

Legislative History for Connecticut Act

SA 15-3

SB1016

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Transcripts from the Joint Standing Committee Public
Hearing(s) and/or Senate and House of Representatives
Proceedings

Connecticut State Library

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2015**

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The bill as amended, passes in concurrence
with the Senate. [gavel] Will the Clerk please
call Calendar No. 487.

CLERK:

On page 33, Calendar No. 487, Favorable Report
of the Joint Standing Committee on education,
Substitute Senate Bill No. 1016, AN ACT CONCERNING
THE DIGITALIZATION OF MILITARY RECORDS.

DEPUTY SPEAKER SAYERS:

Representative Hennessy.

REP. HENNESSY (127th):

Thank you Madam Speaker. Madam Speaker I move
acceptance of the Joint Committee's Favorable
Report and passage of the bill in concurrence with
the Senate.

DEPUTY SPEAKER SAYERS:

The question before the Chamber is acceptance
of the Joint Committee's Favorable Report and
passage of the bill in concurrence with the Senate.
Representative Hennessy. You have the floor, sir.

REP. HENNESSY (127th):

Thank you, Madam Speaker. Madam Speaker, the
purpose of this bill is to craft an online database
for family researchers and scholars to access

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military records. Presently, these records are collecting dust in filing cabinets and I urge my colleagues to vote for it. Thank you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Will you remark further on the bill?

Representative Yaccarino of the 87th.

REP. YACCARINO (87th):

Thank you, Madam Speaker. I rise in support of this piece of legislation, but I do have a couple of questions to the proponent of the bill please? Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Please prepare your questions, sir.

REP. YACCARINO (87th):

Thank you, Madam Speaker. In the current form, will personal records of our military men and women - will they be in the digitalization of these records if we go forward? Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Hennessy.

REP. HENNESSY (127th):

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Thank you, Madam Speaker. Madam Speaker, this is a study within available resources to come up with records so the State Librarian and the Adjutant General will work together to decide what the information will be presented. This information will maintain the FOI limits of 75 years to protect people's information, but no personal information will be within this database. Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Yaccarino.

REP. YACCARINO (87th):

Thank you, Madam Speaker. And thank you, to the good Chair for that answer. We worked on this bill initially - had all personal information and would be dual concerns with the State - the Adjutant General and the State Library Association. What the current legislation, the State Library Association is currently doing some of this important information and digitization of our fallen men and women's history.

Going back to 1776 to current records, the current form - I think this is very important. Right now it's at no cost and I think we should

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continue to preserve these records for history and to learn from this, and to review it and respect it. So I endorse this legislation and thanks to the Chair and the Committee and I support this legislation. Thank you, Madam Chair.

DEPUTY SPEAKER SAYERS:

Thank you, sir. Representative Nicastro.

REP. NICASTRO (79th):

Thank you, Madam Chair. Good afternoon.

DEPUTY SPEAKER SAYERS:

Good afternoon, sir.

REP. NICASTRO (79th):

Madam Chair, this bill has been thought about for years and years. It has finally come to pass. There's so many records that we can place on file now like this, that should be on file. Especially with what's been going on in Iraq, Afghanistan, and the things like that. We're talking about countless thousands of records that will be much easier to attain and get a hold of. And it'll not only be - it'll be a service our departments, but it will also be a service to the men and women who serve. And I strongly recommend my colleagues support this. Thank you.

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DEPUTY SPEAKER SAYERS:

Thank you, sir. Will you remark? Will you remark further on the bill that is before you? Representative Staneski of the 119th.

REP. STANESKI (119th):

Thank you, Madam Speaker. If I may, question couple of questions to the proponent of the bill please?

DEPUTY SPEAKER SAYERS:

Please prepare your questions, ma'am.

REP. STANESKI (119th):

Thank you. While I sit on the Committee and I know that I voted this out in Committee and I think the intent of this is good, I would just like to know does this bill allow the data to be voluntarily submitted by the veteran?

DEPUTY SPEAKER SAYERS:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Madam Speaker. So military records are now archived with the Military Department, so it's these records that, in conjunction with the Adjutant General, and the librarian - State Librarian, they will come up with

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appropriate access where inappropriate information
will be redacted. Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Staneski.

REP. STANESKI (119th):

Thank you. And I thank him for his answer.
And, through you, Madam Chair, who will have access
to this data when it is available. Through you,
Madam Chair - Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Hennessey.

REP. HENNESSY (127th):

Through you, Madam Speaker. This will be
online database available to everyone. Through
you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Staneski.

REP. STANESKI (119th):

Thank you, Madam Speaker. The reason that I
ask this question is, I - once when we were talking
about this bill in Committee I went back and I
spoke to a few servicemen in my district and they
were very concerned because to them, their service
is their service to the country and it's very

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private. And so, they believe that it's very personal on many levels and we're concerned about things that they didn't necessarily want exposed to the public being exposed through this. But I think that those questions were answered through the kind gentleman's answers, and I will be supporting this. Thank you.

DEPUTY SPEAKER SAYERS:

Thank you, ma'am. Representative Carter of the 2nd.

REP. CARTER (2nd):

Thank you very much, Madam Speaker. You know, as I look at this bill, I understand that the - those who are pushing the bill understand that they want to redact the private information. I'm still a little concerned, as a veteran myself. To be honest I don't want all my records out there for everybody to see. And, you know, my records are great but it - my records themselves are somewhat - are somewhat personal. I can choose to put out what I want and I looked at the testimony. I didn't see any veterans actually coming out to testify for this need to want their veteran's records out there in the open. So I would like to

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ask a question, through you, to the proponent of
the bill.

DEPUTY SPEAKER SAYERS:

Please prepare your question, sir.

REP. CARTER (2nd):

Thank you, Madam Speaker. Through you, were
there any veterans present at all during the public
hearings asking for this - for these records to be
digitalized. Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Madam Speaker. Madam Speaker,
the substitute language in the bill is in direct
response to the public hearing in which veterans
did come, did express their concerns, and I believe
that the present bill addresses those concerns in
that 75 years will have to pass before their
available, through FOI standards. Through you,
Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Carter.

REP. CARTER (2nd):

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Thank you very much, Madam Speaker. And, through you, were there individual veterans at this or were these just representative of different groups? Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Hennessy.

REP. HENNESSY (127th):

I remember a few veterans coming and expressing support. I mean, not support, but expressing concerns. Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Carter.

REP. CARTER (2nd):

Thank you, and Madam Speaker, through you. The good Chair had mentioned, it'll be in - the records will have to be 75 years old before their digitized. Is that the way I understand it? Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Madam Speaker. That is correct.

DEPUTY SPEAKER SAYERS:

Representative Carter.

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REP. CARTER (2nd):

Thank you very much, Madam Speaker. And I thank the good Chair for his comments. I'll definitely listen a little further, but I may support it. It's just something that - I look at my own records and it's like, "I don't really want those out there. It was my service, it's what I did. And I'm very proud of it." I don't know, maybe I should have the records out there but it is concerning sometimes of how much information is available. Thank you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Adinolfi.

REP. ADINOLFI (103rd):

Thank you, Madam Speaker. Through you, I'd like to ask a question of the proponent of the bill.

DEPUTY SPEAKER SAYERS:

Please prepare your question.

