



MANPOWER AND  
RESERVE AFFAIRS

## OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

1500 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-1500

March 3, 2023

**Chairman Larry Luick**  
**Chair, Senate Agriculture and Veterans Affairs**

**Remarks of**  
**Michelle Richart**  
**Midwest Regional Liaison**  
**United States Department of Defense-State Liaison Office**

**Support of: HB 1109 – Relating to Military Definitions**

### **Testimony**

Chairman Luick and honorable Committee members, the Department of Defense is grateful for the opportunity to support the policies reflected in House Bill 1109 and hopes that North Dakota will become one of the first states that have legislation addressing this key issue. The United States Space Force plays a crucial role in protecting the United States' interests in space and ensuring national security. By adding the Space Force to the definition of armed forces in the state of North Dakota the state government can recognize the important role the Space Force plays in protecting the country and supporting state residents.<sup>1</sup>

My name is Michelle Richart. I am the Midwest Regional Liaison at the United States Department of Defense-State Liaison Office, operating under the direction of Under Secretary of Defense for Personnel and Readiness. We represent the Department and establish relationships with state leaders across the country who are concerned for troops and their families' welfare by harmonizing state and federal law and regulation on policy problems of national significance. These are identified by the Office of the Secretary of Defense, the Military Departments, and the National Guard Bureau as areas where states can play a crucial role.

It is important to note that with the creation of the Space Force, changes in force structure have occurred at the federal level. In order to ensure that state laws align with these federal changes, the Department perceives states can minimize disruptions in benefits and services for service members and dependents by updating various definitions of military service in North Dakota to include the Space Force.

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<sup>1</sup> Title 10 U.S. Code, Section 101 defines the term "armed forces" to include the Army, Marine Corps, Navy, Air Force, Space Force and Coast Guard. It defines the term "uniformed services" to include the "armed forces, the commissioned corps of the National Oceanic and Atmospheric Administration, and the commissioned corps of the Public Health Service." States are starting to align their definition of armed forces and uniformed services with Title 10; however, definitions have varied widely between states, which are not adjusting every use of the terms throughout the entire state code or law. A consistent approach to align state definitions of members of the uniformed services and armed forces will ensure service members and their families are equally represented under all state laws defining military service, military retiree or the term veteran.

The Space Force is the newest branch of the armed forces, and was established in 2019 with the mission of protecting and defending the interests of the United States in space.<sup>2</sup> The mission of the Space Force is to organize, train, and equip military personnel for space operations, as well as to provide early warning of missile launches and other potential threats.<sup>3</sup> The Space Force also works closely with other branches of the military and with allies to ensure the security and stability of space-based assets and operations.<sup>4</sup>

Failure to pursue the modifications proposed in House Bill 1109 may have significant negative consequences on military recruiting, readiness, resiliency, and retention.<sup>5</sup> One of the key reasons for adding the Space Force to the definition of armed forces is to ensure that the men and women who serve in this new branch receive the same benefits and protections as those in the other branches of the military.<sup>6</sup> This includes access to healthcare, housing, education, and other benefits that are essential to the well-being of military personnel and their families.

Additionally, adding the Space Force to the definition of armed forces will ensure that the families of Space Force members have access to the same support and resources as the families of other service members.

The legislation modifies policy to confer various benefits and resources afforded to veterans of the other armed forces. Without access to the same benefits and services as their counterparts in other branches of the military, this could create a sense of unfairness and dissatisfaction for Space Force Guardians, impacting morale and making it more difficult for the Space Force to recruit and retain highly-skilled individuals.

By adding the Space Force to the definition of armed forces in the state of North Dakota, members of the Space Force and their families will have access to the same state benefits and services as members of other branches of the military. This includes access to state-funded healthcare, education, and housing programs, which will help to ensure that Space Force veterans are able to transition successfully to civilian life in the state.

In conclusion, the Department of Defense strongly supports the policies articulated in House Bill 1109, to add the United States Space Force to the definition of armed forces in the state of North

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<sup>2</sup> On December 20, 2019, Congress enacted the “United States Space Force Act” (USSFA), which established the “United States Space Force as an armed force within the Department of the Air Force.” USSFA, Public Law 116-92, sections 951-952, 133 Stat 1198, 1561-62 (2019). Subsequently, Congress expanded the definition of “veteran” and made other amendments to title 38 to require VA to furnish benefits and services on the basis of service in the Space Force. William M. (Mac) Thornberry NDAA for FY 2021, Public Law 116-283, section 926, 134 Stat. 3388, 3829 (2021).

<sup>3</sup> United States Space Force Mission, *United States Space Force*, <https://www.spaceforce.mil/About-Us/About-Space-Force/Mission/>.

<sup>4</sup> Space Doctrine Publication (SDP) 1-0, *Personnel*, United States Space Force, 7 September 2022. <https://www.starcom.spaceforce.mil/Portals/2/SDP%201-0%20Personnel%207%20September%202022.pdf?ver=erudfM8rwArAPlxplIu47g%3D%3D>

<sup>5</sup> Jim Absher, “Space Force’ Is Now Official to the VA, but Not Everyone Is on the Same Page,” *military.com*, May 3, 2022, <https://www.military.com/daily-news/2022/05/03/va-officially-recognizes-space-force-military-branch-recognition-problems-still-persist.html>

<sup>6</sup> Defining Armed Forces, *United States Department of Defense*, <https://statepolicy.militaryonesource.mil/key-issue/defining-armed-forces>.

Dakota. This proposed modification is necessary to ensure that service members and their families have access to the same benefits and services as their counterparts in other states. Furthermore, it will ensure that the state laws align with recent federal changes and that service members and their families have a smooth transition when they move to North Dakota.<sup>7</sup>

Finally, adding the Space Force to the definition of armed forces will also ensure that the Space Force is able to operate effectively and efficiently. By providing the same benefits and protections as the other branches of the military, the Space Force will be able to focus on its mission and carry out its responsibilities without worrying about issues related to benefits and protections. The Space Force will be able to attract and retain the highly skilled and dedicated individuals who are essential to the success of this new branch.

We thank the Committee for considering this important legislation and are especially grateful for the tremendous efforts North Dakota has historically made in supporting our service members and their families.

Very Respectfully,

**MICHELLE RICHART**  
Midwest Regional Liaison  
Defense-State Liaison Office

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<sup>7</sup> Advisory Opinion Number 1-2020, “Are the families of U.S. Space Force members covered by the Compact?,” *Military Interstate Children’s Compact Commission*, November 19, 2020, [https://mic3.net/wp-content/uploads/2020/12/18-AdOp\\_1-2020\\_Space-Force\\_20201119.pdf](https://mic3.net/wp-content/uploads/2020/12/18-AdOp_1-2020_Space-Force_20201119.pdf)