

HB

194

<TARGET><BILL>HB 194</BILL><SUBJECT>HB
194</SUBJECT><COMM>HMLV30</COMM></TARGET>



Alaska State Legislature

Representative Matt Claman

Session: State Capitol, Rm 118 Juneau, AK 99801 Phone: 465-4919
Interim: 1500 W. Benson Blvd., Anch, AK 99503 Phone: 269-0130

House Bill 194

"An Act relating to members and veterans of the uniformed services, including the Commissioned Corps of the United States Public Health Service and the National Oceanic and Atmospheric Administration Commissioned Officer Corps."

Sponsor Statement:

House Bill 194 brings alignment between the federal definition of "veteran" under Title 38: Veterans Benefits, and the state definition of "veteran" as it applies to persons who provided active duty service in the uniformed services of the United States. Currently, the state consistently defines "veteran" as service in the armed services only. This does not recognize the full-time active duty military service of the Commissioned Corps of the United States Public Health Service (USPHS) and the National Oceanic and Atmospheric Administration Commissioned Officer Corps (NOAA), which, under by U.S. Code Title 38, are recognized as uniformed services and are entitled to veterans benefits.

Officers from the USPHS and NOAA (previously known as the U.S. Coast and Geodetic Survey) have served throughout Alaska since the early 1900's. Like in the armed forces, each USPHS and NOAA serving officer has deployed by orders to the needed mission. Today, USPHS Officers currently serve from Ketchikan to Kotzebue providing services to Alaska's native communities ranging from offering health care to water sanitation engineering. NOAA Officers lead surveying and mapping operations throughout Alaska, improve the navigation over coastal and Arctic waters, and operate vessels conducting fishery research and assessment in state and federal waters. Each officer, regardless of service, is on orders directing the nature of their deployment and their duty stations. This is no different than officers serving in the armed forces.

Upon leaving the service, whether by resigning the commission or retiring in grade, the officers have earned their federal veterans benefit. Many of these officers that have had duty in Alaska have chosen to stay, contributing to our work force and economy by building businesses, providing medical services, or continuing to offer their expertise in public service. This bill offers the opportunity for the state of Alaska to recognize their previous service and the veteran status they have earned.

Fiscal Note

State of Alaska
2018 Legislative Session

Bill Version: HB 194
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB194-DHSS-BVS-1-30-18
Title: USPHS & NOAA OFFICERS AS VETERANS
Sponsor: CLAMAN
Requester: House MVA

Department: Department of Health and Social Services
Appropriation: Public Health
Allocation: Bureau of Vital Statistics
OMB Component Number: 961

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2019	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2019 Request	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
OPERATING EXPENDITURES	FY 2019	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

1004 Gen Fund (UGF)	6.3		6.7	7.1	7.6	8.0	8.4
1005 GF/Prgm (DGF)	(6.3)		(6.7)	(7.1)	(7.6)	(8.0)	(8.4)
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2018) cost: 0.0 (separate supplemental appropriation required)

(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2019) cost: 0.0 (separate capital appropriation required)

(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed? n/a

Why this fiscal note differs from previous version/comments:

Not applicable; initial version.

Prepared By:	Jay C. Butler, MD, Chief Medical Officer/Director	Phone:	(907)269-6680
Division:	Public Health	Date:	01/25/2018
Approved By:	Shawnda O'Brien, Asst. Commissioner	Date:	01/29/18
Agency:	Health and Social Services		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2018 LEGISLATIVE SESSION

BILL NO. HB194

Analysis

HB 194 version "A" adds the commissioned corps of the United States Public Health Service and the National Oceanic and Atmospheric Administration to the current definition of veterans under the Vital Statistics Act (AS 18.50.320(7)(B)). Since 2012, family members or personal legal representatives (such as executors) of resident veterans that pass away in Alaska may each request up to four (4) certified copies of the veteran's death certificate without charge.

Approximately 90% of the Bureau of Vital Statistics ("Bureau") budget for vital records administration comes from fees (general fund program receipts). Because the Bureau relies substantially on fees to support its operating costs, any loss of these program receipts will have an impact on staffing and quality of service to the public if not replaced by general funds.

Based on the Bureau's experience with free death certificates under existing law, the number of newly eligible veteran deaths per year is estimated to be approximately 20. Assuming an average of four qualified family members (or executors) order all four death certificates each at no charge (families have been known to request as many as 40 copies of a death certificate), each veteran death represents 16 certificates provided to families.

It is anticipated the impact would be comparatively less for the first few years and then increase as more families become aware of the new law. For these calculations, the division assumes 75% of eligible family members and individuals will take advantage of this opportunity in Year 1, gradually increasing to the full 100% by Year 6.

The current fee for a death certificate is \$30 for the first copy, and \$25 thereafter for the same record at the same time. A set of four is therefore $\$30 + 3(\$25) = \$105$.

Year 1: 75% of 20 veteran deaths x 4 requestors x one \$105 set of 4 copies = \$6,300

Year 6: 100% of 20 veteran deaths x 4 requestors x one \$105 set of 4 copies = \$8,400

The Bureau will experience a greater loss of revenue if the total number of decedents classified as veterans exceeds assumptions or more than four qualified family members/individuals request four certificates. If the current level of staffing and service to the public is to be maintained, these lost program receipts will have to be replaced with GF.

Fiscal Note

State of Alaska
2018 Legislative Session

Bill Version: HB 194
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB194-DOA-DMV-02-02-18
Title: USPHS & NOAA OFFICERS AS VETERANS
Sponsor: CLAMAN
Requester: (H) MLV

Department: Department of Administration
Appropriation: Motor Vehicles
Allocation: Motor Vehicles
OMB Component Number: 2348

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2019 Appropriation Requested	Included in Governor's FY2019 Request	Out-Year Cost Estimates					
			FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time								
Part-time								
Temporary								

Change in Revenues

1250 UGF Rev (UGF)		(140.0)	(140.0)					
Total	0.0	(140.0)	(140.0)	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2018) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2019) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version/comments:

Not applicable; initial version.

Prepared By: Marla Thompson, Director
Division: Motor Vehicles
Approved By: Leslie Ridle, Commissioner
Agency: Department of Administration

Phone: (907)269-5574
Date: 02/02/2018
Date: 02/03/18

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2018 LEGISLATIVE SESSION

BILL NO. HB 194

Analysis

HB 194 amends AS 18.65.310(l) to require DMV provide a veteran designator and United States flag replica on the driver's license or identification card of a member of the Commissioned Corps of the United State Public Health Service (USPHS) or the National Oceanic and Atmospheric Administration (NOAA) Commissioned Officer Corps.

Members are required to show proof of retirement or discharge under honorable conditions to receive the designator. DMV may charge a fee of \$5 to replace a current identification card with one that has a designator.

Additionally, AS 28.10.181 and 28.15.111 will be amended to expand the definition of eligible veterans and allow one free vehicle registration to veterans that meet the eligibility requirements.

Loss of Revenue

We estimate that 2,800 veterans will become eligible for free vehicle registration under HB 194. Due to the two year registration period we have divided the revenue loss over two fiscal years.

$2,800 / 2 = 1,400$ registrations each year @ \$100/each = \$140,000 yearly.

Fiscal Note

State of Alaska
2018 Legislative Session

Bill Version: HB 194
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB194-DNR-02-02-18
Title: USPHS & NOAA OFFICERS AS VETERANS
Sponsor: CLAMAN
Requester: (H) MLV

Department: Department of Natural Resources
Appropriation: Administration & Support Services
Allocation: Commissioner's Office
OMB Component Number: 423

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2019	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2019 Request	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
OPERATING EXPENDITURES	FY 2019	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2018) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2019) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version/comments:

Initial version

Prepared By: <u>Ed King, Special Assistant to the Commissioner</u>	Phone: <u>(907)465-4730</u>
Division: <u>Commissioner's Office</u>	Date: <u>02/02/2018 01:00 PM</u>
Approved By: <u>Andrew T. Mack, Commissioner</u>	Date: <u>02/02/18</u>
Agency: <u>Department of Natural Resources</u>	

FISCAL NOTE ANALYSIS

**STATE OF ALASKA
2018 LEGISLATIVE SESSION**

BILL NO. HB194

Analysis

This bill would increase the number of qualified veterans that may be eligible for discounted land sales and parks passes currently authorized by state statutes. The bill does not expand the discounts currently authorized, but may increase the number of potential users of those discounts. These discounts are not frequently used and the department does not expect an appreciable increase in their use as a result of this bill. Any potential reduction in revenues from any additional use is expected to be insignificant.