REP. ADINOLFI (103rd):

Thank you. Through you, Madam Speaker. Give me an example of what the record would actually show. I would personally - I am a veteran - I would want no more than my name, the war I served

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in, and that's it. For record, I would not want to see any of my activity records, disability records, or anything like that. So I would like an example of exactly what would be on this database. Can you help me out please? Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Madam Speaker. The bill directs the State Librarian and the Adjutant General to come up with concerns, specifically speaking, historic documents to include personal information that should be redacted from such historic documents. And that they have to report their findings to the Veterans' Committee, in which we will take those recommendations as a Committee, and which you are a member of, and we will come up with our own conclusions as to what this database shall include. Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Adinolfi.

REP. ADINOLFI (103rd):

I'd like to thank the Representative. We've worked well together over the years. I did look at

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some testimony online while we were here. I didn't get past the first one because she called my name. But there were five testimonies, and the first one I looked at was opposed to this bill from one of the organizations involved. So I'm confused where we say that no one spoke against it or it's - I think we need more explanation. Now, if I get this right, through you, Madam Speaker, this is a task force to study if we should do this? Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Madam Speaker. So this is study and it was a response to the testimony in the public hearing. Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Adinolfi.

REP. ADINOLFI (103rd):

I'd like to thank the House Chairman of the Veterans' Administration Committee. Thank you.

DEPUTY SPEAKER SAYERS:

Representative Yaccarino of the 87th, for the second time.

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REP. YACCARINO (87th):

Thank you, Madam Chair. I'd just like to make it clear that right now, the State Library - the Connecticut State Library Association is doing this for - it's called, "Remembering World War I." It's being done. And going forward with this bill to study, but there'll be no personal information - no address, no service information, just historical documentation from 75 years back. I - this is very important for the history of our state, and our veterans, and the people that have served.

So I know it's - there's no personal information, initially to Representative Adinolfi's question, there was concern because there was personal information. It would be duplicated between the Department of Connecticut Military Affairs, and the State Librarian - it would have been very expensive, unneeded, and that's why we changed the language.

It's a really important bill, it's important to have our history. We're talking about studying unions, this is the equally important, if not more important. So I urge support of this bill. Thank you.

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DEPUTY SPEAKER SAYERS:

Thank you, sir. Representative Alberts of the 58th.

REP. ALBERTS (50th):

Thank you, Madam Speaker. I too rise in strong support of the bill that's before us. The bill contemplates the establishment of a study only. I think it's a worthwhile endeavor. I do understand that from what I've heard from the Chairman and the ranking member that is this study was to translate into more detailed information that would be collected, that it indeed would come back before his Chamber.

So with that assurance that there isn't going to be private information, and I'm thinking in terms of DD214 records for veterans, I am in support of this. Thank you.

DEPUTY SPEAKER SAYERS:

Thank you, sir. Representative Alexander of the 58th.

REP. ALEXANDER (58th):

Thank you, Madam Speaker. I was not planning on speaking on this bill. I do speak in support of it. There are legitimate concerns about military

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records. I know my fitness reports, I don't know if I'd want that public or not. I can sympathize with that. I'm proud of my service but it is private information about the individual service.

With that being said, that is a study to move forward. Members of the Committee that are veterans that have these records themselves will look into this, so I think this is a good idea for historical preservation. I applaud to Co-Chairs for pushing this forward. And I think they definitely understand that we are treading lightly on this and there will be some personal data that will be not publicized as we move forward.

So although I do recognize the concerns with the bill, I don't think it's going to go in the direction where I think some are concerned. And I support it. Thank you, Madam Chair.

DEPUTY SPEAKER SAYERS:

Thank you, Representative. Will you remark? Will you remark further on the bill that is before you? If not, will staff and guests please come to the well of the House. Members take their seat. And the machine will be opened.

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[bell ringing]

CLERK:

The House of Representatives is voting by
roll. The House of Representatives is voting by
roll. Will members please return to the Chamber
immediately.

[pause]

DEPUTY SPEAKER SAYERS:

Have all the members voted? Have all the
members voted? Will members please check the board
to determine that your vote is properly cast. If
all the members have voted, the machine will be
locked and the Clerk will take the tally.

The Clerk will announce the tally.

CLERK:

Senate Bill 1016, in concurrence with the
Senate

Total Number Voting	146
Necessary for Passage	74
Those voting Yea	146
Those voting Nay	0

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Those absent and not voting 5

DEPUTY SPEAKER SAYERS:

The bill passes in concurrence with the
Senate. [gavel] Will the Clerk please call
Calendar No. 528.

CLERK:

On page 440, House Calendar 528, Favorable
Report of the Joint Standing Committee on
education, Substitute Senate Bill 841, AN ACT
CONCERNING THE IMPLEMENTATION OF A COMPREHENSIVE
CHILDREN'S MENTAL, EMOTIONAL, AND BEHAVIORAL HEALTH
PLAN.

DEPUTY SPEAKER SAYERS:

Representative Urban.

REP. URBAN (43rd):

Thank you Madam Speaker. I move acceptance of
the Joint Committee's Favorable Report and passage
of the bill in concurrence with the Senate.

DEPUTY SPEAKER SAYERS:

The question is acceptance of the Joint
Committee's Favorable Report and passage of the
bill in concurrence with the Senate.

Representative Urban. You have the floor, ma'am.

REP. URBAN (43rd):

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Seeing no objection, so ordered, sir.

SENATOR DUFF:

Thank you, Madam President. Next, Calendar page 32, Calendar page - Calendar 375, Senate Bill 458. Like to place that item on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR DUFF:

Thank you, Madam President. Next Calendar, page 34, Calendar 388, House Bill 6912. Like to place that item on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR DUFF:

Next, Calendar page 36, Calendar No. 407, like to place that item on the Consent Calendar.

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THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR DUFF:

Thank you, Madam President. Next is page 43, Calendar page 43, Calendar 159, Senate Bill No. 1016, like to place that item on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR DUFF:

Thank you, Madam President. I believe that, at the moment, is the items on our Consent Calendar. What I'd like to mark as go right now, is Calendar page two, Calendar No. 394, House Joint Resolution No. 98, and

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Page 1, Calendar 391, House Joint Resolution No. 95.
Also on page 1, Calendar 392, House Joint Resolution
No. 96. Page 2, Calendar 393, House Joint Resolution
No. 97. Page 2, Calendar 422, Senate Joint Resolution
No. 50. Also on page 2, , Calendar 394, House Joint
Resolution No. 98. Page 2, Calendar 421, Senate Joint
Resolution No. 49.

On page 3, Calendar 63, Senate Bill No. 7. Also on
Page 3, Calendar 64, Senate Bill No. 8. On page 4,
Calendar 80, Senate Bill 890. Page 5, Calendar 98,
Senate bill 850. On page 6, Calendar 104, Senate Bill
No. 894. And on page 8, Calendar 122, Senate Bill No.
415. Page 8, Calendar 125, Senate Bill 856. On page
20, Calendar 279, Senate bill No. 991.

Page 22, Calendar 300, Senate Bill No. 738. Page 23,
Calendar 304, Senate Bill No. 112. And on page 26,
Calendar 336, Senate Bill No. 121.

On page 28, Calendar 348, Senate Bill 360. Page 31,
Calendar 371, Senate Bill No. 919. On page 32,
Calendar 375, Senate bill 458. Page 34, Calendar 388,
House Bill 6912. On page 36, Calendar 407, Senate Bill
1029. Page 43, Calendar 159, Senate Bill 1016. On page
16, Calendar 239, Senate Bill No. 18. Also, House
Joint Resolution No. 99.

