, education level, or number and age of children, as well as less observable factors, such as spouse's interest in work, employer biases against military spouses, or the impact of the military lifestyle on the service member's family.

Who Are Military Spouses?

Military spouses differ from their civilian counterparts in ways that could explain workforce participation levels. For instance, as befits popular conceptions, military spouses are more likely to experience frequent long-distance relocations, and are on average younger and thus more likely to have young children at home. Conventional wisdom also tends to envision these spouses in rural locales that limit their employment options and wages. In reality, however, military wives⁽¹⁾ are more likely than civilian wives to live in metropolitan areas. Moreover, they are more likely to have graduated from high school and to have some college education, which ostensibly would increase their employability. But to what extent, then, are their employment outcomes the result of their age, their frequent moves, or other observable attributes?

To answer that question, researchers compared military spouses with civilian "look-alikes" who share the same age, education level, ethnicity, and even frequency of moves. The comparison revealed that *the look-alikes generally fared both better than the military spouses and better than the civilian average*. In other words, the demographics of military spouses suggest that they should have better employment outcomes and higher wages than the average civilian spouse. Instead, however, they are employed at much lower rates and earn less than both the average civilian spouse and those who exhibit the same characteristics. Moreover, RAND compared military spouses specifically with civilian spouses residing in the same metropolitan areas and found that military spouses earn less than their civilian neighbors.

A View from the Inside: What the Spouses Themselves Say

By eliciting spouses' views about their reasons for working or staying at home, their experiences in or out of the labor market, and what they believe about the impact of military life on their employment and educational opportunities, the interviews done as part of this research paint a richer portrait of the relationship between employment status and the conditions of a military lifestyle.

One size won't fit all. Reasons for working differ among groups of spouses

To formulate policies to improve employment, it is important to understand spouse motivations for working. About three-quarters of interviewed spouses who were either employed or seeking work mentioned financial reasons for working, with working to *pay bills and cover basic expenses* as the most widely cited primary reason. The majority of spouses also discussed nonmonetary motives such as working to *avoid boredom and keep busy*, working for *personal fulfillment or independence*, or working to *maintain skills and career status*. Spouses' motivation for working varied based on the pay grade of the service member, the family's financial situation, and the education and occupation of the military spouse. For example, personal fulfillment or independence was a nonfinancial primary reason for working that was widely cited by better-educated spouses and those married to officers. Spouses with less education, married to more-junior enlisted service members, and in more challenging financial circumstances tended to cite financial necessity as their primary reason for working.

Many spouses opt out of the workforce because of conditions unique to the military lifestyle

Just as revealing are the reasons offered by those spouses who are neither employed nor seeking employment. The vast majority (approximately three-quarters) of spouses out of the labor force mentioned full-time parenting responsibilities as their reason for not working. While some of these spouses prefer to remain out of the labor force, not all stay-at-home spouses lack a "taste" for work. A sizable number of spouses neither working nor seeking work mentioned barriers, including day care

problems, local labor market conditions, or demands of the military lifestyle, that hinder their employment. Although day care and local labor market conditions are issues that large numbers of civilian spouses also face, many military spouses viewed these conditions as the result of their military lifestyle, either because they were removed from extended family that could help with the parenting responsibilities, because they would not have self-selected the location to which the military sent them, or because military demands such as deployments and long hours precluded their service member from assisting them.

A majority believe that military life negatively affected their employment and education

The clearest indicator of the challenges of military spouse employment is the fact that almost two-thirds of those interviewed felt that being a military spouse had a negative impact on their work opportunities. The most frequently cited cause was *frequent and disruptive moves*. Other causes cited were *service member absence and the related heavy parenting responsibilities* as well as *child care difficulties*. These spouses also referred to the inflexibility of the military workplace to accommodate the needs of military parents. Finally, some spouses cited an *employer bias* against or stigmatization of military spouses, often driven by the employer's concern that the spouse will be forced to leave abruptly. As with frequent moves and service member absence, this perceived cause is uniquely military. Many spouses also reported a negative impact on their education. Almost half the spouses believed that their educational opportunities had suffered negatively, once again citing frequent moves and service member absence.