Fiscal Note

State of Alaska
2018 Legislative Session

Bill Version: HB 194
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB194-DOA-SSOA-02-02-18
Title: USPHS & NOAA OFFICERS AS VETERANS
Sponsor: CLAMAN
Requester: (H) MLV

Department: Department of Administration
Appropriation: Shared Services of Alaska
Allocation: Purchasing
OMB Component Number: 60

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2019	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2019 Request	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
OPERATING EXPENDITURES	FY 2019	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2018) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2019) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version/comments:

No applicable; initial version.

Prepared By: Kevin Brooks, Director
Division: Shared Services of Alaska
Approved By: Sylvan Robb, Deputy Commissioner
Agency: Administration

Phone: (907)465-4889
Date: 02/02/2018
Date: 02/02/18

FISCAL NOTE ANALYSIS

**STATE OF ALASKA
2018 LEGISLATIVE SESSION**

BILL NO. HB 194

Analysis

This bill expands the definition of "veteran" in the Alaska Veterans Preference (AS 36.30.321(f)) and the Alaskans with Disabilities Preference (AS 36.30.321(k)) in the procurement code to include individuals who services in the Commissioned Corps of the United States Public Health Services or the National Oceanic and Atmospheric Administration Commissioned Officer Corps.

This bill could expand the number of vendors who claim and qualify for these preferences. The Division of Shared Services of Alaska does not anticipate increased costs. Therefore, the agency submits a zero fiscal note.

Fiscal Note

State of Alaska
2018 Legislative Session

Bill Version: HB 194
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB194-MVA-OVA-2-2-18
Title: USPHS & NOAA OFFICERS AS VETERANS
Sponsor: CLAMAN
Requester: (H) Military and Veterans' Affairs

Department: Department of Military and Veterans' Affairs
Appropriation: Military and Veterans' Affairs
Allocation: Veterans' Services
OMB Component Number: 421

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2019	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2019 Request	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
OPERATING EXPENDITURES	FY 2019	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2018) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2019) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed? N/A

Why this fiscal note differs from previous version/comments:

Not Applicable, initial version.

Prepared By: <u>Brian P. Duffy</u>	Phone: <u>(907)428-7210</u>
Division: <u>Administrative Services</u>	Date: <u>02/02/2018 08:26 AM</u>
Approved By: <u>Laurel J. Hummel</u>	Date: <u>02/02/18</u>
Agency: <u>Office of the Commissioner</u>	

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2018 LEGISLATIVE SESSION

BILL NO. HB 194

Analysis

The bill would designate as veterans those persons who served in the "uniformed services" (extant statutes regarding veterans typically refer to their service in the "United States armed services"), specifically encompassing persons who have received honorable or general discharges from the Commissioned Corps of the United States Public Health Service or the National Oceanic and Atmospheric Administration Commissioned Officer Corps. An anticipated amendment would extend veteran status to persons who served in the reserve units of the United States armed forces or the National Guard for at least twenty years and were discharged under honorable conditions. The bill enumerates more than twenty specific benefits to which veterans, including those made veterans by the passage of this bill, are entitled.

Presently, the DMVA Office of Veterans Affairs (OVA) provides assistance to almost 62,000 Veterans per year. That work is divided between 4 full-time state employees and 17 contracted Veteran Service Officers (VSO), meaning each employee/VSO manages a caseload of about 3,000 Veterans. Over the past several years, Alaska's Veteran population also grew at a rate of approximately 5% per year, with no adjustments to staffing levels. Current estimates predict passage of this bill would likely recognize approximately 3,000 new Veterans, further increasing OVA's workload. To provide no less than the current level of service once this new population is included, DMVA projects the need for another Veteran Service Officer. With resourcing expressed in the SFY19 Governor's Budget submission, the Department can fund this requirement. Therefore, the Department of Military and Veterans' Affairs is submitting a zero fiscal note.



Alaska State Legislature

Representative Matt Claman

Session: State Capitol, Rm 118 Juneau, AK 99801 Phone: 465-4919

Interim: 1500 W. Benson Blvd., Anch, AK 99503 Phone: 269-0130

House Bill 194

"An Act relating to members and veterans of the uniformed services, including the Commissioned Corps of the United States Public Health Service and the National Oceanic and Atmospheric Administration Commissioned Officer Corps."

Sectional Analysis

Section	Section Summary	Section Changes
Section 1	AS 18.50.320: Bureaus and custodians of vital records must furnish copies if requested. Federal, state and local agencies may request copies of vital records. Up to four veteran death certificates shall be issued free of charge.	<i>Amends 18.50.320(7)(B): adds The Commissioned Corps of the United States Public Health Services and the National Oceanic Atmospheric Administration Commissioned Officer Corps to the definition of veteran.</i>
Section 2	AS 18.55.470(4): applies to veterans who may apply for Alaska Housing Finance Corporation loans.	<i>Amends AS 18.55.470(4): changes "military services" to "uniformed services" and changes "armed services" to "uniformed services".</i>
Section 3	AS 18.55.470: Applies to who may apply for Alaska Housing Finance Corporation loans.	<i>Amends AS 18.55.470 to add new paragraph: provides the definition of "uniformed services" as "the armed forces of the United States, The Commissioned Corps of the United States Public Health Services, and the National Oceanic Atmospheric Administration Commissioned Officer Corps."</i>
Section 4	AS 18.56.101 applies to who may receive eligibility for veterans' interest rates.	<i>Amends AS 18.56.100(2) and AS 18.56.100(4): changes "armed forces" to "uniform services". Adds application to</i>

		“regular or reserve” officers of USPHS and NOAA.
Section 5	AS 18.65.310(l) applies to veteran designation on identification cards.	<i>Amends AS 18.65.310(l)</i> to include USPHS and NOAA officers.
Section 6	AS 26.10.070(a) applies to fees collected for the veteran’s report of separation.	<i>Amends AS 26.10.070(a)</i> to include USPHS and NOAA officers.
Section 7	AS 26.10.080(d)(2) applies to veterans who may be eligible to receive death gratuity.	<i>Amends AS 26.10.080(d)(2):</i> expands definition of veteran to include USPHS and NOAA officers.
Section 8	AS 26.15.130(a) designates the qualifications for those who may be eligible for veteran’s loans.	<i>Amends AS 26.15.130(a):</i> changes “armed forces” to “uniformed services”
Section 9	AS 26.15.130(b) defines veterans dependents’ who may be eligible for loans.	<i>AS 26.15.130(b):</i> changes “armed forces” to “uniformed services”
Section 10	AS 26.15.160 extends veterans loans provisions to include the Alaska Territorial Guard and Veterans of Korea and Vietnam.	<i>Amends AS 26.15.160:</i> changes “armed forces” to “uniformed services”
Section 11	AS 26.15 covers the provisions for veteran’s loans.	<i>Amends AS 26.15;</i> adds new section As 26.15.190: Adds definition of “uniformed services” and “veteran” which include USPHS and NOAA commissioned officers.
Section 12	AS 28.10.181(d) provides for the registration of vehicles owned by veterans with disabilities.	<i>Amends AS 28.10.181(d):</i> changes “armed forces” to “uniformed services”
Section 13	AS 28.10.181(l) provides for the registration of vehicles owned by Pearl Harbor survivors.	<i>Amends AS 28.10.181(l):</i> changes “armed forces” to “uniformed services”
Section 14	AS 28.10.181(p) provides for the registration of vehicles owned by veterans.	<i>Amends AS 28.10.181(p):</i> changes “armed forces” to “uniformed services”
Section 15	AS 28.10.181 contains provisions for registration of unique and special vehicles and vehicles used for special purposes in Alaska.	
Section 16	AS 28.15.111(c) contains provisions for issuing drivers licenses, including a particular veterans designation.	<i>Amends AS 28.15.111(c):</i> changes “armed forces” to “uniformed services”, Adds definitions of “uniformed services” and “veterans” which include USPHS and