THE CHAIR:

Mr. Clerk, please call for roll call vote. The machine
will be open.

CLERK:

Immediate roll call has been ordered in the Senate.
Immediate roll call on today's Consent Calendar has
been ordered in the senate.

THE CHAIR:

THE CHAIR:

All members have voted, all members have voted? The
machine will be closed. Mr. Clerk, will you please
call the tally.

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CLERK:

On today's Consent Calendar

Total Number of Voting	36
Those voting Yea	36
Those voting Nay	0
Absent/not voting	0

THE CHAIR:

Consent Calendar is passed. [gavel] Senator Duff.

SENATOR DUFF:

Thank you, Madam President. We have two more little quick things of business. One is on Calendar page 41, Calendar 142, Senate Bill 1015. I'd like to refer that Bill to the Judiciary Committee.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR DUFF:

Thank you, Madam President. Madam President, we're gonna go back to Calendar page 4, Calendar 81, Senate Bill 891, and we're going to have a Go amendment and then have a referral once the amendment is adopted.

THE CHAIR:

Mr. Clerk. Will you recall the bill please?

CLERK:

Page 4, Calendar 81, Senate Bill No. 891: AN ACT CONCERNING ADMINISTRATIVE HEARINGS CONDUCTED BY THE DEPARTMENT OF HOUSING. Favorable Report of the Committee on Housing.

THE CHAIR:

Senator Winfield.

**JOINT
STANDING
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**VETERANS'
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pat/gbr/cd VETERANS' AFFAIRS COMMITTEE March 3, 2015 1:00 P.M.

CHAIRMEN: Senator Flexer
Representative Hennessy

VICE CHAIRMEN: Senator Gomes
Representative Nicaastro

MEMBERS PRESENT:

SENATORS: Martin, Hwang

REPRESENTATIVES: Yaccarino, Adinolfi,
Conroy, Guerrera, Rose,
Staneski, Tweedie

SENATOR FLEXER: -- public hearing and we will start first by telling people that the exits to the hearing room are right there. And if you are, they're on either side of the room. Go straight out of the room when you exit and exit the building by the main entrance straight across the atrium and follow any instructions given by the Capitol Police.

In the event of a lockdown, please remain in the hearing room and stay away from the doors that I just referenced.

Okay, and with that, we will begin hearing testimony starting with the elected official and state agency representative list and first on the list is Kendall Wiggins from the State Library.

KENDALL WIGGINS: Good afternoon, Senator Flexer, Representative Hennessy and distinguished members of the Veterans Affairs Committee.

For the record, my name is Kendall Wiggins. I'm the State Librarian, and I'm here regarding S.B. 1016 AN ACT CONCERNING THE DIGITIZATION OF MILITARY RECORDS. We've submitted some rather

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detailed testimony, which I won't bore you with reading to, but I do want to highlight a few points.

I first want to be clear that the State Library is committed to making information found in our government records as accessible as possible to the citizens of Connecticut.

However, my office is concerned that if enacted in its current form as we understand it, the bill proposes the creation of two separate, but parallel databases, one maintained by the State Library and one maintained by the Military Department and we think we need to be a little clearer. What is the purpose of having two separate ones? Do we really need two separate ones?

This may result in confusion among veterans and researchers who will have to search possibly two different locations to find the desired military records when they could possibly be available in one.

Also, duplicative systems could be very costly to the taxpayers. I know my agency is really short of staff and funds these days, so we want to make sure if we do this, we do it as effectively as possible.

We're also concerned that if you're going to prescribe in statute data elements in any kind of database that we be very clear in the definition of what we want to do. There is really no, when we talk about military records and what constitutes an individual service record, at least in the State Archives we do not have a complete personnel file on each Connecticut veteran.

The records may appear in various different record groups across our collections and they are just not all kept that way, so we would have to do a lot of work in finding that. We have approximately 25 different record groups where you might find information about a given serviceman.

We also think that there are some concerns with providing, in some cases, it outlines what records need to be redacted by the Military Department, but there's no mention of redacting those by the State Library.

We also think that there could be some conflict with the Health Insurance Portability and Accountability Act of 1996, and so there are other areas where we just think that there are some, we need to be a little clearer on what we can and what should be expected to be found in these databases so that we're all very clear about that.

Some records, for example, DD214s are by statute, limited access for 75 years, so we need to just I think, make sure we're in concert with existing state law and have our definitions quite clear.

My office is very willing to work with the Veterans Affairs Committee to consider this bill, maybe rework it to best meet the objectives of the Committee.

SENATOR FLEXER: Thank you. Thank you for your testimony.

Are there any questions?

Representative Yaccarino.

REP. YACCARINO: Thank you.

Thank you, Madam Chair.

Currently what is the procedure now for record keeping?

KENDALL WIGGINS: We take in records by what we call record groups, and you're talking about records that go all the way back to the Revolutionary Period, so they could be in different formats.

We have records via the Military Department. We may have records, Civil Service Commission. They just come to us by whatever agency had those records and the time, and some of these records, bonus payments for Vietnam veterans, those came from the Comptroller's Office, I believe. So records come to us from different areas, and they're kept, the way we keep archives is by the owner, the original owner of the records.

REP. YACCARINO: Okay, thank you. So if the statement of purpose for basically the court, the judicial system, if they, the court needs any information could they go to you directly, or is that --

KENDALL WIGGINS: We service the records all the time. I have the State Archivist here with me as well and the Assistant State Archivist who could answer in more detail.

But any time anybody, whether it's a state agency or a veteran or anyone is looking for information from the record, they would just contact us and we go through and search the files.

REP. YACCARINO: Thank you. So to your knowledge, has there been a problem where the court has been held up or the veteran has been held up

for due process because of not having records,
the proper records?

KENDALL WIGGINS: I'm not aware of that from our
collection, and again, most of ours are
historical in nature, with some exceptions to
modern records such as the veteran bonus
records.

REP. YACCARINO: All right, thank you.

Thank you, Madam Chair.

Thank you for the answer.

SENATOR FLEXER: Thank you.

Are there any other questions?

Representative Adinolfi.

REP. ADINOLFI: I'm trying to understand these
records. Other than DD214s to know that a
person was veteran and honorably discharged or
whatever, why would you need anything else?

I don't want my records made public. I'll give
you my DD214 but there are many things that
were done by servicemen that they don't want to
make public.

KENDALL WIGGINS: I'm just responding to the bill.
We had nothing to do with the drafting of this
bill, nor, we quite honestly don't understand
what is trying to be accomplished by doing
this, so I'm just responding as we read the
bill, these are concerns we have. The intent
of the bill I can't speak to.

I mean, we have, you know, Civil War records.
We can show you what, you know, where people
were, what action they had and all of that.

Those are records, but are we supposed to go through and put all of that into some kind of database? We're just not clear about what this is, as I'm hearing from you.

REP. ADINOLFI: Thank you. You've answered my question.

SENATOR FLEXER: Thank you. Representative Tweedie.

REP. TWEEDIE: Thank you, Madam Chairman. Thank you for coming and explaining that to us today. I just want to clarify, not all records, the state does not have all records? The Military Department of Defense has every military record from personnel?

KENDALL WIGGINS: We do not have all of those.

REP. TWEEDIE: But, right, so the state's databases is incomplete, basically, or could be incomplete.

