

**2-16-10
Presenta-
tion:
Aviation
Simulator
Program**

<target><bill></bill><subject>2-16-10 Presentation Aviation
Simulator Program</subject><comm>HMLV26</comm></target>

ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
MILITARY & VETERAN AFFAIRS COMMITTEE
REPRESENTATIVE CARL GATTO, CHAIR

Committee Members
Rep. John Harris
Rep. Bob Lynn
Rep. Kurt Olson
Rep. Jay Ramras
Rep. Bob Buch
Rep. Scott Kawasaki



State Capitol Building, Room 108
Juneau AK 99801-1182
907-465-3743
907-465-2381 Fax
Rep_Carl_Gatto@legis.state.ak.us

MEMORANDUM

TO: Suzi Lowell, Chief Clerk

FROM: Rep. Carl Gatto
Chair, Military and Veterans Affairs Committee

RE: Committee Meeting Schedule

DATE: February 11, 2010

Handwritten signature of Carl Gatto.

Tuesday, February 16th 1:00-3:00 Barnes 124

+ Presentation and Update by Medallion Foundation and E-Terra on the Visual Cue-based Training Program using the 3-screen flight simulator

Thursday, February 18th 1:00-3:00 Barnes 124

No meeting.

AVIATION SAFETY PROGRAM

From:
Rep. Carl Gatto



AVIATION SIMULATOR OPEN HOUSE IN JUNEAU

The Aviation Safety Program (ASP) is holding an open house in the State Capitol for interested parties who would like to experience a flight demonstration or actually fly an aviation simulator. The simulator has advanced control/cockpit features and wrap around screens with high resolution graphics that depict actual flying conditions and terrain features in Alaska.

State Capitol Building

House Speaker's Chambers, 2nd floor

Wednesday, February 17, 2010 from 8 am- 3 pm

ABOUT THE AVIATION SAFETY PROGRAM

The ASP (aka: the Alaska Aviation Safety Project) was established in 2001 to address the high rate of fatalities resulting from aviation crashes in Alaska. Under a grant from NASA the ASP demonstrated 3D real-to-world scenery for training purposes in aviation simulators which do not endanger aircrews.

The AK-DOT/PF (ASP) has been placed under contract by the FAA for five years to address and reduce fatal aviation accidents that could be prevented by enhanced cue-based training. Cue-based training realistically simulates regional or local flying conditions in a low cost and safe environment inclusive of regional or local weather phenomena and ground terrain characteristics. This substantially increases a pilot's skills with regard to situational awareness and in-cockpit decision making. It also substitutes expensive in-cockpit training with inexpensive simulator training and pilot evaluation which is anticipated to be voluntarily embraced by airmen and operators alike.

The Medallion Foundation maintains an advanced aviation simulator for General Aviation and Part 135 use at the Civil Air Patrol facility in Juneau and throughout locations around the state. To schedule use of a simulator, go to the Medallion Foundation's website and register. <http://www.medallionfoundation.org/>

###

The ASP is a component of the AK DOT/PF-Aviation Division, and established the DOT multi-agency Joint Project Office (JPO) which is comprised of AK/DOT, FAA, NIOSH, NASA and the Medallion Foundation.

AVIATION SAFETY PROGRAM



AVIATION SIMULATOR OPEN HOUSE IN JUNEAU

State Capitol Building

House Speaker's Chambers, 2nd floor

Wednesday, February 17, 2010

8 am- 3 pm

**Are you interested in experiencing a flight
demonstration?**

Come check out the Aviation Simulator!

No Appointment Needed!



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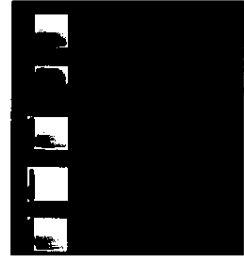
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7 day forecast

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NEWS

State



Home > News > State > New Palmer simulator aims to reduce aviation accidents

Wednesday, February 25, 2009
Story last updated at 2/25/2009 - 10:03 am

New Palmer simulator aims to reduce aviation accidents

Pilots can practice flying in various weather conditions in many different planes

By Rob Stapleton | Alaska Journal of Commerce



Courtesy of the Alaska Journal of Commerce
Just like the real thing: The flight simulator installed at the Palmer airport has three 27-inch LCD monitors, as well as sound and instruments. The graphical interfaces provides realistic 3D terrain from satellite maps.

Pilots wishing to practice flying from the Palmer airport now have a new three-screen flight simulator to use at no cost to local aviators.

The new Aviation Training Device has three 27-inch LCD monitors, sound and instruments, and can emulate dozens of different aircraft. It is located at the New Horizon Building on the south end of the Palmer Municipal Airport.

The Medallion Foundation held an open house at the facility on Feb. 9 to introduce pilots to the \$10,000 training device.

"We put one of these at Lake Hood and pilots there are using it to practice flying places like Merrill (Field) and Rainey Pass two or three times before they get in their planes and go there," said Dennis Ward, executive director of the Medallion Foundation. "We hope this will get the same kind of use for the mountains and passes around here."

E Terra LLC and the state Department of Transportation provided graphical interfaces that provide 3D-type terrain from satellite maps.

The terrain is so realistic that pilots use the simulator to practice flight-seeing tours before actually making the trips.

Ward said DOT is also working with the Medallion Foundation to improve flight safety for tour aircraft using the simulators.

Called the Q-Based Training Program, the idea is to have a flight director sit with pilots play a typical flight used by tour operators in Hawaii and Alaska and show them what the flight looks like on a perfectly sunny day, and then show them what it looks like with one-mile visibility, according to Ward.

"Tour pilots can break their flights into four-mile legs and see what the terrain looks like at their reporting points and then what it will look like when the weather goes down," Ward said. "This should help a pilot make a safe decision before things get out of their control."

The Medallion Foundation plans to showcase the software the first week of April by putting a simulator in Juneau at the Baranof Hotel to show legislators and state officials, Ward said.

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PUBLISHED ON 2/14/2010

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OUR STORY



THE AVIATION SAFETY
PROGRAM-ALASKA

OUR MISSION

WHY IS THIS IMPORTANT?

AK AVIATION STATISTICS

- ❑ A HUMAN LIFE HAS BEEN LOST EVERY TWO WEEKS OVER THE PAST TEN YEARS (236 Fatalities).
- ❑ NIOSH STATISTICS: Commercial pilots in Alaska are 4 times more likely to die in an aviation accident than pilots in the Lower48
- ❑ Alaska maintains approximately 10% of the nation's air carriers and commercial operators but accounts for 35% of aviation accidents.



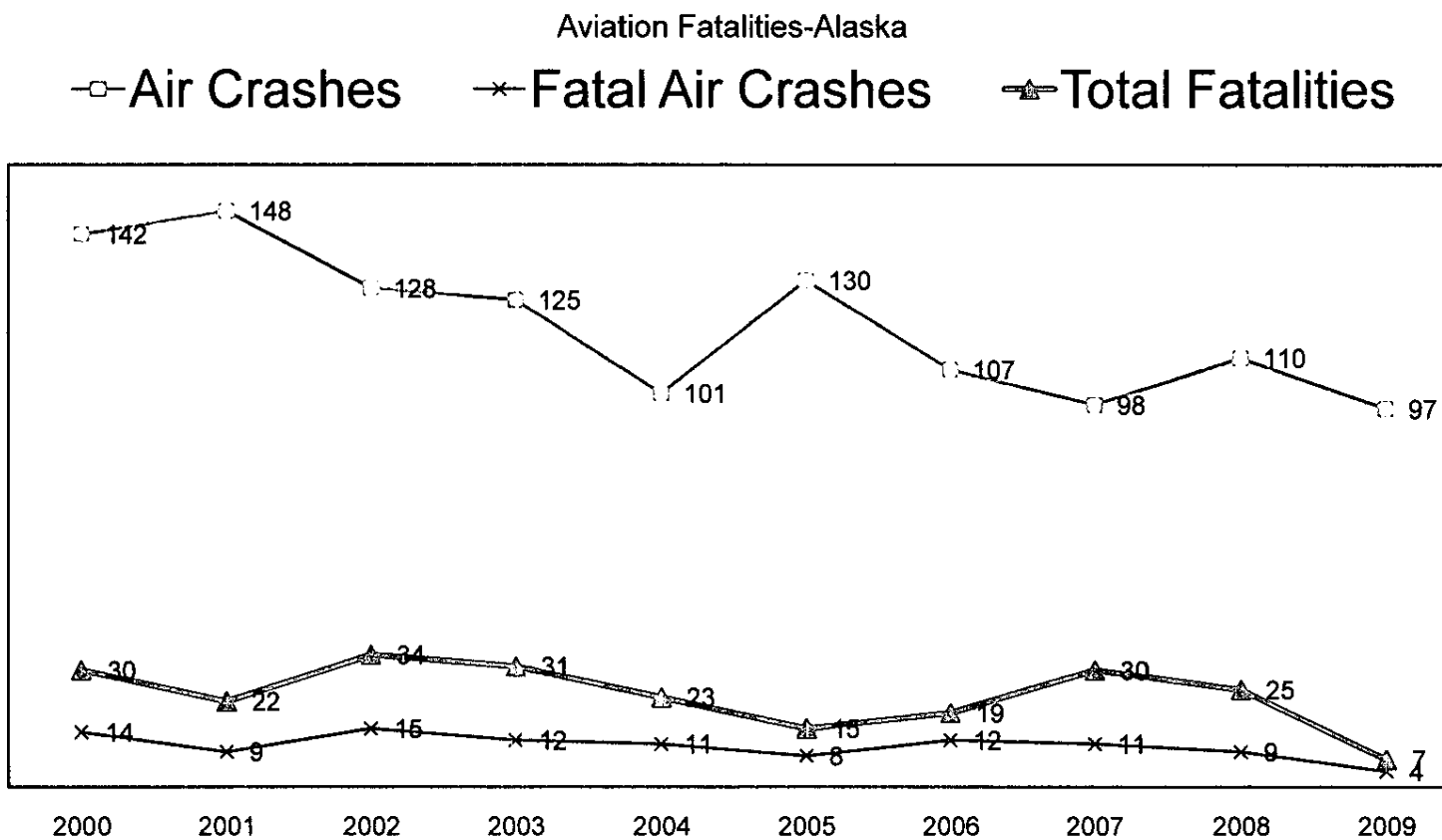
WHY IS THIS IMPORTANT?

CONTRIBUTING FACTORS

- Extreme terrain and weather;
- Inexperienced pilots unfamiliar with Alaska flying;
- Pilot turn-over, and
- The old culture of bush flying (always get through).
- STATISTICS ARE IMPROVING!**

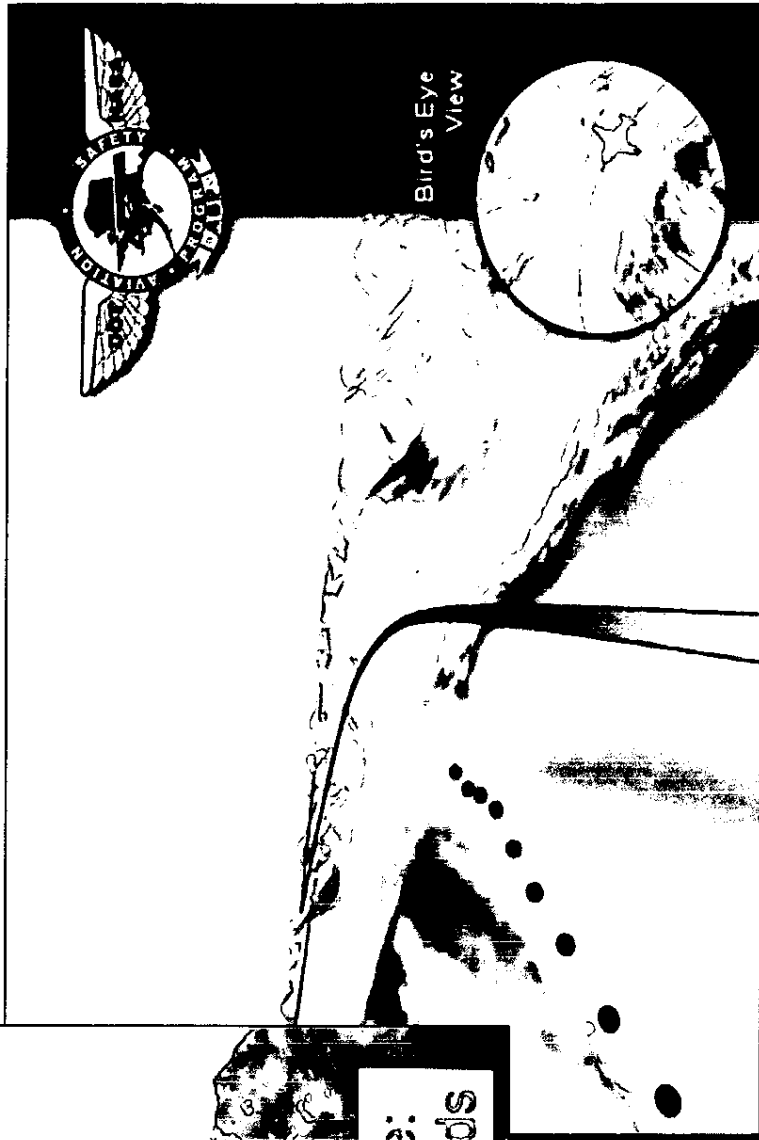
WHY IS THIS IMPORTANT?

AK AVIATION STATISTICS



WHAT IS BEING DONE?

ANIMATION PRODUCTS



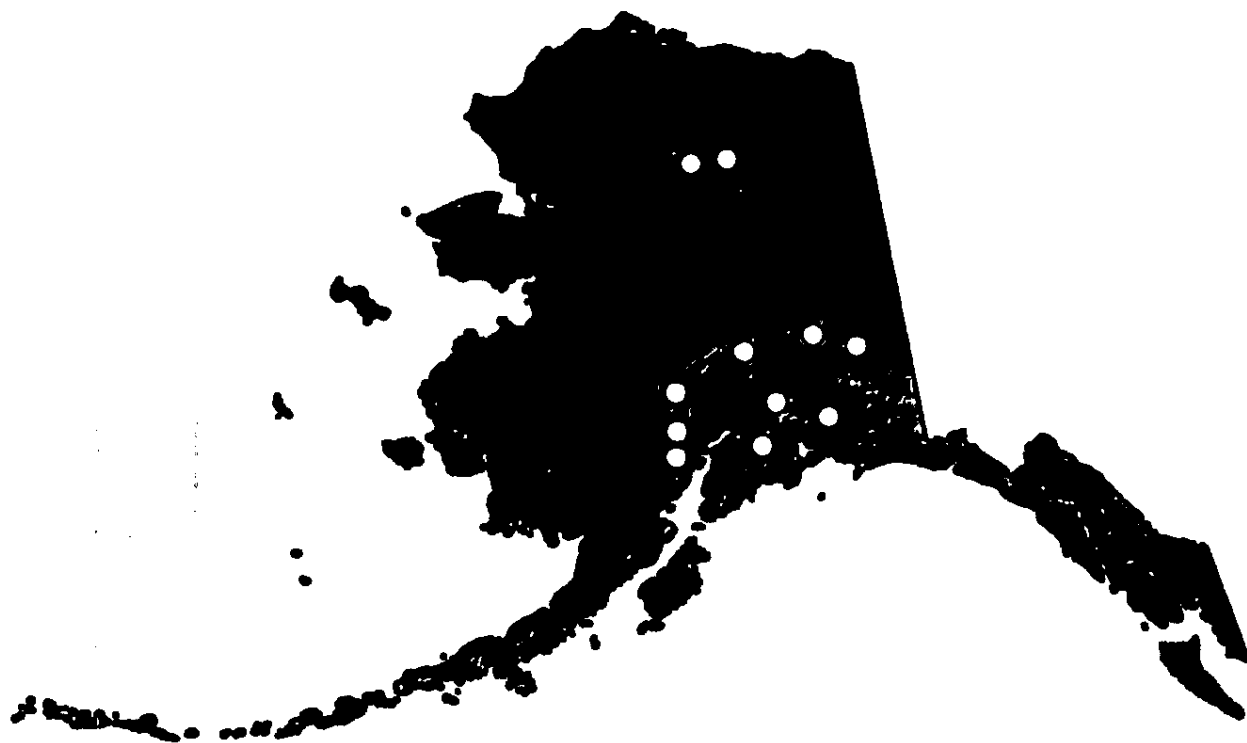
WHAT IS BEING DONE?

SIMULATOR PRODUCTS



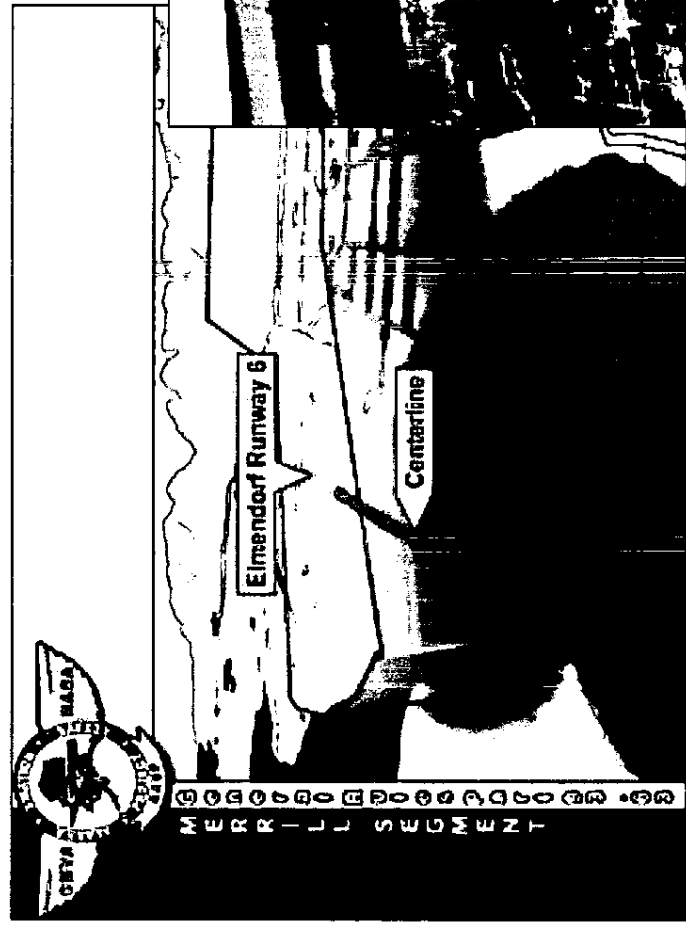
THE TWELVE MOST DANGEROUS MOUNTAIN PASSES IN ALASKA:

- MERRILL PASS
- LAKE CLARK PASS
- RAINY PASS
- WINDY PASS
- PORTAGE PASS
- ISABEL PASS
- ANAKTUVUK PASS
- MENTASTA PASS
- ATIGUN PASS
- BROAD PASS
- THOMPSON PASS
- CHICKALOON PASS



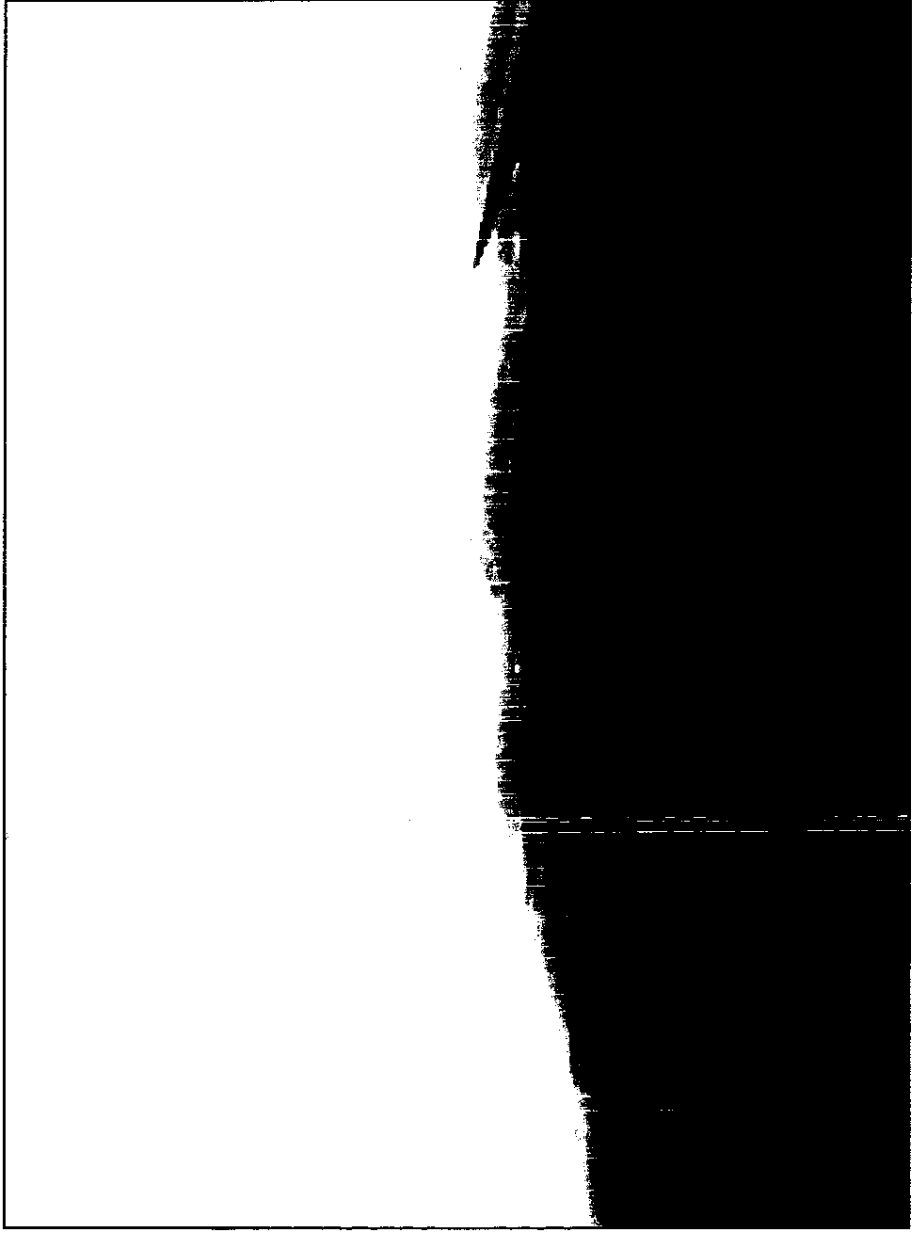
WHAT IS BEING DONE?

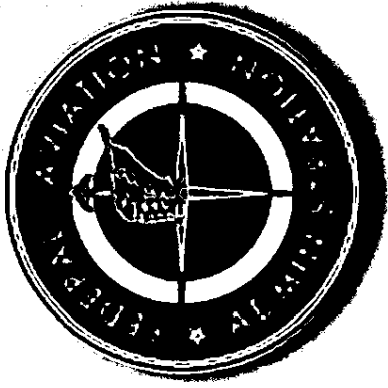
3D AIRSPACE PRODUCTS



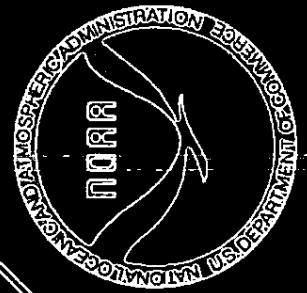
WHAT IS BEING DONE?

CUE BASE TRAINING PRODUCTS





JOINT PROJECT OFFICE

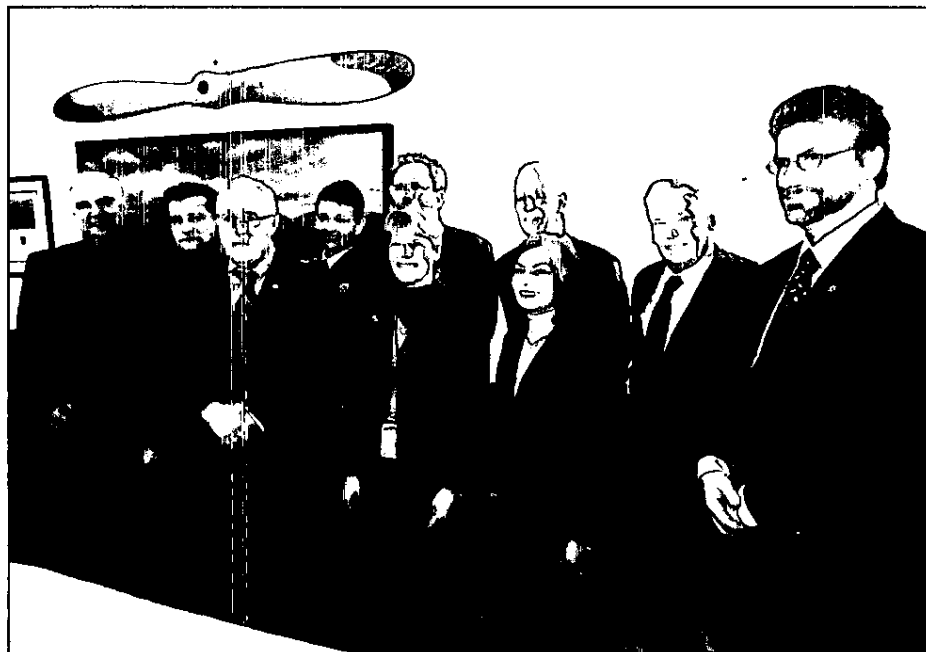


National Institute for
Occupational Safety and Health



- JOINT PROJECT OFFICE -

OCTOBER 2009



SIGNING CEREMONY

Alaska Aviation Heritage Museum

Lake Hood, Alaska

RESEARCH & DEVELOPMENT

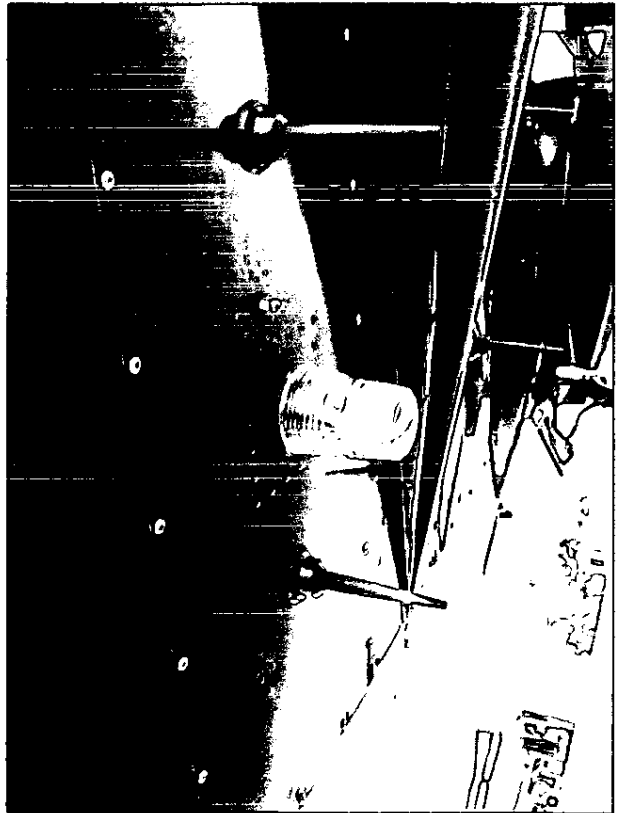
ADS-B / CELLULAR INTEGRATION

- ADS-B Enhancement (coverage to the ground);
- Data Connectivity Between the Ground & Cockpit;
- Redundant System in Case of Failure (GPS or Primary);
- Commercial Off The Shelf (COTS) Devices, not Permanently Mounted in the Aircraft

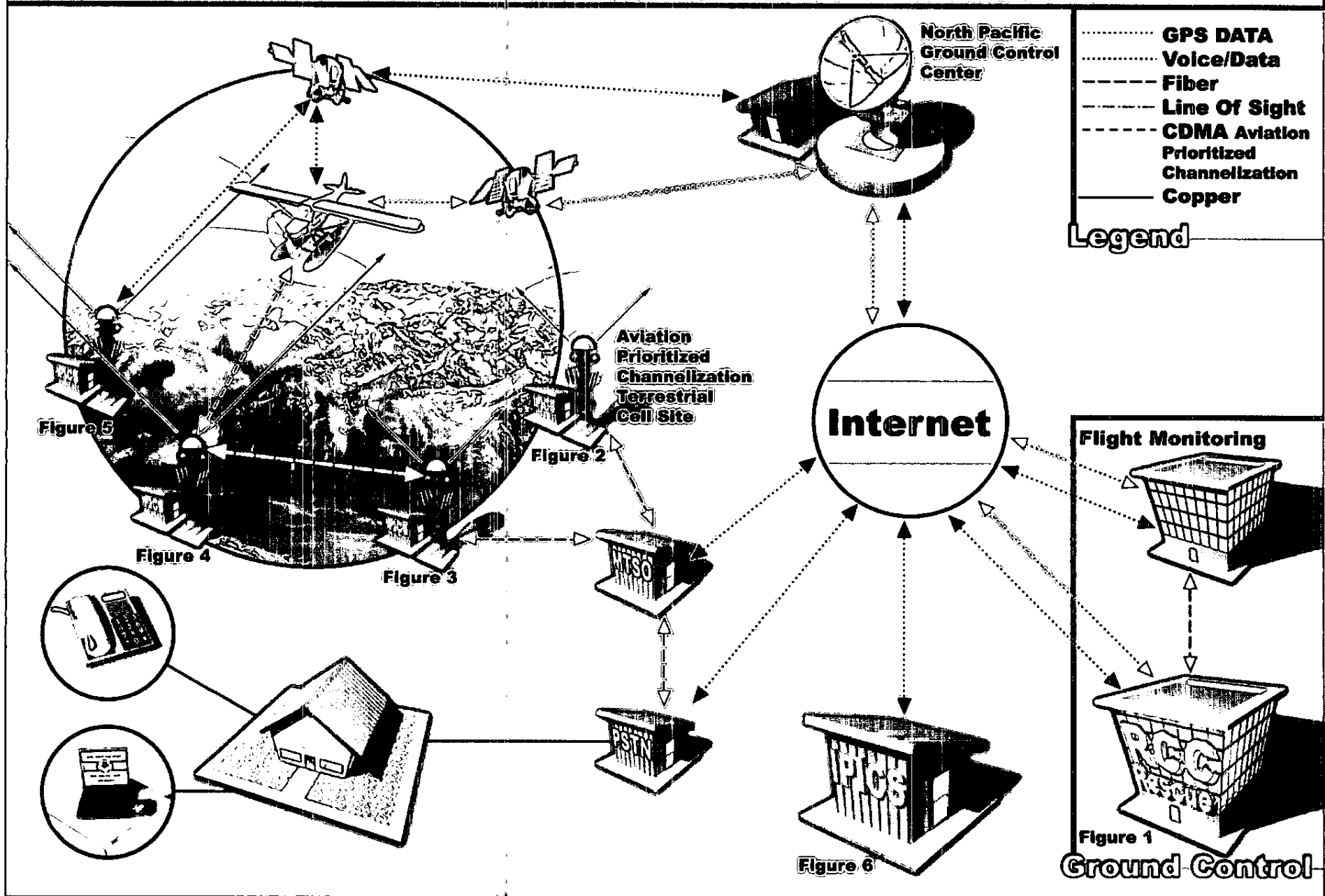


WIRELESS TESTING

ADS-B / CELLULAR INTEGRATION

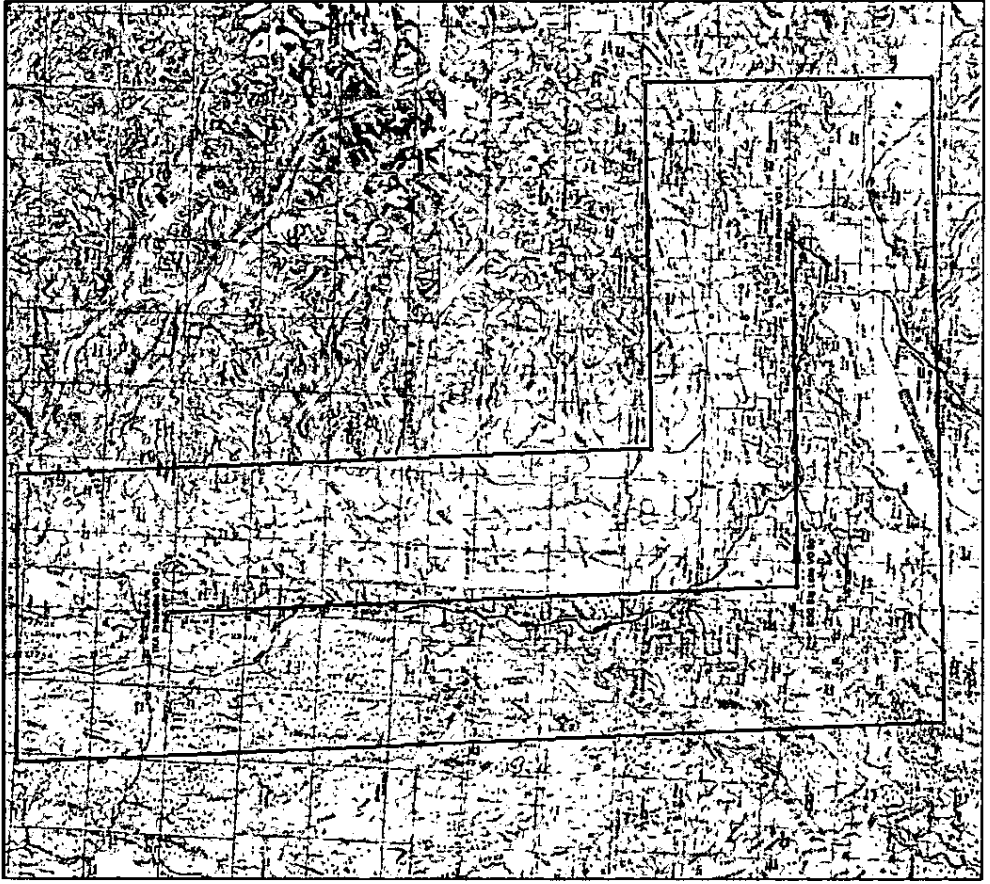


WIRELESS AVIATION NETWORK TOPOLOGY CHART



WIRELESS TESTING

FCC WAIVER



HOW HAS IT BEEN DONE?