		NOAA commissioned officers.
Section 17	AS 29.45.030(i) relates to provisions for exemptions from general taxation for disabled veterans	<i>Amends AS 29.45.030(i)</i> ; changes “military services” to “uniformed services”. Defines “uniformed services”.
Section 18	AS 36.30.321(f) relates to provisions for the five percent preference on qualified bidders of public contracts.	<i>Amends AS 36.30.321(f)</i> : Adds USPHS and NOAA commissioner officers to definition of “veteran”.
Section 19	AS 36.30.321(k) relates to provisions for the preference of bids from persons with disabilities on public contracts.	<i>Amends AS 36.30.321(k)</i> : Changes “military services” to “uniformed services”
Section 20	AS 36.30.321 relates to bidder preference for public contracts.	<i>Amends AS 36.30.321</i> , adds new subsection: defines “uniformed services”.
Section 21	AS 38.05.067(e) relates to the preference for veterans for unoccupied residential land.	<i>Amends AS 38.05.067(e)</i> : changes “armed forces” to “uniformed services”
Section 22	AS 38.05.940(b) relates to the provisions for eligibility for the land purchase price discount.	<i>Amends AS 38.05.940(b)</i> : changes “armed forces” to “uniformed services”
Section 23	AS 38.05.965: definitions	<i>Amends AS 38.05.96</i> ; adds new paragraph: defines “uniformed services”.
Section 24	AS 39.25.159(f) relates to provisions for employment preference for veterans and former prisoners of war.	<i>Amends AS 39.25.159(f)</i> ; adds USPHS and NOAA commissioner officers to definition of “veteran”
Section 25	AS 43.20.048(f) relates to provisions for veteran employment tax credits.	<i>Amends AS 43.20.048(f)</i> ; adds USPHS and NOAA commissioner officers to definition of “veteran”
Section 26	AS 44.29.520(a) relates to the composition of the board of the Alaska Pioneer’ Homs Advisor.	<i>Amends AS 44.29.520(a)</i> ; adds USPHS and NOAA officer to list of eligible members of the Pioneers’ Home Advisory Board.
Section 27	AS 44.35.900 defines “veteran”.	<i>Amends AS 44.35.900</i> ; adds USPHS and NOAA commissioner officers to definition of “veteran”
Section 28	AS 47.55.900: definitions.	<i>Amends AS 47.55.900</i> ; adds USPHS and NOAA commissioner officers to definition of “veteran”

1/25/18

SUBJECT: HB-194 Public Comment for Tuesday 30 House Military & Veterans Affairs Committee hearing.

TO: Representative Matt Claman@akleg.gov
Representative Chris Tuck@akleg.gov
Representative Gabrielle LeDoux@akleg.gov
FROM: Paul T. (Tim) Steele,

As a retired NOAA Corps Officer I was surprised to find out that, in the eyes of the State, I was a second class Military Retiree.

I have in my pocket a military ID and on my vehicle a base sticker giving me base access to services. I shop at the Base, receive medical services from VA, and I receive a "small" retirement. If the Military and VA can provide Retired NOAA Corps Officers equal benefits why not the State?

I've made a commitment to Alaska! I was married here. My two children were born here. My wife is buried in Fort Richardson Army Base. I have owned our family home in West Anchorage since 1986. I have investment property in Homer. I always vote and I have been an active participant in local government.

When NOAA Corps Officers come to Alaska to increase public safety by collecting data to produce accurate Nautical & Aeronautical Charts and to collect data to produce accurate Tide and Current Tables, NOAA Officers are involved.

Look around: NOAA Corps Officers are at National Marine Fisheries Labs, at National Weather Service Facilities. We Command Oceanographic Research Ships, fly Hurricane Hunter Aircraft through hurricanes to obtain wind speed and direction of travel to protect life and property. We also free whales from the ice on the North Slope when we can.

WE ARE NOT SECOND CLASS OFFICERS. We don't need recognition or "Special Treatment" but we should be given equal treatment as a "Veteran".

Thank You! 
LCDR Paul T. Steele NOAA Corps Retired
Aka Tim Steele

Personal testimony regarding HB-194

January 25, 2018

To: Representative Tuck and Representative LeDoux and committee members

I am a retired Commissioned Officer of the United States Public Health Service. My wife and I have lived in Anchorage, Alaska since September 1985. We came to Anchorage as I accepted a new assignment as Director of the Alaska Native Medical Center (ANMC) and Service Unit Director for the Anchorage Service Unit. I was a young Commissioned Officer at that time and was just starting to envision a career as a Commissioned Officer.

Now, nearly 32 years later, Anchorage is still home and I am a retired officer. After I retired from the Commissioned Corps (after 20 years), I became an employee of the Southcentral Foundation and worked for several years as a pediatrician on the ANMC campus. From 2004-6, I served the state as Director of Public Health. Then in 2006, I moved to the Providence Alaska Medical Center (PAMC); first as director of the Children's Hospital at Providence and then as Chief executive of PAMC.

Now, I am nearing retirement from PAMC and find myself often reflecting on my time here in Alaska. I would not have "landed" here except for the Commissioned Corps. My commitment to public health and to service of the community at large was developed and grew while I was a Commissioned Officer. I have met so many health care professionals who have served our state as Commissioned Officers.

HB-194 will make Alaska's statutes consistent with the federal designation of a uniformed officer. Alaska will benefit by the retirement in state of more Commissioned Officers. Many retired officers continue to serve our state and encouraging retiring officers to continue to make Alaska their home, will serve Alaska well in the future.

Thank you for the opportunity to comment.

Sincerely,



Richard Mandsager MD

Chief Executive, PAMC

Vice Admiral, Commissioned Corps of the Public Health Service (retired)

LCDR Kathryn Jacques
Aurora Borealis Branch
Commissioned Officers Association

February 1, 2018

Representative Matt Claman
Room 118 Capitol Bldg.
Juneau, AK, 99801

Dear Representative Claman,

The Aurora Borealis Branch of the Commissioned Officers Association of the United States Public Health Service (USPHS) would like to propose the following resolution in support of House Bill 194:

Resolution supporting HB194 recognizing US Public Health Service and NOAA Commissioned Officers as Veterans in the State of Alaska.

Alaska is a vast state that since being acquired as a territory has looked to the federal government for assistance in supporting its population with health and safety, and

Whereas the US Public Health Service Commissioned Officers are integral to the treatment of almost 160,000 Alaska Native people through the Indian Health Service as established through the Indian Self-Determination and Education Assistance Act, Public Law 93-638, as amended, and

Whereas USPHS Commissioned Officers have worked in providing health and sanitary environmental water and sanitation projects in almost every rural native community in Alaska, ranging from Metlakatla to Kaktovik, and

Whereas, Alaska benefits from the technical and professional expertise that USPHS Commissioned Officers bring to Alaska, and

Whereas USPHS Commissioned Officers are assigned to Alaska's 400 duty stations under active duty military orders issued by the US Department of Health and Human Services, and

Whereas, the USPHS Commissioned Officers when assigned to Alaska bring their families and relocate to Alaska, contributing to the economy, community and social network and often workforce, and

Whereas, USPHS Commissioned Officers are paid with allowances, as are all commissioned active duty military officers, armed or uniformed, under Title 37 of the United States Code, and

Whereas, USPHS Commissioned Officers are recognized as Veterans, as are all commissioned active duty military officers, armed or uniformed, under Title 38 of the United States Code, and

Therefore, be it resolved that the USPHS Commissioned Officers of the Aurora Borealis Branch of the USPHS Commissioned Officers Association fully support the passage of HB194 and believe that all Commissioned Officers including the USPHS and NOAA who complete their active duty military service and reside in Alaska should be recognized by the state of Alaska as Veterans.

Thank you for your time and for considering our request.