KENDALL WIGGINS: It could be. What it would represent from our collection, would be only the information we have that's come to us through various, whether it was the Military Department at some point transferring records to us, whether it was the reports from say the Civil War material we have.

So we just have a compilation of records that come to us from various departments that may have veterans' records in them or some reference to a veteran. These are by no means your military record in terms of a complete file. It's just a scattering of information we have about Connecticut residents' engagement, you know, involvement in various wars.

REP. TWEEDIE: And you have no, I mean, I don't believe you personally have any interest in

making that a duplicate of the government's records.

KENDALL WIGGINS: Certainly not. I mean, I will tell you, right now we're very involved in a project to expose a lot of our records regarding World War I. We have after World War I there was a survey sent to all servicemen in World War I and they completed this very interesting questionnaire. We've digitized those. We're making those available. We have other records relating to World War I service and we think those are of interest to researchers and others.

But there's nothing in there that would, our releasing would violate any federal or state law in doing so.

REP. TWEEDIE: Thank you.

SENATOR FLEXER: Representative Nicastro.

REP. NICASTRO: Thank you, Madam Chair.

Good afternoon.

KENDALL WIGGINS: Good afternoon.

REP. NICASTRO: Thank you for your testimony. Also, it's a fact that we're overlooking that every city hall has veterans' records because if you want to qualify for the, you know, the qualification that veterans get discounts on their taxes, they have to have a copy of their DD214 so that's on file at city hall, and just about every city in the state does that now.

So I just want to make that clear.

KENDALL WIGGINS: Thank you. And some of those have been turned over to us and some have not, so they exist in various locations.

REP. NICASTRO: Are you saying that they were turned over to you? Does the city still keep a copy of those?

KENDALL WIGGINS: I believe they do.

REP. NICASTRO: Thank you.

SENATOR FLEXER: Thank you. Representative Yaccarino.

REP. YACCARINO: Thank you, again, Madam Chair.

Thank you again. Another question, how, you wouldn't even have the workforce to begin to transfer these records over, I would think.

KENDALL WIGGINS: No, sir.

REP. YACCARINO: I would think it would, do other states currently, have they transferred the records over?

KENDALL WIGGINS: We would have to do some research. I'm not aware what other states have done, have tackled this project.

REP. YACCARINO: But I would think your workforce would have to be probably tripled or quadrupled with the technology on top of that.

KENDALL WIGGINS: Considering I have 21 percent fewer employees than I did 15 years ago, yes.

REP. YACCARINO: I don't know if I asked you this question. I'm sorry if I repeated it. But, does the judicial system now have, are they requesting this?

KENDALL WIGGINS: I honestly don't know where this came from.

REP. YACCARINO: I actually don't either, to be honest.

KENDALL WIGGINS: We just saw it. We felt, you know, we're mentioned in it big time and we just wanted to make it very clear that we see some problems. We just don't understand what is trying to be accomplished and we're very willing to work with the Committee --

REP. YACCARINO: Right.

KENDALL WIGGINS: -- but it was a Committee bill, appeared to be, and we just had no idea.

REP. YACCARINO: Well, thank you for all your effort and everything you do now.

KENDALL WIGGINS: Thank you.

REP. YACCARINO: Thank you, Madam Chair.

SENATOR FLEXER: Thank you.

Are there any other questions?

Thank you for your testimony.

Next is Commissioner Patricia Rehmer.

COMMISSIONER PATRICIA REHMER: Good afternoon, Senator Flexer, Representative Hennessy and distinguished members of the Veterans Committee. I am Patricia Rehmer, commissioner of the Department of Mental Health and Addiction Services, and I'm here today to speak on Senate Bill 1015 AN ACT EXPANDING PROGRAMS FOR VETERANS IN THE JUDICIAL DEPARTMENT.

now in Danielson and Norwich and Middletown as well.

SENATOR HWANG: Thank you. Thank you, Judge Devlin.
Thank you, Madam Chair.

SENATOR FLEXER: Thank you.

Are there any other questions?

Thank you. Thank you very much.

JUDGE ROBERT DEVLIN: Thank you.

SENATOR FLEXER: Next is Tim Tomcho.

LT. COL. TIM TOMCHO: Good afternoon, Senator Flexer, Representative Hennessy, I'm Lieutenant Colonel Tim Tomcho here on behalf of the Military Department and the Staff Judge Advocate. Unfortunately, Major General Thaddeus Martin could not make it here today to testify on Senate, Raised Bill 1016 AN ACT CONCERNING THE DIGITIZATION OF MILITARY RECORDS.

The Military Department respectfully opposes this bill based on a couple of points that were previously raised by Kendall Wiggins, the State Librarian, primarily, resources.

The digitization of military records takes expertise. The expertise of the State Library in this regard is unsurpassed. The Military Department salutes the work that they have done.

If you've ever had an opportunity to go over to the State Library and visit their archives, it is amazing the holdings that they have and the Military Department doesn't have that

expertise. We do have some very smart people working for us, but they're not archivists.

Also, personnel. We're very limited in state personnel, approximately 112 personnel, full-time equivalence and equipment. We really don't have the equipment to digitize all of these records that we hold. Many of the records are protected as well by the Federal Privacy Act as well as by state statutes.

It was about ten years when the General Assembly passed Section 1-219 of the Connecticut Freedom of Information Act, exempting military records from public disclosure. It was mentioned by Kendall Wiggins as well as applying to DD214, which is a discharge document.

But the bill is larger than that. It applies to all military records held by public agencies. In fact, as drafted, this bill would conflict with 1-219 as that bill requires all military records to be confidential for 75 years.

Section 2 only applies to the Connecticut National Guard veterans, but it also goes through World War II, which ended in 1945, 70 years ago. So of the approximately 10,000 World War II veterans still living in Connecticut, many of their records would be violated by this section if digitized and made publicly available, potential.

Also, the Federal Privacy Act applies to many of our records. Our records are on currently serving members, some of them if the bill were to be extended in time, would be in violation of that. The records that we hold that are federal records are protected by the federal law and even though we do have state role

primarily, our role is federal as members of the Armed Forces of the United States.

We really appreciate the Committee for raising this bill, though, because we think Connecticut's military history is amazing, especially as it goes back to the colonial times and even our own Foot Guard here, which predates the United States, formed in 1771.

We honor their service and we thank you very much for yours. If you have any questions, I'd be happy to answer them and I'm very thankful to testify before you here today.

SENATOR FLEXER: All right. Thank you. Thank you very much.

Are there any questions?

Representative Staneski.

REP. STANESKI: Thank you, Madam Chair.

And thank you, one, for your service and for being here to testify. My question is really simple. I did not realize until I heard your testimony and the testimony from the State Librarian, the implications it may have on records that are private.

But I look at it from the other side, as somebody who loves history, would love to delve into the records of past military personnel in Connecticut, honor those, so I guess I'm just questioning. Is it the concept of us doing this or is it information that we want to make available for the public?

Because the second question is, how, I just read an article about a Purple Heart, that medal that was found, and through some

searching they were able to reunite this Purple Heart medal with its proper owner, and so, I guess I would think that that might be an avenue that we could use to actually do that in the case of a lost medal.

So if you could just address those two pieces for me, I would appreciate it. Thank you.

LT. COL. TIM TOMCHO: Thank you very much for your question. Primarily, you are correct. It is the form. If you ever have a chance to go to the archives, you'll see the level of history that's stored there that really should be digitized and put out to the public.

