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Bailey
2/2/09

CS FOR SENATE JOINT RESOLUTION NO. 5()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY

Offered:

Referred:

Sponsor(s): SENATE RULES COMMITTEE

A RESOLUTION

1 **Urging the United States Department of Defense to continue to provide retirement**
2 **benefits for members of the Alaska Territorial Guard who served during World War II.**

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **WHEREAS**, in 1942, the Alaska Territorial Guard was formed by Territorial
5 Governor Ernest Gruening in response to Japanese activity around Alaska; and

6 **WHEREAS**, during World War II, approximately 6,389 members of the Alaska
7 Territorial Guard served without compensation in the state while the Alaska National Guard
8 was deployed; and

9 **WHEREAS** the Alaska Territorial Guard engaged in combat with the enemy,
10 protected the lend-lease route that stretched from North America to the Soviet Union, and
11 rescued downed airmen; and

12 **WHEREAS** sec. 8147 of the Department of Defense Appropriations Act, 2001 (P.L.
13 106-259, 38 U.S.C. 106) requires the United States Secretary of Defense to issue certificates
14 of honorable discharge to members of the Alaska Territorial Guard based on the nature and
15 duration of each individual's World War II service; and

16 **WHEREAS** Alaska Territorial Guard members who have been honorably discharged

1 are considered to be on active duty for the purposes of all laws administered by the United
2 States Secretary of Veterans Affairs, including laws relating to veterans' benefits; and

3 **WHEREAS** approximately 25 Alaska Native elders who served in the Alaska
4 Territorial Guard are still receiving benefits; and

5 **WHEREAS** the recent decision of the United States Department of Defense to reverse
6 the determination that service in the Alaska Territorial Guard during World War II be
7 regarded as active duty for military retirement purposes is of grave concern because it will
8 leave approximately 25 Alaska Native elders who live in the most remote parts of Alaska
9 without critical funds to pay the costs, among the highest in the nation, of heating fuel and
10 food during an already tough Alaska winter;

11 **BE IT RESOLVED** that the Alaska State Legislature respectfully requests the United
12 States Department of Defense to honor the service provided by the Alaska Territorial Guard
13 by continuing retirement benefits for members of the Alaska Territorial Guard; and be it

14 **FURTHER RESOLVED** that the Alaska State Legislature thanks the Alaska
15 Congressional delegation for their swift action on behalf of the remaining elderly members of
16 the Alaska Territorial Guard by their introduction of S. 342, which provides for the treatment
17 of service as a member of the Alaska Territorial Guard during World War II as active service
18 for purposes of retired pay for members of the United States armed forces; and be it

19 **FURTHER RESOLVED** that the Alaska State Legislature respectfully requests that
20 the United States Department of Defense continue to use its emergency and extraordinary
21 expense funds to provide retirement benefits for the Alaska Territorial Guard members until
22 the United States Congress passes S. 342 or H.R. 744, or the United States Department of
23 Defense reverses its January 2009 decision.

24 **COPIES** of this resolution shall be sent to the Honorable Barack Obama, President of
25 the United States; the Honorable Eric K. Shinseki, United States Secretary of Veterans
26 Affairs; the Honorable Pete Geren, United States Secretary of the Army; and the Honorable
27 Lisa Murkowski and the Honorable Mark Begich, U.S. Senators, and the Honorable Don
28 Young, U.S. Representative, members of the Alaska delegation in Congress.