

**ALASKA STATE LEGISLATURE
JOINT ARMED SERVICES COMMITTEE**

April 14, 2003

12:20 p.m.

MEMBERS PRESENT

Representative John Harris, Co-Chair
Representative Nancy Dahlstrom, Vice Chair
Representative Bob Lynn
Representative Carl Morgan
Representative Cheryl Heinze

Senator Gary Wilken, Co-Chair
Senator Fred Dyson
Senator Gary Stevens
Senator Gene Therriault

MEMBERS ABSENT

Representative Reggie Joule
Representative Pete Kott (alternate)

Senator Ben Stevens (alternate)
Senator Gretchen Guess

OTHER LEGISLATORS PRESENT

Senator Ralph Seekins
Senator Bettye Davis

COMMITTEE CALENDAR

BRIEFING REGARDING HOMELAND SECURITY AND ANTI-TERRORISM

PREVIOUS ACTION

No previous action to record

WITNESS REGISTER

TIM BURGESS, U.S. Attorney for Alaska
U.S. Department of Justice

LIEUTENANT GENERAL "HOWIE" CHANDLER, USAF Commander
Alaskan Command

BRIGADIER GENERAL CRAIG CAMPBELL, Commissioner
Department of Military and Veterans' Affairs

SPECIAL AGENT TOM McCLANAHAN
Federal Bureau of Investigation

RANDY JOHNSON, U.S. Marshall for Alaska

TED BACHMAN, Deputy Commissioner
Department of Public Safety

ACTION NARRATIVE

TAPE 03-2, SIDE A
Number 0001

CO-CHAIR GARY WILKEN called the Joint Armed Services Committee meeting to order at 12:20 p.m. Representatives Harris, Dahlstrom, Lynn, Morgan, and Heinze and Senators Wilken, Dyson, Gary Stevens, and Therriault were present at the call to order. Senators Seekins and Davis were also present.

BRIEFING REGARDING HOMELAND SECURITY AND ANTI-TERRORISM

2.33

TIM BURGESS, U.S. Attorney for Alaska, U.S. Department of Justice, began by thanking the committee for allowing the executive committee of the Anti-Terrorism Task Force (ATTF) to provide an overview of the cooperative efforts at the federal, state, and local [levels] in response to terrorism in Alaska. He noted that the group today meets about once a month to ensure that everyone is on the same page. Mr. Burgess turned to the PowerPoint presentation, which he provided in hard copy to the committee. Mr. Burgess pointed out that after the terrorist attacks of September 11, 2001, U.S. Attorney General John Ashcroft shifted the focus of the U.S. Department of Justice to the prevention of any future terrorists attacks. The department's first priority is to protect and disrupt any potential terrorist, which is antithetical to how the department has approached its job in the past. Historically, the department's job has been to investigate potential criminal misconduct and preserve that case for prosecution. However, because of the nature of the terrorist threat, priorities have shifted and the prosecution of an offender won't be done at the expense of preventing a potential terrorist act.

MR. BURGESS turned to the lessons learned from the terrorist attacks of September 11, 2001. With regard to the sharing of intelligence between the intelligence side and the law enforcement side, a number of the concerns were addressed by the USA PATRIOT Act, which allows for a freer flow of information between the intelligence community and the law enforcement community. For instance, if information of a potential terrorist threat had been learned through a Grand Jury investigation, there were barriers to providing that information to the intelligence community. The reverse was true as well. Furthermore, the terrorist attacks of September 11, 2001, highlighted issues with regard to communications. In New York City, the police department and the fire department couldn't communicate with one another because they had different communication systems. Therefore, there was a greater loss of life due to the fire department not receiving the communication regarding the failure of the structural integrity of the World Trade Center buildings. The attacks in Washington, D.C., highlighted good cooperative efforts.

