

ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

March 10, 2015

1:33 p.m.

MEMBERS PRESENT

Representative Bob Herron, Chair
Representative Jim Colver
Representative Shelley Hughes
Representative Gabrielle LeDoux
Representative Bob Lynn
Representative Max Gruenberg
Representative Chris Tuck

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

CONFIRMATION HEARING:

DEPARTMENT OF MILITARY & VETERANS AFFAIRS~
COMMISSIONER/ADJUTANT GENERAL

Brigadier General(Alaska) Laurel J. Hummel - Anchorage

- CONFIRMATION ADVANCED

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

BRIGADIER GENERAL LAUREL J. HUMMEL, Commissioner Designee
Department of Military & Veterans' Affairs
Joint Base Elmendorf-Richardson, Alaska

POSITION STATEMENT: Testified as commissioner designee to the
Department of Military & Veterans' Affairs.

ALEX ELMORE, Major, Alaska Army National Guard
Executive Officer
Office of the Commissioner
Department of Military & Veterans' Affairs
Joint Base Elmendorf-Richardson, Alaska

POSITION STATEMENT: Answered a question during the confirmation hearing for Brigadier General(Alaska) Laurel J. Hummel, Commissioner Designee, Department of Military & Veterans' Affairs.

ACTION NARRATIVE

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CHAIR BOB HERRON called the House Special Committee on Military and Veterans' Affairs meeting to order at 1:33 p.m. Representatives Tuck, Lynn, Gruenberg, LeDoux, Hughes, Colver, and Herron were present at the call to order.

CONFIRMATION HEARING:

Department of Military & Veterans Affairs, Commissioner/Adjutant General

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CHAIR HERRON announced that the only order of business would be a confirmation hearing on the appointment of Brigadier General(Alaska) Laurel J. Hummel as the commissioner/adjutant general of the Department of Military & Veterans' Affairs.

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BRIGADIER GENERAL(Alaska) LAUREL J. HUMMEL, speaking as the commissioner designee to the Department of Military & Veterans' Affairs (DMVA), informed the committee she was born into a multi-generational military family; her father served four combat tours of duty. From her experience, she learned the values of a close family focused on the shared objective of service to the nation. Commissioner Designee Hummel choose a military career at the age of seven, before women were accepted into the U.S. Military Academy at West Point. At the age of seventeen, she was admitted into West Point, and was commissioned in 1982 into the Military Intelligence Corps. Her service in Alaska began as the Operations Intelligence Director and Chief of Joint Intelligence Support Element for Alaskan Command in the late 1990s. In 1998, she was selected to command a battalion and also for a professorship at West Point, and she chose to return to West Point to teach, advise, and manage its Geography and Environmental Engineering Department. During her tenure at West Point, she was called upon to assist operations in Iraq and in Afghanistan. During a tour of duty in

Afghanistan, she facilitated the inclusion of women into the National Military Academy of Afghanistan, which was an arduous process. After thirty years of active duty, Commissioner Designee Hummel retired and returned to Alaska. Since then, she has been involved in business and politics, and was asked by the governor in January to be the commissioner/adjutant general of DMVA and the Alaska National Guard (AKNG).

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COMMISSIONER DESIGNEE HUMMEL continued to say that retirement from active duty was difficult, and her appointment is humbling and "the opportunity of a lifetime." She said she was eager to begin a leadership role along with other members of the leadership team at AKNG and DMVA. Her vision for DMVA includes focusing on the Arctic military strategy and the formulation of a national policy in the Arctic. This focus must include [U.S. Code - Title 10: outlines the role of armed forces] and national partnerships with National Guard Bureau in order to preserve the funding and resources for DMVA and AKNG. Most of DMVA's funding comes from the federal government, thus relevance and partnering with Title 10 forces are critical to funding and the growth of AKNG. In addition, there is a need to focus on homeland security and emergency management through training events and exercises. Commissioner Designee Hummel stated that in order to create a foundation for an ethical and optimistic organizational culture, there must be clearly defined processes, based in doctrine, in an ethical, legal, and moral climate.