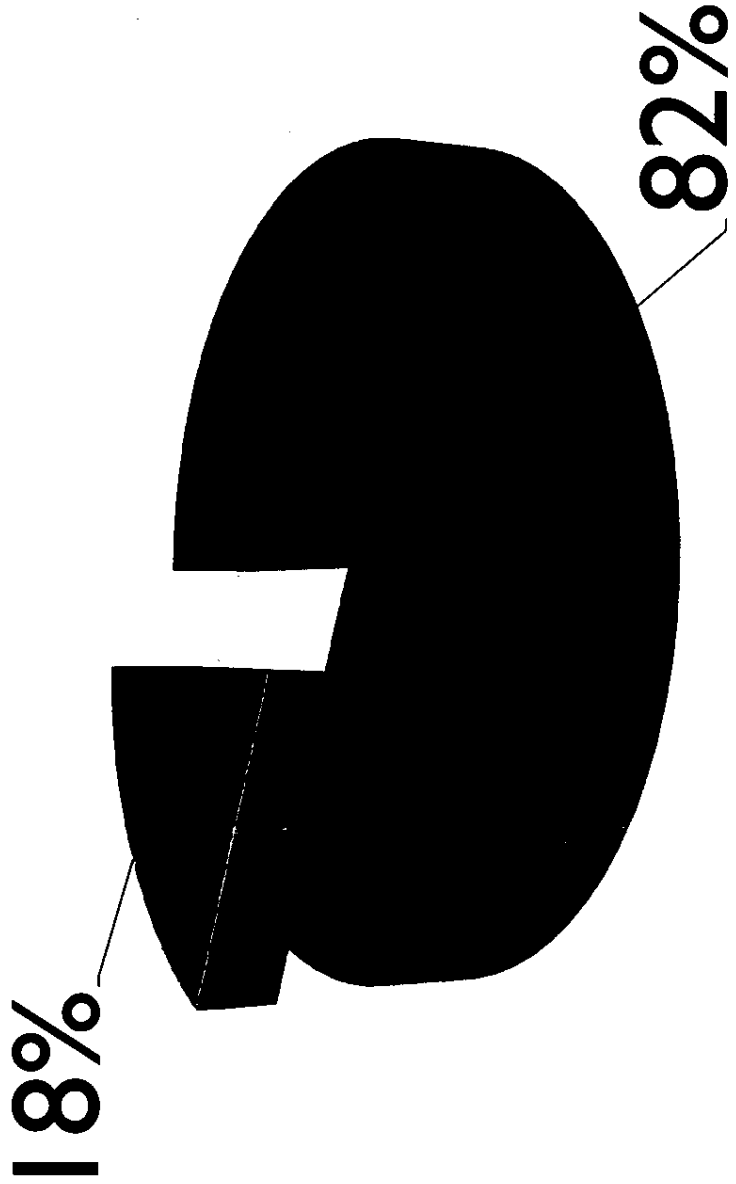
ASP - FUNDING HISTORY

DATE OBLIGATED	FEDERAL SOURCE	FEDERAL AMOUNT	STATE AMOUNT	GENERAL ACCOMPLISHMENT
2001	NASA	\$ 600,000	\$ 0.00	ORTHO IMAGERY / DEM ACQUISITION COMPLETION OF FIRST TWO MTN PASSES
2004	NASA	3,000,000	-	COMPLETION OF 13 MOUNTAIN PASSES
2006	NASA	2,980,000	-	COTS WIRELESS TRACKING & INTEGRATION OF CELLULAR CAPABILITIES WITH ADS-B (CAPSTONE)
2006	-		500,000	DATASET EXPANSION
2007	-		500,000	DATASET EXPANSION
2008	-		500,000	CUE-BASED TRAINING DEVELOPMENT
2009	NASA	1,500,000		CELLULAR/ADS-B INTEGRATION
2009	-		400,000	CUE-BASED TRAINING DEVELOPMENT
2009	CDC/NIOSH	50,000		CUE-BASED TRAINING DEVELOPMENT
2009	FAA	425,000		CUE-BASED TRAINING DEVELOPMENT
2009	MEDALLION	50,000		CUE-BASED TRAINING DEVELOPMENT
TOTAL		\$8,605,000	\$1,900,000	

HOW HAS IT BEEN DONE?

ASP FUNDING ANALYSIS

■ FEDERAL ■ STATE



WHAT IS THE IMPACT?

ECONOMIC IMPACT

- ❑ Human fatalities trending down (\$2M/life);
- ❑ Search & Rescue 5 Year Average 2001-2005:
 - ❑ SAR/Recovery Missions: 477
 - ❑ Average Cost/Hour: \$4,185
 - ❑ Average Annual Cost: \$4.11 M/Year
- ❑ Economic Impact of NASA Funding (UAA/ISER):
 - ❑ Direct & Indirect Employment 136 jobs \$4.8M
 - ❑ Spending & Re-spending \$12.1 M

Alaska Aviation Safety Project

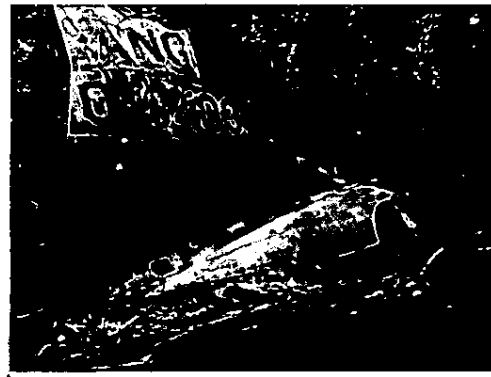


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For every 12 days that passed in 2007, an Alaskan life was lost due to an aircraft accident. Every three days, somewhere in Alaska, an aircraft crashes.

(NTSB Safety Statistic Database 2008)

General aviation flights are the primary transportation link between most communities in Alaska. With more small aircraft per capita than anywhere else in the world, pilot safety, aircraft communications and de-confliction are of utmost concern. The Alaska Aviation Safety Project (AASP) is an initiative to increase general aviation safety by enhancing pilot situational awareness



through the integration of advanced remote sensing and aviation technologies. Funded cooperatively by NASA and the State of Alaska (SOA), the AASP represents a partnership of aviation, public, and commercial stakeholders who collectively examine the safety challenges facing Alaska's general aviation community and work together to build low-cost, publically useful training and awareness tools.

Mission Statement

To increase pilot awareness and reduce aviation accidents in Alaska through the integration of existing technologies and improved education.

The Goal of the AASP

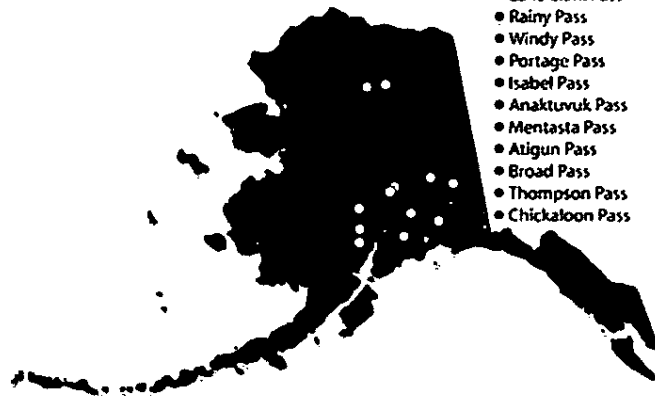
To decrease the frequency of airplane crashes through education and tools that bridge the gap between historical knowledge and technology supporting the general aviation community.

Safety Solutions

The principal distribution channels for AASP products are the

Medallion Foundation's training programs, the University of Alaska Aviation Technology Program, the Federal Aviation Administration, various public forums, and this portal. As a charter supporter, the Medallion Foundation leverages a variety of the AASP solutions to provide teaching content and technology for their Circle of Safety and Medallion Flyers programs. Offering a variety of mapping, simulation, and visualization

solutions, the AASP has helped pilots to prepare for Alaska's unique navigational and inclement weather conditions since 2001. While new products are released regularly, examples of AASP solutions include, but are not limited to the following:



- Microsoft Flight Simulator X (MSFS) datasets to support flight training scenarios throughout Alaska's most dangerous and frequently traversed passages.
- Visual Nature Studio interactive models of airspace and landmark objects for the Anchorage Bowl.
- 3D Renderings of mountain passes highlighting the unique navigation, de-confliction, and weather response challenges of each area.
- Remote Sensing products that provide the basis for real-to-world aviation related visualization capabilities.
- Map Portal that showcases AASP solutions and aviation safety functions in a spatial environment.
- Anchorage Airspace Navigation training video to acclimate aviation stakeholders from outside of Alaska to the complexities of approach to, and departure from, Anchorage Bowl airspace.

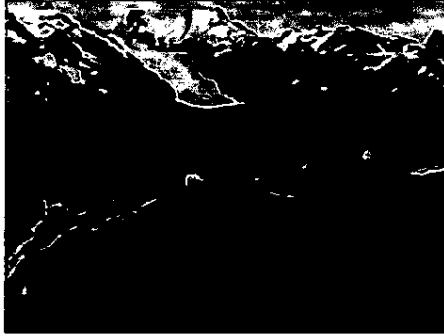
Research Overview

- **Phase I** - Proved that remote sensing terrain data can be used to visualize real to world flight experiences.
- **Phase II** - Expanded on this concept by using these visualization products as the basis for flight simulation in aviation training devices (ATD) and fixed perspective fly-through animations.

- **Phase III** - Built upon this training potential by exploring the value of free-flight interaction with 3D models and leveraging remote sensing data as context for communicating complex airspace interactions.
- **Phase IV (currently underway)** - Serves as a transition from building preparatory tools to exploring the potential for real-time support of general aviation flight safety. The proposed solutions build upon historical lessons by exploring decision support training scenarios and en-route safety resources that will tie preparatory experiences to real-time challenges.

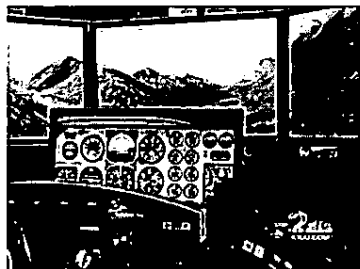
Cooperative Partners

Department of Defense	Intermap Technologies, Inc
Department of Transportation	Space Imaging, Inc
Federal Aviation Administration	Medallion Foundation
Federal Communications Commission	UNAVCO
National Aeronautics and Space Administration	NVision Solutions Inc
National Oceanic & Atmospheric Administration	E-Terra, LLC
United States Coast Guard	Alaska Airman's Association
Department of Public Safety, State of Alaska	Alaska Civil Air Patrol
Department of Military and Veterans Affairs, State of Alaska	Port Graham Development Corporation
Department of Administration, State of Alaska	Alaska Air Carriers Association
University of Alaska (Anchorage and Fairbanks)	Alaska Sportfishing Association
Anchorage Air Cargo Association	Alaska School Activities Association
NTSB	NIOSH/CDC/OSHA





New flight simulators teach air safety on the ground

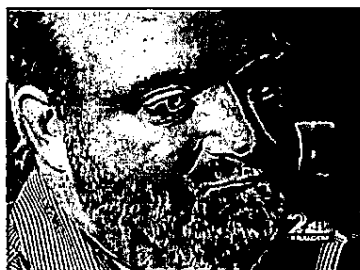


New flight simulators being deployed across the state will allow pilots to navigate Alaskan airspace on the ground. (Carolyn Hall/KTUU-DT)

by Jason Lamb
Friday, October 30, 2009

ANCHORAGE, Alaska -- State and national officials unveiled a new partnership to improve air safety Friday at the Alaska Aviation Heritage Museum. Behind the partnership: development of high-tech flight simulators with lifelike detail to train pilots.

Given Alaska's high rate of aviation accidents over the years, officials said Friday this new partnership between federal and state agencies, the Medallion Foundation and the National Institute for Occupational Safety and Health is just what pilots in Alaska need.



Programmer Sean Ruddy says he's seen experienced pilots recognize landmarks in the simulator. (Carolyn Hall/KTUU-DT)

Software programmer Sean Ruddy knows about flying.

"These are our highways," said Ruddy. "This is how you get around Alaska. There are so many parts of Alaska you can't get to without an airplane."

He also knows flying in Alaska poses challenges you won't find anywhere else -- challenges that can prove deadly.

"There's many wrong turns you can make in Alaska that you can end up dead," Ruddy said. "You go in the wrong box canyon and you won't be able to turn around in it, and there's aluminum up there to prove it."

That's why he's part of a development team that helped design this program, specifically the real-life Alaska terrain and scenery that most other flight simulators lack.

"You can fly through Rainy Pass, say, if you haven't done it in a while or you've never done it," Ruddy said.

The officials who announced the program want to put more of these detailed high-tech simulators in training programs across the state.

"The difficulty in flying Alaska is demonstrated in the high number of accidents we've had in the past," Ward said.

Not all parts of Alaska are now in the simulators; for instance, the Juneau area was only recently added. But officials hope to use funds from the new task force to further upgrade the simulators, adding more regions and features to let new pilots experience flight challenges common in Alaska.

"We've developed systems for placing clouds in certain areas," Ruddy said. "We've had experienced pilots looking at it and going, 'Oh yeah, that's the rock I use to see if I can get through over to Whittier.'"

More importantly, officials say, the new features and simulators funded by the partnership will hopefully give pilots more confidence to face the real thing -- to avoid the real consequences of when things go wrong thousands of feet in the air.

Contact Jason Lamb at jlamb@ktuu.com



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Karen Sawyer

From: sruddyterra@gmail.com on behalf of Sean Ruddy [sruddy@e-terra.com]
Sent: Wednesday, February 10, 2010 2:16 PM
To: Karen Sawyer
Subject: my eterra contact info

Sean Ruddy

work 907-562-1500

cell 907-399-1595

sruddy@e-terra.com



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 Thursday, February 4, 2010
 Phone: 732-927-4336

Getting Started

You want to become an FAA certified air carrier so that you may conduct on-demand air charter and air taxi operations for hire. As the owner of the certificate you must:

- be a US Citizen.

All required management personnel must be US Citizens.

Your First Decision: You should use the help of a consulting organization such as USAC Aviation.

- You will achieve certification better, faster, easier, and cheaper.
- The national average of six to eighteen months (from when the FAA begins processing your application) is reduced by 50%.
- The quality of your submission will be significantly higher.
- The cost of a consulting organization is quickly recovered via charter revenue.

Prerequisites: The prerequisites listed here are non-negotiable. There are four items required by the FAA before you get started:

- an aircraft,
- qualified flight crew,
- commercial aircraft insurance, and
- qualified management personnel (Full 135 Operator).

Minimum PIC Flight Experience Requirements Part 135.243(b) and (c) require that a PIC who does not hold an ATP certificate and who conducts operations that do not require an ATP certificate must have acquired a minimum number of flight hours before serving as a PIC.

Pilot	Total	Cross-Country	Night
VFR PIC	500	100	25*
IFR PIC	1,200	500	100

*These 25 hours must be night cross-country hours.

Pre-Application: Your pre-application activities will include contacting your Flight Standards District Office (FSDO) and letting them know of your intent.

- Prepare a pre-application statement of intent.
- Contact your FSDO and make an appointment.
- Visit your FSDO, sign in, and view a certification video.

You will be assigned a Principal Operations Inspector (POI). Our certification service will prepare your pre-application statement of intent.

Next Steps: The next steps are described in the following pages. They include:

- Application - Letters, Forms, and Documents
- Document Preparation - Manuals and Forms
- Aircraft Conformity - Preparation and FAA Inspection
- Training - Company Specific Training
- Check Ride - FAA Practical Exam as per FAR 135.293-299.

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Selection/Order

Single-Pilot Operator: Our Single-Pilot Operator website provides forms and examples for you to self-prepare FAA documentation in order to become a single-pilot Part 135 operator. Features include:

- One single-engine or multi-engine aircraft.
- One pilot crew.

Single Pilot-in-Command: This is a step up from the single-pilot operator and allows up to three copilots to be used in the operation.

- Typically operators have one single-engine or multi-engine aircraft, but this is not a limit.
- Pilot-in-Command and up to three Second-in-Command pilots.
- No General Operations Manual required.
- No Training Manual required.
- No Director of Operations required.
- No Chief Pilot required.
- Director of Maintenance may be required for turbine-powered aircraft.

Basic 135 Operator: The Basic 135 Operator certificate is the same as Full 135 Operator; except, the Director of Operations and Chief Pilot can be fulfilled by the same person. There is a limitation of no more than 5 pilots and no more than 5 aircraft. It is possible for a Full 135 Operator to get a waiver allowing the two positions to be combined thus alleviating the need for this level of certification.

Full 135 Operator:

- Exclusive use of at least one single-engine or multi-engine aircraft.
- There are no restrictions on the number or type of aircraft.
- There are no restrictions on the number of pilots.
- A General Operations Manual and Training Manual are both required.
- A Director of Operations and Chief Pilot are required.

- The Director of Operations and Chief Pilot can be combined for non-turbine powered aircraft upon approval of a waiver and as long as the operation is simple.
- Director of Maintenance is required.

Optional Authorization:

- Minimum equipment list (optional).
- Extended over-water operations (optional).
- Canadian Foreign Air Carrier Certificate (optional).

Fast Track:

- Excellent for large aircraft owners who need to generate revenue in the shortest time possible.
- Purchase a Full 135 Air Carrier and be fully operational within weeks.

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Alaska Aviation Safety Project

FY2009 Request: \$500,000
Reference No: 40060

AP/AL: Appropriation
Category: Public Protection
Location: Statewide
House District: Statewide (HD 1-40)
Estimated Project Dates: 07/01/2008 - 06/30/2014

Project Type: Health and Safety
Contact: John Cramer
Contact Phone: (907)428-6009

Brief Summary and Statement of Need:

The Alaska Aviation Safety Project (AASP) is a multi-faceted, multi-year research project funded primarily by NASA and has received national recognition. The mission of the AASP is to reduce aircraft related fatalities in Alaska. The National Institute of Occupational Safety & Health (NIOSH) reports for the time period 1990-2004, Alaska accounted for 21% of all commuter air taxi related fatalities in the United States. Alaska averaged 123 air crashes per year between 2001 and 2006. In the first 9 months of 2007 there were 59 air crashes in Alaska. The AASP supplied 3-D simulator data has been widely used by Alaskan pilots to increase terrain familiarity and decrease air crash incidents.

Funding:	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014	Total
Gen Fund	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$3,000,000
Total:	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$3,000,000

<input type="checkbox"/> State Match Required	<input type="checkbox"/> One-Time Project	<input type="checkbox"/> Phased - new	<input checked="" type="checkbox"/> Phased - underway	<input type="checkbox"/> On-Going
0% = Minimum State Match % Required		<input type="checkbox"/> Amendment	<input type="checkbox"/> Mental Health Bill	

Operating & Maintenance Costs:

	<u>Amount</u>	<u>Staff</u>
Project Development:	0	0
Ongoing Operating:	150,000	2
One-Time Startup:	0	
Totals:	150,000	2

Additional Information / Prior Funding History:

Four federal research grants from NASA were received: \$300,000 in in-kind assistance from NASA plus funds for the following federal fiscal years: Phase I-FY01 - \$300,000; Phase II-FY04 - \$3,000,000; Phase III-FY05 - \$2,980,000; Phase IV-FY06 - \$1,500,000. A \$3 million NASA grant is anticipated in FFY09. Funding (GF) of \$500,000 was received for both FY07 and FY08.

Project Description/Justification:

The Alaska Aviation Safety Project (AASP) commenced in 2001 based upon a mandate from Senator Ted Stevens to reduce the number of aircraft fatalities resulting in Alaska. The AASP has been and continues to research the usefulness of repurposing existing technology to improve aviation safety.

The primary funding advocate of the AASP has been the National Aeronautics and Space Administration (NASA). The significant economic investment of this project has increased the local economy by \$12.12M due to instate spending and re-spending while creating an estimated payroll of \$4.84M. While matching funds have not been required in the past, the congressional delegation has requested the state have some level of financial participation in funding our element of this project as a good faith gesture.

Funds received to date have been used to rectify 12 high risk mountain passes, three high capacity airdromes and eight remote approach zones. These were then manipulated by software into 3-D renderings suitable for use in aviation simulators. These renderings have been made available to the general aviation community through the Medallion Foundation's flight simulators located throughout Alaska for training and familiarization purposes. The University of Alaska-Anchorage's school of aviation will also be provided the data for use in their simulators. The data sets completed thus far have more than adequately demonstrated proof of concept as acknowledged by NASA and confirmed by follow-on funding of research. Existing data sets, when exacted to ground truthing, will allow for dynamic real time in-cockpit display of an aircraft's positioning and orientation with respect to terrain regardless of weather or environmentally related conditions affecting visibility thereby increasing a pilot's situational awareness.

The next phase of the AASP research will examine primarily the interoperability between the GPS capabilities of E-911 mandated wireless commercial-off-the-shelf (COTS) devices and their ability to send and receive (in-cockpit) large quantities of data critical to aviation safety. Key to this is the XYZ GPS coordinates supplied by the E-911 enabled wireless COTS devices. Additionally, unmanned aerial vehicles (UAV) and unmanned aerial systems (UAS) figure prominently in this research. Of particular interest is the proposed broadband wireless connection between air and ground which provides a significant solution to command and control issues as well as air space deconfliction. The foundation of this important research lies in the successful demonstration that large amounts of data can be relayed wirelessly (IP) to and from an aircraft or UAV, in flight, from the terrestrial wireless network.

Finally, it is believed an airframe could become a highly mobile and very agile weather data gathering platform. It is conceivable that an aircraft, while in flight, could gather valuable weather data and relay that data to a central ground station for weather reporting and prediction purposes. This concept entails an IP wireless link to a satellite and/or terrestrial system connected to a control gate that would simultaneously ping all equipped aircraft and receive weather data with the precise associated GPS coordinates (longitude, latitude, and altitude). This data could then be used in a weather prediction model to improve weather reporting and prediction procedures. This is anticipated to be done in conjunction with partnering agencies FAA, NOAA, and NASA.

It is conceptually theorized and reasonably believed the repurposing of existing technology can and will substantiate the initiatives of the AASP, which then becomes the basis for the following advances in aviation safety:

- ? Interactive Cockpit Aide to Navigation
- ? Real Time Flight Monitoring
- ? Live In-Flight Weather Updates
- ? Mobile Weather Data Capture, and
- ? UAV/UAS: Command and Control, Air Traffic Deconfliction and Wireless Data Link.

Key Milestones Along the Critical Path of Development:

1. **Designation of Alaska as Wireless Testing Area:** Alaska is the only state that can offer large remote areas of uncontrolled airdromes for research that does not harbor a substantial quantity of RF interference commonly associated with urban and metropolitan sprawl.
2. **FCC COTS Waiver for Research in Alaska:** a waiver to the existing law regarding the use of wireless devices onboard aircraft must be secured with respect to research and development specific to Alaska. Upon securing that waiver, Alaska may attract other similar research and development activity and capture that economic investment.
3. **Improved Weather Gathering and Prediction:** By improving the weather data gathering method, weather prediction is improved. The subsequent milestone would be to improve aviation weather reporting and distribution (i.e., wireless data link to and from the cockpit and ground).
4. **Patent and Copyright Applications:** patent and copyright applications will be submitted in the name of the State of Alaska for the public good.

This illustrates both the social and economic advantages the AASP believe is possible through the research it is conducting. The AASP further believes the greatest value of its research is in saving and preserving lives while substantially reducing search and rescue expenses to the State of Alaska.

3-09-10

**Confirmation:
Adjutant General
Thomas Katkus,
Commissioner of
Department of
Military and
Veterans'
Affairs**

<target><bill></bill><subject>3-09-10 Confirmation Adjutant
General Thomas Katkus, Commissioner of Department of Military
and Veterans' Affairs</subject><comm>HMLV26</comm></target>



Official Business

Alaska State Legislature

House of Representatives

Office of the Chief Clerk

State Capitol, Room 216
Juneau, AK 99801-1182
Phone: (907) 465-3725
Fax: (907) 465-5334

MEMORANDUM

Date: February 5, 2010

To: Representative Gatto, Chair
House Special Committee on Military and Veterans' Affairs

From: Suzi Lowell *al*
Chief Clerk

Subject: Governor's Appointment(s)

The Speaker referred the following Governor's appointment(s) to the House Special Committee on Military and Veterans' Affairs and the State Affairs Committee:

Commissioner – Department of Military and Veterans' Affairs
Adjutant General Thomas Katkus
Appointed: 11/9/2009

The Referral for Confirmation page(s), resume(s), and a signature page are attached for your use. In addition, copies of the resume(s) are also being sent electronically.

Attachments as noted

CONFIRMATION COMMITTEE REPORT

Action date: 3-9-10

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 and Veterans' Affairs
 Adjutant General Thomas Katkus
 Appointed: 11/9/2009

This does not reflect intent by any of the members to vote for or against this individual during any further sessions for the purposes of confirmation.

Signature:	Printed Last Name
<i>Jammyie Wilson</i>	T. Wilson
<i>Bob [unclear]</i>	<i>KAWSAK</i>
<i>R. L. Burch</i>	Buc B KAURAS
<i>[unclear]</i>	
Chair: <i>Carl Gattu</i>	GATTU
Chair:	

Please return to the Chief Clerk's office.