6.42

MR. BURGESS said that he wanted to present an overview of the team in Alaska, which includes the Alaska Department of Military and Veterans' Affairs (DMVA) as well as the Alaska Department of Homeland Security. The Alaska Department of Homeland Security has a Strategic/Tactical Anti-Terrorism Reaction Force (STAR Force). Furthermore, the Alaska National Guard is part of DMVA's team. The State of Alaska also has the Alaska Department of Public Safety, specifically the Alaska State Troopers. On the federal side there is the Anti-Terrorism Task Force, which was requested of every state shortly after [the terrorist attacks of September 11, 2001]. The group present today is part of the executive committee of ATTF. The ATTF is composed of individuals from the participating agencies that are tasked to work with the group. The executive committee that is present today is comprised of the heads of the participating agencies. There is also the newly formed Department of Homeland Security, which includes the U.S. Coast Guard, the Transportation Safety Administration (TSA), Immigration and Customs Enforcement (ICE), and other federal agencies. The team also includes Alaskan Command and local law enforcement throughout the state. Mr. Burgess specified that the ATTF executive committee consists of the U.S. Attorney; the Federal Bureau of Investigation (FBI); the commissioners of the Alaska Department of Military and Veterans' Affairs and the Alaska Department of Public Safety; Alaska's attorney general, the Admiral commanding the 17th Coast

Guard District; USAF Commander, Alaska Command; the U.S. Marshal; the chief of the Anchorage Police Department; and the director of TSA.

Number 9.30

MR. BURGESS focused on the Alaska Department of Military and Veterans' Affairs and its Department of Homeland Security. He indicated that Alaska's Department of Homeland Security is small in size and budget. However, an important part of it is the State Emergency Coordination Center in Anchorage. Through the commissioner of DMVA, the state has the ability to quickly reach out to communities and individuals throughout the state. Furthermore, a task force was created last fall under the command of the commissioner of DMVA. Additionally, the Alaska National Guard, which is controlled by the governor, is available. He highlighted that the Alaska National Guard is the only agency in the state with a significant ability to provide transportation and respond to a natural disaster or terrorist threat. He characterized the Alaska National Guard as a critical component of the anti-terrorism efforts. Furthermore, the Alaska National Guard has a role in the defense of the Valdez Terminal. Mr. Burgess then turned to the Alaska State Troopers, who are, in many instances, the first responders to criminal and natural disasters throughout the state. He said that the Alaska State Troopers are very good at their job, although at times there aren't enough of them to respond.

11.40

MR. BURGESS informed the committee that in addition to ATTF there are Joint Terrorism Task Forces (JTTF) at each of the 54 FBI field offices located throughout the country. He explained that the Joint Terrorism Task Force is the department's operational response to terrorism. Therefore, JTTF is composed of investigators that are primarily from the FBI, but also from other participating agencies. These are criminal investigators who work at detecting, preventing, and investigating terrorist threats. He pointed out that the FBI is the lead agency of the JTTF. The FBI is composed of experts in terrorism and foreign intelligence. The JTTF is the only task force with criminal investigators. Mr. Burgess related his belief that Alaska was the leading edge of this effort because the FBI in Alaska had recognized the need for a joint terrorism task force before the terrorist attacks of September 11, 2001, as illustrated by the fact that the FBI in Alaska had put in an application for a joint terrorism task force in Alaska. There were only about 25

JTTFs in the country prior to the terrorist attacks of September 11, 2001. He specified that the JTTF in Alaska is staffed by agents from the FBI, the U.S. Marshal's Service, Immigration and Customs Enforcement, U.S. Coast Guard, Alcohol Tobacco and Firearms, Anchorage Police, and Alaska State Troopers. Alaska's JTTF provides training and tactical exercises. Over the past year there have been several important tactical exercises. Alaska's JTTF works closely with the Alaska State Troopers in collecting and disseminating criminal information to law enforcement.