COMMISSIONER DESIGNEE HUMMEL recalled those who have been mentors to her, and noted that leaders believe in, have trust in, and have respect for their subordinates. She spoke of her father's influence on her decisions.

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CHAIR HERRON asked who nominated Commissioner Designee Hummel for West Point.

COMMISSIONER DESIGNEE HUMMEL said she entered West Point on a presidential appointment to the class of 1982, which was the third class to admit women. In further response to Chair Herron, she said women attending service academies today are more physically fit. She acknowledged that conditions at West Point at that time were different and difficult; the attrition rate for women in her class was 50 percent. The women cadets

today are very close, but did not interact with each other at that time. There was a high level of maturity in her class.

CHAIR HERRON asked whether there were times of doubt.

COMMISSIONER DESIGNEE HUMMEL said in 1980 she came to Alaska to serve in the Cadet Troop Leader Programs, and there were problems with drugs and racism that caused her to consider leaving the service; however, she decided to be part of the solution instead.

REPRESENTATIVE COLVER observed there are operational advantages to the use of drones and asked whether there are programs within AKNG using drones.

COMMISSIONER DESIGNEE HUMMEL said no. An issue with the use of drones is intelligence oversight on their use. The Alaska National Guard is bound by the U.S. Department of Defense (DoD) regulations for operations on American soil. At this time, AKNG is consulting with the University of Alaska Fairbanks research program in this regard.

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REPRESENTATIVE HUGHES advised that Mike O'Hare, Deputy Director, Division of Homeland Security/Emergency Management (DHS&EM), DMVA, represents DMVA on the Legislative Task Force on Unmanned Aircraft Systems.

COMMISSIONER DESIGNEE HUMMEL clarified that her response was to programs within AKNG and the military use of drones; however, DHS&EM has many uses for drones.

REPRESENTATIVE COLVER described the use of geographic information systems (GIS) in the private sector for engineering and surveying purposes. He asked for Commissioner Designee Hummel's ideas in this regard.

COMMISSIONER DESIGNEE HUMMEL referred to technology developed by the Defense Advanced Research Projects Agency (DARPA), DoD. She agreed that DHS&EM uses many applications in satellite technology. Although unsure how to bring GIS into DMVA operations, she said the military is at the leading edge of GIS technology.

REPRESENTATIVE LYNN noted that the commissioner/adjutant general has civilian responsibilities and inquired as to Alaska's present level of security.

COMMISSIONER DESIGNEE HUMMEL said force protection and threat levels are constantly assessed by the U.S. Department of Homeland Security (DHS), and the relayed to DHS&EM, thus DMVA is informed and can take appropriate measures.

REPRESENTATIVE HUGHES asked for a brief description of the commissioner designee's mission for the department in the future.

COMMISSIONER DESIGNEE HUMMEL explained that DMVA's mission is to its customers who are the military, administrative services, the Alaska Military Youth Academy, DHS&EM, administrative oversight of the Alaska Aerospace Corporation, the Alaska State Defense Force, and the Office of Veterans Affairs. These missions are to the state and the federal governments, and her appointment is commissioner of DMVA and adjutant general of AKNG. Her vision for DMVA includes increasing the perception of relevance with DMVA's federal partners in order to sustain resources and the military force structure. It is important to keep AKNG in place to protect Alaska, and also as part of the national operational Ready Reserve. In addition, DMVA needs to act as an active partner with National Guard Bureau, the Alaska Congressional delegation, Department of the Army, Department of the Air Force, U.S. Army Pacific, U.S. Air Pacific, First Army Corps, Alaskan Command, North American Aerospace Defense Command (NORAD), and U.S. Northern Command (NORTHCOM). There must be opportunities to train with these partners and to share best practices. She said Arctic strategies, operational partnerships, and sound emergency management are her three major operational focus areas. Moreover, the organizational culture will be further developed by a specialized team to address problems that AKNG has had in the past. Commissioner Designee Hummel turned to DMVA's state operations, pointing out the department has over 400 state employees doing critical work. Therefore, DMVA customers are every Alaskan, at-risk youth, Alaskan veterans, members who are citizen-soldiers, and members who are full-time guardsmen.