Brigadier General Thomas H. Katkus

Education:

1977 B.A. Political Science, Saint Michael's College, Colchester , VT
1980 Officer Candidate School , Ft. Richardson , AK
1982 Officer Basic Course, Infantry, Ft. Benning , GA
1986 Officer Advanced Course, Armor, Ft. Knox , KY
1992 Police Staff & Command School , Northwestern University, Evanston , IL
1999 Command and General Staff College (Reserve Component)

Assignments:

Oct 77 Enlisted Service (Medic), Airborne Detachment, 207th Infantry Group (Scout), Camp Carroll , AK

Mar 81 Light Reconnaissance Team Commander, Airborne Detachment, 207th Infantry Grp, Camp Carroll , AK

May 85 Scout Platoon Leader, A Company, 5th Battalion, 297th Infantry, Anchorage , AK

Dec 86 Support Platoon Leader, Headquarters Company, 5th Battalion, 297th Infantry, Anchorage , AK

Apr 98 Battalion Motor Officer, Headquarters Company, 5th Battalion, 297th Infantry, Anchorage , AK

May 90 Headquarters Company Commander, Headquarters, 5th Battalion, 297th Infantry, Anchorage , AK Sep 92 Assistant S-4 (Logistics), 207th Infantry Group (Scout), Camp Denali, AK

Nov 93 Communications/Electronics Officer, Headquarters, 2nd Battalion, 297th Infantry, Bethel , AK

May 94 Infantry Company Commander, B Company, 2nd Battalion, 297th Infantry, Quinhagak , AK

Aug 96 Battalion S-3 (Operations), Headquarters, 3 rd Battalion, 297th Infantry, Juneau , AK

Nov 99 Inspector General, 207th Infantry Group (Scout), Camp Denali , AK

Jul 00 Battalion Commander, Headquarters, 3 rd Battalion, 297th Infantry, Juneau , AK

Oct 01 Management Information Security Officer, STARC, Camp Denali , AK

Jan 03 Chief of Staff, STARC, Camp Denali , AK

Feb 04 Chief of Staff, AKARNG Element-Joint Forces Headquarters, Camp Denali , AK

Apr 04 Assistant Adjutant General – Space & Missile Defense, Joint Forces HQ – Alaska , Camp Denali , AK

Apr 07 Commander, Alaska Army National Guard, Joint Forces HQ – Alaska , Camp Denali , AK

Major Awards and Decorations:

Legion of Merit
Meritorious Service Medal
Army Commendation Medal with 3 oak leaf clusters
Air Force Commendation Medal
Army Achievement Medal with 2 oak leaf clusters
Army Reserve Component Achievement Medal with 6 oak leaf clusters
National Defense Service Medal
Global War on Terrorism Service Medal
Armed Forces Reserve Medal with silver hourglass device
Army Service Ribbon
United States Army Excellence in Competition Badge (Bronze Pistol)
Parachute Badge

Effective Dates of Promotion

Second Lieutenant ARNG 05 Dec 80
First Lieutenant ARNG Dec 83
Captain ARNG Jul 88
Major ARNG Apr 94
Lieutenant Colonel ARNG Jan 00
Colonel ARNG Jun 03
Brigadier General ARNG 01 Aug 05

HB

24

<target><bill>HB 24</bill><subject>HB
24</subject><comm>HMLV26</comm></target>



Alaska State Legislature

Representative Anna Fairclough – House District 17

MEMORANDUM

Date: March 26th, 2009
To: Representative Carl Gatto
Chair
From: Representative Anna Fairclough
Re: HB 24 "An Act relating to a public procurement preference for Alaska veterans"

I am requesting a hearing for HB 24 "An Act relating to a public procurement preference for Alaska veterans" at your earliest convenience. I have attached relevant materials for your committee.

Thank you in advance for your consideration.

Attachments:

- I. Sponsor Statement
- II. Section Analysis
- III. HB 24
- IV. Back up Documentation



Alaska State Legislature

Representative Anna Fairclough – House District 17

House Bill 24

"An Act relating to a public procurement preference for Alaska veterans"

Alaska law, Sec. 36.30.180, states that "The purpose of bidder preference for resident firms when the state acts as a market participant is to encourage local industry, strengthen and stabilize the economy, decrease unemployment, and strengthen the tax and revenue base of the state." House Bill 24 will expand this preference to include Alaska Veteran Owned Businesses.

The National Conference of State Legislatures (NCSL) identified 132 state bills (either introduced, in process, or passed into law in the past two years) that address, to some degree, the veteran business communities concerns at the state level. House Bill 24 brings Alaska into the national effort to encourage veterans to start businesses in Alaska and help them succeed.

I urge your support on this piece of legislation.

Session: Alaska State Capitol • Juneau, AK 99801 • 907-465-3777 • Fax 907-465-2819

Interim: 10928 Eagle River Road, Suite 238 • Eagle River, AK 99577 • 907-694-8944 • Fax 907-694-8945

Representative_Anna_Fairclough@legis.state.ak.us



Alaska State Legislature

Representative Anna Fairclough – House District 17

House Bill 24

"An Act relating to a public procurement preference for Alaska veterans."

Sectional Analysis

Section 1. Amends AS 36.30.170(a)

Clean up language for referencing a new section that defines Alaska veterans' preference

Section 2. Amends AS 36.30 by adding a new section

Adds in a preference for Alaska veterans and defines what a qualified entity is.

Section 3. Amends AS 36.30.250(b)

Clean up language for referencing a new section that defines Alaska veterans' preference

Section 4. Amends AS 36.30.335

Clean up language for referencing a new section that defines Alaska veterans' preference

Session: Alaska State Capitol • Juneau, AK 99801 • 907-465-3777 • Fax 907-465-2819

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Representative_Anna_Fairclough@legis.state.ak.us



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2008 Legislation regarding Hiring and Procurement Veteran Preferences
June 18, 2008

- AK S 274 **AUTHOR:** Wielechowski [D]
 TITLE: State Procurement Preferences and Veterans
 INTRODUCED: 02/15/2008
 DISPOSITION: Failed - Adjourned
 SUMMARY:
 Relates to a public procurement preference for Alaska veterans with
 service-related disabilities.
 STATUS:
 02/15/2008 INTRODUCED.
 02/15/2008 To SENATE Committee on STATE AFFAIRS.
 02/15/2008 To SENATE Committee on FINANCE.
- CA A 873 **AUTHOR:** Davis [D]
 TITLE: Public Utilities: Procurement
 INTRODUCED: 02/22/2007
 DISPOSITION: Pending
 SUMMARY:
 Extends the minority-, women, and disabled veteran-owned business
 enterprises procurement requirements to water corporations with specified
 gross incomes. Encourages each electrical, gas, water, and telephone
 corporation that is not required to submit a plan to voluntarily adopt a plan
 for increasing women, minority, and disabled veteran business enterprise
 procurement in all categories.
 STATUS:
 06/17/2008 From SENATE Committee on ENERGY, UTILITIES
 AND COMMUNICATIONS: Do pass as amended to
 Committee on APPROPRIATIONS.
- CA A 1189 **AUTHOR:** Veterans Affairs Cmt
 TITLE: Disabled Veteran Business Enterprise Program
 INTRODUCED: 02/23/2007
 DISPOSITION: Pending

SUMMARY:

Requires an awarding department to verify that the contractor has received certification as a disabled veteran business enterprise and that the certification is valid and to enforce the terms of any contract it enters into under the state Disabled Veteran Business Enterprise Program. Provides that each contract shall require any prime contractor that enters into a subcontract with such enterprise to certify that all payments under the contract have been made.

STATUS:

09/11/2007 In SENATE. To Inactive File.

CA A 1818

AUTHOR: Fuentes [D]

TITLE: Housing: Veterans

INTRODUCED: 01/18/2008

DISPOSITION: Pending

SUMMARY:

Amends existing law that established the Multifamily Housing Program under the Department of Housing and Community Development. Authorizes the sponsor of a supportive housing development funded under the program to restrict occupancy of the development to veterans under specified circumstances.

STATUS:

06/17/2008 From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass.

CA A 1942

AUTHOR: Ruskin [D]

TITLE: Public Contracts: Small and Disabled Veteran Business

INTRODUCED: 02/13/2008

DISPOSITION: Pending

SUMMARY:

Increases the period of certification suspension for a small business or microenterprise or disabled veteran business from bidding on or participating in a state contract for fraudulent representing or withholding information. Imposes civil penalties, cancels the contract, and imposes costs against a person for fraudulently representing a disabled veteran business and revokes business certification to participate in a state contract. Provides civil penalties for contract fraudulent misrepresentation.

STATUS:

06/05/2008 To SENATE Committees on VETERANS AFFAIRS and GOVERNMENTAL ORGANIZATION.

CA A 2360

AUTHOR: Levine [D]

TITLE: Public Contracts: State Contracts: Healthy Lifestyle

INTRODUCED: 02/21/2008

DISPOSITION: Pending

SUMMARY:

Requires prospective bidders having a specified number of employees in the state, other than a certified small business or disabled veteran business enterprise, that bid on a contract let or under the jurisdiction of the Department of General Services involving expenditures of over a specified amount, to certify in a standard form of questionnaire that it provides fitness and wellness benefits for its employees.

STATUS:

05/22/2008

In ASSEMBLY Committee on APPROPRIATIONS:
Heard, remains in Committee.

CA A 2773

AUTHOR:

Price [D]

TITLE:

Public Contracts: Small Business Procurement

INTRODUCED:

02/22/2008

DISPOSITION:

Pending

SUMMARY:

Relates to The Small Business Procurement and Contract Act. Permits a state agency to award a contract to a certified small business, including microbusiness and a disabled veteran business enterprise, without complying with specified competitive bidding requirements. Increases the maximum amount of the contract and requires the contractor to report the actual percentage of small business or disabled veteran business enterprise participation that was achieved.

STATUS:

06/12/2008

To SENATE Committee on GOVERNMENTAL
ORGANIZATION.

CA A 3020

AUTHOR:

Salas [D]

TITLE:

State Contract Act: Definition: Department

INTRODUCED:

02/22/2008

DISPOSITION:

Pending

SUMMARY:

Expands the definition of department for purposes of contracting for a public work to include the Military Department.

STATUS:

06/10/2008

From SENATE Committee on GOVERNMENTAL
ORGANIZATION: Do pass to Committee on
APPROPRIATIONS.

CA A 3066

AUTHOR:

Veterans Affairs Cmt

TITLE:

Unemployment Insurance: Training Panel: Veterans

INTRODUCED:

03/05/2008

DISPOSITION:

Pending

SUMMARY:

Expands the number of employment training programs and the Employment Training Panel that qualify for priority funding to include projects that support veterans and members of the State National Guard, especially

individuals who have become disabled as a result of their military service.

STATUS:

05/29/2008 To SENATE Committee on VETERANS AFFAIRS.

CA S 159

AUTHOR: Wyland [R]

TITLE: Prompt Payment Act: Disabled Veteran Businesses

INTRODUCED: 01/30/2007

DISPOSITION: Pending

SUMMARY:

Includes a disabled veteran business enterprise, as defined under the state Disabled Veteran Business Program, among the entities to whom higher penalties are payable under the state Prompt Payment Act.

STATUS:

08/30/2007 In ASSEMBLY Committee on APPROPRIATIONS:
Heard, remains in Committee.

CA S 1397

AUTHOR: Negrete McLeod [D]

TITLE: Prison Industry Authority: Procurement

INTRODUCED: 02/21/2008

DISPOSITION: Pending

SUMMARY:

Requires the Prison Industry Board in procuring any goods of services, to comply with certain provisions of law that give preference to small businesses and disabled veteran business enterprises in awarding contracts.

STATUS:

04/01/2008 In SENATE Committee on PUBLIC SAFETY: Not
heard.

CT S 259

INTRODUCER: Joint Committee on Veteran Affairs

TITLE: Disable Veterans

INTRODUCED: 02/19/2008

DISPOSITION: Failed - Adjourned

SUMMARY:

Concerns a state Set Aside Program for disabled veterans; provides a Set Aside Program for disabled veterans.

STATUS:

04/07/2008 Reported out of Legislative Commissioner's Office.
04/07/2008 Reissued by Legislative Commissioner's Office with
File No. 506.

FL H 687

SIMILAR: FL S 108

AUTHOR: Government Efficiency and Acc Council Cmt

TITLE: Service-Disabled Veteran Business Enterprises

INTRODUCED: 03/04/2008

ENACTED: 06/12/2008

DISPOSITION: Enacted

CHAPTER: 2008-155

SUMMARY:

Creates the Service-Disabled Veteran Business Enterprise Opportunity Act; provides a selection preference in state contracting for certified service-disabled veteran business enterprises; provides a certification procedure to be established by the Department of Management Services and the Department of Veterans' Affairs and reviewed biennially and updated as necessary; provides for data reporting by the Small Business Development Center.

STATUS:

06/12/2008 Signed by GOVERNOR.
06/12/2008 Filed as Chapter No. 2008-155

FL S 108

SIMILAR: FL H 687

AUTHOR: Military Affairs and Domestic Security Cmt

TITLE: State Contracts

INTRODUCED: 03/04/2008

DISPOSITION: Failed - Adjourned

SUMMARY:

Relates to state contracts; provides a statewide goal for each state agency or political subdivision to award specified governmental contracts with disabled veteran business enterprises; provides for businesses to be certified and for duties of the Department of Veterans' Affairs and the Department of Management Services.

STATUS:

04/23/2008 In SENATE. Placed on Special Order Calendar.
04/23/2008 In SENATE. Substituted on SENATE floor by H 687.
04/23/2008 In SENATE. Laid on table.

GA H 930

AUTHOR: Benton [R]

TITLE: Eligibility Certificate

INTRODUCED: 01/15/2008

DISPOSITION: Failed - Adjourned

SUMMARY:

Relates to disabled veterans and blind persons engaging in peddling, operating businesses, or practicing professions, so as to provide that a certificate of eligibility of exemption from the payment of occupation taxes, administrative fees, or regulatory fees must first make application to the judge of the probate court of the county in which he or she resides shall be valid for a period of ten years.

STATUS:

03/27/2008 From SENATE Committee on REGULATED INDUSTRIES and UTILITIES. Favorably Reported.

GA S 114

AUTHOR: Shafer [R]

TITLE: Real Estate Brokers

INTRODUCED: 02/09/2007
ENACTED: 05/24/2007
DISPOSITION: Enacted
ACT: 249

SUMMARY:

Relates to real estate brokers and salespersons; relates to points given to disabled veterans taking examinations for licensing; provides that a certain time periods must have passed after completing a sentence for certain criminal convictions before applying for licensure; provides additional criminal offenses for which the Real Estate Commission may deny a license; change the term in-class hour to instructional hour; change the number of instructional hours for a prelicense course of study.

STATUS:

05/24/2007 Signed by GOVERNOR.
05/24/2007 Act No. 249

IA H 24

AUTHOR: Dolecheck [R]
TITLE: Nonresident Veterans State Employment Preference
INTRODUCED: 01/16/2007
DISPOSITION: Pending - Carryover

SUMMARY:

Concerns preference for state employment for nonresident veterans.

STATUS:

01/16/2007 INTRODUCED.
01/16/2007 To HOUSE Committee on VETERANS AFFAIRS.

IA H 80

AUTHOR: Hunter [D]
TITLE: Veteran Benefits
INTRODUCED: 01/22/2007
DISPOSITION: Pending - Carryover

SUMMARY:

Concerns veterans; includes employment preference and other benefits.

STATUS:

01/31/2007 In HOUSE Committee on VETERANS AFFAIRS:
Subcommittee assignments: D. Taylor, Bell, Granzow,
Thomas, Watts.

IA S 2113

AUTHOR: Rielly [D]
TITLE: Veterans State Job Information
INTRODUCED: 02/06/2008
DISPOSITION: Pending

SUMMARY:

Requires the department of administrative services to provide state job information to veterans.

STATUS:

02/13/2008 In SENATE Committee on VETERANS AFFAIRS:

Subcommittee assignments: Danielson, Horn, and McKinley.

- IL H 668 **SPONSOR:** Chapa-LaVia [D]
TITLE: Veterans Preference Act
INTRODUCED: 02/06/2007
ENACTED: 08/31/2007
DISPOSITION: Enacted
PUBLIC ACT: 95-566
SUMMARY:
Amends the Veterans Preference Act as regards employment and public works. Increases the fine for a violation. Includes the reserve forces and the state national guard.
STATUS:
08/31/2007 Signed by GOVERNOR.
08/31/2007 Public Act No. 95-566
- IL H 678 **SPONSOR:** Mautino [D]
TITLE: Veterans Preference
INTRODUCED: 02/06/2007
DISPOSITION: Pending
SUMMARY:
Amends the Metropolitan Water Reclamation District Act. Provides that the Director of Personnel shall give preference for original and promotional appointments to persons who have at least 180 consecutive days of active duty military service at any time in the United States Army, Navy, Air Force, Marine Corps, Coast Guard, or Reserves. Further provides for points added to the promotion examination for certain military veterans.
STATUS:
05/15/2008 In SENATE. Committee Reading Deadline Extended to 05/22/2008.
- IL H 1172 **SPONSOR:** Franks [D]
TITLE: Vietnam Veterans
INTRODUCED: 02/09/2007
DISPOSITION: Pending
SUMMARY:
Amends the Veterans' Employment Act. Makes a technical change in a Section concerning Vietnam veterans.
STATUS:
03/23/2007 Rereferred to HOUSE Committee on RULES.
- IL H 1174 **SPONSOR:** Franks [D]
TITLE: Public Works Positions
INTRODUCED: 02/09/2007
DISPOSITION: Pending

SUMMARY:

Amends the Veterans Preference Act. Makes a technical change in a Section concerning a preference given to veterans in employment and appointment to fill certain public works positions.

STATUS:

03/23/2007 Rereferred to HOUSE Committee on RULES.

IL H 1234

SPONSOR: Wait [R]

TITLE: Illinois Procurement Code

INTRODUCED: 02/09/2007

DISPOSITION: Pending

SUMMARY:

Amends the Illinois Procurement Code. Requires that each chief procurement officer establish a goal of at least 12% of the total dollar amount of State contracts of agencies under the officer's jurisdiction to be awarded to veteran-owned businesses.

STATUS:

05/15/2008 In SENATE. Committee Reading Deadline Extended to 05/22/2008.

IL H 1621

SPONSOR: Chapa-LaVia [D]

TITLE: Minimum Admission Standards

INTRODUCED: 02/22/2007

DISPOSITION: Pending

SUMMARY:

Amends the Board of Higher Education Act. Provides that, beginning with the 2008-2009 academic year, the minimum admission standards established by the Board of Higher Education for public community colleges and universities must provide for a preference for persons who were engaged in the active military or naval service of the United States for a period of at least one year and who were honorably discharged.

STATUS:

03/23/2007 Rereferred to HOUSE Committee on RULES.

IL H 1850

SPONSOR: Chapa-LaVia [D]

TITLE: Vietnam Veterans

INTRODUCED: 02/23/2007

DISPOSITION: Pending

SUMMARY:

Amends the Veterans' Employment Act. Makes a technical change in a Section concerning Vietnam veterans.

STATUS:

03/14/2008 Rereferred to HOUSE Committee on RULES.

IL H 1860

SPONSOR: Brauer [R]

TITLE: Educational Preference

INTRODUCED: 02/23/2007
DISPOSITION: Pending
SUMMARY:
Amends the Illinois Municipal Code. Makes technical changes in a Section concerning veteran's and educational preference.
STATUS:
03/23/2007 Rereferred to HOUSE Committee on RULES.

IL H 1861 **SPONSOR:** Brauer [R]
TITLE: Veterans Preferences
INTRODUCED: 02/23/2007
DISPOSITION: Pending
SUMMARY:
Amends the Illinois Municipal Code. Makes a technical change in a Section concerning veterans preferences.
STATUS:
03/23/2007 Rereferred to HOUSE Committee on RULES.

IL H 2180 **SPONSOR:** D'Amico [D]
TITLE: Veterans' Employment Act
INTRODUCED: 02/26/2007
DISPOSITION: Pending
SUMMARY:
Amends the Veterans' Employment Act. Makes a technical change in a Section concerning Vietnam veterans.
STATUS:
04/27/2007 Rereferred to HOUSE Committee on RULES.

IL H 2181 **SPONSOR:** Madigan [D]
TITLE: Veterans' Employment Representative Act
INTRODUCED: 02/26/2007
DISPOSITION: Pending
SUMMARY:
Amends the Veterans' Employment Representative Act. Makes a technical change in a Section concerning the qualifications and duties of a Veterans' Employment Representative.
STATUS:
04/27/2007 Rereferred to HOUSE Committee on RULES.

IL H 2182 **SPONSOR:** Madigan [D]
TITLE: Veterans Preference Act
INTRODUCED: 02/26/2007
DISPOSITION: Pending
SUMMARY:
Amends the Veterans Preference Act. Makes a technical change in a Section concerning a preference given to veterans in employment and appointment

to fill certain public works positions.

STATUS:

04/27/2007 Rereferred to HOUSE Committee on RULES.

IL H 2332

SPONSOR: Bradley J [D]

TITLE: City of West Frankfort

INTRODUCED: 02/26/2007

DISPOSITION: Pending

SUMMARY:

Amends the Illinois Municipal Code. Provides that the redevelopment project in the tax increment financing district created by a specified ordinance adopted by the City of West Frankfort must be completed within a specified time frame.

STATUS:

05/15/2008 In HOUSE. Read third time. Passed HOUSE. *****To SENATE.

IL H 4612

SPONSOR: Ford [D]

TITLE: State Employment Application Act

INTRODUCED: 01/24/2008

DISPOSITION: Failed

SUMMARY:

Prohibits state employment applications from questioning if an applicant was convicted of a non-violent offense. Requires such applications to inquire if an applicant has been convicted of a felony crime of violence. Allows applications to inquire if an applicant has been convicted of a disqualifying offense. Provides preference points on entrance exams for veterans. Increases the preference points for veterans with a disability and former members of the Armed Forces, the Reserves, or the National Guard.

STATUS:

05/29/2008 In HOUSE. Placed on Short Debate Calendar Third Reading.

05/29/2008 In HOUSE. Tabled Amendment No. 2.

05/29/2008 In HOUSE. Read third time. Failed to pass HOUSE.

IL H 5389

SPONSOR: Madigan [D]

TITLE: Veterans' Employment Representative

INTRODUCED: 02/14/2008

DISPOSITION: Pending

SUMMARY:

Amends the Veterans' Employment Representative Act. Makes a technical change in a Section concerning the qualifications and duties of a Veterans' Employment Representative.

STATUS:

02/14/2008 INTRODUCED.

02/14/2008 To HOUSE Committee on RULES.

IL H 5390 **SPONSOR:** Madigan [D]
TITLE: Veterans Preference and Public Works Positions
INTRODUCED: 02/14/2008
DISPOSITION: Pending
SUMMARY:
Amends the Veterans Preference Act. Makes a technical change in a Section concerning a preference given to veterans in employment and appointment to fill certain public works positions.
STATUS:
02/14/2008 INTRODUCED.
02/14/2008 To HOUSE Committee on RULES.

IL H 5826 **SPONSOR:** Cross [R]
TITLE: Veterans Preference Act
INTRODUCED: 02/15/2008
DISPOSITION: Pending
SUMMARY:
Amends the Veterans Preference Act. Makes a technical change in a Section concerning a preference given to veterans in employment and appointment to fill certain public works positions.
STATUS:
02/15/2008 INTRODUCED.
02/15/2008 To HOUSE Committee on RULES.

IL H 5828 **SPONSOR:** Cross [R]
TITLE: Veterans' Employment Act
INTRODUCED: 02/15/2008
DISPOSITION: Pending
SUMMARY:
Amends the Veterans' Employment Act. Makes a technical change in a Section concerning the short title.
STATUS:
02/15/2008 INTRODUCED.
02/15/2008 To HOUSE Committee on RULES.

IL H 5851 **SPONSOR:** Cross [R]
TITLE: Veterans Preferences
INTRODUCED: 02/15/2008
DISPOSITION: Pending
SUMMARY:
Amends the Illinois Municipal Code. Makes a technical change in a Section concerning veterans preferences.
STATUS:
02/15/2008 INTRODUCED.
02/15/2008 To HOUSE Committee on RULES.

IL H 5906 **SPONSOR:** Wait [R]
TITLE: Participation Loans for Small Businesses
INTRODUCED: 02/15/2008
DISPOSITION: Pending
SUMMARY:
Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code. Authorizes the Department of Commerce and Economic Opportunity to make participation loans to small businesses that are at least a certain percentage owned and managed by one or more persons who are veterans for the purposes of promoting the creation of veteran-owned small businesses and promoting the creation of jobs within small businesses. Provides for no rule making authority.
STATUS:
05/15/2008 In SENATE. Committee Reading Deadline Extended to 05/22/2008.

IL S 414 **SPONSOR:** Dillard [R]
TITLE: Personnel Intern Programs
INTRODUCED: 02/07/2007
DISPOSITION: Pending
SUMMARY:
Amends the Personnel Code. Includes intern programs within the provisions concerning trainee programs. Prohibits an intern or trainee, or former intern or trainee, who has not been granted a veteran preference from being appointed in other than an intern or trainee capacity to a position for which a qualified veteran preference recipient is eligible. Prohibits an intern or trainee, or former intern or trainee, who has not been granted a veteran preference.
STATUS:
02/07/2007 INTRODUCED.
02/07/2007 To SENATE Committee on RULES.

IL S 923 **SPONSOR:** Meeks [I]
TITLE: Qualifications and Duties of Veterans
INTRODUCED: 02/08/2007
DISPOSITION: Pending
SUMMARY:
Amends the Veterans' Employment Representative Act. Makes a technical change in a Section concerning the qualifications and duties of a Veterans' Employment Representative.
STATUS:
12/03/2007 Rereferred to SENATE Committee on RULES.

IL S 924 **SPONSOR:** Demuzio [D]
TITLE: Vietnam Veterans

INTRODUCED: 02/08/2007
DISPOSITION: Pending
SUMMARY:
Amends the Veterans' Employment Act. Makes a technical change in a Section concerning Vietnam veterans.
STATUS:
12/03/2007 Rereferred to SENATE Committee on RULES.

IL S 926 **SPONSOR:** Demuzio [D]
TITLE: Veterans Preference
INTRODUCED: 02/08/2007
DISPOSITION: Pending
SUMMARY:
Amends the Veterans Preference Act. Makes a technical change in a Section concerning a preference given to veterans in employment and appointment to fill certain public works positions.
STATUS:
12/03/2007 Rereferred to SENATE Committee on RULES.

IL S 1685 **SPONSOR:** Jones J [R]
TITLE: Department of Veterans Affairs
INTRODUCED: 02/09/2007
DISPOSITION: Pending
SUMMARY:
Amends the Department of Veterans Affairs Act. Creates the office of Veterans' State Employment Ombudsman within the Department. Provides that the Ombudsman shall monitor hiring done through the Department of Central Management Services and other State agencies to ensure that veterans' hiring preferences are being followed.
STATUS:
02/09/2007 INTRODUCED.
02/09/2007 To SENATE Committee on RULES.

IL S 2620 **SPONSOR:** Jones J [R]
TITLE: Veterans State Employment Ombudsman
INTRODUCED: 02/15/2008
DISPOSITION: Pending
SUMMARY:
Amends the Department of Veterans Affairs Act. Creates the office of Veterans' State Employment Ombudsman within the Department. Provides that the Ombudsman shall monitor hiring done through the Department of Central Management Services and other State agencies to ensure that veterans' hiring preferences are being followed.
STATUS:
02/15/2008 INTRODUCED.
02/15/2008 To SENATE Committee on RULES.

KS H 2562 **AUTHOR:** Appropriations Cmt
TITLE: Veterans State Employment
INTRODUCED: 03/02/2007
ENACTED: 04/21/2008
DISPOSITION: Enacted
CHAPTER: 2008-99
SUMMARY:
Relates to veterans and notices of job openings for state employment; concerns veterans preference and powers of attorney; provides for a disabled veteran; includes spouses; relates to veterans service representatives.
STATUS:
06/09/2008 Chapter No. 2008-99

KY H 57 **BR:** 346
SPONSOR: Cherry [D]
TITLE: Military Service
INTRODUCED: 01/08/2008
DISPOSITION: Failed - Adjourned
SUMMARY:
Honors military service; expands the state hiring preference honoring military service; requires the adding of five or ten preference points to a military-connected individual's examination score used for state hiring in classified positions; permits the total of an examination score and preference points to exceed 100; requires that a register certificate of finalists for a state job identify all finalists entitled to preference points.
STATUS:
01/28/2008 To SENATE Committee on STATE AND LOCAL GOVERNMENT.

KY S 181 **BR:** 2131
SPONSOR: Gibson [R]
TITLE: Honoring Military Service
INTRODUCED: 02/21/2008
DISPOSITION: Failed - Adjourned
SUMMARY:
Relates to honoring military service; establishes a state hiring preference honoring military service; requires that certain individuals receive an additional five or ten preference points on an examination score used for state hiring in classified positions; permits the total of the examination score and the preference points to exceed 100.
STATUS:
03/11/2008 To HOUSE Committee on SENIORS, MILITARY AFFAIRS AND PUBLIC SAFETY.

MA H 2776 **AUTHOR:** Vallee [D]

TITLE: Veteran Hiring Practices
INTRODUCED: 01/10/2007
DISPOSITION: Pending
SUMMARY:
Strengthens veterans hiring practices.
STATUS:
03/27/2008 From JOINT Committee on PUBLIC SERVICE:
Accompanied Study Order H 4607.

MA H 3726 **AUTHOR:** Spellane [D]
TITLE: Veteran Owned Small Business
INTRODUCED: 01/10/2007
DISPOSITION: Pending
SUMMARY:
Relates to veteran owned small business.
STATUS:
03/24/2008 From JOINT Committee on VETERANS AND
FEDERAL AFFAIRS: Ought to pass.
03/24/2008 To HOUSE Committee on WAYS AND MEANS.

MA S 528 **AUTHOR:** Morrissey [D]
TITLE: Pilots Commission
INTRODUCED: 01/10/2007
DISPOSITION: Pending
SUMMARY:
Relates to veterans preference on the pilots commission.
STATUS:
04/24/2008 From JOINT Committee on ENVIRONMENT,
NATURAL RESOURCES AND AGRICULTURE:
Accompanied Study Order S 2593.

MA S 2141 **AUTHOR:** Morrissey [D]
TITLE: Employment Protection for Disabled Veterans
INTRODUCED: 01/10/2007
DISPOSITION: Pending
SUMMARY:
Provides employment protection for disabled veterans and veterans who are
not members of civil service.
STATUS:
03/11/2008 From JOINT Committee on VETERANS AND
FEDERAL AFFAIRS: Accompanied Study Order S
2547.

MD H 747 **CROSSFILED** MD S 648
WITH:
AUTHOR: Minnick [D]

TITLE: Disabled Veteran
INTRODUCED: 02/04/2008
DISPOSITION: Failed - Adjourned

SUMMARY:
Establishes a specified participation goal for certified service disabled veteran business enterprises for procurement contracts; requires an awarding unit to consider specified efforts by and award specified contracts to bidders or offerors that meet or make a good-faith effort to meet specified participation goals.

STATUS:
02/04/2008 INTRODUCED.
02/04/2008 To HOUSE Committee on HEALTH AND GOVERNMENT OPERATIONS.

MD H 1431 **AUTHOR:** Health and Government Cmt
TITLE: Small Business Preference Program
INTRODUCED: 02/11/2008
ENACTED: 05/22/2008
DISPOSITION: Enacted
CHAPTER: 695

SUMMARY:
Alters the amount of a percentage price preference that specified State agencies must establish for small businesses; establishes price preferences for businesses owned and controlled by one or more veterans or disabled veterans.

STATUS:
05/22/2008 Signed by GOVERNOR.
05/22/2008 Chapter No. 695

MD H 1435 **AUTHOR:** Appropriations Cmt
TITLE: State Employees
INTRODUCED: 02/11/2008
ENACTED: 05/22/2008
DISPOSITION: Enacted
CHAPTER: 696

SUMMARY:
Alters the calculation, for purposes of a layoff, of the total number of seniority points by providing ten points for eligible veterans and two points for eligible veterans who have a service-connected disability or are former prisoners of war.