13.51

MR. BURGESS returned to the ATTF. The ATTF does the following: coordinates the efforts of federal, state, and local law enforcement to foster greater information sharing; looks to develop initiatives to reduce and eliminate vulnerabilities within the state; seeks to establish community awareness and participation in conjunction with the JTTF; aggressively prosecutes terrorists, potential terrorism, or hoaxes; and provides help, training, and resources for anti-terrorist efforts. With regard to community awareness, Mr. Burgess recalled that shortly after the terrorist attacks of September 11, 2001, there were many incidences in which there were civil and criminal attacks against members of the Arab and Islamic communities. Therefore, he and Special Agent McClanahan have tried to reach out to those communities and ensure them that the JTTF is there to protect them from criminal misconduct directed against them as well as seek their assistance. The response from the Islamic community has been positive, he related. He turned to the Alaskan Command and pointed out that there are limitations on what the Alaskan Command and the military can do because of the federal law, the Posse Comitatus Act.

17.20

LIEUTENANT GENERAL "HOWIE" CHANDLER, USAF Commander, Alaskan Command, informed the committee that the first bullet on the Alaskan Command slide, "Proactive intervention constrained by the Posse Comitatus Act" is the reason why the Alaskan Command isn't involved with the JTTF on the investigative side. The Alaskan Command clearly understands where the lines are drawn with regard to the Posse Comitatus Act. However, the Alaskan Command through the Northern Command does bring some things to the table with regard to intelligence collection. He explained that Northern Command is the Department of Defense's (DoD) one-stop shop for the lead federal agencies in the event of a

homeland security scenario. However, the Stafford Disaster Relief And Emergency Assistance Act (Stafford Act) provides any commander the authority as well as the responsibility to respond in order to prevent further damage or loss of life. Therefore, Lieutenant General Chandler gave the committee his pledge that the lines of the Posse Comitatus Act are understood as well as the responsibility to respond when life, limb, and property are in jeopardy.

LIEUTENANT GENERAL CHANDLER, in response to Co-Chair Wilken, explained that the Posse Comitatus Act basically precludes military forces from pursuing law enforcement activities.

MR. BURGESS specified that the military can provide technical support and assistance. Mr. Burgess pointed out that DMVA can provide support to law enforcement in some instances.

20.10

BRIGADIER GENERAL CRAIG CAMPBELL, Commissioner, Department of Military and Veterans' Affairs, explained that the National Guard is a state resource that works for the governor, although the majority of the equipment is paid for by the federal government. Therefore, on the surface the [the National Guard] is under the same role as the active duty in that the department's forces can be engaged to perform state work. However, the governor has the right to declare the resources necessary for state emergencies and thus at that point the federal support can be converted to state use, which makes the National Guard the first outreach for state emergency response.

REPRESENTATIVE DYSON related his understanding that Brigadier General Campbell could provide logistic support to transport law enforcement people if requested and if the assets were available.

LIEUTENANT GENERAL CHANDLER agreed. He explained that typically the lead federal agency would exhaust local and state ability to provide logistic support and the request would be forwarded to NORTHCOM.

BRIGADIER GENERAL CAMPBELL specified that he can't just call and request transport. For example, in order to use [the National Guard's] C-130 transports for state support he has to ask if it would interfere with the private companies because the first option should be a charter from the private sector. If there is agreement that there is no conflict, then the aircraft can be

activated after advising the National Guard bureau that there is no private sector capability and that it's a state emergency requiring the use of a state resource. The state responsibilities have to be protected, he said.

SENATOR DYSON related his assumption that the aforementioned can be done at any time and that the process would take hours not days.

BRIGADIER GENERAL CAMPBELL agreed.

LIEUTENANT GENERAL CHANDLER returned to the Stafford Act and pointed out that if there is imminent danger or peril to people and property, local commanders have the authority to ensure that the support necessary to the community is provided.

BRIGADIER GENERAL CAMPBELL explained that the general rule is that in the first 24 hours if there is an absolute need -- it's a declared emergency and life and safety are in jeopardy. The National Guard can respond in the first 24 hours and request for forgiveness later. In the second 24 hours, the process of contacting the private sector should start. By the third to fourth day, the federal resource has to be withdrawn unless all of the approvals to continue have been achieved.