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REPRESENTATIVE HUGHES asked whether any reorganization is planned to accommodate budget constraints.

COMMISSIONER DESIGNEE HUMMEL said no, although some programs are being decremented or postponed as necessary.

REPRESENTATIVE HUGHES expressed her support of the focus on veterans. She then asked the about importance of the Uniform Code of Military Justice (UCMJ) to a healthy and functioning unit and operations, and for morale.

COMMISSIONER DESIGNEE HUMMEL stated the National Guard Bureau, Office of Complex Investigations report on AKNG revealed the need to adjudicate administrative and punitive measures when necessary. The state code currently in statute is outdated and lacks "teeth" for situations other than administrative processing. If a soldier or airman commits an act that is not enforceable by state law, but would be enforceable by a military code or regulations that allow non-judicial punishment, AKNG has no authority other than to "attempt to put the person out of service." She advised that a code is needed for justice; furthermore, a code raises the expectation of a functioning command climate. There is now a judge advocate general officer whose principal purpose is to assist the House Judiciary Standing Committee and other legislators put in place a functioning code of military justice. This is a complicated process - to avoid double jeopardy, for instance - and by working in partnership, she expects an exemplary result in time.

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REPRESENTATIVE HUGHES asked for a description of double jeopardy.

COMMISSIONER DESIGNEE HUMMEL explained the code would ensure that a certain violation is either in the authority of the military, or in the authority of the civilian court system, but not both.

CHAIR HERRON requested that the commissioner designee work with legislators on upcoming legislation in this regard.

COMMISSIONER DESIGNEE HUMMEL agreed, and said she could not predict when the upcoming legislation would be filed.

REPRESENTATIVE LEDOUX asked whether an appropriate military code of justice would have made any difference regarding the treatment of the recent AKNG sexual scandals.

COMMISSIONER DESIGNEE HUMMEL advised there were many issues in the recent occurrence. She opined that with a working code of military justice, regulations for non-judicial punishment, a command climate based on doctrine, and a less permissive culture, there would have been a different set of results. As an aside, she responded to an earlier question from Representative Lynn that DHS&EM advises there are no credible threats to security at this time.

REPRESENTATIVE LEDOUX questioned whether simply having a military code of justice, without the appropriate command structure, would have had an effect in the past.

COMMISSIONER DESIGNEE HUMMEL advised that the code, non-judicial punishment measures, and a chain of command that is willing to enforce the code and use the non-judicial punishment measures, are all needed.

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REPRESENTATIVE LEDOUX surmised that - whether or not there is a military code of justice - after an accusation of sexual assault by a member of AKNG, the case would go to civil authorities.

COMMISSIONER DESIGNEE HUMMEL said yes, and added that if the victim is a member of AKNG, the guard should "close ranks around that victim and go through all the steps of assisting that victim."

REPRESENTATIVE LEDOUX asked exactly what offenses would be adjudicated with non-judicial punishment if a military code of justice were in place.

COMMISSIONER DESIGNEE HUMMEL gave an example of a soldier or airman publishing derogatory, sexist, or racist comments on a Facebook page; this would be conduct unbecoming a military member's position, but would be an exercise in free speech in the "civilian world."

REPRESENTATIVE LEDOUX asked whether another example is an extramarital affair, which would be adjudicated under the military, as opposed to civil law.

COMMISSIONER DESIGNEE HUMMEL said correct.

REPRESENTATIVE TUCK expressed his great satisfaction with the commissioner designee's credentials, and asked for more information on her postings in Afghanistan.

COMMISSIONER DESIGNEE HUMMEL stated that in 2010 she was posted in Afghanistan as an academic advisor to the National Military Academy of Afghanistan, and in 2011-12 she was the project officer tasked with bringing women into the academy. In 2012, the new class of cadets included women. In further response to Representative Tuck, she agreed that the strength of the first women cadets at West Point was physical and mental.

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REPRESENTATIVE TUCK favorably compared a list of the commissioner/adjutant general's duties with the commissioner designee's resume.

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CHAIR HERRON asked whether female cadets have been vindicated.