STATUS:
05/22/2008 Signed by GOVERNOR.
05/22/2008 Chapter No. 696

MD S 648 **CROSSFILED** MD H 747
WITH:

AUTHOR: Peters [D]
TITLE: Disabled Veteran Businesses
INTRODUCED: 02/01/2008
DISPOSITION: Failed - Adjourned

SUMMARY:

Establishes a specified participation goal for certified service disabled veteran business enterprises for procurement contracts; requires an awarding unit to consider specified efforts by and award specified contracts to bidders or offerors that meet or make a good-faith effort to meet specified participation goals.

STATUS:

03/25/2008 To HOUSE Committee on HEALTH AND GOVERNMENT OPERATIONS.

MI S 732

SPONSOR: Richardville [R]
TITLE: Veteran Owned Businesses
INTRODUCED: 09/06/2007
DISPOSITION: Pending

SUMMARY:

Allows designation of certain veteran-owned businesses as Michigan patriot businesses.

STATUS:

10/10/2007 In SENATE. Read third time. Passed SENATE.
*****To HOUSE.

10/10/2007 To HOUSE Committee on MILITARY & VETERANS AFFAIRS & HOMELAND SECURITY.

MI S 733

SPONSOR: Allen [R]
TITLE: Economic Development Corporations
INTRODUCED: 09/06/2007
DISPOSITION: Pending

SUMMARY:

Relates to economic development corporations; requires website for certain veteran entrepreneurs.

STATUS:

10/10/2007 In SENATE. Read third time. Passed SENATE.
*****To HOUSE.

10/10/2007 To HOUSE Committee on MILITARY & VETERANS AFFAIRS & HOMELAND SECURITY.

MI S 750

SPONSOR: Basham [D]
TITLE: National Guard Military Police
INTRODUCED: 09/06/2007
ENACTED: 03/13/2008
DISPOSITION: Enacted
PUBLIC ACT: 28

SUMMARY:

Modifies employment preference for national guard military policy.

STATUS:

03/13/2008

Signed by GOVERNOR.

03/13/2008

Public Act No. 28

MI S 751

SPONSOR:

Pappageorge [R]

TITLE:

State Contract Veterans Preference

INTRODUCED:

09/06/2007

ENACTED:

05/21/2008

DISPOSITION:

Enacted

PUBLIC ACT:

133

SUMMARY:

Increases disabled veterans' preference for contracts for expenditures for construction, goods and services.

STATUS:

05/21/2008

Signed by GOVERNOR.

05/21/2008

Public Act No. 133

MI SR 103

SPONSOR:

Allen [R]

TITLE:

Civil Service Commission

INTRODUCED:

09/06/2007

ADOPTED:

11/28/2007

DISPOSITION:

Adopted

SUMMARY:

Urges the Michigan Civil Service Commission to amend the civil service rules regarding the veterans' hiring preference to extend the eligibility period from 5 years to 10 years following completion of active military duty.

STATUS:

11/28/2007

In SENATE. Passed SENATE.

MN H 30

AUTHOR:

Severson [R]

TITLE:

State Government

INTRODUCED:

01/08/2007

DISPOSITION:

Failed - Adjourned

SUMMARY:

Relates to state government; veterans; designates veteran-owned small businesses as targeted group businesses for purposes of awarding certain state and metro agency procurement contracts.

STATUS:

01/08/2007

INTRODUCED.

01/08/2007

To HOUSE Committee on AGRICULTURE, RURAL ECONOMIES AND VETERANS AFFAIRS.

MN H 137

COMPANION:

MN S 255

AUTHOR:

Haws [DFL]

TITLE: State Government
INTRODUCED: 01/16/2007
DISPOSITION: Failed - Adjourned
SUMMARY:

Relates to state government; veterans; designates veteran-owned small businesses as targeted group businesses for purposes of awarding certain state and metro agency procurement contracts.

STATUS:
01/16/2007 INTRODUCED.
01/16/2007 To HOUSE Committee on AGRICULTURE, RURAL ECONOMIES AND VETERANS AFFAIRS.

MN H 780 **COMPANION:** MN S 819
AUTHOR: Tschumper [DFL]
TITLE: State Government
INTRODUCED: 02/08/2007
DISPOSITION: Failed - Adjourned
SUMMARY:

Relates to state government; designates veteran-owned small businesses as targeted group businesses for purposes of awarding certain state and metro agency procurement contracts.

STATUS:
02/08/2007 INTRODUCED.
02/08/2007 To HOUSE Committee on GOVERNMENTAL OPERATIONS, REFORM, TECHNOLOGY AND ELECTIONS.

MN H 3344 **COMPANION:** MN S 3652
AUTHOR: Severson [R]
TITLE: Veterans
INTRODUCED: 02/21/2008
DISPOSITION: Failed - Adjourned
SUMMARY:

Relates to veterans; changes veteran's preference provisions.

STATUS:
03/10/2008 From HOUSE Committee on AGRICULTURE, RURAL ECONOMIES AND VETERANS AFFAIRS:
Do pass as amended.
03/10/2008 Rereferred to HOUSE Committee on GOVERNMENTAL OPERATIONS, REFORM, TECHNOLOGY AND ELECTIONS.

MN H 3417 **COMPANION:** MN S 3067
AUTHOR: Tillberry [DFL]
TITLE: Business Organizations
INTRODUCED: 02/25/2008

DISPOSITION: Failed - Adjourned

SUMMARY:

Relates to business organizations; waiver of reinstatement fee after certain dissolution of an entity when a principal of the entity is a returns combat veteran.

STATUS:

03/17/2008 From HOUSE Committee on AGRICULTURE,
RURAL ECONOMIES AND VETERANS AFFAIRS:
Do pass as amended.

03/17/2008 Rereferred to HOUSE Committee on FINANCE.

MN H 3427

COMPANION: MN S 3055

AUTHOR: Dettmer [R]

TITLE: Veterans

INTRODUCED: 02/25/2008

DISPOSITION: Failed - Adjourned

SUMMARY:

Relates to veterans; establishes a loan program of a onetime interest free to borrowers of eligible businesses that have sustained or likely to sustain economic injury as a result of the call to active service for a certain amounts of time; adds certain veterans to those eligible for a program; changes an unemployment compensation provision; makes an appropriation to the Commissioner of Employment and Economic Development to establish a revolving loan account.

STATUS:

03/17/2008 From HOUSE Committee on AGRICULTURE,
RURAL ECONOMIES AND VETERANS AFFAIRS:
Do pass as amended.

03/17/2008 Rereferred to HOUSE Committee on FINANCE.

MN S 32

AUTHOR: Kubly [DFL]

TITLE: Veterans

INTRODUCED: 01/08/2007

DISPOSITION: Failed - Adjourned

SUMMARY:

Relates to veterans; allows a classified government service preference for the parent of a disabled veteran.

STATUS:

01/08/2007 INTRODUCED.

01/08/2007 To SENATE Committee on AGRICULTURE AND
VETERANS.

MN S 255

COMPANION: MN H 137

AUTHOR: Wergin [R]

TITLE: State Government

INTRODUCED: 01/25/2007

DISPOSITION: Failed - Adjourned

SUMMARY:

Relates to state government; veterans; designates veteran-owned small businesses as targeted group businesses for purposes of awarding certain state and metro agency procurement contracts.

STATUS:

03/05/2007 From HOUSE Committee on AGRICULTURE,
RURAL ECONOMIES AND VETERANS AFFAIRS:
Do pass.

03/05/2007 Rereferred to HOUSE Committee on FINANCE.

MN S 819

COMPANION: MN H 780

AUTHOR: Erickson Ropes [DFL]

TITLE: Agency Procurement Contracts and Veterans

INTRODUCED: 02/15/2007

DISPOSITION: Failed - Adjourned

SUMMARY:

Relates to state government; designates veteran-owned small businesses as targeted group businesses for purposes of awarding certain state and metro agency procurement contracts.

STATUS:

02/15/2007 INTRODUCED.

02/15/2007 To SENATE Committee on STATE AND LOCAL
GOVERNMENT OPERATIONS AND OVERSIGHT.

MN S 3055

COMPANION: MN H 3427

AUTHOR: Koch [R]

TITLE: Military Reservist Economic Injury Loans

INTRODUCED: 02/25/2008

DISPOSITION: Failed - Adjourned

SUMMARY:

Establishes the Military Reservist Economic Injury Loans program; authorizes the issuance of interest free loans to businesses that sustain economic injury as a result of the call to service of an employee; amends workforce development articles to include veterans in the definition of dislocated worker; provides that unemployment benefits paid shall not be used to compute the tax rate of an employer when an applicant was a replacement worker and was laid off because the employee returned from active duty.

STATUS:

03/25/2008 From SENATE Committee on STATE AND LOCAL
GOVERNMENT OPERATIONS AND OVERSIGHT:
Do pass.

03/25/2008 Rereferred to SENATE Committee on FINANCE.

MN S 3067

COMPANION: MN H 3417

AUTHOR: Olson M [DFL]
TITLE: Business Organizations
INTRODUCED: 02/25/2008
DISPOSITION: Failed - Adjourned

SUMMARY:
Relates to business organizations; concerns waiver of reinstatement fee after certain dissolution of an entity when a principal of the entity is a returning combat veteran.

STATUS:
03/11/2008 From SENATE Committee on JUDICIARY: Do pass as amended.
03/11/2008 Rereferred to SENATE Committee on FINANCE.

MN S 3652 **COMPANION:** MN H 3344
AUTHOR: Dille [R]
TITLE: Veterans
INTRODUCED: 03/11/2008
DISPOSITION: Failed - Adjourned

SUMMARY:
Relates to veterans; changes veteran's preference provisions.

STATUS:
03/11/2008 INTRODUCED.
03/11/2008 To SENATE Committee on AGRICULTURE AND VETERANS.

MO H 1313 **SPONSOR:** Wright B [R]
TITLE: Veterans Contracting Preference
INTRODUCED: 01/09/2008
DISPOSITION: To Governor

SUMMARY:
Gives a preference in all state purchasing contracts to certain disabled veterans doing business in the state when the quality of work is equal to, or better than, and the price is the same as, or less than, that of the competition.

STATUS:
05/29/2008 *****To GOVERNOR.

NC H 1412 **AUTHOR:** Martin [D]
TITLE: Veterans Preference
INTRODUCED: 04/12/2007
ENACTED: 07/27/2007
DISPOSITION: Enacted
CHAPTER #: 2007-286

SUMMARY:
Clarifies the veterans preference with State departments, agencies and institutions.

STATUS:

	07/27/2007	Signed by GOVERNOR.
	07/27/2007	Session Law Number 2007-286
NJ A 769	SPONSOR:	Conners [D]
	TITLE:	Veterans Civil Service Preference
	INTRODUCED:	01/08/2008
	DISPOSITION:	Pending
	SUMMARY:	Expands eligibility for veterans' civil service preference; creates additional preference benefits.
	STATUS:	
	05/22/2008	From ASSEMBLY Committee on APPROPRIATIONS.
NJ A 2923	SPONSOR:	Chiappone [D]
	TITLE:	Civil Service Examinations Fee
	INTRODUCED:	06/12/2008
	DISPOSITION:	Pending
	SUMMARY:	Exempts veterans from \$15 fee for open and competitive civil service examinations and from local residency requirements.
	STATUS:	
	06/12/2008	INTRODUCED.
	06/12/2008	To ASSEMBLY Committee on STATE GOVERNMENT.
NJ ACR 98	IDENTICAL:	NJ SCR 24
	SPONSOR:	Conners [D]
	TITLE:	Civil Service Preference
	INTRODUCED:	01/08/2008
	DISPOSITION:	Pending
	SUMMARY:	Proposes constitutional amendment to permit disabled veterans who served in U.S. Armed Forces at any time to receive civil service preference.
	STATUS:	
	02/28/2008	From ASSEMBLY Committee on MILITARY AND VETERANS AFFAIRS.
NJ S 800	SPONSOR:	Cunningham [D]
	TITLE:	Civil Service Exams
	INTRODUCED:	01/28/2008
	DISPOSITION:	Pending
	SUMMARY:	Exempts veterans from \$15 fee for open and competitive civil service examinations and from local residency requirements.
	STATUS:	

01/28/2008 INTRODUCED.
01/28/2008 To SENATE Committee on STATE GOVERNMENT.

NJ S 1453 **SPONSOR:** Girgenti [D]
TITLE: Veterans Civil Service Preference
INTRODUCED: 03/06/2008
DISPOSITION: Pending
SUMMARY:
Expands eligibility for veterans' civil service preference; creates additional preference benefits.
STATUS:
03/06/2008 INTRODUCED.
03/06/2008 To SENATE Committee on LAW AND PUBLIC SAFETY AND VETERANS AFFAIRS.

NJ S 1612 **SPONSOR:** Allen [R]
TITLE: Operation Noble Eagle
INTRODUCED: 05/05/2008
DISPOSITION: Pending
SUMMARY:
Provides civil service preference to veterans of Operation Noble Eagle.
STATUS:
05/05/2008 INTRODUCED.
05/05/2008 To SENATE Committee on STATE GOVERNMENT.

NJ SCR 24 **IDENTICAL:** NJ ACR 98
SPONSOR: Allen [R]
TITLE: Civil Service Disabled Veterans
INTRODUCED: 01/08/2008
DISPOSITION: Pending
SUMMARY:
Proposes constitutional amendment to permit disabled veterans who served in United States Armed Forces at any time to receive civil service preference.
STATUS:
01/08/2008 INTRODUCED.
01/08/2008 To SENATE Committee on STATE GOVERNMENT.

NM H 453 **AUTHOR:** Cote [D]
TITLE: Economic Development
INTRODUCED: 01/24/2008
DISPOSITION: Failed - Adjourned
SUMMARY:
Relates to economic development; protects certain New Mexico small businesses; amends the procurement code to provide for preferences for disabled veteran-owned businesses; enacts a new section of the procurement

code to provide for separate pricing of certain components in certain circumstances.

STATUS:

01/24/2008 INTRODUCED.

01/24/2008 To HOUSE Committee on RULES AND ORDER OF BUSINESS.

NY A 2398

SAME AS: NY S 5297

SPONSOR: Morelle [D]

TITLE: Veterans Credits Added to Civil Service Examination

INTRODUCED: 01/17/2007

DISPOSITION: Pending

SUMMARY:

Authorizes veteran's credits to be added to an individual's civil service examination.

STATUS:

04/30/2008 Passed ASSEMBLY. *****To SENATE.

04/30/2008 To SENATE Committee on VETERANS, HOMELAND SECURITY AND MILITARY AFFAIRS.

NY A 3125

SPONSOR: Tonko [D]

TITLE: Federal Veterans Reemployment Act

INTRODUCED: 01/23/2007

DISPOSITION: Pending

SUMMARY:

Relates to veterans' credit received under the Federal Veterans' Reemployment Act.

STATUS:

01/23/2007 INTRODUCED.

01/23/2007 To ASSEMBLY Committee on GOVERNMENTAL EMPLOYEES.

NY A 4328

SAME AS: NY S 1568

SPONSOR: Ortiz [D]

TITLE: Disability Payments for Disabled Veterans

INTRODUCED: 02/02/2007

DISPOSITION: Pending

SUMMARY:

Proposes constitutional amendment to eliminate requirement that disabled veterans receive disability payments in order to qualify for the crediting of additional points on a civil service exam for appointment or promotion in the civil service system.

STATUS:

05/15/2007 Substituted by S 1568.

NY A 4353 **SPONSOR:** Zebrowski [D]
 TITLE: Veterans Injured in Combat
 INTRODUCED: 02/02/2007
 DISPOSITION: Pending
 SUMMARY:
 Authorizes veterans injured in combat after September 11, 2001 to receive
 extra credit on competitive examinations.
 STATUS:
 04/20/2007 Enacting clause stricken.

NY A 5402 **SPONSOR:** Pretlow [D]
 TITLE: Age Limit for Firefighter Appointment
 INTRODUCED: 02/15/2007
 DISPOSITION: Pending
 SUMMARY:
 Requires that any person applying for appointment as a firefighter in civil
 service be not more than 29 years of age on the date he or she takes the
 written competitive examination for such appointment; provides that any
 time spent on military duty or terminal leave, not to exceed 6 years, shall be
 subtracted from such age limit.
 STATUS:
 02/15/2007 INTRODUCED.
 02/15/2007 To ASSEMBLY Committee on GOVERNMENTAL
 EMPLOYEES.

NY A 5664 **SPONSOR:** Tedisco [R]
 TITLE: Positions for Disabled Veterans
 INTRODUCED: 02/21/2007
 DISPOSITION: Pending
 SUMMARY:
 Establishes that by enactment of a local law, any county, city, town or
 village may determine a number of positions that may be performed by
 disabled veterans and veterans with disabilities who are found otherwise
 qualified to perform satisfactorily the duties of any such position.
 STATUS:
 02/21/2007 INTRODUCED.
 02/21/2007 To ASSEMBLY Committee on GOVERNMENTAL
 EMPLOYEES.

NY A 5797 **SPONSOR:** Tedisco [R]
 TITLE: Employment of Veterans With Disabilities
 INTRODUCED: 02/23/2007
 DISPOSITION: Pending
 SUMMARY:
 Provides for employment of veterans with disabilities by municipalities;
 allows municipal civil service commissions in the state to prescribe a

number of positions, not to exceed two hundred, with duties to be performed by disabled veterans.

STATUS:

02/23/2007 INTRODUCED.

02/23/2007 To ASSEMBLY Committee on GOVERNMENTAL EMPLOYEES.

NY A 5799

SPONSOR: Towns [D]

TITLE: Civil Service Exam Credit Entitlement

INTRODUCED: 02/23/2007

DISPOSITION: Pending

SUMMARY:

Proposes an amendment to the New York state constitution which would expand the entitlement to civil service exam credit of certain members of the United States armed forces who were disabled during service by eliminating the requirement that the service be wartime service and allowing the credit regardless of dates of service; changes the reference to the veterans administration to the department of veterans affairs.

STATUS:

02/19/2008 Opinion referred to JUDICIARY.

NY A 5812

SAME AS: NY S 304

SPONSOR: Towns [D]

TITLE: Preference To Disabled Veterans

INTRODUCED: 02/23/2007

DISPOSITION: Pending

SUMMARY:

Grants a preference to disabled veterans for the purposes of occupancy in Mitchell Lama projects; provides for disabled veterans to have the same preference as displaced families.

STATUS:

06/13/2007 From ASSEMBLY Committee on RULES.

06/13/2007 Substituted by S 304.

NY A 6025

SPONSOR: McDonald [R]

TITLE: Affordable Housing Veterans Preference

INTRODUCED: 02/28/2007

DISPOSITION: Pending

SUMMARY:

Provides for preferences under the affordable home ownership program for service related disabled veterans.

STATUS:

02/28/2007 INTRODUCED.

02/28/2007 To ASSEMBLY Committee on HOUSING.

NY A 6106

SAME AS: NY S 3305

SPONSOR: Thiele [R]
TITLE: Veterans With Disabilities
INTRODUCED: 03/02/2007
DISPOSITION: Pending

SUMMARY:
Authorizes veterans with disabilities who were classified as veterans and used such classification in his or her original appointment or promotion and were later classified as a veteran with disabilities, to be afforded the same opportunity to receive additional credits granted by section 85 of the civil service law.

STATUS:
06/20/2007 From ASSEMBLY Committee on RULES.
06/20/2007 Substituted by S 3305.

NY A 7172 **SAME AS:** NY S 3946
SPONSOR: Ortiz [D]
TITLE: Preferred Sources in Procurement Among Veterans
INTRODUCED: 03/30/2007
DISPOSITION: Pending
SUMMARY:
Relates to preferred sources in procurement; provides for a separate agency to facilitate distribution of orders among veterans' workshops.
STATUS:
03/30/2007 INTRODUCED.
03/30/2007 To ASSEMBLY Committee on VETERANS AFFAIRS.

NY A 7733 **SAME AS:** NY S 4218
SPONSOR: Ortiz [D]
TITLE: Service Disabled Veteran Owned Small Businesses
INTRODUCED: 04/25/2007
DISPOSITION: Pending
SUMMARY:
Gives preference to service disabled veteran owned small businesses with respect to state contracts.
STATUS:
06/02/2008 Amended in ASSEMBLY Committee on GOVERNMENTAL OPERATIONS.

NY A 7734 **SAME AS:** NY S 3547
SPONSOR: Quinn [R]
TITLE: Service Related Disabled Veteran Owned Businesses
INTRODUCED: 04/25/2007
DISPOSITION: Pending
SUMMARY:
Creates the Service Related Disabled Veteran Owned Business Enterprise

Act to promote such business enterprises.

STATUS:

04/25/2007

INTRODUCED.

04/25/2007

To ASSEMBLY Committee on GOVERNMENTAL OPERATIONS.

NY A 9935

SPONSOR:

Towns [D]

TITLE:

Points Granted to Disabled Veterans

INTRODUCED:

02/06/2008

DISPOSITION:

Pending

SUMMARY:

Increases from 10 to 13, the number of additional points granted to disabled veterans on competitive civil service original appointment exams; increases from 5 to 6 the number of additional points granted on promotion exams; and increases such points for non-disabled veterans from 5 to 8 on original appointment exams and from 2 1/2 to 3 1/2 on promotion exams.

STATUS:

02/06/2008

INTRODUCED.

02/06/2008

To ASSEMBLY Committee on VETERANS AFFAIRS.

NY A 10486

SPONSOR:

Abbate [D]

TITLE:

State Employment of Veterans with Disabilities

INTRODUCED:

04/08/2008

DISPOSITION:

To Governor

SUMMARY:

Relates to the employment by the state of veterans with disabilities, allowing for up to five hundred positions with duties such as can be performed by disabled veterans.

STATUS:

05/28/2008

From SENATE Committee on VETERANS, HOMELAND SECURITY AND MILITARY AFFAIRS.

05/28/2008

Substituted for S 7791.

05/28/2008

Passed SENATE.

NY S 304

SAME AS:

NY A 5812

SPONSOR:

Maltese [R]

TITLE:

Housing Preference to Disabled Veterans

INTRODUCED:

01/03/2007

ENACTED:

08/01/2007

DISPOSITION:

Enacted

CHAPTER:

420

SUMMARY:

Grants a preference to disabled veterans for the purposes of occupancy in Mitchell Lama projects with a closed list; provides that such preference shall

be given upon the opening of the waiting list; provides that persons residing in a limited-profit housing project shall be given first priority for an internal transfer in the project in which they are residing in accordance with existing rules and regulations.

STATUS:

08/01/2007 Signed by GOVERNOR.
08/01/2007 Chapter No. 420

NY S 1568

SAME AS: NY A 4328
SPONSOR: LaValle [R]
TITLE: Disability Payments for Disabled Veterans
INTRODUCED: 01/23/2007
ADOPTED: 05/17/2007
DISPOSITION: Adopted

SUMMARY:

Proposes a constitutional amendment to eliminate the requirement that disabled veterans receive disability payments in order to qualify for the crediting of additional points on a civil service exam for appointment or promotion in the civil service system.

STATUS:

05/17/2007 Filed with Secretary of State.

NY S 1790

SPONSOR: Kruger [D]
TITLE: Public Housing Veterans Preference
INTRODUCED: 01/25/2007
DISPOSITION: Pending

SUMMARY:

Provides preferences in certain public housing projects for certain service in the armed forces; provides recipients of expeditionary medals in Vietnam, Lebanon, Granada, Panama and Persian Gulf conflict same preference to public housing as Vietnam veterans.

STATUS:

01/25/2007 INTRODUCED.
01/25/2007 To SENATE Committee on HOUSING,
CONSTRUCTION AND COMMUNITY
DEVELOPMENT.

NY S 1902

SPONSOR: Sampson [D]
TITLE: Disabled Veterans Civil Service Exam Points
INTRODUCED: 01/29/2007
DISPOSITION: Pending

SUMMARY:

Increases from 10 to 13, the number of additional points granted to disabled veterans on competitive civil service original appointment exams; increases from 5 to 6 the number of additional points granted on promotion exams; and increases such points for non-disabled veterans from 5 to 8 on original

appointment exams and from 2 1/2 to 3 1/2 on promotion exams.

STATUS:

01/29/2007

INTRODUCED.

01/29/2007

To SENATE Committee on VETERANS,
HOMELAND SECURITY AND MILITARY
AFFAIRS.

NY S 2565

SPONSOR:

Kruger [D]

TITLE:

Veteran Civil Service Credits

INTRODUCED:

02/07/2007

DISPOSITION:

Pending

SUMMARY:

Provides that every person who has served in more than 1 time of war shall be entitled to additional credit as a veteran or disabled veteran in competitive examinations for original appointment or promotion for every such time of war during which person served regardless of whether any such person has utilized such credit for a competitive examination for original appointment or a competitive examination for promotion.

STATUS:

02/07/2007

INTRODUCED.

02/07/2007

To SENATE Committee on VETERANS,
HOMELAND SECURITY AND MILITARY
AFFAIRS.

NY S 3305

SAME AS:

NY A 6106

SPONSOR:

LaValle [R]

TITLE:

Veterans With Disabilities

INTRODUCED:

03/02/2007

VETOED:

08/28/2007

DISPOSITION:

Vetoed

SUMMARY:

Authorizes veterans with disabilities who were classified as veterans and used such classification in his or her original appointment or promotion and were later classified as a veteran with disabilities, shall be entitled to credits due a disabled veteran less the number of credits allowed for the prior appointment.

STATUS:

08/28/2007

Vetoed by GOVERNOR. Veto No. 146 of 2007.

NY S 3547

SAME AS:

NY A 7734

SPONSOR:

DeFrancisco [R]

TITLE:

Disabled Veteran Owned Business Enterprise Act

INTRODUCED:

03/08/2007

DISPOSITION:

Pending

SUMMARY:

Creates the Service Related Disabled Veteran Owned Business Enterprise

Act to promote such business enterprises.

STATUS:

05/27/2008 From SENATE Committee on VETERANS,
HOMELAND SECURITY AND MILITARY
AFFAIRS.

05/27/2008 To SENATE Committee on FINANCE.

NY S 3946

SAME AS: NY A 7172
SPONSOR: Seward [R]
TITLE: Preferred Sources In Procurement
INTRODUCED: 03/21/2007
DISPOSITION: Pending

SUMMARY:

Relates to preferred sources in procurement; provides for a separate agency to facilitate distribution of orders among veterans' workshops.

STATUS:

01/09/2008 Withdrawn from SENATE Committee on RULES.

01/09/2008 To SENATE Committee on FINANCE.

NY S 4218

SAME AS: NY A 7733
SPONSOR: Leibell [R]
TITLE: Service Disabled Veteran Owned Small Businesses
INTRODUCED: 03/30/2007
DISPOSITION: Pending

SUMMARY:

Gives preference to service disabled veteran owned small businesses with respect to state contracts.

STATUS:

06/12/2008 Passed SENATE. *****To ASSEMBLY.

06/12/2008 To ASSEMBLY Committee on GOVERNMENTAL
OPERATIONS.

NY S 5297

SAME AS: NY A 2398
SPONSOR: Robach [R]
TITLE: Civil Service Examination Veterans Credits
INTRODUCED: 04/25/2007
DISPOSITION: Pending

SUMMARY:

Authorizes veteran's credits to be added to an individual's civil service examination.

STATUS:

05/13/2008 From SENATE Committee on VETERANS,
HOMELAND SECURITY AND MILITARY
AFFAIRS.

NY S 6713

SPONSOR: LaValle [R]

TITLE: Veterans With Disabilities
INTRODUCED: 01/10/2008
DISPOSITION: Pending

SUMMARY:

Authorizes veterans with disabilities who were classified as veterans and used such classification in his or her original appointment or promotion and were later classified as a veteran with disabilities, to be afforded the same opportunity to receive additional credits granted by section 85 of the civil service law.

STATUS:
02/20/2008 Opinion referred to JUDICIARY.

NY S 7344

SPONSOR: Adams [D]
TITLE: Veteran Examination Credit
INTRODUCED: 04/02/2008
DISPOSITION: Pending

SUMMARY:

Authorizes veterans who served in combat during Operation Iraqi Freedom after March 20, 2003 to receive extra credit on competitive examinations.

STATUS:
06/16/2008 Passed SENATE. *****To ASSEMBLY.
06/16/2008 To ASSEMBLY Committee on GOVERNMENTAL EMPLOYEES.

NY S 7791

SPONSOR: Leibell [R]
TITLE: State Employment of Disabled Veterans
INTRODUCED: 04/28/2008
DISPOSITION: Pending

SUMMARY:

Relates to the employment by the state of veterans with disabilities, allowing the commission to determine up to five hundred positions with duties such as can be performed by disabled veterans.

STATUS:
05/28/2008 Substituted by S 10486.

NY S 7792

SPONSOR: Leibell [R]
TITLE: Military Civil Service Exams
INTRODUCED: 04/28/2008
DISPOSITION: Pending

SUMMARY:

Relates to providing members of the armed forces of the United States with the opportunity to take special military make-up civil service exams.

STATUS:
05/29/2008 Substituted by A 10381.

OR H 3626 a

AUTHOR: Elections, Ethics, and Rules Cmt

TITLE: Pre Disaster Mitigation Fund
INTRODUCED: 02/04/2008
ENACTED: 03/11/2008
DISPOSITION: Enacted

SUMMARY:

Clarifies authority of a local government officer with custody of public money; creates the Pre-Disaster Mitigation Fund and the Disaster Response Fund; appropriates money to the Military Department for certain purposes; requires the Department of Human Services to consider certain issues before granting initial residential care facility license; creates the Veterans' Small Business Repair Loan Program; requires evaluation of the community mental health care component of mental health care delivery system.

STATUS:

03/11/2008 *****To GOVERNOR.
03/11/2008 Signed by GOVERNOR.

PA H 62

PN: 87
AUTHOR: Markosek [D]
TITLE: Military Affairs Code
INTRODUCED: 01/30/2007
DISPOSITION: Pending

SUMMARY:

Amends the Military Affairs Code. Provides for service-disabled veteran-owned business participation goals.

STATUS:

01/30/2007 INTRODUCED.
01/30/2007 To HOUSE Committee on VETERANS AFFAIRS
AND EMERGENCY PREPAREDNESS.

PA S 87

PN: 1197
AUTHOR: Tomlinson [R]
TITLE: Procurement Code
INTRODUCED: 02/13/2007
DISPOSITION: Pending

SUMMARY:

Amends the Procurement Code. Provides for contracting with veteran-owned businesses. Imposes duties on the Department of General Services and other state purchasing agencies.