However, this bill specifically focuses on military service records, and the information contained in those records often contains information that's private, including a person's name. Now, that information may be available through other means, if somebody wants to walk into the library and try to access the archives.

And as mentioned, there's so many different record groups. The Military Department itself has its own record group over there, and if you go into that, you'll find that some of the information in there would contain such things as even a social security number and that's why it's so important that military records are kept segregated as required by Connecticut State law.

As far as the history, we applaud you once again for raising this bill, because it does focus on a very important aspect of Connecticut and that's our military history.

Purple Heart medals for people who really are interested in going in and trying to locate

that information, a lot of it is available through federal websites, but there are, you know, some parts of this bill that people don't understand. It's specific to Connecticut history.

For example, our role in the Civil War. At that time the federal government really relied upon states, so all the records concerning service members and their role in the Civil War, especially Connecticut, are available through the State Library and that's why we believe, as I think the Committee does, that it's important to get that history out, especially as it relates to Connecticut, but that it should be done very carefully.

REP. STANESKI: Thank you, sir, and thank you, Madam Chair.

SENATOR FLEXER: Thank you.

Are there any other questions?

Well, I just want to associate myself with the remarks of Representative Staneski and say, I hope that there is a way to do what she was saying we need to accomplish and like you were discussing, trying to make sure we're not losing history, but I really do appreciate the concerns that you've outlined here today about the proposed legislation as it is before us and we look forward to working with you to try to find something that can accomplish the goals that we all share.

LT. COL. TIM TOMCHO: Thank you, Senator Flexer.

SENATOR FLEXER: Thank you very much. Next on our list is Rusty Meek. And after Rusty we will have Julie Veroff.

RUSTY MEEK: Good morning, Committee, Veterans Committee. My name is Russ Meek. I live in Manchester, Connecticut. I'm a past state commander for the VFW. I belong to several veterans' organizations including, I am the only Republican on Congressman John Larson's Veterans' Committee for the First District. I resigned once and he sent the letter back saying forget it.

I'm here to testify against Bill 1016. I don't understand. My military records are held by the federal government and the Navy Department. All's you got to do is write and they'll give you the information.

In the state they're for medical and for bonus purposes, in my town for tax deductions, in the VA for treatment, and in my safe. So I know where my records are.

I don't understand why the State of Connecticut wants to open another place where someone can try to get the information about me and when I use the word me or I, I mean veterans that I talk to, which covers a bunch of us.

Why do we have this? Several veterans asked me the same question. Why and how come? What's the purpose of this bank?

These are my records, and you and anyone else who wants to know about me just has to go to one of the above places, get the information. Oh yeah, you need my permission in some cases.

Freedom of Information is one excuse these people use to get information. Well, they can kiss my naval terminology.

There's a lot of information in these records, which a professional can read or steal. They

use the ID to put me and other people in a financial hole, not that I'm there now.

What happened to my record if someone has access to my record, then loses it, loses a disk or computer? Well, there goes the information.

Just looking at what the hackers did over the past few months, some big companies, Target and Bank America, which I just got a letter from warning me.

Rocky Hill tried to do this a few years ago when Commissioner Schwartz was in charge and it was shot down. It failed because the veterans didn't want it. The veterans told Rocky Hill, no, and I'm sticking to my guns and I'm telling you no.

I checked with the Town of Manchester. They have a copy of my 214 for tax purposes. It's in a safe. I feel that I can trust them and I know who they are.

If you need information about me, just submit the proper paperwork and the town will give you what you want.

If this bill goes through, the only thing I want to see in this bill is that the town or state show a report by letter within 24 hours that someone requested information about me. This letter should contain the name of the company, or person, and what information they requested.

I don't think it's too much to ask. It's not your information. They're requesting it about me. Some of the information and record, I have what they call Page 5. From 1964 to 1986 this was my life, where I was, what countries I was

in, what areas I was in. It's nobody's business but mine.

If I want to tell you that's my right because it's me, and I think by putting this all in one spot, it makes it easier for somebody who really wants to get information.

If you want to do the bank, put the name, service, honorably discharged. That's all. All the rest of the information is classified.

I know marines that are snipers. They don't want you to know what countries they were in or what they did. I rode submarines. We had a kid in New London that ran his mouth and they found him in the river, and that's no lie. This was back in the sixties.

We do a job that we're sent out to do with no questions asked. We're just asking you for a little privacy for a change.

I'd like to thank the Committee for listening to me and if there's any questions, I'd be glad to answer.

SENATOR FLEXER: All right. Thank you for your testimony.

Are there any questions?

Representative Yaccarino.

REP. YACCARINO: Thank you, Madam Chair.

Thank you, Rusty, for your service, your testimony. I do agree with you. I think historically we should have some records, but personal records should never be disclosed. You forgot to mention Anthem, the breach in Anthem. I think it's very, a slippery slope. We

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don't have the man or woman power. That's personal information.

The historical, I agree with Representative Staneski and Senator Flexer, yes, but the other information, no. So I do agree with you and thanks for (inaudible). I was at the sub base. I wasn't on a ship though. I was a reservist.

RUSTY MEEK: Next time you go to the sub base, ask the Captain where the water slugs are.

REP. YACCARINO: Thank you, Rusty.

RUSTY MEEK: Yes, sir.

SENATOR GOMES: I find your testimony interesting because I probably go back about the time you go back to. I served from '58 to '63, so when you talk about the information on you and everything, that's very interesting and it bears some thinking because I would like to know where my records are, too, because I've been out of the Army over 50 years.

RUSTY MEEK: You were in the Army?

SENATOR GOMES: Yeah.

RUSTY MEEK: '64 --

SENATOR GOMES: '58 to '63 and I worked in administration --

RUSTY MEEK: I could look it up but I knew there were a bunch of Army records stored in Kansas City in a big fire and this is going back about 20 years ago, a real big fire. There was a lot of hullabaloo about it, but I can go dig it up for you if you'd like?

SENATOR GOMES: Hey.

RUSTY MEEK: No problem.

SENATOR GOMES: I'm glad I talked to you. Go ahead.
I'll give you the information.

RUSTY MEEK: You've got it.

SENATOR GOMES; Hey. I enjoyed your testimony and you know, for somebody that's been out of the service as long as you have, that still pays attention to what veterans need and I welcome you and I welcome your testimony.

RUSTY MEEK: Thank you very much.

SENATOR FLEXER: Thank you. Representative Hennessy.

REP. HENNESSY: Thank you, Madam Chair.

Could you clarify, are you for or against this bill?

RUSTY MEEK: I'm against this bill.

REP. HENNESSY: Just kidding. Thank you.

SENATOR FLEXER: I just have one question and it actually comes from the conversation you just had with Senator Gomes and you referenced a fire, and I think that's part of what this legislation is trying to accomplish is that so that records aren't destroyed if there is a fire, so that they are maintained in a couple of different places so we don't we lose that history.

And so I wonder if you would be comfortable if, as you described, some of the, it was last information like you talked about in your testimony and if there's a certain time period.

Like I believe in the legislation it talks about a period from Revolutionary War until World War II, so it is about 70 years ago, getting close to that 75 threshold that we use for other military records in existing state statute.

Would you be comfortable if there was a time frame, 75 years ago, 100 years ago?

RUSTY MEEK: Yeah. But again, it's an individual case. To let you know about those Army records, that's when they kept paperwork in warehouses. Now it's all on disk.

When you retire it goes to an area, it goes to a disk.