Steps to Improve Employment and Educational Opportunities and Thus Enhance Quality of Life

When asked what the military might do to improve their employment and educational opportunities, the spouses' most common recommendation was that the Department of Defense (DoD) increase the affordability and accessibility of both education and military child care programs.

Given these and other spouse suggestions and this study's findings, RAND researchers generated the following recommendations for DoD to consider in addressing and improving military spouse employment:

- Design employment programs or policies that recognize that different groups of spouses work for different reasons.
- Continue to address military child care availability and affordability, including extended-hours and part-time child care.
- Pursue relationships with local employers and large, nationally prevalent employers to improve hiring conditions for military spouses.
- Consider incentives or requirements for military contractors to prioritize hiring military spouses.
- Reexamine the priority system for civil service jobs, including whether military spouses should receive higher priority than non-retiree veterans.
- **Address licensing and certification hurdles to help relocating spouses continue their careers.**
- Raise awareness about existing spouse employment programs.

- Become a more family-friendly employer, including better informing families about their service member's schedule and creating more ways for service members to help their spouses with the "crises" of parenthood.

Moreover, the researchers recommended that DoD determine its official position on military spouse education and develop a policy statement to reflect this position. The policy statement should be the basis of how, and establish the extent to which, DoD should encourage, support, or even invest in military spouse education. Depending on the extent of DoD support for military spouse education, the department could address spouse education through such means as

- encouraging education providers to maximize the number of classes offered on military bases and ease the administrative difficulty of transferring courses
- pursuing in-state tuition rates for military spouses
- creating online or distance-learning opportunities.

These findings provide an expansive portrait of military spouse living and working conditions. The quantitative data available confirm the perceptions and experiences of many of the military spouses interviewed and demonstrate that many military spouses make personal employment or academic sacrifices to support their service member spouse's career demands. The strains posed by frequent moves, long spouse absences, and related child care dilemmas are products of the military life. And these strains can play a role in service members' leaving the military to pursue what they perceive to be more family-friendly professions. But by taking some or all of these steps, DoD could reap rewards both in terms of concrete quality-of-life improvements and in general perceptions among service members and spouses that the military is listening to, and acting on, their concerns.

[1] Due to the small numbers of male spouses, the quantitative analysis of Census and other data included only female spouses of male service members.



Alaska Dental Society

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info@akdental.org

February 10, 2011

Members of the 27th Alaska Legislature

The Alaska Dental Society urges your support of HB 28 An Act relating to temporary licenses for certain nonresident professionals sponsored by Representatives Thomas and Herron.

HB28 will allow spouses of active duty military personnel transferred to Alaska to utilize their professional skills in the private sector while they complete the process for a regular professional Alaska license. Under HB28 they are eligible for a courtesy license while they are completing the paperwork required to obtain a permanent license. The courtesy license, which requires they have an equivalent license in good standing in another state, will allow these professionals to work in their professional field without delay. Under HB28 the licensees will be required to obtain a permanent license within a year of being issued a courtesy license.

The Alaska Dental society believes professionals who have spouses serving in the armed forces in Alaska should not be needlessly prevented from pursuing their professional careers.

David Logan, DDS
Legislative Chair, Alaska Dental Society

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number 1
 Bill Version CSHB 28(L&C)
 (H) Publish Date 2/9/2011

Identifier (file name) HB028-CCED-CBPL-02-03-11 Dept. Affected DCCED
 Title Temp Licenses for Professionals Appropriation CBPL
 Sponsor Representatives Thomas, Herron, Feige Allocation CBPL
 Requester House Labor & Commerce OMB Component Number 2360

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES								
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
1156 Receipt Support Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost _____

POSITIONS

Full-time								
Part-time								
Temporary								

Why this fiscal note differs from previous version

Prepared by Don Habeger, Director
 Division Corporations, Business and Professional Licensing
 Approved by Susan K. Bell, Commissioner
Commerce, Community and Economic Development

Phone 465-2536
 Date/Time 2/4/11 3:00 PM
 Date 2/4/2011

FISCAL NOTE #1

**STATE OF ALASKA
2011 LEGISLATIVE SESSION**

BILL NO. CSHB 28(L&C)

Analysis

The legislation would require the Department to implement regulations to establish criteria for issuing a temporary courtesy license to a nonresident so they may lawfully practice their occupation. The agency does not predict a significant fiscal impact as a result of the proposed statute. Accordingly, the agency submits a zero fiscal note.