STATUS:

06/20/2007 In SENATE. Read third time. Passed SENATE.
*****To HOUSE.
06/20/2007 To HOUSE Committee on VETERANS AFFAIRS
AND EMERGENCY PREPAREDNESS.

SC S 1009

AUTHOR: Ford [D]
TITLE: Shelter Preference to Homeless Veterans

INTRODUCED: 01/17/2008

DISPOSITION: Pending

SUMMARY:

Gives preference to homeless veterans at all shelters funded in whole or in part by public funds.

STATUS:

01/17/2008 INTRODUCED.

01/17/2008 To SENATE Committee on GENERAL COMMITTEE.

VA H 1386

AUTHOR: Miller J [R]

TITLE: Small Business Programs

INTRODUCED: 01/09/2008

ENACTED: 03/10/2008

DISPOSITION: Enacted

CHAPTER: 521.

SUMMARY:

Relates to service-disabled veteran-owned businesses; provides for a program with federal eligibility requirements set by the U.S. Department of Veterans Affairs for service disabled veteran owned small business; provides for small businesses owned by non-citizens who are in full compliance with immigration law..

STATUS:

03/28/2008 Acts of Assembly. Chapter No. 521.

VA S 680

AUTHOR: Wagner [R]

TITLE: Service Disabled Veteran Owned Small Business

INTRODUCED: 01/14/2008

ENACTED: 03/27/2008

DISPOSITION: Enacted

CHAPTER: 767.

SUMMARY:

Aligns the state's eligibility requirements for participation in the Service-Disabled Veteran-Owned Small Business Program with federal eligibility requirements set by the U.S. Department of Veterans Affairs.

STATUS:

04/21/2008 Acts of Assembly. Chapter No. 767.

WA H 1065

COMPANION: WA S 5029

AUTHOR: Kelley [D]

TITLE: Civil Service Examinations and Veterans Scoring

INTRODUCED: 01/08/2007

ENACTED: 05/14/2007

DISPOSITION: Enacted

CHAPTER: 2007-449

SUMMARY:

Revises veterans' scoring criteria in civil service examinations; provides that veterans points added to a promotional examination shall be added only until the first promotion.

STATUS:

05/21/2007 Chapter No. 2007-449

WA H 1665

COMPANION: WA S 5253
AUTHOR: Kelley [D]
TITLE: Veteran Owned Businesses
INTRODUCED: 01/24/2007
DISPOSITION: Failed - Adjourned
SUMMARY:

Creates a list of and decal for veteran-owned businesses; requires the development and maintenance of a current list of veteran-owned businesses; and make the list available on the department's public web site.

STATUS:

01/24/2007 INTRODUCED.

01/24/2007 To HOUSE Committee on STATE GOVERNMENT
AND TRIBAL AFFAIRS.

WA H 2196

AUTHOR: Goodman [D]
TITLE: Increase State Contracts With Veteran Owned
Businesses
INTRODUCED: 02/13/2007
DISPOSITION: Failed - Adjourned
SUMMARY:

Increases state contracts with businesses owned by veterans with disabilities; requires the development of a procedure for certifying businesses owned by veterans with disabilities and maintain a list of businesses owned by veterans with disabilities on the department's public web site.

STATUS:

02/13/2007 INTRODUCED.

02/13/2007 To HOUSE Committee on STATE GOVERNMENT
AND TRIBAL AFFAIRS.

WA H 2210

AUTHOR: Skinner [R]
TITLE: State Contracts With Veteran Owned Businesses
INTRODUCED: 02/13/2007
DISPOSITION: Failed - Adjourned
SUMMARY:

Increases state contracts with veteran-owned businesses; recognizes the unique sacrifices made by veterans and the substantial challenges that returning veterans face after a period of military duty away from home. Recognizes that veterans who own private businesses may face particular hardships as a direct result of their military service.

STATUS:
02/16/2008 To SENATE Committee on GOVERNMENT
OPERATION AND ELECTIONS.

WA H 2755 **AUTHOR:** Kelley [D]
TITLE: Adjusting Veterans Scoring Criteria
INTRODUCED: 01/16/2008
DISPOSITION: Failed - Adjourned
SUMMARY:
Adjusts veterans scoring criteria; adjusts veterans' scoring criteria.
STATUS:
02/26/2008 From SENATE Committee on GOVERNMENT
OPERATION AND ELECTIONS: Do pass.

WA H 2806 **AUTHOR:** Schual-Berke [D]
TITLE: Diseased Veterans
INTRODUCED: 01/16/2008
DISPOSITION: Failed - Adjourned
SUMMARY:
Gives hiring preferences to children of deceased veterans and children of
veterans with disabilities.
STATUS:
01/16/2008 INTRODUCED.
01/16/2008 To HOUSE Committee on STATE GOVERNMENT
AND TRIBAL AFFAIRS.

WA H 2940 **AUTHOR:** Kelley [D]
TITLE: Veteran Owned Business Linked Deposit Program
INTRODUCED: 01/18/2008
DISPOSITION: Failed - Adjourned
SUMMARY:
Establishes the veteran-owned business linked deposit program.
STATUS:
01/31/2008 Referred to HOUSE Committee on FINANCE.

WA H 3360 **AUTHOR:** Hasegawa [D]
TITLE: Veteran Owned Business
INTRODUCED: 02/07/2008
ENACTED: 03/27/2008
DISPOSITION: Enacted
CHAPTER: 2008-187
SUMMARY:
Specifies that in order to participate in the linked deposit program a veteran
owned business qualified under this section must be certified by the
department as a business in which the veteran owner possesses and exercises
sufficient expertise in the business's field of operation that is organized for

profit and performing a commercially useful function and that meets the criteria for a small business concern.

STATUS:

03/27/2008 Signed by GOVERNOR.
03/27/2008 Chapter No. 2008-187

WA S 5253 **COMPANION:** WA H 1665
AUTHOR: Kilmer [D]
TITLE: Veteran Owned Businesses
INTRODUCED: 01/15/2007
ENACTED: 04/09/2007
DISPOSITION: Enacted
CHAPTER: 2007-11

SUMMARY:

Creates a list of and logo for veteran-owned businesses; requires a current list of veteran-owned businesses available on the department's public web site; declares that, in order to qualify as a veteran-owned business, the business must be at least 51% owned and controlled by a veteran or an active or reserve member in any branch of the armed services.

STATUS:

04/09/2007 Signed by GOVERNOR.
04/09/2007 Chapter No. 2007-11

WA S 5289 **AUTHOR:** Kilmer [D]
TITLE: State Contracts With Veteran Owned Businesses
INTRODUCED: 01/16/2007
DISPOSITION: Failed - Adjourned

SUMMARY:

Increases state contracts with veteran-owned businesses; declares that the purpose of this act is to mitigate economic damage to veteran-owned businesses as a result of military service, and to provide opportunities to them in recognition of the outstanding service they have given to their country; requires a report to the legislature outlining the progress made in implementing this agreement.

STATUS:

02/26/2007 From SENATE Committee on GOVERNMENT
OPERATION AND ELECTIONS: Do pass as
substituted.

WI A 70 **AUTHOR:** Benedict [D]
TITLE: Veteran Status Employment Discrimination
INTRODUCED: 02/13/2007
DISPOSITION: Failed

SUMMARY:

Relates to employment discrimination based on veteran status and employment of veterans in the state civil service, local government, and

school districts.

STATUS:

03/21/2008 Failed to pass pursuant to Senate Joint Resolution 1.

WI A 811

AUTHOR: Moulton [R]

TITLE: Procurements to Woman Owned Businesses

INTRODUCED: 02/15/2008

DISPOSITION: Failed

SUMMARY:

Relates to awarding procurements to woman-owned businesses, veteran-owned businesses, minority businesses, and small businesses.

STATUS:

03/21/2008 Failed to pass pursuant to Senate Joint Resolution 1.

WI A 924

AUTHOR: Sherman [D]

TITLE: State Procurements

INTRODUCED: 03/11/2008

DISPOSITION: Failed

SUMMARY:

Relates to awarding state procurements to certified disabled veteran-owned businesses, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority.

STATUS:

03/21/2008 Failed to pass pursuant to Senate Joint Resolution 1.

WV H 2238

SIMILAR TO: WV S 95

SPONSOR: Hrutkay [D]

TITLE: State National Guard

INTRODUCED: 01/09/2008

DISPOSITION: Failed - Adjourned

SUMMARY:

Provides service credits for service in the State National Guard and Reserve for Public Employees Retirement System and Civil Service examinations.

STATUS:

02/15/2008 From HOUSE Committee on PENSIONS AND RETIREMENT: Do pass.

02/15/2008 To HOUSE Committee on FINANCE.

WV H 3122

SPONSOR: Longstreth [D]

TITLE: Eligible Veteran

INTRODUCED: 01/09/2008

DISPOSITION: Failed - Adjourned

SUMMARY:

Relates to the definition of eligible veteran for certain state training and employment preference benefits.

STATUS:

03/03/2008 From SENATE Committee on MILITARY: Do pass.
03/03/2008 To SENATE Committee on FINANCE.

WV H 3209 **SIMILAR TO:** WV S 95
SPONSOR: Rodighiero [D]
TITLE: Military Benefits
INTRODUCED: 01/09/2008
DISPOSITION: Failed - Adjourned

SUMMARY:

Provides benefits for those who have served in the military service; provides service credits for purposes of public employment retirement for service in any branch of the military including the West Virginia National Guard and Reserve; awards additional testing credit points in civil service examinations for members of the National Guard and Reserve who are applying for state employment.

STATUS:

01/09/2008 INTRODUCED.
01/09/2008 To HOUSE Committee on FINANCE.



ALASKA VETERANS BUSINESS ALLIANCE



Establishing a Bidders Preference for Alaskan Veteran Owned Businesses

HR24 Introduced by Rep Anne Fairclough:

It is generally acknowledged that the men/women who volunteer to serve in our armed forces put off the opportunities to pursue personal interest like private business development until they leave military service. Often members of the armed forces, upon separation (discharge, or retirement) find they have unique skills that have market value and choose to act as entrepreneurs applying these skills – starting their own businesses. They then instinctively look back to the organizations they have worked for and attempt to provide these services in the private sector for these and other federal or state agencies.

Most national surveys and reports confirm that a veteran owned business is more likely to hire veterans and more likely to succeed. By providing Alaskan veteran owned businesses a preference in our state procurements, we further encourage these extraordinary men and women to invest and reside in Alaska.

Alaska law, Sec 36.30.180, clarifies, "the purpose of bidder preference for resident firms when the state acts as a market participant is to encourage local industry, strengthen and stabilize the economy, decrease unemployment, and strengthen the tax and revenue based of the state." It is our desire to extend this preference to include Alaska Veteran Owned Businesses.

The National Conference of State Legislatures identified 132 state bills (either introduced, in process, or passed into law in the past two years) that address, to some degree, the veteran business communities concerns at the state level. We have reviewed these state bills found 40+ that directly address veterans owned business preferences or other state incentives. This bill brings Alaska into the national effort to encourage veterans to start businesses in Alaska and help them succeed.

Additionally, this bill establishes a State Register of Alaska Veteran Owned Businesses that meet the bidder's preference. As such it will be an invaluable tool for federal agencies when searching for veteran owned businesses in Alaska as they attempt to fully implement federal programs in our state.

At a time our economy needs all the help it can get, this bill provides a responsible tool to lend a hand to our veteran business community as they struggle to successfully return to the community they left behind.

58292

NAME	Address	AK Citizen or AK VET	Support HB 24 Y or N	Signature
JOE WARREN	112 SWESTRAIL CT	66A-TH	Yes	Joe Warren
Doug Baird	8201 Kip Ct And	AK citizen	YES	Doug Baird
Melanie King	8221 Kip Ct And.	AK citizen	Y	Melanie King
Dave Condit	9603 NewHaven Loop	Arch AK CITIZEN	YES	Dave Condit
KENNETH W. SOUTHWARD	9955 DENVER ST #A	ANCHOR V. VET	YES	K. W. Southward
Tommy J. J. J.	1302 GARRETT	ANCH AK	YES	Tommy J. J.
John Carlson	1309 Cooden St	Arch AK	YES	John Carlson
Thomas A. New	1722 Altonate Cir	ANCH AK	YES	Thomas A. New
Mark Conder	316 ANNA Palmer Av 99645	AK CITIZEN	YES	Mark Conder
John Messer	18410 Citation Rd Eagle River wasilla AK	AK citizen	Yes	John Messer
Jeff Balthazor	421 W. Dodge Cir Arch. AK	AK VET	yes	Jeff Balthazor
Louis T. Fui	8646 Sproubrook Arch. AK 99507	Both	yes	Louis T. Fui
Ann M. Holbrook	8400 L. Helena Ct 99504	Anchorage Vet	YES	Ann M. Holbrook
ED HARVEY	2405 THOR RD #133 Anch. AK 99504	AK VET	YES	Ed Harvey
W.S. FRIEDL	1901 JARVIS AVE	AK VET	YES	W.S. Friedl
Chuck Blaser	5415 AOLA CT	AK VET	yes	Chuck Blaser

NAME	Address	AK Citizen or AK VET	Support HB 24 Y or N	Signature
DRENDA BOULDER	100 BOYD AVE		YES	<i>[Signature]</i>
VALLEY RICHMOND	ENGLAND AK	VET	YES	<i>[Signature]</i>
GARY WILSON	2800 COLUMBIA	WOMAN	YES	<i>[Signature]</i>
RAY KAMES	COOPER CORNER	YES	YES	<i>[Signature]</i>
CAROL GRISS	8030 PIONEER #1107	YES	YES	<i>[Signature]</i>
WILLIAM CAMPBELL	1010 LA TOUCHE ST #3	VET	YES	<i>[Signature]</i>
DEVAN SPICER	575 ALCANTARA BLDG. 177	YES	YES	<i>[Signature]</i>
MYLES E. CHANSSSE	4700 ANCHORAGE INCL. ME. 99014	YES	YES	<i>[Signature]</i>
WARREN GROSS	BIG LAKE AK 9955	YES	YES	<i>[Signature]</i>
JOHN K...	Chugach	YES	YES	<i>[Signature]</i>
KEVIN E...	Chugach	YES	YES	<i>[Signature]</i>
VOTER	901 E 16	VET	YES	<i>[Signature]</i>
COLMUND	6721 HOWARD AVE ANCH	VET	YES	<i>[Signature]</i>
VERLINA WILSON	6721 HOWARD AVE ANCH	VET	YES	<i>[Signature]</i>
JOSEPHINE KEA	3235 E 17 th AVE	VET	YES	<i>[Signature]</i>
ANTONNE WOODY	PO BOX 100044	AK VET	YES	<i>[Signature]</i>
ALTONDA CRAND	4 SANDERSON CIR	VET	YES	<i>[Signature]</i>
SIMPLY R. MOORE	8367 CROSS POINTE LOOP	VET	YES	<i>[Signature]</i>
JOE GREEN	1125 E 11	VET	YES	<i>[Signature]</i>
RAYMOND H. HARTMAN	2515 TAMMERS AVE	VET	YES	<i>[Signature]</i>

ALASKA VETERANS BUSINESS ALLIANCE



3-31-09

Representative Carl Gatto
Chairman, House Veterans Affairs Committee

Ref: Letter of support for HB 24

Mr. Chairman and members of committee,

My name is Tim Wheeler and I am the President of the Alaska Veterans Business Alliance. We are an alliance that advocates for veteran business opportunities at the state, city, and private sector and advocate why the Federal Laws for the SDVOB community are not working in Alaska for Federal Contracting Opportunities. I stand here today in support of HB 24 for a Veteran State Procurement Preference. Approval of HB 24 will also recognize those service men and women who paid the ultimate sacrifice to protect the rights and freedoms we all enjoy.

It is imperative that small business have maximum opportunity for State Procurement Opportunities. And, to the greatest extent practicable, small businesses owned by military Veterans should come first in these considerations. These economic and cultural times are challenging from Main Street to Wall Street and "NO" group of small business entrepreneurs are more deserving of preference opportunity to do business with and for the State of Alaska than the men and women who have defended this great state and country. "NOBODY".

More and more the population of military veterans mirrors the diversity of this state. Veterans are made, not born. We are not torn asunder by race, background, or gender. The "V" in the word Veteran does not stand for victim and to expand preference business consideration for all Veteran-Owned small business. The passing of HB 24 would significantly expand opportunities for many minority and women veterans in Alaska's marketplace of today and the future.

In other states arguments against procurement preference legislation have been reckless talk about how these requirements belittle or diminish the importance of the "low bid system" which governs the bulk of most state contracts. This argument has been a classic "large business vs. small business" action where primes, especially in the construction industry, simply want all of the business and have no desire to have any goals put upon them for how they select their subs. It is pure economic greed and does little to support small or veteran owned businesses.

You all have seen the yellow magnetic ribbon stickers that say support the troops. Why is it that when the troops put their weapons down and take their uniform off why does the support stop?

58292

I want to thank you for allowing me to submit a letter in support of HB 24 and urge immediate passage for the good of Alaska and the Veteran Business Community.

Tim Wheeler
President
Alaska Veterans Business Alliance

Bonnie Gruening

From: Rick Davidge [RDavidge@cyalaska.com]
Sent: Tuesday, February 03, 2009 10:37 AM
To: Rep. Carl Gatto
Cc: tim@bullseyedatacomm.com
Subject: Rep Fairclough needs some help

*Carl -
 Rep. Fairclough
 is so swamped
 w/ Finance -
 she wonders if
 you would take
 over
 HB24*

Mr. Chairman,

We met in Ann's office last year.

As you know Rep Fairclough has introduced HB24 and you are a key prime cosponsor of that legislation.

The other part of this effort is the House Resolution that we worked with Anna on, but she is buried in House Finance and not able to manage this bill. This morning she has asked me to find an alternative sponsor, and you were the first name to come to my mind. Rep Dahlstrom will most likely be at prime co sponsor as will a long list of other members of the House.

The House Resolution is the top priority of the veteran business community across Alaska. I will forward it and the background material to you once I'm in my other office. Crystal in Anna's office has the file.

We would like to have you be the key sponsor on this critical resolution and are very interested in ensuring your committee hearings are historic.

Sen Lisa Murkowski, Rep Don Young, and Sen Steven's staff have worked on this problem with federal agencies here for almost 2 years with marginal progress. Sen Begich is now fully on board and all have exceptional staffer working on this failure of our federal agencies to meet their requirements in Alaska.

Each member of our delegation are VERY willing to provide you any support for this bill and Sen Murkowski would like to personally testify at your committee hearing if that can be arranged.

Please let me know soonest what staffer you want us to work with on this important legislation. Unless our state is willing to step up and join the efforts of our Congressional delegation in getting all federal agencies in Alaska to meet their procurement requirements, Alaska will continue to loose significant numbers of jobs and economic activity.

I am in and out of two offices every day. So please use this and my personal email address when responding or working with me on this or any veteran issue.

Ricdavidge.ak@gci.net

Ric Davidge, Director, Gvt Affairs

Alaska Veterans Business Alliance

Also Chairman, Alaska Veterans Foundation, Inc.

President, Alaska State Council, Vietnam Veterans of America

Commissioner, Mun of Anchorage, Mil and Vet Affairs Commission

Chairman, AK VET PAC

Best phone is cell 229-5328

RDavidge@cyalaska.com

Member, Project Management Institute

Dec 30, 2008

TO: Chairman Carl Gatto

FAX ~~376-4768~~ 465-2381

FROM: Rep Anna Fairclough

SUBJECT: **DRAFT Bill for per-file establishing an Alaskan Veteran Business Preference on all state procurements.**

Also a **DRAFT House Resolution (can't be pre-filed)** related to the failure of federal agencies in Alaska to meet their 3% set a side for Service Disabled Veteran Owned Small Businesses (SDVOSB) and a **DRAFT Sponsor Statement for that Resolution.**

Chairman Gatto:

As the House Chairman of the Veterans Affairs Committee, Rep Fairclough wanted to ensure you have both of these legislative efforts before the start of session.

She wants to pre-file the House Bill authorizing an Alaskan Veteran Owned Business preference on state procurements, and if you are interested would be pleased to have you as a cosponsor.

She looks forward to working with you on both of these important veterans legislative issues this session.

If you have any questions please contact Ric Davidge in Rep Fairclough's Anchorage office 269-2030 or personal cell is 229 5328.

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11/20/08

HOUSE BILL NO.
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE FAIRCLOUGH

Introduced:
Referred:

A BILL
FOR AN ACT ENTITLED

1 **"An Act relating to a public procurement preference for Alaska veterans."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 36.30.170(a) is amended to read:

4 (a) Except as provided in AS 36.30.175 and (b) - (h) of this section, the
5 procurement officer shall award a contract based on the solicited bids with reasonable
6 promptness by written notice to the lowest responsible and responsive bidder whose
7 bid conforms in all material respects to the requirements and criteria set out in the
8 invitation to bid.

9 *** Sec. 2.** AS 36.30 is amended by adding a new section to read:

10 **Sec. 36.30.175. Alaska veterans' preference.** (a) Notwithstanding a provision
11 in AS 36.30.170 to the contrary, if a bidder qualifies under AS 36.30.170(b) as an
12 Alaska bidder, is a qualifying entity, is on the register established under (d) of this
13 section, and is the lowest responsible and responsive bidder with a bid that is not more
14 than 10 percent higher than the lowest bid, the procurement officer shall award the
15 contract to that bidder. In this subsection, "qualifying entity" means a

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- 1 (1) sole proprietorship owned by an Alaska veteran;
- 2 (2) partnership under AS 32.06 or AS 32.11 if a majority of the
- 3 partners are Alaska veterans;
- 4 (3) limited liability company organized under AS 10.50 if a majority of
- 5 the members are Alaska veterans; or
- 6 (4) corporation that is wholly owned by individuals and a majority of
- 7 the individuals are Alaska veterans.

8 (b) A preference under this section is in addition to any other preference for

9 which the bidder qualifies.

10 (c) To qualify for a preference under this section, a bidder must add value by

11 the bidder itself actually performing, controlling, managing, and supervising a

12 significant part of the services provided, or the bidder must have sold supplies of the

13 general nature solicited to other state agencies, governments, or the general public.

14 (d) The department shall establish a register of individuals who qualify under

15 this section as Alaska veterans.

16 (e) In this section, "Alaska veteran" means an individual who is a

17 (1) resident of this state; and

18 (2) veteran; in this paragraph, "veteran" means an individual who

19 (A) served in the

20 (i) armed forces of the United States, including a reserve unit

21 of the United States armed forces; or

22 (ii) Alaska Territorial Guard, the Alaska Army National

23 Guard, the Alaska Air National Guard, or the Alaska Naval Militia; and

24 (B) was separated from service under a condition that was not

25 dishonorable.

26 * Sec. 3. AS 36.30.250(b) is amended to read:

27 (b) In determining whether a proposal is advantageous to the state, the

28 procurement officer shall take into account, in accordance with regulations of the

29 commissioner, whether the offeror qualifies as an Alaska bidder under

30 AS 36.30.170(b), is offering the service of an employment program, or qualifies for a

31 preference under AS 36.30.170(e) or (f) or 36.30.175.

32 * Sec. 4. AS 36.30.335 is amended to read:

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Sec. 36.30.335. Relationship to other product preferences. This chapter does not modify AS 36.15.010 and 36.15.020 regarding preference for Alaska forest products. or AS 36.15.050 and 36.15.060 regarding preference for Alaska agricultural and fisheries products, except as provided in AS 36.30.170(b), (c), (c) - (h), 36.30.175, and 36.30.337.

DRAFT Sponsor Statement House Resolution Alaska Veteran Businesses

When a young American volunteers to stand guard for America, they give up many opportunities that would normally come to them. One of these is starting and building a business. Additionally, if wounded and thus disabled in service, many face additional challenges if they wish to start and build a new business. In recognition of this sacrifice, the Congress of the United States and our Presidents have authored programs 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.

Three percent of federal procurements, not really much of a commitment, but it is what it is. And yet, even in the face of Congressional actions and Presidential Executive Orders and Administrative Directives, many federal agencies apparently refuse to implement this goal in Alaska.

The Members and staff of our Alaska Congressional Delegation have been working for over a year 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) to ensure all federal agencies in Alaska meet no less than the 3% goal. Although there has been some movement by a few federal agencies, a number appear to simply refuse to budge.

The purpose of this resolution is for our state legislature to join in on this effort. Yes, this is a federal problem, but the refusal of some federal procurement officers in Alaska to fully implement federal laws and directives is adversely affecting Alaskans, Alaskan owned businesses and in some ways our state's economy. It is our duty to stand together with our Congressional Delegation and ensure these men and women who have sacrificed so much, get the opportunities that federal law and executive orders promise.

It is our hope that hearings on this resolution will bring a number of federal agencies to the table before the appropriate legislative committees to explain their refusal to implement these laws and directives. It is also our goal to make sure each and every federal agency in Alaska meets or exceeds the 3% federal goal in Alaska.

We know there are many other members of our legislature who are aware and concerned with this problem. We welcome your co-sponsorship of this resolution and your participation in the committee hearings.

The timing of this resolution is also very important. As we all know a new Federal Administration is coming into office, and with early passage of this legislative statement on behalf of our constituencies, we believe we can influence that Administration to be more aggressive in full implementation of these federal laws and directives as they affect Alaskans.

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HOUSE JOINT RESOLUTION NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE FAIRCLOUGH

**Introduced:
Referred:**

A RESOLUTION

1 **Relating to federal procurement preferences for small businesses in the state that are**
2 **owned and controlled by service-disabled veterans.**

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

4 **WHEREAS** the state has a compelling public interest in ensuring that small
5 businesses in the state that are owned and controlled by service-disabled veterans receive
6 every reasonable opportunity provided for them by 15 U.S.C. 644(g) (Veterans
7 Entrepreneurship and Small Business Development Act of 1999); and

8 **WHEREAS** 15 U.S.C. 644(g) establishes a three percent federal procurement goal for
9 small businesses in the state that are owned and controlled by service-disabled veterans; and

10 **WHEREAS** the state also has a compelling public interest in ensuring that the small
11 businesses in the state that are owned and controlled by service-disabled veterans receive sole
12 source and restricted competition contracts under 15 U.S.C. 657f (Veterans Benefits Act of
13 2003) for goods and services used by the federal government; and

14 **WHEREAS** the state has a compelling public interest in ensuring that the provisions
15 of presidential Executive Order 13360 that implement the provisions of 15 U.S.C. 644(g) and
16 15 U.S.C. 657f relating to small businesses in the state that are owned and controlled by

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1 service-disabled veterans are carried out in the state; and

2 **WHEREAS** some federal agencies either refuse or fail to comply with 15 U.S.C.
3 644(g), 15 U.S.C. 657f, and Executive Order 13360 as they relate to small businesses in the
4 state that are owned and controlled by service-disabled veterans;

5 **BE IT RESOLVED** that the Alaska State Legislature respectfully requests that the
6 President of the United States direct all federal agencies in the state to fully comply with 15
7 U.S.C. 644(g), 15 U.S.C. 657f, and Executive Order 13360 as they relate to the small
8 businesses in the state that are owned and controlled by service-disabled veterans; and be it

9 **FURTHER RESOLVED** that the Alaska State Legislature respectfully requests that
10 the U.S. House Small Business Committee, the U.S. House Committee on Veterans' Affairs,
11 the U.S. Senate Committee on Small Business and Entrepreneurship, and the U.S. Senate
12 Committee on Veterans' Affairs hold joint oversight hearings into the refusal or failure of
13 federal agencies in the state to meet, as the United States Congress and the federal
14 administration intended, the required goals and performance standards in each approved
15 federal agency strategic procurement plan for small businesses in the state that are owned and
16 controlled by service-disabled veterans; and be it

17 **FURTHER RESOLVED** that the Alaska State Legislature respectfully requests that
18 the joint oversight hearings be held in the state to confront directly those federal agencies in
19 the state that have failed or refused to fully comply with 15 U.S.C. 644(g), 15 U.S.C. 657f,
20 and Executive Order 13360 as they relate to the small businesses in the state that are owned
21 and controlled by service-disabled veterans.

22 **COPIES** of this resolution shall be sent to the Honorable Barack Obama, President of
23 the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and
24 President of the U.S. Senate; the Honorable Robert C. Byrd, President Pro Tempore of the
25 U.S. Senate; the Honorable Nancy Pelosi, Speaker of the U.S. House of Representatives; the
26 Honorable Daniel Akaka, Chair of the U.S. Senate Committee on Veterans' Affairs; the
27 Honorable John F. Kerry, Chair of the U.S. Senate Committee on Small Business and
28 Entrepreneurship; the Honorable Bob Filner, Chair of the U.S. House Committee on Veterans'
29 Affairs; the Honorable Nydia M. Velazquez, Chair of the U.S. House Small Business
30 Committee; the Honorable Michael B. Donley, Secretary of the U.S. Air Force; the Honorable
31 Pete Geren, Secretary of the U.S. Army; the Honorable James B. Peake, M.D., United States

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- 1 Secretary of Veterans Affairs; and the Honorable Lisa Murkowski and the Honorable Mark
- 2 Begich, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the
- 3 Alaska delegation in Congress.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA


(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, AK 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

January 6, 2009

TO: Representative Carl Gatto
Attention: Bonnie Gruening

FROM: Patty Rose, Legal Editor 
Division of Legal Services

SUBJECT: Work Order Number 26-LS0135\E
Procurement preference for Alaska veterans

The enclosed work order has been formally prefiled as you requested. This draft copy is for your information only. Please advise immediately if you wish to withdraw this measure or make any changes.

Enclosure

HOUSE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES FAIRCLOUGH, GATTO, AND LYNN

**Introduced:
Referred:**

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to a public procurement preference for Alaska veterans."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 36.30.170(a) is amended to read:

4 (a) Except as provided in AS 36.30.175 and (b) - (h) of this section, the
5 procurement officer shall award a contract based on the solicited bids with reasonable
6 promptness by written notice to the lowest responsible and responsive bidder whose
7 bid conforms in all material respects to the requirements and criteria set out in the
8 invitation to bid.

9 *** Sec. 2.** AS 36.30 is amended by adding a new section to read:

10 **Sec. 36.30.175. Alaska veterans' preference.** (a) Notwithstanding a provision
11 in AS 36.30.170 to the contrary, if a bidder qualifies under AS 36.30.170(b) as an
12 Alaska bidder, is a qualifying entity, is on the register established under (d) of this
13 section, and is the lowest responsible and responsive bidder with a bid that is not more
14 than 10 percent higher than the lowest bid, the procurement officer shall award the
15 contract to that bidder. In this subsection, "qualifying entity" means a

- 1 (1) sole proprietorship owned by an Alaska veteran;
- 2 (2) partnership under AS 32.06 or AS 32.11 if a majority of the
- 3 partners are Alaska veterans;
- 4 (3) limited liability company organized under AS 10.50 if a majority of
- 5 the members are Alaska veterans; or
- 6 (4) corporation that is wholly owned by individuals and a majority of
- 7 the individuals are Alaska veterans.