Very respectfully,

LCDR Kathryn Jacques
President, Aurora Borealis Commissioned Officers Association

LT Christopher Chong
Fireweed Branch
Commissioned Officers Association
1001 Knik Goose Bay Rd
Wasilla, AK 99654

February 2, 2018

Representative Matt Claman
Room 118 Capitol Bldg.
Juneau, AK, 99801

Dear Representative Claman,

The Fireweed Branch of the Commissioned Officers Association of the United States Public Health Service (USPHS) would like to propose the following resolution in support of House Bill 194:

Resolution supporting HB 194 recognizing the USPHS and the National Oceanographic and Atmospheric Administration (NOAA) Commissioned Officers as Veterans in the State of Alaska.

Alaska, the largest state in the United States, has looked to the federal government for assistance in supporting its population with protecting and promoting health and safety, and

Whereas the USPHS Commissioned Officers have been an integral part in providing assistance to almost 160,000 Alaska Native people through the Indian Health Service as established through the Indian Self-Determination and Education Assistance Act, Public Law 93-638, as amended, and

Whereas USPHS Commissioned Officers have provided direct health care services and environmental health services, including water and sanitation projects, in almost every rural Native community spanning from the North Slope to the Aleutian Islands, and

Whereas, the state of Alaska benefits from the technical and professional expertise that USPHS Commissioned Officers bring to Alaska, and

Whereas USPHS Commissioned Officers are assigned to 400 duty stations throughout the state under active duty orders issued by the US Department of Health and Human Services, and

Whereas, USPHS Commissioned Officers are paid with allowances, as are all commissioned active duty military officers, armed or uniformed, under Title 37 of the United States Code, and

Whereas, USPHS Commissioned Officers are recognized as Veterans, as are all commissioned active duty military officers, armed or uniformed, under Title 38 of the United States Code, and

Whereas, USPHS Commissioned Officers provide direct health care services for over 1,500 veterans living in the Matanuska-Susitna area, and

Therefore, be it resolved that the USPHS Commissioned Officers of the Fireweed Branch of the USPHS Commissioned Officers Association fully support the passage of HB 194 and believe that all Commissioned Officers including the USPHS and NOAA who complete their active duty service and reside in Alaska should be recognized by the state of Alaska as Veterans.

Thank you for your time and for considering our request.

Very respectfully,



LT Christopher Chong
President, Fireweed Branch Commissioned Officers Association

Testimony of Captain Bob Pawlowski, NOAA (Ret)

Thank you for the opportunity to comment. I am Captain Bob Pawlowski, a retired NOAA Officer living in Anchorage with my wife Paula. We came to Anchorage originally in 1984 and finished my NOAA Career in 1999 after commanding NOAA's fishery research vessels that worked in Alaska and spearheading the Alaska navigation opportunities for NOAA's Coast Survey. After leaving NOAA, I continued to contribute to Alaska both in my professional work, including in staffing to the legislature and working in the private sector, non-profit sector and finished with the Alaska Division of Oil and Gas. During this time, I also expanded the coastal engineering curriculum at UAA and advised to both UAA and UAF in engineering. I continue to volunteer with the Port Commission for the Port of Alaska and with other Cook Inlet interest. I share this, like many other officers from both the USPHS and NOAA, as we continue to contribute to the state and would like be recognized as "veterans" for our previous service time.

HB 194 is a simple bill to bring alignment between the federal definition of "veteran" under Title 38 – Veterans Benefits and the state definition of "veteran" as it applies to those members who provided active duty service in the uniformed services of the United States. Currently, the state consistently defines "veteran" as service in the armed services only. This does not recognize the full-time active duty military service of the USPHS Commissioned Officer Corps and the NOAA Commissioned Officer Corps, which are defined as a uniform service by US Code Titles 10, 37 and 38 and entitled to Veterans Benefits.

Officers from the USPHS and NOAA (previously the U.S. Coast and Geodetic Survey) have served throughout Alaska since the early 1900's. Each serving officer has deployed by orders to the needed mission. Today, approximately 400 USPHS Officers currently serve from Ketchikan to Kotzebue providing health care and water and sanitation engineering to Alaska's native communities. 11 of those officers are detailed to the US Coast Guard in support of their health programs. NOAA Officers, stationed on ships, two homeported in Alaska, and ashore, lead surveying and mapping operations throughout Alaska, improving the navigation over the coastal waters and into the Arctic, as well as operating the vessels conducting fishery research and assessment in state and federal waters. Each officer, regardless of service, is on orders directing the nature of their deployment and their duty stations. While serving they are subject to comparable commitment to duty as members of the armed forces.

Upon leaving the service, whether by resigning the commission or retiring in grade, the officers have earned their federal veterans benefit. Many of these officers that have had duty in Alaska have chosen to stay, contributing to our work force and economy by building businesses, providing medical services, leading environmental engineering and sanitation projects across the state, and continuing to offer their expertise in public service to federal, state and local governments. This bill offers the opportunity for the state of Alaska to recognize their previous service and the "Veteran" they have earned. Simply stated, it is a pride of service bill for those who have accepted their commission and served their country in other than the armed forces.

This bill is supported by the Captain Cook Chapter of the Military Officers Association of America. MOAA represents the 7 uniformed services and has over 1200 national members living in Alaska. The bill is also supported by the USPHS Commissioned Officers Association, representing the USPHS Commissioned Officers with 262 members active in Alaska, including the Aurora Borealis and Fireweed Branches.

In addition, we are in support of amending HB-194 to include the National Guard and Reservists who have served 20+years and retired without being called to active duty. This reflects on those members who have served the state in times of emergency and crisis, but never activated to federal military service. This is particularly relevant to the Alaska Army National Guard members that handled statewide issues, while many in the Alaska Air National Guard assisted in various national defense operations. Those Alaskan's are primarily from the period of 1975 to 2001, a generation that served in the National Guard during peacetime.

Federal References

The term "uniformed services" means the Armed Forces, the Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training, or full-time National Guard duty, the commissioned corps of the Public Health Service, and any other category of persons designated by the President in time of war or national emergency.

Title 10 – Armed Forces **10 USC 101 – Definitions**

(a) In General.— The following definitions apply in this title:

(4) The term "armed forces" means the Army, Navy, Air Force, Marine Corps, and Coast Guard.

(5) The term "uniformed services" means—

(A) the armed forces;

(B) the commissioned corps of the National Oceanic and Atmospheric Administration; and

(C) the commissioned corps of the Public Health Service.

(d) Duty Status.— The following definitions relating to duty status apply in this title:

(1) The term "active duty" means full-time duty in the active military service of the United States. Such term includes full-time training duty, annual training duty, and attendance, while in the active military service, at a school designated as a service school by law or by the Secretary of the military department concerned. Such term does not include full-time National Guard duty.

Title 37 – Pay and Allowances of the Uniformed Services **37 USC 101 - Definitions**

(3) The term "uniformed services" means the Army, Navy, Air Force, Marine Corps, Coast Guard, National Oceanic and Atmospheric Administration, and Public Health Service.

(4) The term "armed forces" means the Army, Navy, Air Force, Marine Corps, and Coast Guard.

(5) The term "Secretary concerned" means—

(A) the Secretary of the Army, with respect to matters concerning the Army;

(B) the Secretary of the Navy, with respect to matters concerning the Navy, the Marine Corps, and the Coast Guard when it is operating as a service in the Navy;

(C) the Secretary of the Air Force, with respect to matters concerning the Air Force;

(D) the Secretary of Homeland Security, with respect to matters concerning the Coast Guard when it is not operating as a service in the Navy;

(E) the Secretary of Commerce, with respect to matters concerning the National Oceanic and Atmospheric Administration; and

(F) the Secretary of Health and Human Services, with respect to matters concerning the Public Health Service.

Title 38 – Veterans Benefits

38 USC 101 Definitions

21) The term “active duty” means—

- (A) full-time duty in the Armed Forces, other than active duty for training;
- (B) full-time duty (other than for training purposes) as a commissioned officer of the Regular or Reserve Corps of the Public Health Service (i) on or after July 29, 1945, or (ii) before that date under circumstances affording entitlement to “full military benefits” or (iii) at any time, for the purposes of chapter 13 of this title;
- (C) full-time duty as a commissioned officer of the National Oceanic and Atmospheric Administration or its predecessor organization the Coast and Geodetic Survey (i) on or after July 29, 1945, or (ii) before that date (I) while on transfer to one of the Armed Forces, or (II) while, in time of war or national emergency declared by the President, assigned to duty on a project for one of the Armed Forces in an area determined by the Secretary of Defense to be of immediate military hazard, or (III) in the Philippine Islands on December 7, 1941, and continuously in such islands thereafter, or (iii) at any time, for the purposes of chapter 13 of this title;
- (D) service as a cadet at the United States Military, Air Force, or Coast Guard Academy, or as a midshipman at the United States Naval Academy; and
- (E) authorized travel to or from such duty or Service.