COMMISSIONER DESIGNEE HUMMEL said no, and observed that organizational change is extraordinarily hard; occasionally an apology is offered. On another subject, in further response to Chair Herron, she said Adak's time of key geographic location has passed and at this time, technology has surpassed previous iterations. Adak's importance remains as a shipment point for maritime endeavors, but not for aspects of military strategies.

CHAIR HERRON asked for a brief explanation of commissioner designee Hummel's unpublished paper entitled "Illitquisat: Indigenizing Alaskan Public Education."

COMMISSIONER DESIGNEE HUMMEL explained that as a doctoral student, she was inspired by a scientist who collected anecdotal data on indigenous peoples which was not valued or included in research by Western scientists. The paper included a series of lesson plans and curricula based on Native learning styles more meaningful to students. In further response to Chair Herron, she said her most personally significant award is the North American Treaty Organization (NATO) medal. She described her work with NATO forces in Afghanistan.

CHAIR HERRON asked her to describe the trials and tribulations of American soldiers in Afghanistan.

COMMISSIONER DESIGNEE HUMMEL said there are many levels of trials and tribulations: the tactical level of discomfort and fear in a battle with no certain front, and the level of social, cultural, and political doubt. She praised the selflessness of those who suppress their questions and continue to serve.

CHAIR HERRON asked the time required for her paperwork to be federalized by National Guard Bureau.

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ALEX ELMORE, Major, Alaska Army National Guard, Executive Officer, Office of the Commissioner, DMVA, informed the committee the timeline is unclear; however, Commissioner Designee Hummel is a retired U.S. Army Colonel and holds the rank of Brigadier General in Alaska.

COMMISSIONER DESIGNEE HUMMEL offered that two other adjutants general are active duty retirees who have been called to serve in the National Guard.

REPRESENTATIVE HUGHES agreed that a review of the uniform military code will impact the culture and effectiveness of AKNG. Society is much different than when the code was first written, and she asked Commissioner Designee Hummel if there are aspects of the code that are outdated and unreasonable, and that should not be enforced, for instance, charging for an extramarital affair.

COMMISSIONER DESIGNEE HUMMEL stated she would need to review the Uniform Code of Military Justice (UCMJ) before giving an informed answer; however, in most commands, one consideration taken is how an action reflects on the command and its mission. She provided an example of fraternization between ranks. She concluded that non-judicial punishment is based on the impact of the action to the unit, morale, national defense, and the integrity of the force.

REPRESENTATIVE HUGHES expressed her support for the higher standard set by the military over 100 to 200 years, even though now society is "a different world." She restated her question as to whether a charge for an extramarital affair should be in the code.

COMMISSIONER DESIGNEE HUMMEL said the UCMJ is a sound document; she would have to review the code in its entirety in order to determine whether aspects of the code are no longer pertinent,

although that is not within the purview of the commander to do so.

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REPRESENTATIVE LYNN clarified that the UCMJ applies to active duty military, and he questioned whether the question applied to the UCMJ, which is a federal document, or to the code that may be adopted for AKNG.

REPRESENTATIVE HUGHES said her question was directed to the document adopted for Alaska.

REPRESENTATIVE LEDOUX asked for the definition of necrogeography.

COMMISSIONER DESIGNEE HUMMEL said necrogeography is the geography of death and dying. She described her interest in cemeteries as part of a cultural landscape, and a research project in which she adopted a semester-long curriculum for high schools students who studied a cemetery.

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REPRESENTATIVE LEDOUX read the committee report:

The House Special Committee on Military and Veterans' Affairs has reviewed the qualifications of the following governor's appointee and recommends that this name be forwarded to a joint session for consideration: Commissioner, Department of Military & Veterans Affairs/Adjutant General of the Alaska National Guard, Laurel Hummel. This does not reflect intent by any of the members to vote for or against this individual during any further sessions for purposes of confirmation.

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[There being no objection, the confirmation was advanced.]

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ADJOURNMENT

There being no further business before the committee, the House Special Committee on Military and Veterans' Affairs meeting was adjourned at 2:53 p.m.