

HJR

16

<target><bill>HJR 16</bill><subject>HJR
16</subject><comm>HMLV26</comm></target>

Alaska State Legislature

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**Session:**

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Representative Carl Gatto
Chair, House Military and Veterans Affairs Committee
District 13 - Palmer

Sponsor Statement HJR 16

On a regular basis we deploy hundreds if not thousands of our young men and women to overseas bases. Opportunities that would normally come to them such as starting and building a new business, are necessarily put on hold. Additionally, if wounded and thus disabled in service to their country, they face additional business start up challenges. In recognition of this sacrifice, the Congress of the United States and our Presidents have passed legislation to offer no less than 3% of federal procurements – not to veterans per se, but to disabled veterans who are trying to start and build a business.

The Members and staff of our Alaska Congressional Delegation are working with the Alaska Veterans Business Alliance (an Alaskan nonprofit corporation headquartered in Anchorage) that represents a growing number of Veteran Owned Small Businesses (VOSB), many of whom are also Service Disabled Veteran Owned Small Businesses (SDVOSB). They work tirelessly to ensure all federal agencies in Alaska meet the (no less than the 3%) federal requirement. Although there has been some movement, a number have not complied with this mandate.

HJR 16 will join other states in sending this notice to federal agencies urging them to fully implement the 3% federal procurement requirement. It is our duty to stand together with our Congressional Delegation and ensure these men and women who have sacrificed for us, receive the opportunities that federal law and executive orders promise.

This hearing will bring an awareness of the problem and ensure that every federal agency in Alaska meets or exceeds the 3% federal goal.

The timing of this resolution is important. The federal Administration with your support and early passage of this legislation will ensure full implementation of these federal laws and directives.

NORTH STAR PRODUCTIONS

March 5, 2009

Representative Carl Gatto
Alaska State Legislature
Juneau, Alaska

Representative Gatto:

North Star Productions, Inc. is an Alaskan corporation involved in the development and production of stage events and film products. We have been in operation for well over a decade and annually are engaged by the Alaska Veterans Foundation, Inc. to help produce the Veterans Day Concert. This event is now in its seventh year and we will again assist in the production of Nashville North, A Salute to America's Heroes this coming November.

One of our three producers/owners is a disabled veteran and we could qualify for work with various federal agencies, right here in Alaska, if a number of them would agree to meet their 3% goal here in our home state. Unfortunately many have refused or offered various excuses for why they can't.

It is our opinion that the passage of House Joint Resolution 16 will help our cause and that of dozens of veteran owned businesses stay in business in Alaska and begin to grow with the participation of a number of federal agencies who could give us that hand up.

We want to thank you for sponsoring this resolution and hope that it is passed this year so that the congressional oversight hearings we and our Congressional Delegation are supporting to call out those federal agencies who have refused to meet their mandates in Alaska can be exposed.

Please provide a copy of our letter to any other legislators who may have questions about the impact of this resolution.

As the Alaska Veteran Business Alliance has said, this is not only good for Alaska's veterans, it is good for Alaska's economy too.

Would love to see you at our next event,

Ron Holmstrom
Producer

AQUEOUS

INTERNATIONAL

March 2, 2009

Representative Carl Gatto
Alaska State Legislature
Rep_Carl_Gatto@legis.state.ak.us

Representative Gatto:

AQUEOUS International, an Alaskan corporation, is an international water company involved in bulk water conveyance in the Mediterranean and in the development and application of new desalination technologies for both on and offshore activities globally. It is also a company whose majority ownership is held by an American Service Disabled Veteran.

On behalf of our Chairman and partners we want to thank you for stepping forward and offering HJR16 and wish to offer to be of any assistance in its movement through the legislative process this year. We believe it essential that this resolution pass this session to give support and take advantage of the eighteen month efforts of our Congressional Delegation and efforts in Washington, D.C. to move a number of federal agencies into compliance with their 3% mandates, in Alaska.