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number _____
Bill Version CSHB28(FIN)
() Publish Date _____

Identifier (file name) HB028-CCED-CBPL-02-15-11 Dept. Affected DCCED
Title Temp Licenses for Professionals Appropriation Corporations, Business and Professional Licensing
Allocation Corporations, Business and Professional Licensing
Sponsor Representatives Thomas, Herron, Feige
Requester House Labor & Commerce OMB Component Number 2360

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES								
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
1156 Receipt Support Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost _____

POSITIONS

Full-time								
Part-time								
Temporary								

Why this fiscal note differs from previous version (if initial version, please note as such)

This version updates the analysis section to reflect the changes made by the CS.

Prepared by Don Habeger, Director
Division Corporations, Business and Professional Licensing
Approved by Susan K. Bell, Commissioner
Commerce, Community and Economic Development

Phone 465-2536
Date/Time 2/15/11 3:15 PM
Date 2/15/2011

FISCAL NOTE

**STATE OF ALASKA
2011 LEGISLATIVE SESSION**

BILL NO. CSHB28(FIN)

Analysis

CSHB 28 allows active duty military or a military spouse to obtain a temporary courtesy license in their field of practice as long as they meet the professional standards which are already required by law or regulation. The temporary courtesy license will be valid for six months at which time the military spouse has the option of obtaining an Alaska license or asking for a renewal of the courtesy license. The agency does not predict a significant fiscal impact as a result of the proposed statute. Accordingly, the agency submits a zero fiscal note.



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TITLE 26 > Subtitle A > CHAPTER 1 > Subchapter B > PART III > § 112

§ 112. Certain combat zone compensation of members of the Armed Forces

(a) Enlisted personnel

Gross income does not include compensation received for active service as a member below the grade of commissioned officer in the Armed Forces of the United States for any month during any part of which such member—

- (1) served in a combat zone, or
- (2) was hospitalized as a result of wounds, disease, or injury incurred while serving in a combat zone; but this paragraph shall not apply for any month beginning more than 2 years after the date of the termination of combatant activities in such zone.

With respect to service in the combat zone designated for purposes of the Vietnam conflict, paragraph (2) shall not apply to any month after January 1978.

(b) Commissioned officers

Gross income does not include so much of the compensation as does not exceed the maximum enlisted amount received for active service as a commissioned officer in the Armed Forces of the United States for any month during any part of which such officer—

- (1) served in a combat zone, or
- (2) was hospitalized as a result of wounds, disease, or injury incurred while serving in a combat zone; but this paragraph shall not apply for any month beginning more than 2 years after the date of the termination of combatant activities in such zone.

With respect to service in the combat zone designated for purposes of the Vietnam conflict, paragraph (2) shall not apply to any month after January 1978.

(c) Definitions

For purposes of this section—

- (1) The term "commissioned officer" does not include a commissioned warrant officer.
- (2) The term "combat zone" means any area which the President of the United States by Executive Order designates, for purposes of this section or corresponding provisions of prior income tax laws, as an area in which Armed Forces of the United States are or have (after June 24, 1950) engaged in combat.
- (3) Service is performed in a combat zone only if performed on or after the date designated by the President by Executive Order as the date of the commencing of combatant activities in such zone, and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in such zone; except that June 25, 1950, shall be considered the date of the commencing of combatant activities in the combat zone designated in Executive Order 10195.
- (4) The term "compensation" does not include pensions and retirement pay.
- (5) The term "maximum enlisted amount" means, for any month, the sum of—
 - (A) the highest rate of basic pay payable for such month to any enlisted member of the Armed Forces of the United States at the highest pay grade applicable to enlisted members, and
 - (B) in the case of an officer entitled to special pay under section 310 of title 37, United States Code, for such month, the amount of such special pay payable to such officer for such month.

(d) Prisoners of war, etc.