38 USC 4303 - Definitions

13) The term "service in the uniformed services" means the performance of duty on a voluntary or involuntary basis in a uniformed service under competent authority and includes active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, a period for which a person is absent from a position of employment for the purpose of an examination to determine the fitness of the person to any such duty, and a period for which a person is absent from employment for the purpose of performing funeral honors duty as authorized by section 12503 of title 10 or section 115 of title 32.

38 U.S. Code § 101 – Definitions

For the purposes of this title—

(1)

The terms “Secretary” and “Department” mean the Secretary of Veterans Affairs and the Department of Veterans Affairs, respectively.

(2)

The term “veteran” means a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.

(3)

The term “surviving spouse” means (except for purposes of chapter 19 of this title) a person of the opposite sex who was the spouse of a veteran at the time of the veteran’s death, and who lived with the veteran continuously from the date of marriage to the date of the veteran’s death (except where there was a separation which was due to the misconduct of, or procured by, the veteran without the fault of the spouse) and who has not remarried or (in cases not involving remarriage) has not since the death of the veteran, and after September 19, 1962, lived with another person and held himself or herself out openly to the public to be the spouse of such other person.

(4)

(A) The term “child” means (except for purposes of chapter 19 of this title (other than with respect to a child who is an insurable dependent under subparagraph (B) or (C) of section 1965(10) of such chapter) and section 8502(b) of this title) a person who is unmarried and—

(i)

who is under the age of eighteen years;

(ii)

who, before attaining the age of eighteen years, became permanently incapable of self-support; or

(iii)

who, after attaining the age of eighteen years and until completion of education or training (but not after attaining the age of twenty-three years), is pursuing a course of instruction at an approved educational institution;

and who is a legitimate child, a legally adopted child, a stepchild who is a member of a veteran’s household or was a member at the time of the veteran’s death, or an illegitimate child but, as to the alleged father, only if acknowledged in writing signed by him, or if he has been judicially ordered to contribute to the child’s support or has been, before his death, judicially decreed to be the father of such child, or if he is otherwise shown by evidence satisfactory to the Secretary to be the father of such child. A person shall be deemed, as of the date of death of a veteran, to be the legally adopted child of such veteran if such person was at the time of the veteran’s death living in the veteran’s household and was legally adopted by the veteran’s surviving spouse before August 26, 1961, or within two years after the veteran’s death; however, this sentence shall not apply if at the time of the veteran’s death, such person was receiving regular contributions toward the person’s support from some individual other than the veteran or the veteran’s spouse, or from any public or private welfare organization which furnishes services or assistance for children. A

person with respect to whom an interlocutory decree of adoption has been issued by an appropriate adoption authority shall be recognized thereafter as a legally adopted child, unless and until that decree is rescinded, if the child remains in the custody of the adopting parent or parents during the interlocutory period. A person who has been placed for adoption under an agreement entered into by the adopting parent or parents with any agency authorized under law to so act shall be recognized thereafter as a legally adopted child, unless and until such agreement is terminated, if the child remains in the custody of the adopting parent or parents during the period of placement for adoption under such agreement. A person described in clause (ii) of the first sentence of this subparagraph who was a member of a veteran's household at the time the person became 18 years of age and who is adopted by the veteran shall be recognized as a legally adopted child of the veteran regardless of the age of such person at the time of adoption.

(B) For the purposes of subparagraph (A) of this paragraph, in the case of an adoption under the laws of any jurisdiction other than a State (as defined in section 101(20) of this title and including the Commonwealth of the Northern Mariana Islands)—

(i) a person residing outside any of the States shall not be considered to be a legally adopted child of a veteran during the lifetime of such veteran (including for purposes of this subparagraph a Commonwealth Army veteran or new Philippine Scout, as defined in section 3566 of this title) unless such person—

(I)

was less than eighteen years of age at the time of adoption;

(II)

is receiving one-half or more of such person's annual support from such veteran;

(III)

is not in the custody of such person's natural parent, unless such natural parent is such veteran's spouse; and

(IV)

is residing with such veteran (or in the case of divorce following adoption, with the divorced spouse who is also an adoptive or natural parent) except for periods during which such person is residing apart from such veteran (or such divorced spouse) for purposes of full-time attendance at an educational institution or during which such person or such veteran (or such divorced spouse) is confined in a hospital, nursing home, other health-care facility, or other institution; and

(ii) a person shall not be considered to have been a legally adopted child of a veteran as of the date of such veteran's death and thereafter unless—

(I)

at any time within the one-year period immediately preceding such veteran's death, such veteran was entitled to and was receiving a dependent's allowance or similar monetary benefit under this title for such person; or

(II)

for a period of at least one year prior to such veteran's death, such person met the requirements of clause (i) of this subparagraph.

(5)

The term "parent" means (except for purposes of chapter 19 of this title) a father, a mother, a father through adoption, a mother through adoption, or an individual who for a period of not less than one year stood in the relationship of a parent to a veteran at any time before the veteran's entry into active military, naval, or air service or if two persons stood in the relationship of a father or a mother for one year or more, the person who last stood in the relationship of father or mother before the veteran's last entry into active military, naval, or air service.

(6)

The term "Spanish-American War" (A) means the period beginning on April 21, 1898, and ending on July 4, 1902, (B) includes the Philippine Insurrection and the Boxer Rebellion, and (C) in the case of a veteran who served with the United States military forces engaged in hostilities in the Moro Province, means the period beginning on April 21, 1898, and ending on July 15, 1903.

(7)

The term "World War I" (A) means the period beginning on April 6, 1917, and ending on November 11, 1918, and (B) in the case of a veteran who served with the United States military forces in Russia, means the period beginning on April 6, 1917, and ending on April 1, 1920.

(8)

The term "World War II" means (except for purposes of chapters 31 and 37 of this title) the period beginning on December 7, 1941, and ending on December 31, 1946.

(9)

The term "Korean conflict" means the period beginning on June 27, 1950, and ending on January 31, 1955.

(10)

The term "Armed Forces" means the United States Army, Navy, Marine Corps, Air Force, and Coast Guard, including the reserve components thereof.

(11)

The term "period of war" means the Spanish-American War, the Mexican border period, World War I, World War II, the Korean conflict, the Vietnam era, the Persian Gulf War, and the period beginning on the date of any future declaration of war by the Congress and ending on the date prescribed by Presidential proclamation or concurrent resolution of the Congress.

(12)

The term "veteran of any war" means any veteran who served in the active military, naval, or air service during a period of war.

(13)

The term "compensation" means a monthly payment made by the Secretary to a veteran because of service-connected disability, or to a surviving spouse, child, or parent of a veteran because of the service-connected death of the veteran occurring before January 1, 1957.

(14)

The term "dependency and indemnity compensation" means a monthly payment made by the Secretary to a surviving spouse, child, or parent (A) because of a service-connected death occurring after December 31, 1956, or (B) pursuant to the election of a surviving spouse, child, or parent, in the case of such a death occurring before January 1, 1957.

(15)

The term "pension" means a monthly or other periodic payment made by the Secretary to a veteran because of service, age, or non-service-connected disability, or to a surviving spouse or child of a veteran because of the non-service-connected death of the veteran.

(16)

The term "service-connected" means, with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in line of duty in the active military, naval, or air service.

(17)

The term "non-service-connected" means, with respect to disability or death, that such disability was not incurred or aggravated, or that the death did not result from a disability incurred or aggravated, in line of duty in the active military, naval, or air service.