The passage of this resolution is not only in the best interest of service disabled veteran owned businesses in Alaska but also in the economic best interests of Alaska. Veteran owned businesses are generally more successful, hire more veterans, and have a longer life then all other categories of new business ventures. AQUEOUS International has now been in business over ten years.

AQUEOUS International has very specific interests in military and federal procurements given the necessity of freshwater at a time of global shrinkage of its supply. Our efforts to secure federal contracts will be greatly improved with the passage of this resolution and the potential for aggressive oversight hearings in Congress.

Thanks again for your support,

Ed Hahn, Chief Executive Officer

3705 Arctic Blvd #415, Anchorage, Alaska 99503
Office (907) 222-6927 Fax (907) 222-6933 Global Cel (907) 229-5328

ALASKA VETERANS BUSINESS ALLIANCE



Rep. Carl Gotto
Chairman, House Veterans Affairs Cmte
Mr. Chairman,

On behalf of the Alaska Veterans Business Alliance and its members, we are in full support of HJR 16. It is critical that we secure oversight hearings in the State of Alaska as to why Public Law (P.L.) 106-50 the Veterans Entrepreneurship Act, passed in 1999 creating a 3% federal procurement goal for Service-Disabled Veteran-Owned Businesses (SDVOB), is not being fully implemented in Alaska. As you know, this 3% goal also applies to all prime contractors of the federal government and the 3% goal further applies to subcontracting opportunities within the federal government.

We are going on the 10th anniversary that this federal law, and yet the federal agencies in Alaska is nowhere close of meeting their mandate. What we always hear when we approach a federal contracting officer is that the 3% "goal" is being met nationwide. Sir I can provide you documentation through the SBA pooling report of the percentages of each federal entity nationwide where a majority of the agencies are not meeting the goal. To add on to this in 2003, Congress passed P.L. 108-183 the Veterans Benefit Act of 2003. This federal act enables SDVOB's to receive sole source and restricted competition contracts for goods and services used by the U.S. Government. In October 2004 President Bush signed an Executive Order (E.O. 13360) mandating all federal agencies to increase opportunities for SDVOB's. And still, Alaska is left out.

Why should our state legislators care about this? We are talking about tens of millions of dollars in federal spending that should be directed to Alaskan Veteran Owned businesses that are not. Full compliance with these federal laws in Alaska would be very simulative to our state's economy. We are only asking that these laws be fully implemented in Alaska. Nothing more. Just follow the laws you (federal agencies) are directed by Congress and our President to implement.

We have gone to each of our federally elected officials from Alaska and they continue to work this issue as an important priority. And still a number of federal agencies refuse, obfuscate, or side step their mandates. Sen. Begich, even as a freshman Senator and member of the Senate Veterans Affairs Committee, has quickly come on board on this issue. Sen. Begich has told us directly that this of serious concern to him as it takes away from Alaska's economic development opportunities in addition to ignoring our nation's commitments in federal law to help our veterans.

Sir, there is another federal law (P.L. 109-461) that passed in June 2007 which only applies to the Veterans Affairs (VA) and is called "Veterans First". On May 13, 2008 we had a meeting at the Anchorage

VA offices. Present from the VA was the VA's Contracting Officer (CO) and the Director's Public Affairs Officer. Under the "Veterans First" law it states that all contracts being bid by the VA will bid to a SDVOB and if there was no SDVOB to do the work then the bid will go to a Veteran Owned Business (VOB). If then the VA still can't find a VOB then the bid will go into an open competitive bid.

During the meeting in May 2007 we inquired why the VA was not following P.L. 109-461 or "Veterans First". We were told by the CO and she was adamant, that she was not going to bid the VA projects to a SDVOB or VOB because the SDVOB or VOB can jack up the bid that it is only fair to the VA to have the bids for open and full competition. This is blatant disregard of the law (P.L. 109-461) and a slander of both the SDVOB and VOB community in the State of Alaska. So, where we stand is that Congress can pass any law they want, but the bureaucrats in Alaska who decide they don't want to follow the law, just don't. This not only harms veteran owned businesses it harms all Alaskans as this business often goes out of state. There is a reason Congress passes laws, and we need your and our state legislatures help in getting this total disregard for fully promulgated public policy by federal agencies in Alaska.