8 (b) A preference under this section is in addition to any other preference for
 9 which the bidder qualifies.

10 (c) To qualify for a preference under this section, a bidder must add value by
 11 the bidder itself actually performing, controlling, managing, and supervising a
 12 significant part of the services provided, or the bidder must have sold supplies of the
 13 general nature solicited to other state agencies, governments, or the general public.

14 (d) The department shall establish a register of individuals who qualify under
 15 this section as Alaska veterans.

- 16 (e) In this section, "Alaska veteran" means an individual who is a
- 17 (1) resident of this state; and
 - 18 (2) veteran; in this paragraph, "veteran" means an individual who
 - 19 (A) served in the
 - 20 (i) armed forces of the United States, including a reserve unit
 - 21 of the United States armed forces; or
 - 22 (ii) Alaska Territorial Guard, the Alaska Army National
 - 23 Guard, the Alaska Air National Guard, or the Alaska Naval Militia; and
 - 24 (B) was separated from service under a condition that was not
 - 25 dishonorable.

26 * **Sec. 3.** AS 36.30.250(b) is amended to read:

27 (b) In determining whether a proposal is advantageous to the state, the
 28 procurement officer shall take into account, in accordance with regulations of the
 29 commissioner, whether the offeror qualifies as an Alaska bidder under
 30 AS 36.30.170(b), is offering the service of an employment program, or qualifies for a
 31 preference under AS 36.30.170(e) or (f) or 36.30.175.

32 * **Sec. 4.** AS 36.30.335 is amended to read:

1 **Sec. 36.30.335. Relationship to other product preferences.** This chapter
2 does not modify AS 36.15.010 and 36.15.020 regarding preference for Alaska forest
3 products, or AS 36.15.050 and 36.15.060 regarding preference for Alaska agricultural
4 and fisheries products, except as provided in AS 36.30.170(b), (c), (e) - (h), 36.30.175,
5 and 36.30.337.

HB

97

<target><bill>HB 97</bill><subject>HB
97</subject><comm>HMLV26</comm></target>

ALASKA STATE LEGISLATURE

Sponsor



Statement

SESSION:

Alaska State Capitol, Room 418
Juneau, AK 99801
(907) 465-4457 Office
(907) 465-3519 Fax
(800) 928-4457 Toll Free

INTERIM:

1292 Sadler Way, Suite 304
Fairbanks, AK 99701
Office (907) 456-8172
Fax (907) 456-2490

Representative David Guttenberg

House Bill 97 – State Veterans' Cemetery & Fund

All Alaska veterans deserve access to a military cemetery that honors their service and recognizes their sacrifices while serving our country, usually under challenging conditions, and frequently in harm's way.

On a per capita basis, Alaska has more residents in active military service or who are veterans than all but one other state. According to the U.S. Department of Veterans Affairs (VA), a total of 9,469 veterans reside in the Fairbanks North Star Borough.

The VA's long-term goal is to provide an operational veterans' cemetery within 75 miles of 90 percent of the veterans in the country. The nearest veterans' cemetery to Fairbanks is Fort Richardson National Cemetery, located 350 miles away in Anchorage. By the VA's own estimation, a facility in Fairbanks would greatly increase the number of veterans served by a veterans' cemetery.

Interior Alaska's veterans deserve a cemetery located in the Interior of the state. A state veterans' cemetery in the Interior would better serve the needs of veterans and their families, and provide a final resting place that is centrally located, honorable, and well maintained. An Interior veterans' cemetery will help families avoid the pain of burying a loved one far from home.

HB 97 seeks to establish a state cemetery similar to the Fort Richardson and Sitka National Cemeteries. It will provide a place in the Interior for soldiers to be laid to rest with full military funeral honors, including uniformed pallbearers, rifle team, and ceremonial folding and presentation of the United States flag.

HB 97 authorizes the Alaska Department of Military and Veterans' Affairs to establish and maintain a state veterans' cemetery with funds from the U.S. Department of Veterans Affairs, State Cemetery Grants Program. Through this program, the Alaska Department of Military and Veterans' Affairs may be awarded up to 100% of allowable costs for design, construction, and operating equipment for an approved project. To date, the VA has awarded 152 grants totaling more than \$264 million to establish, expand, or improve 65 veterans' cemeteries in 35 states, Guam and Northern Mariana Islands. There are now 65 operational cemeteries and four more under construction.

I urge you to support this legislation.

Representative.David.Guttenberg@legis.state.ak.us
<http://guttenberg.akdemocrats.org>

FACT SHEET

- AK has the highest number of veterans per capita in the nation.
- 9,469 vets in FNSB (McDowell Group Inc. 2005)
- 10,983 vets in Interior region of AK (McDowell Group Inc. 2005)
- 15% of Interior vets are 65+
- Federal grant program will pay 100% of costs for design, construction, & operating equipment
- Also available are follow-on grants for expansion & improvement of existing facilities
- Veterans Benefits Administration pays \$300 plot allowance to state per internment. (non-service related death)
- For service related deaths VBA pays up to \$2,000
- Access to Fort Rich Cemetery is sometimes restricted depending upon Army's security status.
- Only access to Sitka is by air or marine highway.

Notable Internments

- 2 Medal of Honor recipients buried in AK (1 at Ft. Rich, 1 at Sitka)
- Major Kermit Roosevelt, son of Pres. Theodore Roosevelt is buried at Ft. Rich
- James Green Brady, Governor of the Territory of Alaska from 1897 to 1906, is buried in Sitka National Cemetery.
- Charles William Paddock, "The Worlds Fastest Human", two-time Olympic Gold Medalist, is buried at Sitka National Cemetery. (Former Marine Corp. Captain)

The United States Department of Veterans Affairs has confirmed the following:

- No dollar amount is required:
 - To submit a preapplication for a state veterans cemetery through grants.gov
 - For the VA to acknowledge receipt of the preapplication to the State with a Federal Application Number
 - To rank the project for the FY 2010 Priority List of Pending Applications
- If the preapplication is submitted through grants.gov before the July 1, 2009 deadline, the project will be ranked on the FY 2010 Priority List.
- However, the \$250,000 in the capital budget for the Vet Cemetery will not be sufficient to rank the project in the highest possible ranking on the FY 2010 Priority List.
- If the VA does not have the certification of State matching funds in the amount of \$750,000 by the August 15, 2009 deadline, the project will not be high enough for a funding opportunity in FY2010.
- The VA will reimburse the State of Alaska for all allowable and approved expenses. Once the state submits the preapplication through grants.gov, the reimbursement of eligible costs will be considered and if deemed appropriate, approved.
- Reimbursement will be at 100% and will include the State's matching Architectural and Engineering fees, inspection fees, construction costs, and initial equipment. However, it will not include land acquisition.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101


State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

April 11, 2007

SUBJECT: Sectional summary of CSHB 45(MLV)
(Work Order No. 25-LS0230\C)

TO: Representative David Guttenberg
Attn: Dana Krawchuk

FROM: 
Donald M. Bullock Jr.
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Allows the legislature to appropriate a portion of the money received for special request plates commemorating Alaska veterans to the Alaska veterans' cemetery fund created in sec. 3 of the bill.

Section 2. Adds gifts, donations, and grants received by the Department of Military and Veteran's Affairs for veterans' cemeteries to the list of program receipts in AS 37.05.146(c) that are accounted for separately; appropriations from these program receipts are not made from the unrestricted general fund.

Section 3. Creates the Alaska veterans' cemetery fund in the general fund; the fund is not exempt from the requirements of AS 37.07 (Executive Budget Act) and money in the fund is not dedicated for a specific purpose. Provides that the legislature may appropriate amounts from the fund to the Department of Military and Veterans' Affairs for the construction, operation, and maintenance of veterans' cemeteries established under sec. 4 of the bill. Appropriations to the veterans' cemetery fund do not lapse under AS 37.25.010, and the unexpended and unobligated balance of an appropriation from the fund lapses back into the fund.

Section 4. Authorizes the Department of Military and Veterans' Affairs to establish and maintain Alaska veterans' cemeteries in the state. Allows the department to accept gifts, donations, and grants for the purpose of establishing and maintaining the cemeteries; land received by the department is owned by the state. Requires the department to consult

Representative David Guttenberg

April 11, 2007

Page 2

with the Alaska Veterans' Advisory Council when adopting regulations for determining eligibility for burial in a state veterans' cemetery, receive the plot or interment allowance on behalf of the state, comply with all requirements for a state veterans' cemetery grant established by the United States Department of Veterans' Affairs, and apply for state veterans' cemetery grants from the United States Department of Veterans' Affairs. Authorizes the Department of Military and Veterans' Affairs to adopt regulations, enter into agreements for the operation of veterans' cemeteries, and solicit gifts, donations, and grants in addition to grants from the United States Department of Veterans' Affairs.

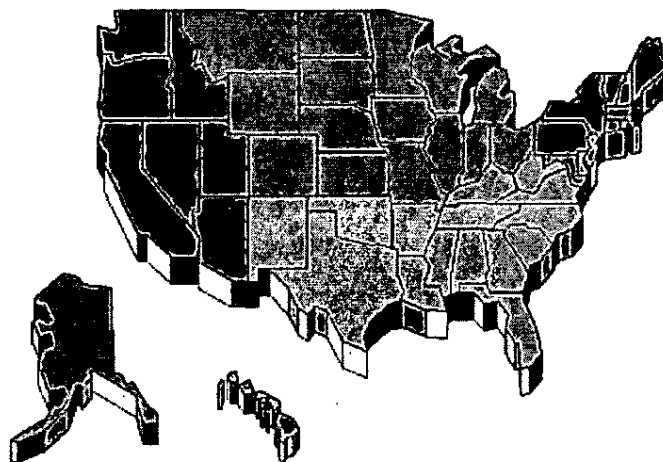
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UNITED STATES DEPARTMENT OF VETERANS AFFAIRS

BURIAL & MEMORIALS

State Cemetery Grants Program/Grant Information Kit



[Applicant Eligibility](#) [Program History and Background](#) [Scope of the Program](#) [Availability of Funds](#) [Application Guidelines](#) [Application Content](#) [Selection Criteria](#) [Review Process](#)

Applicant Eligibility

1. State governments are eligible to receive grants to **establish, expand or improve** state veterans cemeteries. The term "state" means each of the several states, territories and possessions of the United States, including Guam, American Samoa, the Virgin Islands and the Commonwealth of the Northern Mariana Islands. The District of Columbia and the Commonwealth of Puerto Rico are also eligible to receive grants.
2. Counties, cities and other state subdivisions, including multi-agency organizations are not eligible for grants. Private organizations are not eligible to receive grants.
3. **Applicants must own the land** on which the cemetery is to be established. The state is responsible for the provision of land. Land may be purchased, transferred from another agency or donated.
4. Eligible applicants must provide assurance that they possess legislative authority and adequate appropriations to construct the project to be built with grant assistance.
5. Cemeteries must be operated solely for the interment of service members who die on active duty, veterans (as defined in Title 38, U.S. Code §101.(2)), and their spouses and minor children. States may impose residency requirements for eligibility but are encouraged not to.
6. Grants may only be awarded to establish, expand or improve state-owned veterans cemeteries. Grants may not be awarded for maintenance or repairs.

7. New cemeteries must be capable of providing at least 20 years of service.

Program History and Background

1. The federal government's system of national cemeteries was first established during the Civil War. The Army operated most of the cemeteries until 1973 when they were transferred to the U.S. Department of Veterans Affairs (VA). Arlington National Cemetery is still operated by the Department of the Army. The National Park Service operates several historical national cemeteries such as Gettysburg and Vicksburg. An independent agency, the American Battle Monuments Commission, maintains cemeteries overseas for the dead of World War I and World War II. States have operated veterans cemeteries since the War with Mexico.
2. The VA State Cemetery Grants Program was established in 1978 to complement VA's network of national cemeteries. Funds were first appropriated for the program in 1980. As originally authorized, VA provided 50 percent of the cost and states provided 50 percent. The value of the state land dedicated to the cemetery comprised up to half of the state's share.
3. The program assists states in providing gravesites in those areas where the National Cemetery Administration (NCA) cannot fully satisfy veterans' burial needs.
4. 4. Public Law 105-368, which went into effect in 1999, authorized VA to provide up to 100 percent of the development cost for an approved project. VA can now provide for operating equipment for establishment of new cemeteries. VA does not provide for acquisition of land.
5. The administration, operation and maintenance of a VA-supported state cemetery are solely the responsibility of the state.
6. VA is authorized to pay a "plot allowance" of \$300 to a state for expenses incurred in the burial of an eligible veteran without charge.
7. Federal statutes authorizing the program are codified at 38 U.S.C. § 2408. Regulations are at 38 C.F.R. Part 39.
8. The State Cemetery Grants Program is described in the *Catalog of Federal Domestic Assistance* under "State Cemetery Grants" at 64.203.

Scope of the Program

1. The State Cemetery Grants Program is intended to complement the service provided by the VA's system of veterans cemeteries operated by the National Cemetery Administration.
2. VA seeks to provide the service of a veterans cemetery within 75 miles of 90 percent of the veterans across the country. Data shows that a 75-mile radius defines the effective "service area" of a veterans cemetery.
3. Since 1973, VA has opened many new cemeteries, primarily in large metropolitan areas where veterans previously had no effective service. VA also works to expand existing national cemeteries to maintain current service. VA has more than doubled the acreage available in federal veterans cemeteries since 1973 and the burial rate at these cemeteries has also increased by more than 100 percent.
4. Smaller cities and rural areas located beyond the 75-mile service areas of these existing national cemeteries are ideal locations for state veterans cemeteries.

Availability of Funds

1. Federal funds are appropriated each year for the State Cemetery Grants Program. VA requested \$37

million in funding for FY 2008 (October 1, 2007 through September 30, 2008).

2. Appropriated funds are available until expended.
3. If a state that has received a grant under this program ceases to operate the cemetery as a veterans cemetery, the federal government is entitled to recover the total of all grants made under this program to that state.
4. Funds must be expended in accordance with applicable guidelines, including Office of Management and Budget (OMB) Circular A-87, "Cost Principles for State, Local and Indian Tribal Governments."
5. All grant costs must be "necessary, reasonable" and allocable to the project for which funds have been requested.
6. When all requirements for Federal funding have been met, VA will award grants providing sufficient funds are available.
7. If sufficient funds are not available, VA will award funds according to the priority established (see "**Selection Criteria**").

Application Guidelines

1. A state seeking grant funding for a veterans cemetery project must apply to the U.S. Department of Veterans Affairs in accordance with 38 CFR (Code of Federal Regulations) Part 39. The applicant must also conform with the Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, 38 CFR Part 43, known as the "Common Grants Management Rule."
2. The applicant must have clear legislative authority from the state to apply for the grant.
3. The applicant must have the funds necessary to begin design and planning work. Federal funds are awarded on the basis of the bids received for construction. **State funds are needed to prepare plans** and specifications prior to bidding. Once the successful bidder has been determined and VA has awarded the grant, the state may be reimbursed for allowable costs already incurred.
4. The applicant must provide written assurance that any cemetery established, expanded, or improved through a grant will be maintained and operated in accordance with the operational standards and measures of the National Cemetery Administration.
5. VA provides **no monetary assistance to operate, maintain, or repair state veterans cemeteries**. States must be aware of the commitment to operate the cemetery.
6. VA must receive applications by July 1 for projects to be funded in the next Federal fiscal year (October 1 through September 30).
7. Applications must be reviewed by the State "Single Point of Contact" under the Executive Order 12372 process.
8. Applications must be signed and dated by the authorized state representative, normally the director of the state veterans affairs agency.
9. Cemeteries established under the grant program must conform to VA-prescribed standards and guidelines for site selection, planning and construction.

Application Content

1. Standard forms approved by the U.S. Office of Management and Budget (OMB) must be used to apply for grants. Standard Forms are available on the [OMB Grants Management](#) website.

- The basic application form is SF (Standard Form) 424, titled "Application for Federal Assistance," and known as the "face sheet."
- The application must also include SF 424C, "Budget Information—Construction Programs."
- The applicant must also submit SF 424D, "Assurances—Construction Programs."
- The "Certificate of Compliance" with Federal drug-free workplace and debarment and suspension requirements is required.
- In addition, the applicant must submit the "Certification for Contracts, Grants, Loan and Cooperative Agreements," which certifies that the applicant will not use grant funds for lobbying. If grant funds are to be used for lobbying, they must be disclosed on the "Disclosure" form.

The applicant must submit written assurance that it possesses authority to establish and operate a state veterans cemetery and that it will maintain the cemetery in accordance with VA standards.

2. For all projects expected to cost \$100,000 or more, the applicant must submit a pre-application. The pre-application is intended to:
 - Establish communication between the grantor agency (VA) and the applicant;
 - Determine the applicant's eligibility;
 - Determine how well the proposed project can compete with applications from others;
 - Discourage proposals that have little or no chance of being funded.
3. Pre-applications must include the following:
 - The location of the cemetery. A specific site may be designated during the review phase of the application, but the pre-application must designate the area to be served and the preferred location of the cemetery;
 - A design concept that describes the primary features to be included in the project and the number of gravesites to be provided. Standard features include items such as the entrance gate, administration building, maintenance building, committal service facility, flag plaza and assembly area;
 - A needs assessment that explains the need for the project to establish, expand or improve the veterans cemetery. This should be concise and quantitative to the degree possible.

Selection Criteria

1. Preapplications received by July 1, will be prioritized for funding in the following fiscal year.
2. Only preapplications which have met the requirements noted in the "Application Guidelines" and the "Application Content" sections will be prioritized. That is, applications must be properly completed on the appropriate forms. They must include the proper attachments and the applicant must have clear authority and adequate funding to begin the design process, as indicated by Department of Veterans' Affairs approved Costing Estimate for Architectural and Engineering Fees (Ref SF 424c, lines 4 and 5).
3. Preapplications meeting these basic requirements will be prioritized according to published criteria in 38 CFR 39.
4. VA will rank the preapplications and announce priorities by August 15. VA will rank applications according to priority and the date on which the application was received.

5. Prioritization follows these rules:

- o PRIORITY I – Projects needed to avoid disruption in burial service that would otherwise occur at existing veterans' cemeteries within 4 years of the date of the preapplication. Such projects would include phased expansion projects as well as improvement projects that are needed to continue interment operations.
- o PRIORITY II – Projects for the establishment of new veterans' cemeteries.
- o PRIORITY III – Planned phased developments prior to need.
- o PRIORITY IV – Other improvement projects.

Within priority groups 1, 2 and 3, highest priority will be given to projects in geographical locations that would provide **service to the largest number** of unserved veterans as determined by VA. Within priority group 4, projects will be ranked in order based upon VA's determination of the relative importance and necessity to operate.

Review Process

1. In addition to the required forms, assurances, certifications and attachments, all projects must comply with the National Environmental Policy Act and the National Historic Preservation Act. In many cases, especially with new cemeteries, the applicant will be required to perform an Environmental Assessment (EA) to determine whether a more in-depth Environmental Impact Study (EIS) is required. The EA should progress toward a Finding of No Significant Impact (FONSI). The FONSI should be made available for public review and comment.
2. The National Historic Preservation Act requires VA to determine whether proposed projects will have any impact on historic or cultural resources. When a new cemetery is being established, it is normally necessary to perform an investigation of the site to determine whether any historic or cultural resources would be affected and, if so, what mitigation or protection may be afforded. The applicant then confers with the State Historic Preservation Office (SHPO), which renders an opinion of the project's impact. Depending on the opinion of the SHPO, VA may be able to approve the project.
3. Most states hire architect/engineer (A/E) firms to design major projects. In the case of major projects, including all establishment grants, VA requires a "pre-design conference" in which VA, state and A/E representatives meet to familiarize themselves with the site and VA design requirements.
4. VA requires a "master plan" for establishment of new cemeteries. The master plan should analyze the major factors affecting design of the cemetery—including climate, soil, hydrology, site constraints, views, and activity level. The plan should analyze alternative designs and address the ultimate "build-out" of the site and planned phases of development.
5. The design process then proceeds to "design development" or partial plans, sometimes called 40 percent or 50 percent drawings. Again VA must review these submissions and approve them.
6. The final design submission comprises the construction drawings and specifications. VA is required to approve these documents before the state advertises for bids. Cemetery plans must be complete, comprehensive and professional.
7. Based on construction bids, the state submits a new form 424 and 424C that reflects the actual construction amount rather than the estimated amount provided in the preapplication. Along with the forms, the state must submit a tabulation of bids and designate the contractor to whom the contract will be awarded. VA reviews these materials and then awards the grant. Once the state receives the Notification of Grant Award, they may request reimbursement for costs they have already incurred such as design costs.

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Reviewed/Updated Date: December 12, 2007



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64.203 State Cemetery Grants

FEDERAL AGENCY:

NATIONAL CEMETERY ADMINISTRATION, DEPARTMENT OF VETERANS AFFAIRS

AUTHORIZATION:

Veterans Housing Benefits Act of 1978, Section 202, Public Laws 95-476, 98-223, 100-687, 103-446, and 105-368; 38 U.S.C. 2408.

OBJECTIVES:

To assist States in the establishment, expansion, and improvement of veterans' cemeteries.

TYPES OF ASSISTANCE:

Project Grants.

USES AND USE RESTRICTIONS:

Monetary assistance is provided under this program to construct, expand, and improve State veterans' cemeteries. Cemeteries must be State-owned and operated solely for the interment of eligible veterans and their dependents and/or spouses. Construction cost means the amount found necessary to convert a tract of land to an operational cemetery.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility:

Any State may apply.

Beneficiary Eligibility:

The cemetery must be used solely for the interment of veterans, their wives, husbands, surviving spouses, minor children, and unmarried adult children who were physically or mentally disabled and incapable of self support: section 1.620 of 38 CFR.

Credentials/Documentation:

Costs will be determined in accordance with revised OMB Circular No. A-87 for State Governments, dated May 4, 1995, and further amended August 29, 1997.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination:

Consultation or assistance is available from VA Central Office personnel (State Cemetery Grants Service) to aid in the preparation of an application. The standard application forms as furnished by VA and required by OMB Circular No. A-102 must be used for this program (Standard Form 424, "Application for Federal Assistance," with attachments). An environmental assessment is required. This program is eligible for coverage under E.O. 12372, "Intergovernmental Review of Federal Programs." An applicant should consult the office or official designated as the single point of contact in his or her State for more information on the process the State requires to be followed in applying for assistance, if

the State has selected the program for review.

Application Procedure:

Submit Standard Form 424, "Application for Federal Assistance for Construction Programs," with attachments, to the Director, State Cemetery Grants Service (401C), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420. This program is excluded from coverage under OMB Circular No. A-110.

Award Procedure:

Formal notification of the award to the State is made by the Under Secretary for Memorial Affairs, National Cemetery Administration.

Deadlines:

A deadline of July 1 is established for the filing of applications in the year prior to the fiscal year in which funding is requested.

Range of Approval/Disapproval Time:

From 30 to 60 days.

Appeals:

No application shall be disapproved until the applicant has been afforded an opportunity for a hearing.

Renewals:

Not applicable.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements:

The amount of the Federal contribution to a State is up to 100 percent of the cost of establishing, improving or expanding State Veterans Cemeteries. In the case of establishment grants, the cost of operating equipment may also be included. Land value is not included as an allowable cost for reimbursement under the grant.

Length and Time Phasing of Assistance:

Funds are provided by electronic transfer of funds and must be used within 3 years.

POST ASSISTANCE REQUIREMENTS:

Reports:

Outlay Report and Request for Reimbursement for Construction Programs, and Performance Reports are accomplished in accord with 38 CFR Part 43.

Audits:

In accordance with the provisions of OMB Circular No. A- 133 (Revised, June 24, 1997), "Audits of States, Local Governments, and Nonprofit Organizations," nonfederal entities that expend financial assistance of \$300,000 or more in Federal awards will have a single or a program-specific audit conducted for that year. Nonfederal entities that expend less than \$300,000 a year in Federal awards are exempt from Federal audit requirements for that year, except as noted in Circular No. A-133.

Records:

Financial records, supporting documents, statistical records and all other records pertinent to a grant shall be retained for a period of 3 years. If any claim or audit is started before the expiration of the 3 year period, the records shall be retained until all litigation, claims or audit findings involving the records

have been resolved.

FINANCIAL INFORMATION:

Account Identification:

36-0183-0-1-705.

Obligations:

(Grants) FY 04 \$33,621,693; FY 05 est \$36,109,000; and FY 06 est \$32,000,000.

Range and Average of Financial Assistance:

\$4,305 to \$10,965,607. Average: \$1,533,992.

PROGRAM ACCOMPLISHMENTS:

For fiscal year 2005 the State Cemetery Grants Service has received requests totaling \$126,070,995. The State Cemetery Grants Service estimates approximately 5 to 10 applications to establish, expand, or improve State veterans cemeteries in fiscal years 2005 and 2006.

REGULATIONS, GUIDELINES, AND LITERATURE:

VA Regulations 38 CFR Parts 39 and 43, State Cemetery Grant Program; State Cemetery Grants Program Guide (PG 40-1); and, "Federal Assistance for Establishment, Expansion and Improvement of State Veterans' Cemeteries (State Cemetery Grants Program)" (VA Pamphlet 40-96).

INFORMATION CONTACTS:

Regional or Local Office:

None.

Headquarters Office:

Director, State Cemetery Grants Service, (41E), National Cemetery Administration, Department of Veterans Affairs, 810 Vermont Avenue, N.W., Washington, DC 20420. Contact: Mr. William Jayne. Telephone: (202) 565-6152 or 565-6801. Fax: (202) 565-6141.

Web Site Address:

<http://www.va.gov>.

RELATED PROGRAMS:

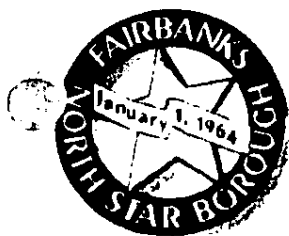
64.101, Burial Expenses Allowance for Veterans; 64.201, National Cemeteries; 64.202, Procurement of Headstones and Markers and/or Presidential Memorial Certificates.

EXAMPLES OF FUNDED PROJECTS:

1) Construction necessary to convert a tract of land to an operational cemetery; 2) construction of a committal facility, administration/maintenance building, and improve storm drainage system; and 3) the expansion of cemetery acreage or building a committal shelter.

CRITERIA FOR SELECTING PROPOSALS:

Applications are prioritized and ranked with other projects in the order received. The priority system consists of six groups or categories. Examples: The extent to which States have adequate funds to match the Federal grant; and the extent to which a project involves additional gravesites necessary to keep the cemetery open. The availability of the Federal and nonfederal share of the project is a primary consideration.



Fairbanks North Star Borough

Office of the Mayor

809 Pioneer Road • PO Box 71267 • Fairbanks, Alaska 99707-1267 •

Phone 907/459-1300 Fax 907/459-1102 Email mayor@co.fairbanks.ak.us

12 February, 2007

Dear Committee Members,

This is a letter of **support** for **HB 45: State Veterans Cemetary** and a thank you to Representative David Guttenberg for his sponsorship of this valuable piece of legislation.

This legislation serves to better meet the need of our Alaskan Veterans and their families through the U.S. Department of Veterans Affairs, State Cemetery Grants Program.

As the home of the Stryker Brigade Combat Team (formerly the 172nd SBCT / now the 1-25 SBCT), and having recently emerged successfully from our efforts to challenge the BRAC recommendations to scale back the military presence in Alaska, we have no choice but to continue to provide adequate reason for the military to stay here. This bill does that.

I **fully support this legislation** which honors Alaskans who have served their country with dignity as well as their family members in our community.

Sincerely,

Jim Whitaker, Mayor - Fairbanks North Star Borough

By: Luke Hopkins
Hank Bartos
Introduced: 03/24/05
Adopted: 03/24/05

FAIRBANKS NORTH STAR BOROUGH
RESOLUTION NO. 2005 - 15

A RESOLUTION SUPPORTING THE CREATION OF A STATE VETERANS' CEMETERY IN THE INTERIOR THROUGH LEGISLATION THAT ESTABLISHES AN ALASKAN VETERANS CEMETERY WITH FUNDS FROM THE U.S. DEPARTMENT OF VETERANS AFFAIRS (VA) STATE CEMETERY GRANTS PROGRAM.

WHEREAS, Alaskan veterans deserve a cemetery that is located in the Interior that honors their service; and

WHEREAS, according to the Department of Veterans Affairs National Cemetery Administration, Alaska has more residents in the military on a per-capita basis than any other state. There are approximately 11,164 veterans living in the Fairbanks North Star Borough; and

WHEREAS, the nearest officially designated military cemetery is located in Anchorage at Fort Richardson Army base; and

WHEREAS, the VA National Cemetery Administration follows a 6-step process to build a new state veterans cemetery: site selection; environmental assessment; land acquisition; master planning and design development; construction documents preparation; and construction award and completion; and

WHEREAS, the Alaska Department of Military and Veterans' Affairs can be awarded up to 100 percent of the development costs from the VA State Cemetery Grants Program for an approved project and the VA has awarded 137 grants to establish and improve veterans cemeteries around the country; and


WHEREAS, a State Veterans' Cemetery in the Interior would better serve needs of the veterans and their families, and provide a place that is centrally located, honorable, and would provide a place in the Interior for soldiers to be laid with full military funeral honors, pallbearers, rifle team, flag folding, and flag presentation; and

NOW THEREFORE BE IT RESOLVED, that the Fairbanks North Star Borough Assembly supports the creation of a State Veterans' Cemetery in the Interior and recognizes veterans' sacrifices while serving our country.

46 BE IT FURTHER RESOLVED, that copies of this resolution shall be
47 forwarded to The Honorable Governor Frank Murkowski, the Alaska Interior Delegation,
48 members of the House Military and Veterans Affairs Committee, Major General Craig E.
49 Campbell Adjutant General/Commissioner, Military and Veterans Affairs, The Honorable
50 Senator Ted Stevens, the Honorable Senator Lisa Murkowski, the Honorable
51 Congressman Don Young.


52
53
54

PASSED AND APPROVED THIS 24th DAY OF MARCH 2005.