22.52

SENATOR DYSON clarified that he was thinking of a small operation in which the FBI, perhaps, needs to get somewhere and the Alaska National Guard has the helicopter and the tanker. He surmised that such transport could happen in hours rather than days.

BRIGADIER GENERAL CAMPBELL said that the more agencies that are involved, the more difficult it is to meet the challenge. He pointed out that the Counter Drug Operation is within the National Guard and it has helicopters assigned that can perform refueling. Therefore, if the FBI needed support, the National Guard would try to provide the support through one agency in order to minimize the coordination requirements.

SENATOR DYSON inquired as to whether there has been any formal agreement with the Canadians. He posed a situation in which the Royal Canadian Mounted Police (RCMP) had a mission, but were very short on resources. He asked if the agreements and relationships are already in place to support the RCMP.

CHAIR WILKEN said that question would be set aside until the end of the presentation in order to stay focused on the slide before the committee.

25.40

REAR ADMIRAL JAMES UNDERWOOD, U.S. Coast Guard, turned to the Posse Comitatus Act and informed the committee that the U.S. Coast Guard is a military service that has law enforcement authority under Title 14. The U.S. Coast Guard operates under Titles 10 and 14. Often, the U.S. Coast Guard has the ability to work with DoD military counterparts in law enforcement activities in which they are providing a platform for the U.S. Coast Guard's law enforcement officers. "In those cases, it's a narrow opportunity for them to provide robust presence to help us do what we need to do," he said.

REPRESENTATIVE LYNN inquired as to where the Civil Air Patrol would fit into this.

LIEUTENANT GENERAL CHANDLER explained that the Civil Air Patrol is tightly tied into the rescue coordination center at the National Guard. He pointed out that the funding flow comes through the U.S. Air Force down to the Civil Air Patrol. He noted his comfort with the volunteer efforts and the way in which the organizations are connected with regard to search and rescue for the state. In further response to Representative Lynn, Lieutenant General Chandler said that the Posse Comitatus Act wouldn't have any impact on the Civil Air Patrol in its search and rescue role. He related that to his knowledge the Civil Air Patrol had never been used in a law enforcement function.

REPRESENTATIVE LYNN recalled discussions regarding using the Civil Air Patrol for the inspection of drugs at airports. He inquired as to the transport of key people to certain locations in order to assist in the process.

LIEUTENANT GENERAL CHANDLER surmised that would be feasible.

REAR ADMIRAL UNDERWOOD interjected that the U.S. Coast Guard has an agreement with the Civil Air Patrol to transport marine safety officers to locations where sea marshals are set up. There are also Coast Guard auxiliaries, who are trained observers, to fly the routes of the cruise ships in order to see the areas. Although the aforementioned isn't direct law enforcement, they are operations in support of law enforcement,

which he believes is the type of operation to which Representative Lynn spoke.

CHAIR WILKEN informed the committee that Lieutenant General Chandler had provided a letter to him a week or so after the first meeting of the Joint Armed Services Committee. However, the letter wasn't distributed to the committee or the legislature.

27.49

MR. BURGESS returned to the PowerPoint presentation and the slide dealing with the newly formed U.S. Department of Homeland Security. He pointed out that first and foremost the U.S. Coast Guard participates in anti-terrorism efforts. The U.S. Coast Guard has highly developed plans in place for the protection of the Valdez terminal and its approaches. Furthermore, it has taken great strides to protect the cruise ship trade in Alaska.

REAR ADMIRAL UNDERWOOD assured the committee that the U.S. Coast Guard has been working closely with the cruise ship industry as well as law enforcement counterparts through exercises conducted last winter. Since the terrorist attacks of September 11, 2001, the U.S. Coast Guard has ensured that port security committees are in place at each port and that there is a security plan for each cruise ship that arrives. Furthermore, the U.S. Coast Guard goes on board the cruise ships to make sure that they are complying with the security plans. Random U.S. Coast Guard cutter escorts are provided for cruise ships at various key areas. The routes of the cruise ships are overseen and transportation of the sea marshals is provided as well. Additionally, there are security zones around the Alaska Marine Highway System (AMHS) ferries on a blanket basis; the zone prevents any small vessels from approaching the ferries within 1,000 yards. The same consideration has been given for cruise ships, although it's a difficult proposition.