(18)

The term "discharge or release" includes (A) retirement from the active military, naval, or air service, and (B) the satisfactory completion of the period of active military, naval, or air service for which a person was obligated at the time of entry into such service in the case of a person who, due to enlistment or reenlistment, was not awarded a discharge or release from such period of service at the time of such completion thereof and who, at such time, would otherwise have been eligible for the award of a discharge or release under conditions other than dishonorable.

(19)

The term "State home" means a home established by a State (other than a possession) for veterans disabled by age, disease, or otherwise who by reason of such disability are incapable of earning a living. Such term also includes such a home which furnishes nursing home care for veterans.

(20)

The term "State" means each of the several States, Territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico. For the purpose of section 2303 and chapters 34 and 35 of this title, such term also includes the Canal Zone.

(21) The term "active duty" means—

(A)

full-time duty in the Armed Forces, other than active duty for training;

(B)

full-time duty (other than for training purposes) as a commissioned officer of the Regular or Reserve Corps of the Public Health Service (i) on or after July 29, 1945, or (ii) before that date under circumstances affording entitlement to "full military benefits" or (iii) at any time, for the purposes of chapter 13 of this title;

(C)

full-time duty as a commissioned officer of the National Oceanic and Atmospheric Administration or its predecessor organization the Coast and Geodetic Survey (i) on or after July 29, 1945, or (ii) before that date (I) while on transfer to one of the Armed Forces, or (II) while, in time of war or national emergency declared by the President, assigned to duty on a project for one of the Armed Forces in an area determined by the Secretary of Defense to be of immediate military hazard, or (III) in the Philippine Islands on December 7, 1941, and continuously in such islands thereafter, or (iii) at any time, for the purposes of chapter 13 of this title;

(D)

service as a cadet at the United States Military, Air Force, or Coast Guard Academy, or as a midshipman at the United States Naval Academy; and

(E)

authorized travel to or from such duty or service.

(22) The term "active duty for training" means—

(A)

full-time duty in the Armed Forces performed by Reserves for training purposes;

(B)

full-time duty for training purposes performed as a commissioned officer of the Reserve Corps of the Public Health Service (i) on or after July 29, 1945, or (ii) before that date under circumstances affording entitlement to "full military benefits", or (iii) at any time, for the purposes of chapter 13 of this title;

(C)

in the case of members of the Army National Guard or Air National Guard of any State, full-time duty under section 316, 502, 503, 504, or 505 of title 32, or the prior corresponding provisions of law;

(D)

duty performed by a member of a Senior Reserve Officers' Training Corps program when ordered to such duty for the purpose of training or a practice cruise under chapter 103 of title 10 for a period of not less than four weeks and which must be completed by the member before the member is commissioned; and

(E)

authorized travel to or from such duty.

The term does not include duty performed as a temporary member of the Coast Guard Reserve.

(23) The term "inactive duty training" means—

(A)

duty (other than full-time duty) prescribed for Reserves (including commissioned officers of the Reserve Corps of the Public Health Service) by the Secretary concerned under section 206 of title 37 or any other provision of law;

(B)

special additional duties authorized for Reserves (including commissioned officers of the Reserve Corps of the Public Health Service) by an authority designated by the Secretary concerned and performed by them on a voluntary basis in connection with the prescribed training or maintenance activities of the units to which they are assigned; and

(C)

training (other than active duty for training) by a member of, or applicant for membership (as defined in section 8140(g) of title 5) in, the Senior Reserve Officers' Training Corps prescribed under chapter 103 of title 10.

In the case of a member of the Army National Guard or Air National Guard of any State, such term means duty (other than full-time duty) under sections 316, 502, 503, 504, or 505 of title 32, or the prior corresponding provisions of law. Such term does not include (i) work or study performed in connection with correspondence courses, (ii) attendance at an educational institution in an inactive status, or (iii) duty performed as a temporary member of the Coast Guard Reserve.

(24) The term "active military, naval, or air service" includes—

(A)

active duty;

(B)

any period of active duty for training during which the individual concerned was disabled or died from a disease or injury incurred or aggravated in line of duty; and

(C) any period of inactive duty training during which the individual concerned was disabled or died—

(i)

from an injury incurred or aggravated in line of duty; or

(ii)

from an acute myocardial infarction, a cardiac arrest, or a cerebrovascular accident occurring during such training.

(25) The term "Secretary concerned" means—

(A)

the Secretary of the Army, with respect to matters concerning the Army;

(B)

the Secretary of the Navy, with respect to matters concerning the Navy or the Marine Corps;

(C)

the Secretary of the Air Force, with respect to matters concerning the Air Force;

(D)

the Secretary of Homeland Security, with respect to matters concerning the Coast Guard;

(E)

the Secretary of Health and Human Services, with respect to matters concerning the Public Health Service; and

(F)

the Secretary of Commerce, with respect to matters concerning the National Oceanic and Atmospheric Administration or its predecessor organization the Coast and Geodetic Survey.

(26)

The term "Reserve" means a member of a reserve component of one of the Armed Forces.

(27) The term "reserve component" means, with respect to the Armed Forces—

(A)

the Army Reserve;

(B)

the Navy Reserve;

(C)

the Marine Corps Reserve;

(D)

the Air Force Reserve;

(E)

the Coast Guard Reserve;

(F)

the Army National Guard of the United States; and

(G)

the Air National Guard of the United States.

(28)

The term "nursing home care" means the accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care, but who require nursing care and related medical services, if such nursing care and medical services are prescribed by, or are performed under the general direction of, persons duly licensed to provide such care. Such term includes services furnished in skilled nursing care facilities, in intermediate care facilities, and in combined facilities. It does not include domiciliary care.

(29) The term "Vietnam era" means the following:

(A)

The period beginning on February 28, 1961, and ending on May 7, 1975, in the case of a veteran who served in the Republic of Vietnam during that period.

(B)

The period beginning on August 5, 1964, and ending on May 7, 1975, in all other cases.

(30)

The term "Mexican border period" means the period beginning on May 9, 1916, and ending on April 5, 1917, in the case of a veteran who during such period served in Mexico, on the borders thereof, or in the waters adjacent thereto.

(31)

The term "spouse" means a person of the opposite sex who is a wife or husband.

(32)The term "former prisoner of war" means a person who, while serving in the active military, naval or air service, was forcibly detained or interned in line of duty—

(A)

by an enemy government or its agents, or a hostile force, during a period of war; or

(B)

by a foreign government or its agents, or a hostile force, under circumstances which the Secretary finds to have been comparable to the circumstances under which persons have generally been forcibly detained or interned by enemy governments during periods of war.

(33)

The term "Persian Gulf War" means the period beginning on August 2, 1990, and ending on the date thereafter prescribed by Presidential proclamation or by law.

38 U.S. Code § 101 - Definitions

[...]

(2)

The term "veteran" means a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.

[...]

(21) The term "active duty" means—

(A)

full-time duty in the Armed Forces, other than active duty for training;

(B)

full-time duty (other than for training purposes) as a commissioned officer of the Regular or Reserve Corps of the Public Health Service (i) on or after July 29, 1945, or (ii) before that date under circumstances affording entitlement to "full military benefits" or (iii) at any time, for the purposes of chapter 13 of this title;

(C)

full-time duty as a commissioned officer of the National Oceanic and Atmospheric Administration or its predecessor organization the Coast and Geodetic Survey (i) on or after July 29, 1945, or (ii) before that date (I) while on transfer to one of the Armed Forces, or (II) while, in time of war or national emergency declared by the President, assigned to duty on a project for one of the Armed Forces in an area determined by the Secretary of Defense to be of immediate military hazard, or (III) in the Philippine Islands on December 7, 1941, and continuously in such islands thereafter, or (iii) at any time, for the purposes of chapter 13 of this title;

(D)

service as a cadet at the United States Military, Air Force, or Coast Guard Academy, or as a midshipman at the United States Naval Academy; and

(E)

authorized travel to or from such duty or service.

Kendra Kloster

From: Kevin Hassin <kevin.hassin@gmail.com>
Sent: Thursday, February 22, 2018 1:44 PM
To: Rep. Matt Claman; Rep. Sam Kito; Rep. Justin Parish
Cc: McKenzie, Connie (Sullivan); Rep. Chris Tuck; VFW Post 1685 Lee; VFW STATE HEADQUARTERS
Subject: House Bill, HB-194
Attachments: HB0194A.pdf

Dear Alaska House of Representatives,,

From my reading of House Bill No. 194 said 18 page passage, I believe definition "Veteran" stands on its own and does not need to be redefined for political correctness or personal goals.