Rep. Gotto, I hope I shared with you the issues and some of the insights that we have with regards to federal contracting for Alaska's SDVOB community. I urge each and every legislator to sign on as a cosponsor and press for immediate passage of HJR 16 before the end of this legislative session.

On closing we always hear more needs to be done for our Veterans. Sir this is one issue that needs to be done for all SDVOB and VOB in our community as it applies to these federal laws. We need passage of this House Joint Resolution and Congressional oversight hearings to ensure the economic opportunities Congress has promised for Alaska's Veterans.

Thank you,

Tim Wheeler
President
Alaska Veterans Business Alliance
907-229-9979
www.akvba.org
tim@bullseyedatacomm.com



PO Box 241351
Anchorage, Alaska 99525

3-10-09

Representative Carl Gotto
Chairman, House Veterans Affairs Committee

Ref: Letter of support for HJR 16

Mr. Chairman,

Bullseye DataComm is an Anchorage, Alaska based Service-Disabled Veteran Owned telecommunications company. We specialize in voice and data system design and installation, telecommunications consulting, project management, troubleshooting and maintenance for voice and data networks.

I am aware of Public Law 106-50 the Veterans Entrepreneurship Act of 1999. I am also aware of an Executive Order 13360 signed by President Bush in October 2004. We are going on 10 years and you would think that the Federal Government would be helping service-disabled veteran owned businesses to get into the federal contracting arena. This is further from the truth here in Alaska. We hear the 3% goal is being met nationwide.

I am in support of HJR 16 because we do need federal oversight hearings here in Alaska. We need to find out why the federal contracting officers fail to set-aside contracts to service-disabled veteran owned business as the Federal Government intended with the passing of P.L. 106-50.

I see added opportunities with the passing of this resolution. When we get the 3% goal met here it will bring more economic development opportunities within the Alaskan Veteran Business community and it will keep the money in the state of Alaska.

Sincerely,

Keith Dunn
Vice President
keith@bullseyedatacomm.com
www.bullseyedatacomm.com



P.O. Box 2181 Palmer, Alaska 99645 · bschuyler.ase@gmail.com
(907) 746-5442 · Fax (907) 746-5420

Rep. Carl Gatto
Chairman, House Veterans Affairs Committee

Mr. Chairman,

Arctic Sky Excavating, LLC is in full support of HJR 16. It is critical that we secure oversight hearings in the State of Alaska as to why Public Law (P.L.) 106-50 "the Veterans Entrepreneurship Act", passed in 1999 creating a 3% federal procurement goal for Service-Disabled Veteran-Owned Businesses (SDVOB), is not being fully implemented in Alaska.

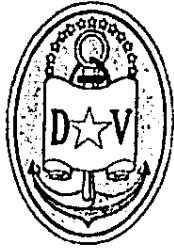
My company is a SDVOB and we are in the Excavating business. The opportunities that we have been presented with have been one project with the USDA Forest Service, one with the Department of Veterans Affairs and one with the Corps of Engineers. That has been over a three year period. One Contracting Officer for the USDA Forest Service stated that she **will not** do set asides for SDVOB since she tried that when the program first came out and did not receive any responses to her solicitation. She has stated to me that she will only do set asides for Hub zone businesses. No opportunities have been available from the Army, Air Force or National Guard that I am aware of. The Corps of Engineers are trying to meet their goals. However, they have set aside one project for 2009 and that project was for 12 million dollars. All of the SDVOB businesses that I know of are in their infancy and cannot get bonding for a project of that magnitude. They then have to Joint Venture with larger companies in order to get the bonding required for a project of this size.