30.18

MR. BURGESS pointed out that part of the U.S. Department of Homeland Security is the new Transportation Security Administration (TSA). He explained that in Alaska there are three separate regional security directors under TSA. There is one in each of the following cities: Anchorage, Juneau, and Fairbanks. Each of those report to the regional headquarters, which he indicated will be moved to Seattle, Washington. Mr. Burgess pointed out that the U.S. Department of Homeland

Security is in early stages of formation. He related his understanding that it will be developed along the same regional lines as reflected by the current organization of the Federal Emergency Management Agency (FEMA). If that is the case, the regional headquarters will be run out of Seattle, Washington. However, that hasn't been finalized, he noted. All TSA directors are currently implementing the congressionally mandated security measure on schedule.

MR. BURGESS turned to the slide entitled, "Threats to Alaska." He specified that the list of threats to Alaska isn't an exhaustive list nor are the items prioritized. The list merely highlights some of the potential threats in Alaska. Mr. Burgess assured the committee that this has been a topic of ongoing discussion. He reviewed the list, which included the Trans-Alaska Pipeline and the Valdez terminal as well as the aviation transportation hub, the cruise ship industry, the oil and gas platforms in Cook Inlet, facilities located on the Kenai Peninsula, and the super-computer at the University of Alaska Fairbanks. Mr. Burgess explained that after the terrorist attacks of September 11, 2001, the large cyanide shipments to the Red Dog Mine were of concern because of the potential threat.

33.17

MR. BURGESS turned to Alaska's challenges. He pointed out that Alaska remains vulnerable in its fuel and water supply. There are also communications issues in Alaska that are similar to those that occurred in New York. Furthermore, the border with Canada and the large amount of coastline in Alaska presents some significant challenges, especially in light of the resources available in Alaska. Furthermore, the ability to respond in a timely fashion is an issue due to the challenges, such as weather, with regard to access to communities.

MR. BURGESS turned to the slides entitled, "Needs to be Addressed" and informed the committee that one goal is to work smarter, which would include eliminating the redundancies among federal, state, and local law enforcement. For instance, the state's terrorism task force is going to be combined with ATTF so that the duplication of effort is eliminated. He highlighted the need to establish protocols for communication between the command centers throughout the state. He also highlighted the need to ensure an adequate level of Alaska State Troopers because they are often the only law enforcement presence throughout the state. Additionally, the Alaska State Defense

Force (ASDF) can help respond to homeland security efforts. Mr. Burgess informed the committee that he has been working on the timely dissemination of information to law enforcement as well as political leadership.

37.39

SPECIAL AGENT TOM McCLANAHAN, Federal Bureau of Investigation, responded to Representative Dyson's earlier question regarding the FBI's ability to transport personnel in the event of an attack. He informed the committee that the FBI is routinely deployed overseas and the FBI relies heavily on the military for "lift capacity." He noted that MOUs (memorandum of understanding) are in place with the Pentagon. If there was a major terrorist attack in Alaska, Special Agent McClanahan assured the committee that the FBI personnel and equipment would be transported per the MOU. Therefore, he didn't view transport as a problem.

REAR ADMIRAL UNDERWOOD highlighted that the next big threat is the cruise ships arriving in Alaska. With regard to the efforts in Valdez, Rear Admiral Underwood informed the committee that a new cutter, the Long Island, will be permanently stationed in Valdez upon her arrival, June 28, 2003.

BRIGADIER GENERAL CAMPBELL returned to the issue of merging the state's task force and the ATTF. This merged organization will be the first in the country.

LIEUTENANT GENERAL CHANDLER announced that Alaska Command and the JTTF-Alaska looks forward to working with lead federal agencies should it be necessary.

RANDY JOHNSON, U.S. Marshall for Alaska, highlighted the cooperation between everyone and noted that it's the only way to get things accomplished.