From a personal 24+ years military historical perspective, having served over 16 years overseas while military, 8 years in Congressional recognized Hostile Fire Pay/Combat Zones, I can appreciate those who qualify by definition as an American Legion member, for they were military available to serve in foreign wars just as those veterans of foreign wars did. Ironically...I was by definition an American Legion member when I consecutively made the Airman of the Quarter for: Flight; Squadron; Resource and Readiness; Wing/Installation, and 15th Air Force Transporter of the Quarter for Jan 1st thru March 31st 1991 (DESERT STORM)...yet this was while stationed not overseas in war, but at McConnell AFB KS with nuclear payload only option capable B-1 Bombers in the Alert Pad.

I venture the uneasy/unanswered quagmire that such a bill poses in such a politically correct generation.

Any one that passes or supports this bill opens the next wave of questioning if Civilian Contractors, Non-Appropriated Funds, and/or Federal Government Civilian Employees that actually volunteered and served by our side while I was deployed to Afghanistan, and again to a combat zone in "a classified military Air Base somewhere in Southwest Asia" (while in a country with no Status of Forces Agreement) also qualify to be called "Veterans". Unlike the current consideration, these individuals got shot at, rocket, mortared at...and yes some even died on my watch.

That said, this bill insults not only those civilians mentioned above, but all those in military who promised they would give up even their lives while doing their job under horrible conditions on a daily basis 24-7.

Consider This Timeline

- I left my first time pregnant wife in a foreign country (Japan) to deploy to Afghanistan 2004-2005 (less than 11,000 of us compared to 160,000 or more in Iraq that timeframe).
- Upon our return from Afghanistan, a friend was redeployed to Iraq, a few months later she was riding in a HMMVV when an IUD (Unexploded Ordinance) booby trap exploded, sending her HMMVV off the overpass to the concrete below, killing the driver and front passenger and critically wounding my Friend...who would later curse why she lived (she was single) while her two friends with her...by her...had died...as they were married with children

<http://www.af.mil/News/Article-Display/Article/130395/osi-agent-overcomes-ied-injuries-back-to-the-job/>

- I missed being at my 2nd son's first time walking (while deployed again), leaving my "Alaska" resident wife alone with our 2 year old son at Eielson AFB, Alaska.
- After a decade of war (2001 - 2012), I had successful Non-Commissioned Officer stationed at Eielson AFB Alaska decline reenlistment at the 10 year mark because they were deploying in such areas on average 9 – 12 months of the year for the last decade...they were lucky ones as most still physically intact and/or still married (God Bless Them)...

- UIDs in the Area of Responsibility (Iraq/Afghanistan) killed US Army personnel from Ft Wainwright Alaska while in/near their Strykers (Armored personnel carrier).

The above events are normal average experiences in today's volunteer military service.

True, you may have your own opinion, or one from your constituents that may have their two cents on why this group...the Public Health Services (PHS), and the National Oceanic and Atmospheric Administration (NOAA), deserves to be included in the ranks of definition as "Veteran".

I ask that you do not just explain or try and rational to veterans why you support this bill...I ask you to honestly look into the eyes of *my wife...my children...the Parents of, Husbands, Wives, Daughters/Sons of Veterans, widows/orphaned, and the survivors...* and explain to them why this group deserves to stand beside them as equals, as Veterans.

For your consideration and moral Patriotic Duty, I implore our Alaskan legislature to think before they act...to stopping such a bill...as it stands no one should in good conscious support it!

Sincerely

Alaska Disabled Veteran

Kevin Hassin
Commander
VFW Taku Post 5559
Juneau Alaska

=====
(FORWARD MESSAGE below...)

Representative Tuck
Chair, Military and Veterans Affairs Committee
Alaska House of Representatives

Representative Tuck,

It has come to my attention that Representative Claman introduced HB 194 to give veteran status to the men and women of the Public Health Services, PHS and National Oceanic and Atmospheric Administration, NOAA.

The PHS and NOAA are part of the Uniformed Services but not part of the Armed Services. Both services play an important role in the service to the country but they do not take up arms to defend the country. Veterans of the Armed Services knowingly volunteer to go into combat if called upon. Members of The Veterans of Foreign Wars, VFW, have answered that call around the world, some paying the ultimate sacrifice. To give Veteran rights and benefits to the PHS and NOAA would be an insult to members of the Armed Services

The men and women of the VFW State of Alaska are in opposition to this bill. We ask you to respect and honor the sacrifices of all Veterans of the Armed Services and NOT pass this bill.

Respectively,

Dan Garcia
Commander
VFW Alaska

Kendra Kloster

From: VFW Post 1685 Lee <vfw1685@me.com>
Sent: Wednesday, February 21, 2018 12:07 PM
To: Rep. Chris Tuck
Subject: HB-194

Representative Tuck

Chair, Military and Veterans Affairs Committee

Alaska House of Representatives

Representative Tuck,

It has come to my attention that Representative Claman introduced HB 194 to give veteran status to the men and women of the Public Health Services, PHS and National Oceanic and Atmospheric Administration, NOAA.

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Respectively,

Dan Garcia

Commander

VFW Alaska

Kendra Kloster

From: Stuart Gilbert <stuartg@mtaonline.net>
Sent: Monday, February 19, 2018 1:16 PM
To: Rep. Matt Claman; Rep. Chris Tuck
Cc: 'dlanderson'
Subject: HB-194

The bill you proposed, HB-194, is a bad idea! The groups you mentioned for inclusion in the VA system are already covered by federal health insurance, both as employees and as retirees. The VA has trouble delivering timely service to its current members so I will fight this bill if it goes any further than it is now.

We noticed that only Republican legislators have answered the e-mails sent in opposition to this bill. This bill is something only a liberal could conceive.

Stuart Gilbert
Honorably discharged from USMC
Vietnam

Kendra Kloster

From: Butchart <butchart@gci.net>
Sent: Sunday, February 18, 2018 10:03 AM
To: Rep. Matt Claman; Rep. Chris Tuck
Cc: Rep. Dan Saddler
Subject: HB 194

I was recently made aware of HB 194 and after reading it in its entirety I want to voice my strong opposition to this mis-guided piece of legislation.

As a resident of Eagle River for more than 35 years and a member of the USAF for 23 years, including two tours in Vietnam flying approximately 300 combat mission in North and South Vietnam, Laos and Cambodia I am saddened and offended by the inclusion of members of the Commissioned Corps of the United States Public Health Service and the National Oceanic and Atmospheric Administration Commissioned Officer Corps in the benefits for military service members.

While I respect the dedication and work done by members of the Commissioned Corps of the United States Public Health Service and the National Oceanic and Atmospheric Administration Commissioned Officer Corps they are not members of the armed forces (military). They are not subject to the combat duty, constant deployments, long family separations, frequent moves and other demanding missions of military personnel and therefore should not be granted the same benefits reserved for military personal. By essentially equating service in Commissioned Corps of the United States Public Health Service and the National Oceanic and Atmospheric Administration Commissioned Officer Corps you are reducing the respect and recognition we should have for the members of our military services.

Rep Claman and Rep Tuck, I respectfully request you remove this bill from consideration.

Rep Sadler, I would ask that you and the other members of the house vote no on this mis-guided piece of legislation if and when it comes up for consideration.