Garry Hutchison
Presiding Officer

ATTEST: :



Mona Lisa Drexler, GMC
Municipal Borough Clerk

55
56 Ayes: Romans, Bartos, Sattley, Rex, Williams, Hopkins, Aldridge, Frank, Hutchison
57 Noes: None



AMERICAN LEGION

C. RUSSELL HUBER POST #57

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January 30, 2007

Representative David Guttenberg
State Capital
Room 418
Juneau, AK. 99801

Reference: Veterans Cemetery in Fairbanks

Dear Representative Guttenberg:

As the 2007 Legislative session begins, Veterans organizations are again requesting Legislative support for the establishment of a Veterans Cemetery in Fairbanks. You will recall that the American Legion, Department of Alaska, at their 2005 State Convention in Kodiak voted unanimously in support of that cemetery. Most noteworthy is that the resolution calling for a new veteran's cemetery came from our Anchorage American Legion comrades who recognized the only existing veteran's cemetery in Alaska is located at Fort Richardson.

We have met with Federal Veterans Affairs officials, State Veterans Affairs personnel, American Legion Posts, Veterans of Foreign Wars, Alaska Native Veterans, members of the Order of The Purple Heart and other veterans organizations who all strongly support your bill to establish a second veterans cemetery to serve the desperate need for a final resting ground for those many who have served our country in times of war and peace.

The need for a new veteran's cemetery is urgent as the few veterans' sites available will soon be filled with no provision existing for veteran's grave anywhere in the interior.

Please share this letter with other members of the Legislature.

For God and Country,

Darrell Peterson, Commander

Disabled American Veterans
Department of Alaska
Resolution #2007-01

SUPPORT FOR A POLICY FOR A STATE VETERANS CEMETARY

WHEREAS, Alaskan veterans deserve a cemetery that is located in the Interior that honors their service; and

WHEREAS, according to the Department of Veterans Affairs National Cemetery Administration, Alaska has more residents in the military on a per-capita basis than any other state. The Fairbanks North Star Borough has approximately 11,164 veterans; Forty percent of families in the Fairbanks area have at least one veteran in their household and sixteen percent have at least one woman in the household who is a veteran; and

WHEREAS, A State Veterans' Cemetery in the Interior would better serve needs of the veterans and their families and provide a place that is centrally located, honorable and well maintained; and

WHEREAS, The nearest officially designated military cemetery is located 350 miles North of Anchorage at Ft. Richardson; and

WHEREAS, The Department of Veterans Affairs National Cemetery Administrations' goal is to provide eligible veterans reasonable access to Department of Veterans Affairs (VA) burial options; and

WHEREAS, The VA provides a burial and funeral expense allowance of \$300 and a plot-interment allowance of \$300; and

WHEREAS, The Department of Veterans Affairs National Cemetery Administration follows a six-step process to build a new state veteran cemetery; site selection; environmental statement; land acquisition; master planning and design development; construction document preparation; and construction award and completion; and

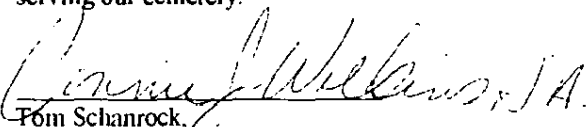
WHEREAS, The Alaska Department of Military and Veterans' Affairs can be awarded up to 100% of the development costs from the Department of Veterans Affairs National Cemetery Administration for an approved project; and

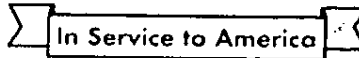
WHEREAS, To date, the Veterans Administration has awarded 137 grants totaling more than \$200 million to establish, expand or improve sixty-two veterans cemeteries in thirty-two states, plus Guam, Fifty-six cemeteries in twenty-one states and Guam are now operational; and

WHEREAS, According to the Division of Motor Vehicles from FY03 to FY05, \$45,040, has been generated from both the Federal and Commemorative Veterans license plate programs. The monies collected from the state license plate program currently goes into the general fund; and

WHEREAS, The construction of a state veterans cemetery in the Interior would be a great benefit to the friends and families of veterans in our community and would provide a place in the Interior for soldiers to be laid with full military funeral honors, pallbearers, rifle team, flag folding and flag presentation; therefore, be it

RESOLVED, By the Disabled American Veterans, Department of Alaska, That support be given in the creation of a veterans state cemetery, as proposed in HB45, open to all veterans in the state and recognizes the veterans sacrifices while serving our cemetery.


Tom Schanrock,
Department Commander



ALASKA STATE COUNCIL

February 12, 2009

Rep David Guttenberg
Alaska State Legislature
Juneau, AK

Rep Guttenberg

It is again a privilege to stand with you in your continuing efforts to establish a state veteran's cemetery in Fairbanks, Alaska. As we testified last year in both the House and Senate, the Alaska State Council of Vietnam Veterans of America – the statewide Vietnam Veterans organization – fully and completely supports the establishment of this new state veteran's cemetery.

We are very impressed with your ability to get a commitment from Governor Palin through her Commissioner of Military and Veterans Affairs for an appropriation to initiate the VA process that should significantly underwrite the development of this new cemetery. Your persistence and integrity in this effort are finally showing success. There is no reason any state legislator should oppose this effort to establish a state veterans cemetery in Interior Alaska.

As the State Council President, I often stand with the surviving families or Alaskan veterans as they say their final farewell at our National Cemetery in Anchorage. Unless we build a state veterans cemetery in Fairbanks these families will have to travel hundreds or even thousands of miles to visit their lost warrior. This is not only inconsistent with the wishes of Alaska's veterans and their families; it is also not consistent with the commitment of our state and its citizens to stand guard for America.

Although I am in Wash DC for this hearing, I wanted to ensure you had this letter of unqualified support for HB97.

Please share this with the members of your committee and ensure that it is formally entered into the committee hearing record.

It is an honor,

Ric Davidge
President



ALASKA VETERANS FOUNDATION

February 14, 2009

Rep David Guttenberg
Alaska State Legislature
Juneau, Alaska

Rep Guttenberg;

As you know the Alaska Veterans Foundation, Inc. is the only statewide veteran service foundation. We claim almost 80,000 members as veterans and another 35,000 active duty, National Guard, and Reserve. When you add these heroes together and multiply that by at least two family members in Alaska, this community of citizens, who understand service to our nation, represents about a third of our state's population.

It is unconscionable that after all these years of statehood, of Alaskan sacrifice to stand guard for America; we do not yet have a veteran's cemetery in Interior Alaska. This means that the families of our fallen heroes must either not put them to rest in a veteran cemetery or that they must travel hundreds, even a thousand miles to say their final farewell or visit the gravesite.

Your continuing efforts to bring this issue forward have engendered a great admiration by our veterans and their families. Your efforts during the last legislative session are well known to us and the refusal by one Senator to allow this priority legislation not to become law, will be remembered.

We stand with you again in total unqualified support for HB97 and ask Chairman Gatto of the House Special Committee on Veterans Affairs to move this legislation forward with strong bipartisan support.

It is time we formally recognized the service and sacrifice of all Alaskan's who have stepped forward to stand guard for America.

Please ensure a copy of this letter is provided to the members of the House Committee for the hearing February 17th and feel free to express our hope that finally we can see this small but essential statement by our state – that we honor the men and women who have served and who choose to spend the rest of eternity in Alaska.

It is an honor.

Ric Davidge
Chairman



AARP Alaska
3601 C Street
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Anchorage, AK 99503

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TTY 1-877-434-7598
www.aarp.org/ak

February 16, 2009

The Honorable Carl Gatto, Chair
House Military & Veterans' Affairs Committee
Alaska State Capitol, Room 108
Juneau, Alaska 99801-1182

HB 97 (Guttenberg)—Support

Dear Chair Gatto:

On behalf of the members of AARP in Alaska, we urge you and your colleagues on the House Military & Veterans' Affairs Committee to support HB 97, authored by Representative David Guttenberg and co-sponsored by Representatives Berta Gardner and Beth Kerttula.

HB 97 would establish a fund for the maintenance of and development of future veterans' cemeteries in Alaska. As you know, the only veterans' cemeteries are in Anchorage and Sitka yet the Fairbanks area alone has over 11,000 veterans, many of whom are AARP members. Certainly veterans and their families would like to have a cemetery closer to where they live.

Burial in a veterans' cemetery is one of the last honors we can offer our fellow citizens who have served in the Armed Forces. We think it is a well-deserved tribute to these men and women who served our country. It is a proper thank-you to the veterans and their families.

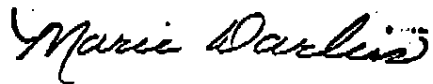
Undoubtedly there may be some costs associated with a new cemetery. HB 97 does provide some provisions for partial funding although additional funding might be required. Our veterans didn't weigh the costs when they joined the armed services. Surely we can bear the costs of this final thank-you to them.

AARP recommends an "AYE" vote on HB 97.

Should you have any questions about our position, please feel free to contact me (586-3637) or Patrick Luby, AARP Advocacy Director (907-762-3314).

Thank you for your consideration.

Sincerely,



Marie Darlin, Coordinator
AARP Capital City Task Force
415 Willoughby Avenue, Apt. 506
Juneau, AK 99801
586-3637 (voice)
463-3580 (fax)

CC: Representative John Harris
Representative Bob Lynn
Representative Kurt Olson
Representative Jay Ramras
Representative Bob Buch
Representative Scott Kawasaki
Representative David Guttenberg

Session:
State Capitol
Juneau, Alaska 99801
(907) 465-4457 Office
(907) 465-3519 Fax
(800) 928-4457 Toll Free

Alaska House of Representatives
David Guttenberg



District 8

Interim:
1292 Sadler Way
Suite 304
Fairbanks, Alaska 99701-3171
(907) 456-8172
(907) 456-2490 Fax

MEMO

To: **Representative Carl Gatto, Chair**
House Military and Veterans' Affairs Committee

From: Representative David Guttenberg

Date: February 9, 2009

Re: Hearing request for HB 97, An Act authorizing the Department of Military and Veterans' Affairs to establish and maintain Alaska veterans' cemeteries, establishing the Alaska veterans' cemetery fund in the general fund, and authorizing appropriation of income from fees for special request plates commemorating Alaska veterans to that cemetery fund.

I respectfully request that HB 97 be scheduled for a hearing in the House Military and Veterans Affairs Committee at your earliest Convenience.

Included you will find:

- The current version of HB 97
- Sponsor statement

I look forward to discussing the merits of this bill in the House Military and Veterans' Affairs Committee. My staff, Chris Birdsall, is assigned to this legislation if there are any questions, 465-4708. Any additional materials we wish to place before the committee will be submitted no later than 24 hours prior to the scheduled hearing.

Anderson • Cantwell • Chena • Denali Park • Ester • Geist • Goldstream • Healy • Pike
University Campus • University Hills • University West
Representative_David_Guttenberg@legis.state.ak.us

Attn: Sandra Wilson

ALASKA STATE LEGISLATURE



SESSION:
Alaska State Capitol, Room 418
Juneau, AK 99801
(907) 465-4457 Office
(907) 465-3519 Fax
(800) 928-4457 Toll Free

INTERIM:
1292 Sadler Way, Suite 304
Fairbanks, AK 99701
Office (907) 456-8172
Fax (907) 456-2490

Representative David Guttenberg

Date: February 16, 2009

To: Representative Carl Gatto, Chair
House Military and Veteran Affairs

From: Representative David Guttenberg

Re: HB 97

I respectfully request that you make the following documents available to committee members for the hearing on HB 97

Enclosed are:

1. Fact Sheet
2. Information from the VA concerning the preapplication process for state veterans cemeteries
3. Sectional summary of HB 45 from the 25th Legislature (identical to HB 97)
4. Support Materials

HB

99

<target><bill>HB 99</bill><subject>HB
99</subject><comm>HMLV26</comm></target>

Alaska State Legislature



Chairman
State Affairs Committee

Member
Judiciary Committee
Labor & Commerce Committee
Health & Social Services Committee
Military & Veterans Affairs Committee

Finance Subcommittees
Labor and Workforce Development
Military and Veterans' Affairs
Public Safety

Session:
Alaska State Capitol, #104
Juneau, AK 99801-1182

Phone: (907) 465-4931
Fax: (907) 465-4316
Toll Free: (800) 870-4391

Interim:
716 W. 4th Ave., #650
Anchorage, AK 99501-2133

Phone: (907) 269-0205
Fax: (907) 269-0207

A Communication From
REPRESENTATIVE BOB LYNN
District 31 Anchorage

E-Mail: Representative_Bob_Lynn@legis.state.ak.us
"Bob Lynn's Alaska Blog" www.RepLynnBlog.com

Sponsor Statement
HB 99
Deceased Veteran Death Certificate / Honor

HB 99 provides one certified death certificate, without cost, to a surviving spouse, next of kin, or other eligible relative of a deceased veteran. The bill is modeled after Arizona statute.

HB 99 also creates the Governor's Memorial Certificate Program to allow the Adjutant General to honor deceased veterans who are residents of Alaska, by issuing to their family memorial certificates. The certificate program is modeled after the Presidential Memorial Certificate Program. It is the intent that the Governor's Memorial Certificate Program will simply be a certificate given to surviving family members or other eligible recipients as defined, acknowledging the State's appreciation for the service of the deceased veteran.

Sectional Analysis

Section 1 (7) outlines who is eligible to receive a free death certificate and indicates that one free death certificate be issued to eligible recipient.

Section 2 adds the Governor's Memorial Certificate Program to A.S. 26.10. It outlines the procedure for the program.

(c)(1) This section defines who is an "eligible recipient" of a deceased veteran.

(c)(2) This section defines "veteran" as the meaning given in A.S. 26.10.080.

Alaska State Legislature



Chairman
State Affairs Committee

Member
Judiciary Committee
Labor & Commerce Committee
Health & Social Services Committee
Military & Veterans Affairs Committee

Finance Subcommittees
Labor and Workforce Development
Military and Veterans' Affairs
Public Safety

A Communication From
REPRESENTATIVE BOB LYNN
District 31 Anchorage

E-Mail: Representative_Bob_Lynn@legis.state.ak.us
"Bob Lynn's Alaska Blog" www.RepLynnBlog.com

Session:
Alaska State Capitol, #104
Juneau, AK 99801-1182

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716 W. 4th Ave., #650
Anchorage, AK 99501-2133

Phone: (907) 269-0205
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To: Representative Carl Gatto, Chair
House Military and Veterans' Affairs Committee

Fr: Representative Bob Lynn

Re: Blank CS for HB 99 – Changes to the Bill

Attached is a blank CS for HB 99. The CS continues to provide a death certificate for a deceased veteran without charge and removes all reference to the Governor's memorial certificate program.

The changes to HB 99 are:

Page 1 Line 2: **delete** "*relating to a program to honor the memory of a deceased veteran;*"

Page 2 Line 26 after the word "paragraph," **delete** the rest of line 26 and all of lines 27-31.

Page 3 **delete** Lines 1-8

26-LS0010E
Bullard
2/4/09

CS FOR HOUSE BILL NO. 99()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): HOUSE STATE AFFAIRS COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to providing a death certificate for a deceased veteran without charge;**
2 **and providing for an effective date."**

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

4 *** Section 1. AS 18.50.320 is amended to read:**

5 **Sec. 18.50.320. Copies of data from vital records. Except as otherwise**
6 **provided and in accordance with the regulations adopted under AS 18.50.310,**

7 (1) the bureau and the custodian of permanent local records shall, upon
8 request, issue a certified copy of a certificate or record in their custody, or a part of it;
9 each copy issued must show the date of registration or recording, and copies issued
10 from records marked "delayed," "amended," or "court order" shall be similarly marked
11 and must show the effective date;

12 (2) a certified copy of a certificate or a part of it issued in accordance
13 with (1) of this section is considered the original for all purposes and is prima facie
14 evidence of the facts stated; however, [PROVIDED THAT] the evidentiary value of a

1 certificate or record filed more than one year after the event, or a record that has been
2 amended, or a presumptive death certificate, shall be determined by the judicial or
3 administrative body or official before whom the certificate is offered as evidence;

4 (3) the National Office of Vital Statistics may be furnished the copies
5 or data it requires for national statistics if the bureau is reimbursed for the cost of
6 furnishing the data; the National Office of Vital Statistics may not use the data for
7 purposes other than statistical purposes unless authorized by the state registrar;

8 (4) federal, state, local, and other public or private agencies, upon
9 request, may be furnished copies or data for statistical purposes on the terms or
10 conditions prescribed by the bureau;

11 (5) a person or agency may not prepare or issue a certificate or part of
12 a certificate that purports to be an original, certified copy, or copy of a certificate of
13 birth, death, fetal death, or marriage, except as authorized in this chapter or the
14 regulations adopted under it;

15 (6) upon request, the bureau shall furnish a copy of a certificate or
16 record registered by the bureau to the child support services agency created in
17 AS 25.27.010, or the child support enforcement agency of another state, for child
18 support purposes authorized under law; such a certificate or record that is prepared or
19 maintained in an electronic data base may be supplied by providing the requesting
20 agency with a copy of the electronic certificate or record and a statement certifying its
21 contents;

22 (7) upon request and without charge, the bureau shall issue one
23 certified copy of the death certificate of a veteran to an eligible recipient for the
24 purpose of satisfying an eligibility requirement for a benefit related to the death
25 of the veteran; in this paragraph,

26 (A) "eligible recipient" means the veteran's surviving
27 spouse, or next of kin, or relative of the deceased veteran, the deceased
28 veteran's heir or devisee, and the administrator, executor, personal
29 representative, foreign personal representative, beneficiary, conservator,
30 fiduciary, special administrator, successor personal administrator, or
31 trustee of the deceased veteran's estate;

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(B) "veteran" means an individual who was

(i) on active duty at the time of the veteran's death or had received an honorable or general discharge from a branch of the armed services of the United States, the Alaska Scouts, the Alaska Territorial Guard, the Alaska Army National Guard, the Alaska Air National Guard, the Alaska Naval Militia, the United States Coast Guard, or a reserve unit of the United States armed forces or United States Coast Guard in Alaska; and

(ii) a resident of Alaska at the time of the individual's death.

* Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: HB099
() Publish Date: _____

Identifier (file name): HB099-DHSS-BVS-02-13-09 Dept. Affected: Health & Social Services
Title: Deceased Veteran Death Certificate/Honor RDU: Public Health
Component: Bureau of Vital Statistics
Sponsor: State Affairs
Requester: House MLV Component Number: 961

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING		0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
-----------------------------	--	--	--	--	--	--	--	--

CHANGE IN REVENUES (
-----------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF		50.0	60.0	75.0	90.0	90.0	90.0
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Receipt Supported Services		(50.0)	(60.0)	(75.0)	(90.0)	(90.0)	(90.0)
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: _____

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

Under this bill family members or representatives (executors, etc.) of deceased veterans may each request one free copy of the veteran's certified death certificate. Because the Bureau of Vital Statistics (BVS) relies substantially on fee revenues to cover its operating costs, any loss of these revenues will have an immediate impact on staffing and quality of service to the public if not replaced by general funds.

About 3% of the proposed FY10 budget for BVS is GF (\$89.0). In contrast, 75% of the BVS budget proposed for FY10 comes from Receipt Supported Services (RSS). Limited flexibility in the BVS budget compounds the problem of relying on fees for operating costs. (Continued on Page 2)

Prepared by: Beverly Wooley, Director Phone 907-465-4079
Division: Public Health Date/Time 2/11/09 12:00 AM

Approved by: Alison Elgee, Assistant Commissioner Date 2/13/2009
DHSS Finance Management Services

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

BILL NO. HB099

ANALYSIS CONTINUATION

One-third of BVS's annual expenses are fixed costs for items such as lease space, telecommunications services and paper for certificates. Areas where there is some flexibility, such as travel, have been reduced in recent years due to "belt tightening" budget reductions and loss in buying power. Nearly two-thirds of the BVS budget covers personal services.

We project this bill will cost BVS \$50.0 in lost revenue in FY10, increasing to a loss of \$90.0 by FY13. The estimates are based on the \$20 fee for a certified copy of a death certificate and the approximately 900 deaths per year where the decedent was a veteran. Under this version of the bill, receipt of free copies is not restricted - each family member or representative may request one free copy but any number of family members or representatives may request a free copy. It is estimated that veterans' families and representatives will request, on average, five free copies (families have been known to request as many as 30 copies of a death certificate). The fiscal impact will be approximately \$50.0 for the first year the legislation is in effect (\$20 x 2,500 certified copies, assuming just 500 families will request 5 certificates each in the first year), increasing to \$90.0 by FY13 (\$20 x 4,500 certified copies) as more people become aware of the new benefit provided by this law. The Bureau will experience a greater loss of revenue if this bill generates more than five requests per death, or if the number of decedents who are veterans exceeds 900 in a year.

This projected loss of revenue to BVS appears in the Receipt Supported Services line and, if the current level of staffing and service to the public is to be maintained, this lost revenue will have to be replaced with GF. If new GF is not received to offset the lost revenue, the Bureau will have to eliminate one position the first year this bill is in effect, and a second position within the subsequent one to two years. The loss of these positions will limit the Bureau's ability to process requests for vital records in a timely manner by limiting the number of requests that can be processed daily. Previous experience has shown that when BVS is understaffed, the public can expect delays of up to eight weeks for processing vital record requests. At current staffing levels, the average turnaround time is two to three days.

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB99 (MLV)
 () Publish Date: _____

Identifier (file name): HB99-DMVA-VS-2-4-09 Dept. Affected: Dept of Military and Veterans Affairs
 Title An Act relating to providing a death certificate for a deceased RDU Military and Veterans Affairs
veteran without charge; relating to a program to honor... Component Veterans Services
 Sponsor House Spec Comm on MVA, State Affairs, Finance
 Requester MLV Component Number 421

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	3.0	0.0	3.0	3.0	3.0	3.0	3.0	3.0
Supplies	7.0	0.0	7.0	7.0	7.0	7.0	7.0	7.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	10.0	0.0	10.0	10.0	10.0	10.0	10.0	10.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	10.0	0.0	10.0	10.0	10.0	10.0	10.0	10.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Other Interagency Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	10.0	0.0	10.0	10.0	10.0	10.0	10.0	10.0

Estimate of any current year (FY2009) cost: 4.0

POSITIONS

Full-time	0	0	0	0	0	0	0	0
Part-time	0	0	0	0	0	0	0	0
Temporary	0	0	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)
 Impact to the Department of Military and Veterans Affairs is for the cost of postage, mailing envelopes and paper stock for the Governor's memorial certificate program certificates.

Prepared by: McHugh Pierre, Legislative Liaison/Director of Communications Phone 465-4402
 Division: National Guard Military Headquarters/Office of the Commissioner Date/Time 2/4/09 @ 1:15 pm
 Approved by: Commissioner Craig Campbell Date 2/4/2009
Department of Military and Veterans Affairs

CERTIFICATION OF VITAL RECORDS

STATE OF ARIZONA

STATE OF ARIZONA
DEPARTMENT OF HEALTH SERVICES - OFFICE OF VITAL RECORDS

ORIGINAL
STATE
COPY

CERTIFICATE OF DEATH

DEATH NO.
D 102-

NAME OF DECEASED		AKA	A. FIRST	SEYMOUR	B. MIDDLE	C. LAST	EPSTEIN	SEX	DATE OF DEATH	MONTH	DAY	YEAR
1. RACE, A.S., white, black, American Indian, (Specify race or ethnicity)		2. WAS DECEDENT OF HISPANIC ORIGIN? (Specify Yes or No)		3. IF YES, INDICATE MEXICAN, SPANISH, PUERTO RICAN, CUBAN, ETC.		4. WAS DECEASED EVER IN U.S. ARMED FORCES? (Specify Yes or No)		YES				
5. PLACE OF DEATH		6. A. COUNTY		7. B. TOWN OR CITY		8. C. HOSPITAL OR INSTITUTION		9. (IF RESIDENCE, GIVE STREET ADDRESS)		10. <input type="checkbox"/> DOA <input type="checkbox"/> OF EMER <input type="checkbox"/> YES IN PATIENT		
11. DATE OF BIRTH		12. AGE, YEARS (LAST BIRTHDAY)		13. IF UNDER 1 YEAR AGE, DAYS		14. IF UNDER 1 DAY AGE, HRS. MIN.		15. MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify)		16. SURVIVING SPOUSE (IF WIFE, GIVE MAIDEN NAME)		
17. STATES AND CITY OF BIRTH (If not in USA, name country)		18. CITIZEN OF WHAT COUNTRY?		19. SPECIFY		20. SOCIAL SECURITY NO.		21. USUAL OCCUPATION (Give type of work done most of working life, even if retired)		22. KIND OF BUSINESS OR INDUSTRY		
23. USUAL RESIDENCE		24. A. STATE		25. B. COUNTY		26. C. TOWN OR CITY		27. D. ZIP CODE		28. HOW LONG IN ARIZONA?		29. EDUCATION HIGHEST GRADE COMPLETED
30. STREET ADDRESS OF R.F.D.		31. INSIDE CITY LIMITS? (Specify Yes or No)		32. ON RESERVATION? (Specify Yes or No)		33. PREVIOUS STATE OF RESIDENCE		34. ELEMENTARY/SECONDARY (9-12)		35. COLLEGE (1-4 or 5-)		
36. 3380 NORTH WINDSONG		37. YES		38. NO		39. CALIFORNIA		40. A.		41. B. 2		
42. FATHER'S NAME		43. A. FIRST		44. B. MIDDLE		45. C. LAST		46. MOTHER'S MAIDEN NAME		47. A. FIRST		
48. INFORMANT'S SIGNATURE		49. RELATIONSHIP TO DECEASED		50. ADDRESS		51. STREET NO.		52. CITY AND STATE		53. ZIP CODE		
54. SIGNATURE		55. RELATIONSHIP TO DECEASED		56. ADDRESS		57. STREET NO.		58. CITY AND STATE		59. ZIP CODE		
60. BURIAL, CREMATION, REMOVAL, OTHER (Specify)		61. DATE		62. CEMETERY OR CREMATORY - NAME/LOCATION		63. EMBALMER'S SIGNATURE		64. CERT. NO.		65. FUNERAL HOME		
66. NAME		67. STREET ADDRESS		68. CITY AND STATE		69. 86314		70. FUNERAL DIRECTOR'S SIGNATURE		71. CERT. NO.		
72. ARIZONA WAKELIN BRADSHAW, 8480 EAST VALLEY ROAD, PRESCOTT VALLEY, AZ		73. TO THE BEST OF MY KNOWLEDGE, DEATH OCCURRED AT THE TIME, DATE AND PLACE AND DUE TO THE CAUSE(S) STATED		74. SIGNATURE OF PHYSICIAN		75. DATE SIGNED (Mo., Day, Year)		76. HOUR OF DEATH		77. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or print)		
78. NAME AND ADDRESS OF CERTIFIER, PHYSICIAN, MEDICAL EXAMINER OR TRIBAL HEALTH OFFICER		79. REG. FILE NO.		80. REG. DISTRICT		81. DATE REGD. IN STATE OFFICE		82. AUTHORIZED FOR ISSUANCE OF CERTIFICATE		83. EXAMINER'S SIGNATURE		
84. NAME AND ADDRESS OF CERTIFIER, PHYSICIAN, MEDICAL EXAMINER OR TRIBAL HEALTH OFFICER		85. REG. FILE NO.		86. REG. DISTRICT		87. DATE REGD. IN STATE OFFICE		88. AUTHORIZED FOR ISSUANCE OF CERTIFICATE		89. EXAMINER'S SIGNATURE		
90. PART I		91. PART II		92. PART III		93. PART IV		94. PART V		95. PART VI		
96. MANNER OF DEATH		97. CAUSE		98. HOUR		99. INJURY AT WORK? (Specify Yes or No)		100. DESCRIBE HOW INJURY OCCURRED		101. APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH		
102. SUPPLEMENTARY NOTES		103. WHERE LOCATED?		104. STREET ADDRESS		105. CITY OR TOWN		106. STATE		107. WEEKS		
108. MORTUARY EXEMPTION		109. CORRECTED BOXES 1 & 14A. 2-5-2004		110. AUTOPTIC (Specify Yes or No)		111. WAS CASE REFERRED TO MEDICAL EXAMINER? (Specify Yes or No)		112. NO		113. NO		

FOR GOVERNMENT USE ONLY

Security Benefits and

free of charge for

29-122-A this copy has been issued for and obtaining Veteran's

Pursuant to A.R.S. 29-122-A this copy has been issued for and obtaining Veteran's

Purpose of applying for and obtaining Veteran's

shall not be valid for any other purpose.

CERTIFIED COPY OF VITAL RECORDS

STATE OF ARIZONA }
COUNTY OF YAVAPAI }

DATE ISSUED FEB 06 2004

This is a true and exact reproduction of the document officially registered and placed on file in the VITAL RECORDS SECTION, DEPARTMENT OF HEALTH SERVICES, PHOENIX, ARIZONA. Issued under the authority of A.R.S. 38-341, and by direction of:

Marcia M. Jacobson
MARCIA MORAN JACOBSON



152164
149



House of Representatives
State Capitol
Juneau, AK 99801

Dear Representative,


The American Legion, Veterans of Foreign Wars and The Disabled American Veterans express the deep appreciation to you and other House members for the strong support given the veteran's legislative programs this past session. We have enclosed a copy of the Joint Venture's legislative priorities for consideration by the First Session of the 25th State Legislature.

Again, please accept our thanks and appreciation for your continuing support of important veteran issues.

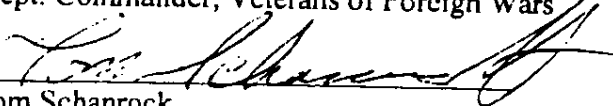
Sincerely,



Jim Pisa
Dept. Commander, The American Legion



Joe Simms
Dept. Commander, Veterans of Foreign Wars



Tom Schanrock
Dept. Commander, Disabled American Veterans

Burial & Memorial Benefits

Veterans Benefits & Services

Sample Presidential Memorial Certificates



The United States of America

honors the memory of

John H. Service

*This certificate is awarded by a grateful
nation in recognition of devoted and
selfless consecration to the service
of our country in the Armed Forces
of the United States.*

Agnew
President

A Presidential Memorial Certificate (PMC) is an engraved paper certificate, signed by the current President, to honor the memory of honorably discharged deceased veterans.

History

This program was initiated in March 1962 by President John F. Kennedy and has been continued by all subsequent Presidents. Statutory authority for the program is Section 112, Title 38, of the United States Code.

Administration

The Department of Veterans Affairs (VA) administers the PMC program by preparing the certificates which bear the current President's signature expressing the country's grateful recognition of the veteran's service in the United States Armed Forces.

Eligibility

Eligible recipients include the deceased veteran's next of kin and loved ones. More than one certificate may be provided.

Page 2 - Presidential Memorial Certificates

Application

Eligible recipients, or someone acting on their behalf, may apply for a PMC in person at any VA regional office or by U.S. mail only. Requests cannot be sent via email. There is no form to use when requesting a PMC. Please be sure to enclose a copy of the veteran's discharge and death certificate. Please submit copies only, as we cannot return original documents.