The law that Congress passed and the Executive orders from the President are not being enforced. This needs to be corrected.

Rep. Gatto, whatever you can do concerning these issues with regards to federal contracting for Alaska's SDVOB community will be appreciated. I hope you will be able to urge other legislators to sign on to this resolution and press for immediate passage of HJR 16 before the end of this legislative session.

Sincerely,

Bernie Schuyler
President
Arctic Sky Excavating, LLC



DV Contracting Services, Inc.
6120 A Street, Suite B 7775 S. Elizabeth Ct.
Anchorage, AK 99518 Centennial, CO 80122

A Service-Related Disabled-Veteran Small Business

March 10, 2009


Representative Carl Gotto
Chairman, House Military & Veterans' Affairs Special Committee
600 E. Railroad Ave.
Wasilla, AK 99654

Re: House Joint Resolution 16

Dear Rep. Gotto:

The purpose of this letter is to confirm that DV Contracting Services, Inc. ("DVCS") fully supports House Joint Resolution 16. DVCS is a Service Disabled-Veteran Owned-Small Business that is registered with both CCR and ORCA and is a licensed general contractor that is headquartered in Alaska. DVCS is fully qualified and available to perform heavy civil, structural, and marine construction in Alaska. My father, Bob West, who is the majority owner of DVCS, is a service related disabled veteran, having lost his leg to a land mine in the Korean War. HJR 16 is important because it is our understanding that the 3% goal for SDVOB's is not being met in Alaska, and it has been our direct experience that very few agencies are setting aside construction projects for SDVOB participation in Alaska. We request that you do whatever is necessary to change that situation as soon as possible.

Sincerely,
DV Contracting Services, Inc.


Brad West, President

6120 A Street, Suite B, Anchorage, AK 99518
7775 S. Elizabeth Ct., Centennial, CO 80122

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Phone (303) 999-0217

Fax (907) 563-2524
Fax (303) 999-0227

Sandra Wilson

From: toodmclid@aol.com
Sent: Monday, March 16, 2009 7:39 PM
To: Sandra Wilson
Cc: yupik@alaska.net
Subject: HJR 16

Sandra,

HJR 16 is critical to the Alaska SDVOB community as it pertains to the Federal Contracting arena. I appreciate all the hard work being conducted by Rep Gott, you and his immediate staff in supporting this important initiative. Keep pressin!

Thanks again

Ron Cowl
President/CEO
C2iT Services, LLC

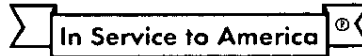
Job Hunting? [Start with the companies that posted job openings this week.](#)

Sandra Wilson

From: O.P.M. Limited [ofpm@earthlink.net]
Sent: Tuesday, March 17, 2009 9:51 AM
To: Sandra Wilson
Subject: SUPPORT

Hello, Mrs. Wilson. As a retired veteran, there is concern and a desire for the passing of the HJR 16 bill. As a SDVOSB very disappointing that a new bill is needed to enforce legislation already passed. It demonstrates that those who make up the minority, in the business arena, are quickly forgotten. Therefore, we urge the passage of this bill so that gratitude can be shown to those who sacrificed for this country.

O.P.M. LIMITED
3300 C St. Suite 118
Anchorage, AK 99503
ph - 1-907-360-0102
fax - 1-907-868-1512



ALASKA STATE COUNCIL

February 16, 2010
TESTIMONY before US Senate Veterans Affairs Committee
Anchorage, Field Hearing

Mr. Chairman:

"It's just too much work."

"First I have to find those guys, then I have to qualify them, and then I have to notify them of these opportunities." "I just don't have the time."

Or how about: "We've been directed not to follow P.L. 109-461."

That is the attitude in almost every federal agency approached by the Alaska Veterans Business Alliance over the past two plus years, even with Congressional staff in attendance. There are exceptions, and let me make those clear to you: The Army Corps of Engineers has made the effort and has met with success. Hoorah!