(1) Members of the Armed Forces

Gross income does not include compensation received for active service as a member of the Armed Forces of the United States for any month during any part of which such member is in a missing status (as defined in section 551 (2) of title 37, United States Code) during the Vietnam conflict as a result of such conflict, other than a period with respect to which it is officially determined under section 552(c) of such title 37 that he is officially absent from his post of duty without authority.

(2) Civilian employees

Gross income does not include compensation received for active service as an employee for any month during any part of which such employee is in a missing status during the Vietnam conflict as a result of such conflict. For purposes of this paragraph, the terms

"active service", "employee", and "missing status" have the respective meanings given to such terms by section 5561 of title 5 of the United States Code.

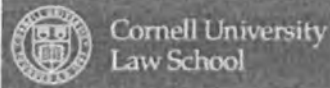
(3) Period of conflict

For purposes of this subsection, the Vietnam conflict began February 28, 1961, and ends on the date designated by the President by Executive order as the date of the termination of combatant activities in Vietnam. For purposes of this subsection, an individual is in a missing status as a result of the Vietnam conflict if immediately before such status began he was performing service in Vietnam or was performing service in Southeast Asia in direct support of military operations in Vietnam.

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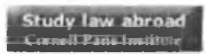


TITLE 5 > PART III > Subpart D > CHAPTER 59 > SUBCHAPTER III > § 5928

§ 5928. Danger pay allowance

An employee serving in a foreign area may be granted a danger pay allowance on the basis of civil insurrection, civil war, terrorism, or wartime conditions which threaten physical harm or imminent danger to the health or well-being of the employee. A danger pay allowance may not exceed 35 percent of the basic pay of the employee, except that if an employee is granted an additional differential under section 5925 (b) of this title with respect to an assignment, the sum of that additional differential and any danger pay allowance granted to the employee with respect to that assignment may not exceed 35 percent of the basic pay of the employee. The presence of nonessential personnel or dependents shall not preclude payment of an allowance under this section. In each instance where an allowance under this section is initiated or terminated, the Secretary of State shall inform the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate of the action taken and the circumstances justifying it.

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Combat zones are designated by an Executive Order from the President as areas in which the U.S. Armed Forces are engaging or have engaged in combat.

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Combat Zones and Hazardous Duty Designations

Posted: December 8, 2009

Combat zones are designated by an Executive Order from the President as areas in which the U.S. Armed Forces are engaging or have engaged in combat.

There are currently three such combat zones (including the airspace above each):

1. Arabian Peninsula Arcas, beginning Jan. 17, 1991 -- the Persian Gulf, Red Sea, Gulf of Oman, the part of the Arabian Sea north of 10° North latitude and west of 68° East longitude, the Gulf of Aden, and the countries of Bahrain, Iraq, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates.
2. Kosovo area, beginning Mar. 24, 1999 -- Federal Republic of Yugoslavia (Serbia and Montenegro), Albania, the Adriatic Sea and the Ionian Sea north of the 39th Parallel.
3. Afghanistan, beginning Sept. 19, 2001.

HAZARDOUS DUTY

Public Law 104-117 designates three parts of the former Yugoslavia as a Qualified Hazardous Duty Area, to be treated as if it were a combat zone, beginning Nov. 21, 1995: Bosnia and Herzegovina, Croatia, and Macedonia.

In addition, the Department of Defense has certified these locations for hazardous duty/combat zone tax benefits due to their direct support of military operations, beginning on the listed dates:

In support of Operation Enduring Freedom (Afghanistan combat zone):

- Pakistan, Tajikistan and Jordan - Sept. 19, 2001
- Kyrgyzstan and Uzbekistan - Oct. 1, 2001
- Philippines (only troops with orders referencing Operation Enduring Freedom) - Jan. 9, 2002
- Yemen - Apr. 10, 2002
- Djibouti - July 1, 2002
- Somalia - Jan. 1, 2004

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- [How Tax Deductions Can Turn Tax Day Into Pay Day](#)
- [New Car Tax Break: Cars, Trucks, Motor Homes](#)
- [Leveraging the Military Family Tax Relief Act of 2003](#)
- [The Complete Guide to Filing Military Taxes](#)
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