Respectfully

Jim Butchart
Eagle River
694-5700

Kendra Kloster

From: Chris Anderson <anderson02@gci.net>
Sent: Thursday, February 15, 2018 6:47 PM
To: Rep. Matt Claman; Rep. Chris Tuck
Cc: Rep. Dan Saddler; Rep. Lora Reinbold; Rep. Chris Birch; Rep. Mike Chenault; Rep. Charisse Millett; Sen. Mia Costello; Sen. Cathy Giessel; Sen. Shelley Hughes; Sen. Pete Kelly; Sen. Anna MacKinnon; Sen. Kevin Meyer; Sen. Peter Micciche; Sen. Gary Stevens; Rep. Colleen Sullivan-Leonard; Ron
Subject: HB 194

I am strongly opposed to HB 194, as are many of my fellow veterans. How can someone who has no idea of the sacrifices all our veterans have endured, introduce a bill to harm the legacy of those who answered the call to serve on the battle front? This bill cheapens the sacrifice of all who have served. This "trophy for everyone mentality" really must stop. USPHS and NOAA Officers deserve recognition, but not on the backs of Veterans, and not in this way. To my knowledge, there are no officers of USPHS and NOAA that were drafted to serve their country. This is a very misguided bill and requires a "no" vote, in my opinion. It is difficult for me to believe that it is even going forward in any way. As an aside, has anyone even put a pencil to the additional cost that would be required? Even though that is not the heart of the issue, it is certainly a factor. You have many veterans in this fine state of ours very unhappy about this proposed bill. I would appreciate input on its status.

Dawayne Anderson
Army Veteran
Purple Heart Recipient
Vietnam 1967-69



Virus-free. www.avast.com

Kendra Kloster

From: Jerry Beale <jerry.beale@yahoo.com>
Sent: Thursday, February 15, 2018 1:30 PM
To: Ron Siebels
Cc: Rep. Matt Claman; Sen. Pete Kelly; Sen. Peter Micciche; Sen. Berta Gardner; Rep. Chris Tuck; Charisse Millett; Rep. Bryce Edgmon; Rep. Andy Josephson; Rep. Gabrielle LeDoux; Rep. Dan Saddler; Shelly Hughes; Sen. Kevin Meyer; Bill Wielechowski
Subject: Re: HB-194

HB-194 should be named the "Stolen Valor Bill".

While I recognize the value of the contributions US Public Health Care Service and NOAA Officers provide, I oppose their classification as a military veteran and their subsequent authorization of veteran benefits.

Ron Siebels has sufficiently covered the differences in the levels of liabilities and sacrifices that have, and currently exist today. His service as the National Commander for The Military Order of the Purple Heart Service Organization and two Vietnam tours of duty more than verifies his credentials and assessment of HB-194.

Additionally, if USPHCS and NOAA Officers are authorized "veteran status" in Alaska for their service, why would employees of the US Marshall Service, FBI, CIA, ATF, and other Federal employees not be included for their service to our State and Nation?

Finally, HB-194...the "Stolen Valor Bill", will increase the cost of State government for all agencies that provide veteran benefits and exemptions. Local governments will also experience increased costs to cover property tax exemptions where applicable. You are already stealing the people's PFD dollars...HB-194 only increases the cost of government at a time it should not be.

Since there is no record of NOAA or USPHCS Officers ever being "drafted" and forced to serve our Nation or taken an oath to give up their life if called to do so, I humbly request you oppose HB-194.

Respectfully Submitted,

JERRY BEALE, CMSgt (Ret), USAF
Anchorage, Alaska
(907)727-9255

Sent from my iPhone

> On Feb 14, 2018, at 16:49, Ron Siebels <ronakph@gmail.com> wrote:

>

> The purpose of this correspondence is to voice my extreme disgust and rigid opposition to HB-194, sponsored by Representative Claman. I ask that my opposition to HB-194 be entered into the comment history pertaining to this proposed legislation.

> //////////////////////////////////////

> The intent of the legislation is to award veteran status to a class of individuals who had no comparative exposure to that which was endured by Americas real "veterans."

>

- > Nationally there is growing resentment over the expanding attempts to award "participation trophies" to everyone involved in certain events. All that does is diminish actual accomplishment and teaches that reward can be obtained without equal effort. HB-194 is an adult version of a "participation trophy."
- >
- > Yes, most USPHS and NOAA Officers did honorably serve Americas cause in distant areas. But that non hostile service certainly does not equate to what real veterans experienced for extended periods of time. They knew what was involved when they accepted the job and they knew what they could gain upon departure. To ask for additional special recognition after leaving is simple greed.
- >
- > USPHS and NOAA officers were never force deployed to carry weapons of war into combat killing zones. They never spent countless miserable nights under a cold poncho wondering if they would still be alive to witness one more sunrise. They never said goodbye to loving families for extended deployments to hostile nations. They never wondered if the hug they gave their children before deployment would be the last loving moment they would ever have with their children. They never had to shake off the instantaneous emotional hurt just to hurriedly put pieces of their friends into body bags. I vividly remember placing a boot with a foot still in the boot into a body bag, and living with the hard question of was it the correct foot in the correct bag? All that happens in confused seconds of madness, but remains forever in the vaults of memory. I will go to my grave with that unanswered question, and never be able to vocally apologize to the appropriate soldier/veteran if I was wrong.
- >
- > Combat forces change. Growing up life teaches you that certain acts are morally wrong and against the law. But in combat you either ignore those life lessons in a split second or all future seconds end. The catastrophic results are part of wars lingering hell, something USPHS and NOAA cannot comprehend. That differentiates real veterans from wanna-be veterans.
- >
- > USPHS and NOAA Officers never heard the piercing screams of dying friends that could not be helped with any form of medical assistance. They don't have to remember that someone's last meal consisted of a can of cold something and water that came from a sun baked canteen, only to die within a short time. They don't have to live the rest of their lives reliving the hell that real veterans won't even mention to their loved ones. They were not in live or die situations that required instant decisions that would tear at their conscience the remainder of their lives. Their names are not among those of real veterans that commit suicide because of what actual veteran service did to their soul. That's an issue the Public Health Service should spend time on instead of trying to selfishly elevate themselves to real veteran status.
- >
- > But the USPHS and NOAA Officers did enjoy cozy office's and lifestyle comforts that no real soldier ever experienced. Even the USPHS web-site refers to their state of the art facilities. And they did have duty ready access to lifestyle benefits that real military men and women did not have. I would equate USPHS and NOAA Officer service commitment to that of dedicated American teachers who served in military community schools all over the world, some in hostile localities. But those dedicated teachers are not asking for something they did not deserve. I would also compare their service to U.S. Ambassadors and Public Diplomacy officers who serve in very dangerous places. Several have been killed in the line of duty. That group of individuals are also confirmed by the Senate, but they are not trying to climb the "pay attention to me" ladder at the expense of real veterans. The USPHS and NOAA quest for unearned recognition is bad enough, but to equate their regular warm bed and butterfly dream service to that of those who earned it during sleepless nights and hostile fire is the epitome of selfishness.
- >
- > For USPHS and NOAA officers to demand to be awarded veteran status is to me nothing more than seeking a legislated form of support for Stolen Valor. Furthermore I think every legislator that would originate or support this legislation is openly stating that he or she is not even remotely in touch with the hearts and conscience of real veterans.
- >
- > I will close with three final comments;
- >
- > 1. I have now been in contact with over 85 (and counting) Alaska military veterans all across the state and every one of them agree with me. Those veterans talk to other veterans and dislike for this issue will spread.
- >

> 2. I extend my sincere thanks to the legislators who have heard the opposition to HB-194 with an attentive ear and an understanding heart. Their support of true veteran honor will be remembered with appreciation.

>

> 3. The respect that USPHS and NOAA Officers seek will not be obtained by seeking Veteran status. Up to now I have never once heard anyone disrespect the Service of USPHS and NOAA Officers. They were already respected. But their current unreasonable quest for equal "Veteran" recognition may obliterate the quiet respect they had. The respect they now seek could very well backfire into lasting contempt. Time will tell--!!

>

> That's what I believe and I am sticking to it.

>

> Ron Siebels

> Anchorage, AK

> "Vietnam Veteran (two tours)"

> "Purple Heart Recipient"

Kendra Kloster

From: Ron Siebels <ronakph@gmail.com>
Sent: Wednesday, February 14, 2018 4:50 PM
To: Rep. Matt Claman
Cc: Sen. Pete Kelly; Sen. Peter Micciche; Sen. Berta Gardner; Rep. Chris Tuck; Charisse Millett; Rep. Bryce Edgmon; Rep. Andy Josephson; Rep. Gabrielle LeDoux; Rep. Dan Saddler; Shelly Hughes; Sen. Kevin Meyer; Bill Wielechowski
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