



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE VETERAN ADVOCATE
50 BRAINTREE HILL OFFICE PARK, SUITE 108
BRAINTREE, MA 02184

September 30, 2025

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

The Honorable Joseph W. McGonagle
24 Beacon St., Room 171
Boston, MA 02133

Dear Chair Velis, Chair McGonagle and Committee Members,

The Office of the Veteran Advocate is tasked with serving the veteran community, in part, by advising the legislature and the public, assisting veteran service officers, and liaising with executive agencies in various ways. Central to OVA's mission is advising what constitutes a veteran. In that effort, the following is provided as support for bills SB2467 and HB3871.

The HERO Act of 2024 addressed gaps in Chapter 115's definition of a veteran by adding the phrase "or (e) is determined to be a veteran according to the U.S. Department of Veterans Affairs". This action is a great step in aligning the definition of veteran between state and federal support, yet that change applies only to MGL Chapters 115, 115A, and 115B, and leaves a misalignment with other legislation authorizing state benefits and services.

MGL Clause Forty-third of section seven of chapter four is specifically cited, or in the absence of an alternative definition, serves as the applicable definition of a veteran in at least 286 sections of Massachusetts General Laws. It is specifically referenced in the definitions sections of Chapters 31 (Civil Service), 32 (Retirement Systems and Pensions), 115 (Veterans Benefits), and 121B (Housing and Urban Renewal). The current definition in chapter four is less inclusive than that of the updated Chapter 115 definition and creates confusion and disparity for veterans who are navigating programs, benefits and services across multiple state and federal agencies.

The definition proposed in SB2467 and HB3871 better aligns Massachusetts law with federal law, establishes consistency across the state's laws, and ensures fairness for all veterans, their families, employers, businesses, and communities. For example, without this amendment, Space Force veterans are not eligible for a VETERAN license plate, a state retirement system buyback, or a property tax exemption, yet they are eligible to serve as a municipal Veteran Services Agent.

Specifically, the proposed legislation effects alignment with Federal Law (38 U.S.C. § 101(2)) by

- including Space Force, which was officially established in 2019 as a military service, and
- including the commissioned officers of the U.S. Public Health Service (USPHS) and National Oceanic and Atmospheric Administration (NOAA) Commissioned Corps.

It is important to note that in addition to the HERO Act, Massachusetts law already includes the Commissioned Corps officers of the USPHS and the NOAA as veterans. Both an accurate definition of a veteran (per 38 U.S.C. §101) and the inclusion of the Uniformed Services appear in: Ch. 15E § 1,

"Veteran", a person who served in the uniformed services and who was discharged or released from service under conditions other than dishonorable.

And

"Uniformed services", the Army, Navy, Air Force, Space Force, Marine Corps, Coast Guard, including the Commissioned Corps of the National Oceanic and Atmospheric Administration, and Public Health Services.

The proposed legislation also includes members of the Reserve Components (National Guard and Reserve forces) who have served on active duty without caveat and those with six (6) or more years of service – the equivalent of a three-year active service contract. It may be of no fault of the servicemember if they do not have active service time and they should be considered a veteran in recognition of their service.

This definition change recognizes the employment of Reserve Components as operational forces rather than strategic forces, evidenced over the last few decades by deployments of National Guard and Reserve Forces before or in place of active duty units. In the past two decades Massachusetts National Guard members have deployed worldwide to Afghanistan, Iraq, Kuwait, Syria, Qatar, Poland, Paraguay, and Africa in addition to providing critical support at home during natural disasters, gas explosions, civil unrest, and COVID-19 response.

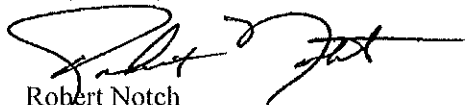
This revision also eliminates confusing calculations of wartime service for those who served in the Reserve Component. This simplified definition will make eligibility determinations for benefits and services easier for veterans and those providing support to them. Hopefully, it will also reduce the number of veterans who mistakenly believe they are not qualified as a veteran because they did not fight in a war.

Cost considerations for this legislation should include the U.S. Department of Veterans Affairs estimate that Massachusetts loses approximately 8,000 veterans per year. According to estimates from the Massachusetts National Guard, enacting this legislation would add nearly 3,000 currently serving Guard members. Since the VA definition already includes Space Force and former commissioned officers from the USPHS and NOAA, there is no change to the veteran population estimate. This increase in state recognized veterans would still result in a net reduction of over 5,000 veterans in the Commonwealth in the year enacted with the net loss returning to nearly 8,000 in following years.

SB 2467 and HB3871 are simply standardizing a definition, aligning it with federal law, and honoring members of the Massachusetts National Guard and Reserves in the manner most appropriate to their employment as operational reserve forces.

Please reach out to me via email at Robert.Notch@mass.gov or our legislative lead, Kate Watson at Kathryn.Watson@mass.gov. The OVA welcomes the opportunity to assist in identifying and examining all areas of improvement for veterans and their families.

Respectfully,



Robert Notch
Veteran Advocate