SENATOR FLEXER: Right. Thank you. Senator Gomes.

SENATOR GOMES: The Clerk just handed me a message. That fire was in St. Louis in 1973.

RUSTY MEEK: Thank you.

SENATOR GOMES: You can go on from there.

RUSTY MEEK: Well that's Army. Give me a break. We'll beat you in the Army-Navy game.

SENATOR GOMES: No, I'm just giving, I want you to do that for me.

RUSTY MEEK: Okay.

SENATOR GOMES: I'll give you the information.

RUSTY MEEK: Thanks, Chris.

SENATOR FLEXER: Representative Adinolfi.

REP. ADINOLFI: Thank you very much. I like what you said. There are, like I have an account with the Veterans Administration on line and I can go on line and get my military records. I can do it. I have my own password and everything to get into my account and anybody that was in the military can do that.

And, but no one else can do it except you unless you give them permission or sign something, and the VA is now working from a medical standpoint, where if you sign up, they will share their medical information with your primary care physician. That just came out about a month ago.

But everything is accessible for the veteran that needs information. There is, 60 Minutes did a program a couple years ago about the VA communication system. I'm in California. I got to a local VA, I have a problem. They can go on line and get my record from, but it's a doctor, it's not just somebody out there, get the information to open up another scam or something.

Yeah, they got great communications and that's what I was going to get to the Senator there, get the information and how he can go.

When he's talking about being back in his era, I'm one year ahead of him. They had service numbers. They didn't have social security numbers and later on in my career, they changed over to social security numbers, so he would have to do it all himself, but I would get him the information to get on line, or how to get to it. That's available and I recommend that anybody that has a DD214 that they go down to either Newington or West Haven and get an ID card, which is very, very good when you go shopping or anything.

RUSTY MEEK: I recommend that to all the young kids coming back. Get into the system. You don't have to use it, but the more people that are registered with the VA, the more power we have when we argue with people about getting stuff.

SENATOR FLEXER: Thank you.

Are there any other questions?

Thank you very much for your testimony.

RUSTY MEEK: Thank you very much.

SENATOR FLEXER: Next is Julie Veroff who will be joined by Steven Levy.

JULIE VEROFF: Good afternoon, Senator Flexer, Representative Hennessy, distinguished members of the Veterans Affairs Committee. My name is Julie Veroff and this is my colleague, Steven Levy and we are here on behalf of the Veterans Legal Services Clinic at Yale Law School and we'd like to address Raised Bill 1015.

We're excited that the Committee is focusing its attention on the unique needs of veterans in the criminal justice system. As part of our work for the Veterans Legal Services Clinic at Yale, we spent four months last fall investigating the very topics that are implicated in S.B. 1015.

Specifically, on behalf of the Connecticut Veterans Legal Center, we conducted 17 interviews with judges, prosecutors, public defenders, private defense attorneys, law professors, veterans, mental health professionals, staff at the Court Support Services Division and DMHAS.

that Windham County doesn't necessarily have a lot of people, but we do have a relatively high percentage of veterans as opposed to the rest of the state, so I would argue that that is a logical place for this program to be expanded next.

STEVEN LEVY: That's a good point.

SENATOR FLEXER: Are there any other questions?

Great. Thank you very much for your testimony.

STEVEN LEVY: Thank you.

JULIE VEROFF: Thank you.

SENATOR FLEXER: Is there anyone else who wishes to testify at this public hearing today?

Okay, come forward please. State your name for the record.

NICHOLAS THOMAS: Good afternoon, Committee. My name is Nicholas Thomas, and I'm testifying as a public Connecticut citizen, but I do have an internship with the Military Department and I am the historical intern in the History Office, so I am often the person that touches the records and my testimony is going to be in regards to Senate Bill 1016, the digitization of these records.

For one, it's been spoken about that the Military Department does not have the resources to properly digitize all these records. Currently, if you ever have been in the archives of the Military Department, there are thousands upon thousands upon thousands of records that need to be digitized and I am the only person that works there, and it's an unpaid internship, so we do not have the

financial resources or manpower to effectively accomplish this mission.

In addition to that, a lot of the older historical records, since I, I have a bachelor's in history and I enjoy history a lot, I am constantly struggling with the availability of historical documentation for other researchers, as well as against publication of records that are not necessarily historically important to a researcher such as personal information.

I happen to be a veteran as well and I know that in my own personal documentation, there are some personal items that would not be necessary for historical researchers to get a nice historical idea and concept of my service versus private information.

So not only do we not have the resources as far as monetary resources and personnel, but experience. A lot of the older historical research, or documents I should say, that really should be digitized, you need a professional to do it because as you can see, my sleeves are kind of black on my white shirt.

These records need to be handled in a way that a trained archivist or historian would handle these records. We can't just have military personnel, regardless of rank or qualification down there doing research that really needs to be focused in on, I guess you could say a trained ability.

And that's just a short testimony of my individual experiences down in the archives.

So when a service member does call in and submit the request for service forms, I'm

generally the person that goes into those records and grabs them.

On an aside note, we have a tremendous amount of really great historical records that go back to the Civil War and prior, that are not service records in nature.

We have a whole bunch of great general orders. We have images. We have, the Food Guard has been mentioned but we also have two companies, the Connecticut Horse Guard, that actually served in the capture of Pancho Villa on the Mexican border that was activated and sent to (inaudible) Arizona.

We've got photographs that date back to that just haven't been seen by anyone because of this. So I think that on a going forward basis, this bill is great, except it needs a tweak as far as not necessarily service records, but important historical documentation.

And I believe that way we can address both options. Keep veterans records private, but publicize things that would be historical in nature and of interest to people like me, and I'll accept any questions at this time.

SENATOR FLEXER: Okay. Thank you very much.

Are there any questions?

Representative Adinolfi.

REP. ADINOLFI: Yeah. I would agree with you. That's all I want to let you know. But I do not agree with the records that, unless a veteran gives permission. But as far as historical stuff, I think it's good. Thank you.

NICHOLAS THOMAS: I would like to invite anybody on this Committee to come down to the archives. I'm there pretty much all week and I can show you various historical documents that could be digitized for public use such as a letter from General, excuse me, Governor Rowland to General Cugno activating troops right after September 11th, the immediate notice that sent troops to Bradley Airport.

That was in a picture frame collecting dust underneath the table, and that's a document to me, as someone who served Post 9/11 and to the State of Connecticut, that would be a great thing to have on line for other researchers to get an idea, especially since I'm going into education.

I'm finishing up a post bachelor's education certification and a lot of students that I see in my classroom were actually born after 9/11 now. We're starting to get students that do not have a working memory of 9/11 like we all do and I feel like a lot of the information in the State Library and in the Military Department that has not been gone through, categorized, sorted and digitized, we'd be doing a disservice to Connecticut citizens that do not have a working memory of 9/11 if we do not put something through.

Records, I don't think is the proper terminology once again. My office, the historical section, would love to work with this Committee to draft a bill that would potentially provide funding or personnel in order to make this historical picture happen for those that don't have the working memory.

REP. ADINOLFI: One more question. What are you doing there? Are you making PDF copies to put on line? Is that it?

NICHOLAS THOMAS: I have a various kind of, I wear multiple hats at once, sir.

REP. ADINOLFI: Okay.

NICHOLAS THOMAS: Right now I am doing an oratory, an oral history on the 102nd Infantry, so I'm collecting interviews from everyone that served so that I can keep them together and that we can build a database of interviews.