TED BACHMAN, Deputy Commissioner, Department of Public Safety, also highlighted the need for coordination of efforts.

41.17

SENATOR DYSON inquired, again, as to any exchange of information or coordination with Canada.

MR. BURGESS answered that the department has worked closely with the Canadians over the last several years.

SENATOR DYSON further asked if information is being shared with Canada on a real-time basis.

REAR ADMIRAL UNDERWOOD recalled from his former position in the Department of Transportation that there is a 30-point plan that the U.S. has with the Canadian government. The plan strives to develop and mature the relationship between the two countries, which includes intelligence sharing. Rear Admiral Underwood specified that intelligence sharing is being done at the national level not the local level. Also at the national level, is the prevention of U.S. law enforcement personnel taking weapons into Canadian waters and locations. The aforementioned has been lifted and thus when the sea marshals ride the AMHS, they are allowed to be armed.

SENATOR DYSON asked if anyone present today has spoken with a Canadian counterpart in the last month.

LIEUTENANT GENERAL CHANDLER informed the committee that under the North American Air Defense Command relationship, he has deputies who are Canadian officers. Therefore, he related his belief that there is a good relationship with Canada. He noted that the aforementioned relationship has migrated to North COM in that the Canadians have entered into discussions regarding how the U.S. and Canada fit together in a military defense. However, he cautioned that this relationship will take some time. From the federal level, the intelligence sharing continues. The ATTF provides an organization that can feed the information if necessary.

44.52

SENATOR DYSON commented that he has been fairly confident that the intelligence sharing has been in place for airborne threats. However, he expressed concern with regard to the terrestrial threats. He related that he has been told that between the U.S. Coast Guard and the RCMP and District 13 and 17 that the intelligence information is flowing back and forth seamlessly without having to go to Washington, D.C., or Ottawa before going to Canada.

REAR ADMIRAL UNDERWOOD answered that the U.S. Coast Guard works with its Canadian counterparts and the 13th district on a regular basis. The flow of information is working well for local events.

MR. BACHMAN added that the local civil law enforcement level works on a daily basis with the RCMP, both operationally and through the intelligence office that shares information with the FBI agent in Anchorage.

MR. McCLANAHAN confirmed that he speaks with the RCMP folks often. Furthermore, there are FBI personnel stationed in Ottawa and Vancouver who work directly with the RCMP and its intelligence counterpart. The state law enforcement intelligence center also shares actual databases with the RCMP. Therefore, there is a lot of exchange going on.

TAPE 03-2, SIDE B

SENATOR DYSON asked if there is an agreement in which the U.S. Coast Guard's swat team could work in District 17 if need be.

REAR ADMIRAL UNDERWOOD explained that Senator Dyson is referring to Rear Admiral Brown, 13th District Commander, and the Maritime Safety and Security Team (MSST), which was recently established in Puget Sound, Washington. The establishment of the first four MSSTs were in ports considered so strategic that the nature of the MSST wouldn't be deployable. Rear Admiral Underwood said that he didn't have the agreement in place with Rear Admiral Brown. However, he said he has talked with his boss as well as Rear Admiral Brown's boss and has been assured that [the swat team] wouldn't be available because it would be in Seattle, Washington, where it's needed even more. However, he noted he has had conversations with Admiral Collins and Congress with regard to the need for a MSST in Alaska, although that isn't in the budget for 2004.

SENATOR DYSON said to let him know if a resolution from the Alaska State Legislature in support of a MSST in Alaska would help. Senator Dyson expressed concern that most maritime security is centered at ports, which gives the impression that once the vessels are untied no one is paying attention to their security. However, from the testimony today he understands that there is concern with regard to the security of vessels not located at a port.

REPRESENTATIVE HEINZE returned to the issue of the threats Alaska faces and asked if Alaska faces a threat with regard to it being the world's largest float plane base.

MR. BURGESS reiterated that the list of threats to Alaska was merely a sampling of concerns. He indicated that Alaska's float

plane base is of concern and analyzing the potential threats is an ongoing process.