- The US Forest Service? NO
- How about the National Park Service? NO
- The Veterans Administration? NO
- The US Air Force? NO
- The US Army? NO
- And so it goes.

Representatives of the Alaska Veterans Business Alliance accompanied by a staff member of our Congressman, in a meeting with the Alaska Contracting office of Veterans Affairs, then located in Anchorage, were told that they were directed not to follow P.L. 109-461 which contracts out of the VA set-aside for SDVOB. Now the Veterans Affairs Contracting Office has moved out of Anchorage and all contracting is done in Seattle. Not easy for Alaskan SDVOB to meet with.

We even have a state legislative joint resolution (HJR16) that passed the House without objection and is now under consideration in the Senate calling for Congress to hold joint committee oversight hearings in Alaska to ask the heads of each of these federal agencies why? Why do federal agencies in Alaska refuse to comply with the law, with the Executive Order, or even with their own regulations and agency specific strategic plans requiring conformance?

The original law P.L. 106-50 passed in August 1999 allowed an easier opportunity for a Service-Disabled Veteran-Owned Company to go into business for themselves by bidding on Federal Contracts. Three percent (3%) of all Federally Budgeted dollars are to be set-aside for SDVOB's. In October 2004 President Bush signed an Executive Order E.O. 13360 mandating that Federal

Contracting Officers achieve the 3% "goal". To date this "goal" is no where near being met as the law intended for it to be – certainly not in Alaska.

According to the Small Business Administration, of the 2008 goals and achievements out of a total of 24 Federal Agencies only 4 agencies were meeting or exceeding their "goals". Meeting their goals were DOL at 4.34% for a SDVOB, VA had their goal up to 11.76% for a SDVOB, EPA had their goal up to 3.66% for a SDVOB, and GSA had their goal up to 3.93% for a SDVOB. The embarrassment and slap in the face to all Veterans comes from their own of DOD. DOD had their goal at 1.00% which as adjusted and was 1.04% for a SDVOB. These numbers reflect nation wide numbers – certainly not our Alaskan experience.

Out of these 24 Federal Agencies there were a total of 92 Funding Departments that achieved a 1.4862% with a total of \$6,450,206,999.20. These numbers are prime contracts, again according to the Small Business Administration's 2008 goals and achievements report.

When it came to subcontracting opportunities for the SDVOBs, based on the SBA 2008 report, forty-four (44) reporting agencies (or funding departments) achieved only 0.9% of the 3% goal with a total of \$2,250,720,437.00.

It is time for both the House and Senate Small Business Committees to introduce legislation that:

- 1) Changes the language from 'may' to "shall" in P.L. 106-50
- 2) Provides enforcement to ensure that the 3% "goal" is being achieved by all Federal Agencies
- 3) And not just on a "nationwide" basis as the Contracting Officers are always saying, but specifically in Alaska.
- 4) If the agency can't meet their 3% goal then they should lose something – can we suggest putting achieving these goals in the standards for performance for all contract officers and other decision makers?

The Senate Veterans Affairs Committee also needs to introduce companion legislation that the House Veterans Affairs Committee introduced last December to fix the Veterans Affairs Acquisition process and changes the wording from "may" to "shall". HR 3719, HR 4220, and HR 4221.

Veterans of Modern Warfare (VMWUSA) along with the Vietnam Veterans of America (VVA) are two Veteran Service Organizations Nationally standing together to make sure the laws for SDVOB work as they were intended by Congress back in 1999.

If the Members of Congress want to get serious and get this done, they have to **make compliance a part of the performance evaluation of every procurement officer and other key decision-maker in the federal government.** We also recommend it be part of the performance evaluation of every senior federal administrator in every federal agency responsible for procurement.

It is an honor,

Ric Davidge

- *Chairman, National Committee on Economic Opportunities, Vietnam Veterans of America*
- *Alaska State Council President, Vietnam Veterans of America*
- *Member, Board of Directors, Alaska Veterans Business Alliance*

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