I am also sorting all of these old records that this bill addresses. A good amount of them have been removed from filing cabinets that have been locked and have thus been out of order, so I have spent numerous hours trying to alphabetize these records. I deal with them on a daily basis.

In addition to that, I'm doing a unit identification program within the historical section that will outline all of the units that the National Guard has at their disposal and write a brief history on every one.

So that if you're a parent a son, anyone that wants information on a friend or relative, you can come to us and we can provide you with some sort of picture of what your relative or friend did overseas.

REP. ADINOLFI: I'm talking about the digitizing.

NICHOLAS THOMAS: The digitizing, we don't have the technology in the Military Department either to begin digitizing. I have digitized a few things for service members' request with an app on my phone and that's just something I've been

doing. It creates a PDF file, but if I could partner with the Library, the State Library, as well as maybe another agency to figure out a really nice, streamlined way to digitize the proper things, I'd be very interested in that. I'm 100 percent (inaudible).

REP. ADINOLFI: My major concern is for the military records. If they are put on line, and you might have them, the way you would do that is with a PDF form.

NICHOLAS THOMAS: Uh-huh.

REP. ADINOLFI: If I download anybody's record --

NICHOLAS THOMAS: Uh-huh.

REP. ADINOLFI: -- on my laptop I could change it.

NICHOLAS THOMAS: Oh, of course. That's why I'm --

REP. ADINOLFI: And I could show you somebody else and give out false information.

NICHOLAS THOMAS: Of course.

REP. ADINOLFI: So I like the idea of the historical part, but I don't like the idea of the military records. Thank you.

NICHOLAS THOMAS: Of course. And I'm in complete agreement with you, sir. The military records need to be kept private, and like other testimonies we've seen, if you need a copy of your records, you can get them from various sources.

So the records I feel should be private, things of historical nature, service record maybe from the Civil War, we can get those digitized, but it's going to be a long process and it's going

to require a lot of you know, time, money and resources that currently the Military Department does not have.

And this is me, not speaking for them, this is me speaking as a volunteer citizen.

Any other questions?

SENATOR FLEXER: Thank you.

Are there any other questions?

Representative Yaccarino.

REP. YACCARINO: Thank you, Madam Chair.

I do agree with Representative Adinolfi, and I'd like to also thank you for your testimony.

But you bring up a valid point, the archives as far as stuff from the Civil War and beyond. It's very fragile, the paper is fragile, so I think that's something that we have to be careful with. You have to have kid gloves on basically.

But that's, I want to thank you. I think it's important for the historical aspect. The service records I don't agree with at all. I agree with both yourself and Representative Adinolfi.

I just want to thank you for your work. It's amazing. You should try to get more people to help you as far as interns.

NICHOLAS THOMAS: Yeah. We have a partnership with CCSU. That's where I'm going for my graduate degree, but it's very hard. I commit roughly 20 hours a week. I have since January 1st, approximately 150 hours of volunteer time, but

a lot of it is labor intensive, traveling to Camp Niantic all the way up to Camp Hartell collecting interviews as well as working with the collection, developing a large, I guess you could say, itemized list of what we have.

It's labor intensive and without a part-time position or something like that, it takes very, you know, few and far between dedicated individuals to make it happen, so maybe a position could be added to the bill to facilitate this work.

SENATOR FLEXER: Thank you.

Are there any other questions?

Thank you very much for your testimony today.

NICHOLAS THOMAS: Thank you. I appreciate it.

SENATOR FLEXER: Is there anyone else who wishes to testify at this public hearing? If not, this public hearing is adjourned.



CT State Library
Office of the State Librarian

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**Testimony of Kendall F. Wiggin
State Librarian
Connecticut State Library
Concerning Senate Bill 1016
"An Act Concerning the Digitization of Military Records"
Veterans' Affairs Committee
March 3, 2015**

Good afternoon Senator Flexer, Representative Hennessy and distinguished members of the Veteran's Affairs Committee.

My name is Kendall Wiggin and I am the State Librarian. The State Library is committed to making information found in government records as accessible as possible to the citizens of Connecticut. The core of our mission is "to provide high quality ... information services to state government and the citizens of Connecticut" and "to work cooperatively with related agencies and constituent organizations in providing those services" in an effort "to preserve and make accessible the records of Connecticut's history and heritage." My office is concerned that SB 1016, if enacted, will cause confusion among veterans and researchers who will have to search in two different locations to find desired military records, some of which could be available in one, but not the other location. Passage of this bill could lead to duplicative systems at a cost to taxpayers at the same time when the State Library is being asked to make reductions in staffing, services and expenditures.

Proposed bill SB 1016

Although the bill proposes to make military records publically accessible on the State Library's website, I believe there is a misunderstanding of the organization of military records held by the Library. The bill defines "military records" as individual service records, including, but not limited to, dates of service, unit assignments and awards, as well as records relating to the unit in which such individual served, including, but not limited to, after action reports and written narratives. We believe that this bill was drafted under the misconception of what constitutes an individual service record. There is no one complete personnel file for each Connecticut veteran. Military service records are found in many different record groups in the State Archives as

well as other parts of the State Library collection. There are approximately 25 different record groups in the State Archives in addition to the Military Department and the Department of Veterans Affairs including the General Assembly, the State Comptroller, Department of Labor, Town and Borough Governments and a variety of veterans' organizations which contain military and service records. The State Library also has a number of compiled resources containing information about those who served which may need to be reviewed for inclusion in the database per the bill's proposed requirements.

The bill proposes the creation of two separate but parallel databases: one maintained by the State Library and one maintained by the Military Department. The records to be included would cover the time periods up to World War II for the Military Department and to the present for the State Library. This would result in veterans and other researchers having to search two different locations to find the desired records, some of which could be available in one but not the other location.

The State Library is already working to provide more digital content and searchable databases on its website. We have undertaken our "Remembering World War One" project which includes capturing digital images of veterans records and makes them available for public discovery and research. We currently have three veterans databases available: Fitches Home for Soldiers, 1883-1940; Military Service Questionnaires, 1919-1920 and the Noble Pension Database which contains records of Civil War and Spanish American War veterans.

In addition, to the inconvenience for veterans and researchers, these duplicative systems would incur double the cost to taxpayers for development, installation and maintenance. Given that the bill provides no additional funding to either agency at a time when both are being asked to make reductions in services and expenses, would, if enacted, be a burden on existing agency resources.

Section 2 of the proposed bill would require the Military Department to redact "from such records (A) Social Security numbers; (B) date of birth; (C) home address; and (D) any personally identifiable information if such disclosure would constitute a violation of the Health Insurance Portability and Accountability Act of 1996, as amended from time to time." However, the bill does not require the State Library to

redact any information. This would confuse the public into thinking that information may be available from the Library but not the Military Department.

The bill ignores the fact that Connecticut General Statutes §1-219 restricts veterans' military records including, but not limited, to a DD 214 form for 75 years. The current statute permits the disclosure of veterans' addresses to those providing or seeking to provide a veteran with a benefit whereas the proposed act under section 2 redacts this information. If the proposed bill passes, this provision would conflict with the existing statutes causing confusion on whether veterans' addresses are releasable.