LIEUTENANT GENERAL CHANDLER related that determining what threats are more important is problematic. Typically, the matter returns to the ability to share information and determine if there is a threat and if so, where the resources should be placed. He mentioned that there could be a scenario in which there aren't enough resources to go around. Therefore, he characterized Alaska's large float plane base as one of the many possible threats to Alaska.

43.05

BRIGADIER GENERAL CAMPBELL noted that they are trying to prioritize and find solutions. He pointed out that the pipeline became one of the highest priorities for the State of Alaska, and therefore the department is in the process of developing a specific operations plan regarding how to protect specific critical nodes of the pipeline. The same will follow for the railway, aviation assets, and other critical assets if the need arises.

42.07

REPRESENTATIVE DAHLSTROM returned to the issue of ferries and cruise ships as potential threats. She requested that someone expound on that and discuss the level of risk they may be.

REAR ADMIRAL UNDERWOOD explained that the risk to cruise ships and passenger ferries is reviewed on two levels. The numbers of people on the high capacity passenger vessels is reviewed as is the impact to the tourism industry and the cost to the American industry. Those two factors and the willingness on the part of terrorists to create an impact on the U.S. economy while taking as many lives as possible is viewed as a relatively high threat that should be secured.

REPRESENTATIVE DAHLSTROM asked if the increasing pleasure craft use is seen as a problem. She also inquired as to how vessels from other countries are treated.

REAR ADMIRAL UNDERWOOD answered that the increased pleasure craft traffic doesn't represent a significant concern at this time. There is sufficient ability to gather intelligence in the ports from which most recreational craft are operating in Alaska. With regard to foreign recreational vessels in Alaska,

he pointed out that these must check in when entering Alaska and each is evaluated.

39.28

CO-CHAIR HARRIS inquired as to how one balances the public use of Alaska's facilities versus the public safety aspect, which he indicated was probably the highest difficulty.

LIEUTENANT GENERAL CHANDLER said that the Posse Comitatus Act allows the military to do its job.

CO-CHAIR HARRIS surmised that the public input probably has to be weighed when developing regulations.

REAR ADMIRAL UNDERWOOD turned to the blanket security zone around cruise ships and the impact that would have on other activities in the same area. He agreed that there is a balance. "It's not security for the sake of security and everything else has to stop," he said. He indicated that the aforementioned is taken seriously while trying to find the most cooperative means to continue commerce and ensure safety.

BRIGADIER GENERAL CAMPBELL, speaking on the state's perspective, agreed that it's a difficult challenge. He noted that shortly the legislature will have before it some statutory changes that the ATTF recommends. Therefore, he asked that when the aforementioned occurs that the legislators balance individual civil liberties with what's necessary to have a safe state.

MR. BURGESS agreed that it's a balance that everyone's trying to keep in mind; trying to be as least intrusive as possible while having an acceptable amount of security. For example, screening at airports to make them safer while not going to extremes.

35.43

REPRESENTATIVE HEINZE posed a situation in which a passenger on board a ship had Severe Acute Respiratory Syndrome (SARS) and infected everyone. She asked if ATTF would move forward as in a terrorism attack.

MR. McCLANAHAN surmised that state health authorities would come into play rather than the military or law enforcement. He characterized a SARS outbreak as a health issue rather than a terrorist-related threat.

REAR ADMIRAL UNDERWOOD clarified that such a situation would probably involve the state and federal Centers for Disease Control (CDC). He noted that exercises have been conducted that would include such a scenario. In such a scenario, the vessel is quarantined and not allowed in the port and the passengers are treated on board the vessel.

34.40

CO-CHAIR WILKEN thanked everyone for participating in today's presentation. He related his observation that Americans sleep better today because of those who have the courage to serve the Commander in Chief to make America a better place. He closed by thanking everyone for their service.

ADJOURNMENT

There being no further business before the committee, the Joint Armed Services Committee meeting was adjourned at 1:20 p.m.