The State Library is already the repository for the state's historical military service records. State Archives staff has worked on multiple occasions with the Military Department in the past including the transfer of 550 cubic feet of records, dating from 1776 to 1986, in 1988 when the State Armory was preparing for a major renovation. State Library staff is in discussions with Military Department personnel to scan World War One era records that remain in its custody as part of our centennial recognition project. We hope that at the conclusion of the project, the original records would be transferred to the State Archives.

My office is very willing to work with the Veterans' Affairs Committee to rework the bill to better meet the objectives of the Committee.

p. 4, line 15

Good Afternoon, My name is Rusty Meek, I live in Manchester, I'm also a Past State Commander for the VFW, belong to several other veterans organizations, and a member of Congressman John Larson Veterans Committee for the First District. I served 22 year in the United States Navy, Submarine Force. And I have seen a lot of change in this world.

I'm here to testify against S.B. 1016, an act concerning the Digitization of Military Records.

I don't understand, my personal military records are held in the federal government (Navy Department): in the state for Medical and bonus reasons; in the town, for tax dedications, at the VA for medical treatment, and my safe. I don't understand why the State of Connecticut wants to open another place where someone can try to get information about me.

Why do you want to do this, Several Veterans asked me that same question, why and how come. What is the purpose of this bank?

These are my records, and you or anyone else who want to know about me, just has to go to one of the above places and get the information. Oh, you need my permission! I don't want just anybody looking at my record, without my permission. The Freedom of Information is one excuse these people use; well they can kiss my (Naval Terminology).

There is a lot of information in those records, which a professional can read or steal. Then use my I.D. and put me into a financial hole. Not that I'm there now!

What happened to my record if someone who had access to my records, then, loses the disk or computer, well there goes my information. Just look at what the hackers, have done over the past few months, some big companies got hacked. (Target, and Bank America). Rocky Hill tried to do this a few year ago. It failed, because the veterans did not want it. We veterans, told Rocky Hill, NO, and I'm sticking to my guns, so I'm telling you NO, on bill S. B. 1015.

I checked with the Town of Manchester, they have a copy of my DD214 for tax purposes. It's in a safe place, and I feel I can trust them, I know who they are! If you need information about me, just submit a proper request, and the town will give you the information requested.

If this bill go through, the only other thing I'd like to see in this bill, is that, the town or state shall report, by letter (within 24 hours) that someone requested information about me. This letter should have the name of the company or persons, and what requested the information, and why!

I don't think this is too much to ask. It's not your information they are requesting, it's about me.

I do have another question? Why are you or the state trying to do this. Don't we have enough of our personal records around the state as it is. Is the governor trying to get some new jobs for his friends?

Thank you.

Testimony of Michael J. Zacchea, representing the CT Veterans Chamber

on AAC Digitization of Military Records

Tues March 3rd, 2015

CGA Veterans Affairs Committee

We applaud the initiative to convert our state's veterans' military records to digital format through Senate Bill 1016 AAC the Digitization of Military Records. We understand that there are efficiencies of scale to be recognized by this initiative. We believe these efficiencies will show up in the form of improved state's services for veterans.

However, we also recognize the potential pitfalls of digitization of military records. We recommend that extensive steps be taken to protect veterans' military records and personally identifiable information. We are further concerned about the potential for financial exploitation and/or identity theft through illegally obtaining via hacking veterans digitized military records.

We further believe there is a potential national security component to this. We know that ISIS has targeted civilians in the west, and threatened Iraq and Afghanistan veterans online through social media. We are concerned that being able to gain access to digitized military records of post 9/11 veterans and matching them to social media accounts could make our veterans vulnerable to threats of and actual physical violence here in CT.

We recommend that the state's default Personally Identifiable Information policy should be the "floor" for security of our veterans' military records. We would prefer to see bank-level security for digitized military records.



STATE OF CONNECTICUT

MILITARY DEPARTMENT
WILLIAM A. O'NEILL ARMORY
360 BROAD STREET
HARTFORD, CONNECTICUT 06105-3795

March 3, 2015

Honorable Mae Flexer, State Senator
Honorable John "Jack" F. Hennessy, State Representative
Co-Chairs, Veterans' Affairs Committee
Hartford, CT 06106

IN RE Raised Bill 1016, "AAC the Digitization of Military Records"

I write to express the Military Department's opposition to Raised Bill 1016, "AAC the Digitization of Military Records." The opposition stems from the perspective of resources and expertise. This bill assigns an archiving role to the Military Department, which is not staffed and not equipped to provide such service. Specifically the bill requires the Military Department to establish and maintain a searchable electronic database located on the Military Department's internet web site for the purposes of providing public access to military records of veterans of the Connecticut National Guard. This undertaking would require the assignment of significant additional resources to the Military Department, including full-time personnel and equipment to digitize and enter data. The Military Department does not have the resources or expertise to implement this program within existing staffing and funding.

The assignment of this mission to the Military Department is not only duplicative but outside of its operational sphere. The Military Department is a unique dual-status agency, having both federal and state missions. The federal mission is to maintain properly trained and equipped National Guard units for prompt federalization in the event of war, domestic emergencies or other emergencies. The state mission is to coordinate, support and augment federal, state and local authorities in emergency response, to provide emergency response planning and to provide military support to communities, including outreach and ceremonial missions. The Military Department prides itself on our rich history, lineage and honors. The archiving of which is a mission better suited to the State Library.

The Connecticut State Library possesses the expertise necessary to properly archive, digitize and make available to the public its extensive military archives. Moreover, it has the resources to properly undertake such an important mission. The State Library developed and operates a digital archive, replete with many collections that highlight Connecticut's military history (see <http://cslib.cdmhost.com>). The Connecticut State Library has performed this mission with panache and aplomb. To be sure, it has made great progress in digitizing our state's military history. However, much work is still required to fully realize our history in a digital format. Any revisions to the state statutes to mandate the continued archiving and presentation of our state's history, in a digital format or otherwise, should be properly ensconced with the State Library.

One must also recognize that digitizing personnel records and making such information available to the public digitally raises issues of privacy and identity theft. Although the proposed bill provides some consideration of protecting personally identifying and protected medical information, the privacy rights of our veterans is a matter that must be closely considered. Much of the information contained within military service records is protected by the federal Privacy Act (5 USC 552a). Any presentation of these records to the public in a searchable digital format should be under the control of professional librarians and archivists who are especially cognizant of information management. If the State of Connecticut undertakes this historical project, we should insist upon it being done with the expertise that resides in the staff of the Connecticut State Library.

On behalf of Connecticut's nearly 5,000 currently serving citizen soldiers and airmen, the members of our states armed forces, their families and our veterans, I ask the Veterans' Affairs Committee to take no favorable action on this bill as currently drafted. Alternately, if the bill must move forward this session, I would ask the Committee to move forward with a substitute bill that completely eliminates Section 2 of the bill and includes specific language relative to protecting the privacy rights of our veterans. Elimination of Section 2 would remove the Military Department from the proposed digitization project. Such substitution would ensure our State Library continues to lead the way in preserving our state's history, professionally, within existing agency resources and with specific language to protect the privacy rights of our veterans.

Should you desire to discuss the Military Department's opposition to this bill as currently drafted or other matters concerning military/veteran legislation, please contact my legislative liaison, Lieutenant Colonel Timothy J. Tomcho, Judge Advocate, at (860) 548-3203 or via email at timothy.j.tomcho.mil@mail.mil.

Sincerely,


THADDEUS J. MARTIN
Major General
The Adjutant General

Enclosure:
Raised Bill 1016

Copy Furnished:
Governor's Office