If you would like to request a Presidential Memorial Certificate, or if you requested one more than eight (8) weeks ago and have not received it yet, we ask that you either:

1. **Fax** your request and all supporting documents (copy of discharge and death certificate) to: **(202) 565-8054**, or
2. **Mail** your request and all supporting documents using either the U.S. Postal Service or a commercial mail service, such as one of the overnight or express mail delivery services, to:

**Presidential Memorial Certificates (41A1C)
Department of Veterans Affairs
5109 Russell Road
Quantico, VA 22134-3903**

If you have any questions about a certificate you have received, a request you have already sent in, or about the program in general, you may call **(202) 565-4964**. Or you may send an electronic inquiry to us by selecting the "Contact the VA" link below.

PLEASE NOTE: The above telephone number is for questions about the Presidential Memorial Certificate Program only.

Veteran Service Officers and Funeral Homes - Please contact us at (202) 565-4259 or (202) 501-2004 for information about submitting requests electronically.

We do not administer other VA programs or have access to other VA records. For assistance with other VA benefits or records please use the "Contact the VA" link below. Or call your Regional office at:

1-800-827-1000

HB

274

<target><bill>HB 274</bill><subject>HB
274</subject><comm>HMLV26</comm></target>

ALASKA STATE LEGISLATURE



Representatives Nancy Dahlstrom, Berta Gardner, Bob Buch, Pete Petersen, Bob Lynn, Carl Gatto, Chris Tuck, Mike Doogan, Bill Thomas, Mike Hawker, David Guttentburg, Jay Ramras, Anna Fairclough, Craig Johnson, Charisse Millet, Bob Herron

Sponsor Statement HB 274

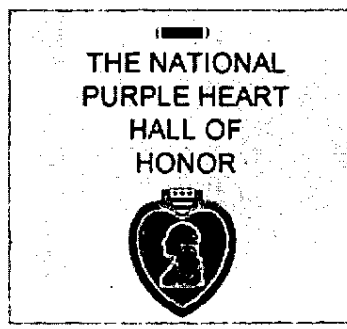
"An Act establishing August 7 as Purple Heart Day."

On August 7, 1782, General George Washington established the Badge of Military Merit to honor military enlisted men and noncommissioned officers. This badge was only awarded to three Revolutionary War soldiers before its use was discontinued after the war. In 1932, on Washington's 200th birthday, the United States reinstated the Badge of Military Merit renaming it the "Purple Heart."

Throughout its history the Purple Heart has been awarded for meritorious service. With the introduction of the Legion of Merit in 1942, the award of the Purple Heart transitioned to honoring members of the United States armed forces who have been wounded or killed in battle.

Since this honor has been reinstated in the United States, approximately 1.7 million service men and women, including many Alaskans, have received the Purple Heart. Currently, there are about 500,000 Purple Heart recipients who are living.

In the past, the State of Alaska and the Municipality of Anchorage has recognized August 7 as Purple Heart Day. It is, however, our nation's oldest military medal, and we wish to honor recipients on an annual basis on the day of the award's inception. We ask you for your support to establish August 7 as Purple Heart Day in perpetuity to honor those who have been wounded or killed in battle.



NATIONAL PURPLE HEART HALL OF HO

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History

The award known as the Purple Heart has a history that reaches back to the waning days of the American Revolution. The Continental Congress had forbidden General George Washington from granting commissions and promotions in rank to recognize merit. Yet Washington wanted to honor merit, particularly among the enlisted soldiers. On August 7, 1782, his general orders established the Badge of Military Merit:



The Badge of Military Merit circa 1782.

"... The General ever desirous to cherish virtuous ambition in his soldiers, as well as to foster and encourage every species of Military merit directs whenever any singularly meritorious action is performed, the author of it shall be permitted to wear on his facings, over his left breast, the figure of a heart in purple cloth or silk edged with narrow lace or binding."

This award was open only to enlisted men and granted them the distinction of being permitted to pass all guards and sentinels as could commissioned-officers. The names of the recipients were to have been kept in a "Book of Merit" (which has never been recovered). At the present time there are three known recipients of the Badge of Military Merit: Sergeant Elijah Churchill, 2nd Continental Dragoons; Sergeant William Brown, 5th and Sergeant Daniel Bissel, 2nd Connecticut Continental Line Infantry.

Washington stated that the award was to be a permanent one, but once the Revolution ended, the Badge of Merit was all but forgotten until the 20th century.

General John J. "Blackjack" Pershing suggested a need for an award for merit in 1918, but it was not until 1932 that the Purple Heart was created in recognition of Washington's ideals and for the bicentennial of his birth. General Order No.3 announced the establishment of the award:

"...By order of the President of the United States, the Purple Heart, established by General George Washington at Newburgh, August 7, 1782, during the War of the Revolution is hereby revived out of respect to his memory and military achievements.

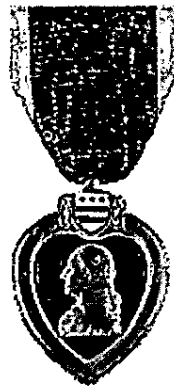
By order of the Secretary of War:
 Douglas MacArthur
 General, Chief of Staff

On May 28, 1932, 138 World War I veterans were conferred their Purple Hearts at Temple Hill, in New Windsor, NY. Temple Hill was the site of the New Windsor

Cantonment, which was the final encampment of the Continental Army in the winter of 1782-1783. Today, the National Purple Heart continues the tradition begun here in 1932, of honoring veterans who have earned the Purple Heart.

The Purple Heart has undergone many changes with respect to the criteria for being awarded. At first, the Purple Heart was exclusively awarded to Army and Army Air Corps personnel and could not be awarded posthumously to the next of kin. In 1942, President Franklin Roosevelt signed an executive order allowing the Navy to award the Purple Heart to Sailors, Marines, and Coast Guard personnel. Also in that year, the Purple Heart was made available for posthumous award to any member of the military killed on or after December 7, 1941.

Originally the Purple Heart was awarded for meritorious service. Being wounded was one portion of consideration for merit. With the creation of the Legion of Merit in 1942, the award of the Purple Heart for meritorious service became unnecessary and was therefore discontinued. The Purple Heart, per regulation is awarded in the name of the President of the United States to any member of the Armed Forces of the United States who, while serving under competent authority in any capacity with one of the U.S. Armed Services after April 5, 1917 has been wounded, killed, or has died after being wounded.



Purple Heart

*Paragraph 2-8, Army Regulation 600-8-22 (Military Awards)
25 February 1995*

The Purple Heart was established by General George Washington at Newburgh, New York, on 7 August 1782, during the Revolutionary War. It was reestablished by the President of the United States per War Department General Orders 3, 1932 and is currently awarded pursuant to Executive Order 11016, 25 April 1962, Executive Order 12464, 23 February 1984 and Public Law 98-525, 19 October 1984.

a. The Purple Heart is awarded in the name of the President of the United States to any member of an Armed Force or any civilian national of the United States who, while serving under competent authority in any capacity with one of the U.S. Armed Services after 5 April 1917, has been wounded or killed, or who has died or may hereafter die after being wounded-

- (1) In any action against an enemy of the United States.
- (2) In any action with an opposing armed force of a foreign country in which the Armed Forces of the United States are or have been engaged.
- (3) While serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party.
- (4) As a result of an act of any such enemy of opposing armed forces.
- (5) As the result of an act of any hostile foreign force
- (6) After 28 March 1973, as a result of an international terrorist attack against the United States or a foreign nation friendly to the United States, recognized as such an attack by the Secretary of the Army, or jointly by the Secretaries of the separate armed services concerned if persons from more than one service are wounded in the attack.
- (7) After 28 March 1973, as a result of military operations while serving outside the territory of the United States as part of a peacekeeping force.

b. While clearly an individual decoration, the Purple Heart differs from all other decorations in

that an individual is not "recommended" for the decoration; rather he or she is entitled to it upon meeting specific criteria.

(1) A Purple Heart is authorized for the first wound suffered under conditions indicated above, but for each subsequent award an Oak Leaf Cluster will be awarded to be worn on the medal or ribbon. Not more than one award will be made for more than one wound or injury received at the same instant or from the same missile, force, explosion, or agent.

(2) A wound is defined as an injury to any part of the body from an outside force or agent sustained under one or more of the conditions listed above. A physical lesion is not required, however, the wound for which the award is made must have required treatment by a medical officer and records of medical treatment for wounds or injuries received in action must have been made a matter of official record.

(3) When contemplating an award of this decoration, the key issue that commanders must take into consideration is the degree to which the enemy caused the injury. The fact that the proposed recipient was participating in direct or indirect combat operations is a necessary prerequisite, but is not sole justification for award.

(4) Examples of enemy-related injuries which clearly justify award of the Purple Heart are as follows:

- (a) Injury caused by enemy bullet, shrapnel, or other projectile created by enemy action.
- (b) Injury caused by enemy placed mine or trap.
- (c) Injury caused by enemy released chemical, biological, or nuclear agent.
- (d) Injury caused by vehicle or aircraft accident resulting from enemy fire.
- (e) Concussion injuries caused as a result of enemy generated explosions.

(5) Examples of injuries or wounds which clearly do not qualify for award of the Purple Heart are as follows:

- (a) Frostbite or trench foot injuries.
- (b) Heat stroke.
- (c) Food poisoning not caused by enemy agents.
- (d) Chemical, biological, or nuclear agents not released by the enemy.
- (e) Battle fatigue.
- (f) Disease not directly caused by enemy agents.
- (g) Accidents, to include explosive, aircraft, vehicular, and other accidental wounding not related to or caused by enemy action.

(h) Self-inflicted wounds, except when in the heat of battle, and not involving gross negligence.

(i) Post traumatic stress disorders.

(j) Jump injuries not caused by enemy action.

(6) It is not intended that such a strict interpretation of the requirement for the wound or injury to be caused by direct result of hostile action be taken that it would preclude the award being made to deserving personnel. Commanders must also take into consideration the circumstances surrounding an injury, even if it appears to meet the criteria. Note the following examples:

(a) In a case such as an individual injured while making a parachute landing from an aircraft that had been brought down by enemy fire; or, an individual injured as a result of a vehicle accident caused by enemy fire, the decision will be made in favor of the individual and the award will be made.

(b) Individuals wounded or killed as a result of "friendly fire" in the "heat of battle" will be awarded the Purple Heart as long as the "friendly" projectile or agent was released with the full intent of inflicting damage or destroying enemy troops or equipment.

(c) Individuals injured as a result of their own negligence; for example, driving or walking through an unauthorized area known to have been mined or placed off limits or searching for or picking up unexploded munitions as war souvenirs, will not be awarded the Purple Heart as they clearly were not injured as a result of enemy action, but rather by their own negligence.

c. A Purple Heart will be issued to the next of kin of each person entitled to a posthumous award. Issue will be made automatically by the Commanding General, PERSCOM, upon receiving a report of death indicating entitlement.

d. Upon written application to Commander, ARPERCEN, ATTN: DARP-VSE-A, 9700 Page Boulevard, St. Louis, MO 63132-5200, award may be made to any member of the Army, who during World War I, was awarded a Meritorious Service Citation Certificate signed by the Commander in Chief, American Expeditionary Forces, or who was authorized to wear wound chevrons. Posthumous awards to personnel who were killed or died of wounds after 5 April 1917 will be made to the appropriate next of kin upon application to the Commanding General, PERSCOM.

e. Any member of the Army who was awarded the Purple Heart for meritorious achievement or service, as opposed to wounds received in action, between 7 December 1941 and 22 September 1943, may apply for award of an appropriate decoration instead of the Purple Heart.

f. For those who became Prisoners of War after 25 April 1962, the Purple Heart will be awarded to individuals wounded while prisoners of foreign forces, upon submission by the individual to the Department of the U.S. Army of an affidavit that is supported by a statement from a witness, if this is possible. Documentation and inquiries should be directed to Commander, PERSCOM, ATTN: TAPC-PDA, Alexandria, VA 22332-0471.

g. Any member of the U.S. Army who believes that he or she is eligible for the Purple Heart, but through unusual circumstances no award was made, may submit an application through military channels, to Commander, PERSCOM, ATTN: TAPC PDA, Alexandria, VA 22332-0471. Application will include complete documentation, to include evidence of medical treatment, pertaining to the wound.

h. As noted in a above, the Purple Heart may be awarded to civilian nationals of the United States. These individuals must be serving under competent authority with the Army when wounded. Serving under competent authority with the Army will include those eligible persons who are employees of the U.S. Government in a duty (pay or official travel) status when wounds are sustained. Examples of eligible individuals are as follows:

(1) Any Army employee who is traveling outside of the continental limits of the United States on PCS or temporary duty (TDY) aboard a commercial aircraft and wounded by international terrorists in an attempted or actual hijacking incident.

(2) An Army employee in an Army office building performing his or her job who is wounded by an explosive device detonated by international terrorists.

(3) A civil or foreign service employee from a U.S. Government Agency or Department attached to an Army element performing intelligence, counter-terrorist, or other duties with the Army wounded by international terrorists.

(4) An Army employee wounded in an international terrorist incident in which a soldier or soldiers are also wounded.

More information is available at the [Military Order of the Purple Heart WWW site](#).

Send comments about this page to the [Webmaster](#).

[[ADVA Awards Index](#) | [ADVA Home Page](#)]

PURPLE HEART DAY-Political News

Political News

August 7th is Purple Heart Day - a Day to Honor America's Combat Wounded and Fallen Heroes

Washington DC 8/01/2009 12:54 AM GMT (TransWorldNews)

Washington, DC - Each year on August 7th, Americans should pause to remember and honor the brave men and women who were either wounded on the battlefield or paid the ultimate sacrifice with their lives. The Purple Heart is awarded to any member of the U.S. Armed Forces that has been wounded or died as a result of a wound in battle. This now includes those persons who died in captivity while a prisoner of war (POW). We now celebrate Purple Heart Day on the anniversary of its inception, August 7th. On this day it is our patriotic duty to remember and recognize those people willing to serve our country, no matter the price.

The Medal now known as the Purple Heart actually began as the "Badge of Military Merit." On August 7th, 1782 in Newburgh, New York, General George Washington ordered the creation of a badge of distinction for enlisted men and noncommissioned officers. The badge took the form of a heart in purple cloth or silk, edged with narrow lace or binding, and was pinned to a uniform coat above the left breast. The Badge of Military Merit was only awarded to three Revolutionary War soldiers and fell into disuse following the War of Independence. Although never abolished, the award was not proposed again officially until after World War I.

On October 10, 1927, then Army Chief of Staff General Charles Pelot Summerall directed that a draft bill be sent to Congress "to revive the Badge of Military Merit," but the bill was later withdrawn. On January 7, 1931, Summerall's successor, General Douglas MacArthur, confidentially reopened work on a new design, involving the Washington Commission of Fine Arts. Elizabeth Will, an Army heraldic specialist in the Office of the Quartermaster General, was named to redesign the newly revived medal, which became known as the Purple Heart. Using general specifications provided to her, Will created the design sketch for the present medal of the Purple Heart. This new design was issued on the bicentennial of George Washington's birth and MacArthur was the first recipient of the Purple Heart.

During the early period of American involvement in World War II, the Purple Heart was awarded both for wounds received in action against the enemy and for meritorious performance of duty. With the establishment of the Legion of Merit, by an Act of Congress, the practice of awarding the Purple Heart for meritorious service was discontinued. By Executive Order 9277, dated December 3, 1942, the decoration was extended to be applicable to all services and required that regulations of the Services be uniform in application as far as practicable. This executive order also authorized the award only for wounds received.

The organization now known as the "Military Order of the Purple Heart (MOPH) of the U.S.A. Inc.," was formed in 1932 for the protection and mutual interest of all who have received the decoration. Chartered by the Congress, The MOPH is unique among Veteran Service Organizations in that all its members were wounded in combat. For this sacrifice, they were awarded the Purple Heart Medal. With grants from the MOPH Service Foundation, the MOPH and its Ladies Auxiliary promote Patriotism, Fraternalism, and the Preservation of America's military history. Most importantly, they provide comfort and assistance to all Veterans and their families, especially those requiring claims assistance with the VA, those who are homeless, and those requiring employment assistance. MOPH volunteers through the VAVS program, provide assistance to hospitalized veterans at VA sites and State Veterans Homes.

For further information contact:

National Public Relations Director, John Bircher, 352-753-5535

Email: PublicRelations@Purpleheart.org

Web: www.purpleheart.org

Clinton Bill Would Establish Day To Honor Purple Heart Medal Recipients



Every member of the United States armed services who ever won a Purple Heart, the oldest military decoration in this country, would be acknowledged in a National Purple Heart Recognition Day proposed by U.S. Senators Hillary Rodham Clinton (D-NY) and Chuck Hagel (R-Nebraska).

Clinton, in announcing the Senate had passed the resolution recently, declared:

"Right now, American troops bravely serving their nation in Iraq, Afghanistan and elsewhere are close to our hearts and this legislation would be a fitting tribute to them. The sacrifices they are making on our behalf follow in the long line of courageous service by previous generations of Americans who risked or gave their lives for the freedom we all enjoy today.

"A presidential proclamation asking Americans to honor the bravery and sacrifice of the more than 1.5 million veterans who have been awarded this prestigious medal will help pay proper tribute to those extraordinary men and women, and also remind us of the valor and service of all our veterans."

The senators' legislation encourages all Americans to learn about the history of the Order of the Purple Heart for Military Merit, which was established 222 years ago on Aug. 7, 1782 by General George Washington during the Revolutionary War. It was then called the Honorary Badge of Distinction, or the Badge of Military Merit or the Decoration of the Purple Heart, Clinton said.

The bill, beside encouraging all Americans to learn about the decoration, also requests that the president issue a proclamation calling on the people of the United States to conduct appropriate ceremonies, activities and programs to demonstrate support for people who have been awarded the Purple Heart.

Clinton explained that the Purple Heart is awarded by the president of the United States to members of the armed forces who are wounded in conflict with an enemy force, or while held by an enemy force as a prisoner of war, and posthumously to the next of kin of members of the Armed Forces who are killed in conflict with an enemy force, or who die of a wound received in conflict with an enemy force.

She said there are more than 1,535,000 recipients of the Purple Heart Medal, approximately 550,000 of whom are still living.

Previously, the Senate passed legislation sponsored by Clinton and Hagel designating August 7, 2003 as National Purple Heart Recognition Day. Clinton has also proposed that the U.S. Postal Service issue a commemorative stamp to pay tribute to Purple Heart recipients.

Political News

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Washington, DC 8/01/2009 12:54 AM GMT (TransWorldNews)

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STATE OF ALASKA



Executive Proclamation *by* *Sarah Palin, Governor*

WHEREAS, on August 7, 1782, General George Washington created the Badge of Military Merit, later to become the Purple Heart, which was awarded to singularly meritorious and loyal soldiers. The badge was honorably worn on the left breast of a uniform coat; and

WHEREAS, today, the Purple Heart is awarded to a member of the Armed Forces by the President of the United States to recognize those who have been wounded or killed during a time of conflict; and

WHEREAS, serving as a symbol of love, loyalty, and sacrifice for our country, the Purple Heart is one of the most recognized and respected of all military medals; and

WHEREAS, Alaska has a rich military history, and citizens across the state are dedicated to recognizing the presence of our military men and women serving in our communities; and

WHEREAS, we extend our appreciation and recognition of the important contributions of the Armed Services to the state of Alaska and communities throughout our state;

NOW, THEREFORE, I, Sarah Palin, Governor of the state of Alaska, do hereby proclaim August 7, 2009 as:

Purple Heart Day

in Alaska, and encourage all citizens to recognize the importance of our United States servicemen and women Purple Heart recipients, especially those living in our communities, and observe this day in honor of their selflessness and devotion to our state and nation.

Dated: July 23, 2009



Ellie Sica

From: ronakph@gci.net on behalf of Ron Siebels [ronakph@gci.net]
Sent: Thursday, January 21, 2010 4:36 PM
To: Rep. Berta Gardner; Rep. Nancy Dahlstrom; Sen. Johnny Ellis; Rep. Anna Fairclough; Rep. Carl Gatto; Rep. Cathy Munoz; Rep. Charisse Millett; Rep. Chris Tuck; Rep. Craig Johnson; Rep. David Guttenberg; Rep. Jay Ramras; Rep. Mike Chenault; Rep. Mike Doogan; Rep. Mike Hawker; Rep. Pete Petersen; Rep. Alan Austerman; Rep. Bill Thomas; Rep. Bob Buch; Rep. Bob Herron; Rep. Bob Lynn; Rep. John Coghill; Rep. Kurt Olson; Rep. Max Gruenberg; Rep. Wes Keller; Sen. Charlie Huggins; Sen. Con Bunde; Sen. Gary Stevens; Josh Tempel
Cc: Noah Hanson; Ellie Sica; John Bircher; JimS; CJones; Bill Hutton; BMcKenty; Jack Leonard; Frank Van-Hoy
Subject: Purple Heart Trail bill,---HB274

Dear members of the Alaska legislature,

I asked my local Representative (Berta Gardner) to help me get a bill passed that would establish August 7th as Purple Heart day in perpetuity. Representative Gardner jumped right on this with her consistent support and we also have gained the immediate and dedicated support of Representative Nancy Dahlstrom.

Earlier today in reviewing the on-line status of HB274 I note that many of you have already signed on as sponsors/co-sponsors. "THANK YOU", and on behalf of our statewide MOPH members I sincerely express our appreciation for your devoted commitment towards all of Alaska's combat wounded veterans. I can assure you that our Alaska legislators from both houses in Juneau have placed Alaska firmly and admirably on the National Map in terms of taking care of its veterans. Alaska is well noticed and I proudly take your commitment with me on trips to other locations. I am proud to tell other veterans and a variety of Washington officials how well our elected officials support veteran causes in this state. I can also assure you that Alaska is frequently envied by the veterans of many other states. Your support has helped all of Alaska, veteran and non-veteran, in obtaining a favorable image all across this great nation.

Again, the bill I refer you to is HB274, the "Purple Heart Day" bill. This is intended to be an honorary action issue in perpetuity. Governor Palin signed a similar declaration last year prior to leaving office. I maintain that it could probably be done every year but that would only create more work and tie your hands from your other heavy workload of important tasks. A onetime permanent fix through the state legislature is the way to go in my opinion. It should not create hardly any cost for the state and it is not intended to be a paid holiday. Much history of August 7th as Purple Heart Day is widely available on internet sources.

To the point; I think there is sufficient support in Juneau to get this bill approved during this Legislative session and we thank each of you for your continued support to help get it accomplished. So, pending approval of HB274 our next desire is to have the bill signed during a public event that could take place during our annual MOPH Department convention that will occur on Saturday, June 12th in Anchorage. I have already contacted the Governor's office about a possible bill signing pending the legislative approval of HB274. Our MOPH National Commander and his wife have made plans to join us at our Convention on June 12th. If our Alaskan elected officials can get HB274 passed and a bill signing ceremony is set-up then I feel confident that I can get the event included in the Purple Heart magazine which is distributed across all reaches of America including off shore areas. I envision an event of about an hour duration that could occur around mid-day in conjunction with our MOPH convention.

I think there is plenty of time to work out any possible bill signing details with media involvement. I just wanted to give everyone a timely heads up on the possibility of having a public bill signing event on June 12th, (pending bill approval). The bill sponsors and the Governor will of course be invited to this anticipated free public event along with our members who are Purple Heart recipients.

I would also ask that you help spread the good word on this bill and enlist the support of other Alaska legislative members. Unanimous legislative consent would send yet another strong message to everyone that Alaska consistently and historically stands firmly behind "ALL" of its veterans.

I thank each of you for your time and consideration, and wish the best that life can offer to each of you and your loved ones.

Please feel free to contact me with any questions or concerns.

I remain "Yours In Patriotism"

Ron Siebels

Ron Siebels

MOPH, National Americanism Officer

MOPH, National Purple Heart Trail coordinator

MOPH, Department Commander, Alaska

Noah Hanson

From: ronakph@gci.net on behalf of Ron Siebels [ronakph@gci.net]
Sent: Tuesday, January 19, 2010 11:06 AM
To: Noah Hanson
Cc: Rep. Berta Gardner; Rep. Nancy Dahlstrom
Subject: Support for Purple Heart Day legislation.
Attachments: PURPLE HEART DAY.pdf

Noah, I hope the following is the support information you need. Please contact me for anything else I can help you with. Please remember that I will be in DC during the first part of February. I should be available here in Alaska the rest of January.

Dear Honorable Legislators serving Alaska,

The purpose of this message is to enlist your support to declare August 7th of each year as Purple Heart Day in Alaska on a forever/perpetual basis. Governor Palin declared August 7th as Purple Heart day last year and I am sure that Governor Parnell would do so again this year. But I believe that doing it once on a permanent basis and in the right manner through the legislative process will save everyone time and paperwork in the future.

It was on August 7th 1782 that General George Washington first created the Badge of Military Merit to honor the bravery of his soldiers. In 1932 General Douglas McArthur put new life into this award and it was recreated as the Purple Heart.

The following is from archives: quote>>

On February 22, 1932 (the 200th anniversary of George Washington's birth), the War Department issued the following General Order: "By order of the President of the United States, the Purple Heart established by General George Washington at Newburgh, August 7, 1782, during the War of the Revolution, hereby revived out of respect to his memory and military achievements. " unquote<<

I would also like to direct your attention to the attached information because it offers even more details.

There is a precedence for this action in other states. Wisconsin has excellent legislation that has established August 7th as Purple Heart Day in perpetuity. This date is also recognized as Purple Heart Day at the National level. Here is the legislative action from Wisconsin;

Wisconsin's Purple Heart Day

Purple Heart Day in Wisconsin is designated in state law. Wisconsin State Statutes s. 14.16 (11) states:

*"The governor shall annually proclaim **August 7 as Purple Heart Day** and urge the people and organizations of the state to display the American flag on that day as a public expression of the recognition of those individuals who have been wounded or killed in action preserving the freedoms that all United States citizens cherish."*

Other states are increasingly taking similar action. I see Alaska as sort of a trend setter on legislation that honors and supports veterans. It is my intent to get this Alaska Legislative Accomplishment included in the Purple Heart magazine when the bill passes in Juneau.

I see little if any cost in this legislation. I do not ask for this to be another paid holiday for anyone, I only ask for the honorary declaration. I therefore kindly ask for the full support of both the House and the Senate to establish August 7th as Purple Heart Day in Alaska on a permanent basis. Thank you!

Ron Siebels

Ron Siebels

MOPH, National Americanism Officer

MOPH, National Purple Heart Trail coordinator

MOPH, Department Commander, Alaska

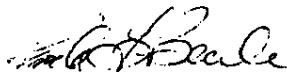
All Members of the 26th Legislature,

19 Jan 2010

This letter is to proclaim on behalf of the Commander Tom Schanrock and all members of Department of Alaska Disabled American Veterans of Alaska support HB274, making Aug 7, Purple Heart Day annually in Alaska.

We also suggest verbiage be added to the legislation to have the Governor issue a proclamation annually for our fellow veterans and Purple Heart recipients recognition

Respectfully,



Pamela F. Beale, Adjutant,
State Disabled American Veterans
Commander, DAV Metro Chapter 7

ALASKA STATE LEGISLATURE



Representatives Nancy Dahlstrom, Berta Gardner, Bob Buch, Pete Petersen, Bob Lynn, Carl Gatto, Chris Tuck, Mike Doogan, Bill Thomas, Mike Hawker, David Guttenburg, Jay Ramras, Anna Fairclough, Craig Johnson, Charisse Millet, Bob Herron

To: Representative Carl Gatto
House Military & Veteran Affairs Committee, Chair

From: Representative Nancy Dahlstrom
Representative Berta Gardner

Date: January 21, 2010

Re: Hearing Request for HB 274

I am respectfully requesting that House Bill 274, "An Act establishing August 7 as Purple Heart Day " be scheduled for a hearing in the House Military & Veteran Affairs Committee at your earliest convenience.

The Purple Heart is awarded to United States service men and women who have been either wounded or killed in battle. Approximately 1.7 million service men and women, including many Alaskans, have received the Purple Heart. Currently, there are about 500,000 Purple Heart recipients who are living. In designating each August 7 as Purple Heart Day, we honor those who have received our oldest military medal on the day of its inception.

Included in this packet:

- A Current Version of HB 274
- Sponsor Statement
- Backup Information
- Letters of Support

If necessary, other backup will be forthcoming. Please contact Representative Dahlstrom's staffer Laura Pierre at 465-3783 or Representative Gardner's staffer Ellie Sica at 465-4930.

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB274 (MVA)
 () Publish Date: _____

Identifier (file name): HB274-DMVA-VS-2-3-10 Dept. Affected: Military and Veterans Affa
 Title "An Act establishing August 7 as Purple Heart Day" RDU Military and Veterans Affairs (530)
 Component Veterans Services
 Sponsor Dahlstron, Gardner, Buch, Keller, Petersen, Lynn, Gatto, Tuck, Doc
 Requester (H) Spec Comm on Military and Veterans Affairs, State Affairs Component Number 421

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Other Interagency Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2010) cost: 0.0

POSITIONS

Full-time	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Part-time	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Temporary	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is expected to the Department of Military and Veterans Affairs as a result of this legislation.

Prepared by: McHugh Pierre, Deputy Commissioner/Legislative Liaison
 Division Commissioner's Office
 Approved by: General Thomas Katkus, Commissioner
Department of Military and Veterans Affairs

Phone 907-465-4602
 Date/Time 2/3/2010 @ 9:00 am
 Date 2/3/2010

HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: January 19, 2010

FURTHER REFERRALS: State Affairs

Date of Committee Action: 02/02/2010

The HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS considered: HB 274

HOUSE BILL NO. 274

"An Act establishing August 7 as Purple Heart Day."

HB 274-ESTABLISHING PURPLE HEART DAY

Recommends it be replaced with HCS or CS for _____ (_____)
 For Senate Bills with new title: Technical Title New Title: HCR _____ Same Title New Title

- attach amendments
- add new referral to _____ Committee
- Letter of Intent _____ Committee

List of Abbrev for Depts.:
 ADM
 CED
 COR
 CRT
 EED
 DEC
 DFG
 GOV
 DHS
 LWF
 LAW
 LEG
 MVA
 DNR
 DPS
 REV
 DOT
 UA

<u>NEW FISCAL NOTES</u>				
*Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero
				✓

<u>PREVIOUS FISCAL NOTES</u>				
List by Dept(s):	FN#	Fiscal	Indet.	Zero

Signing with recommendations	Printed Last Name	DP	DNP	NR	AM
	Wilson	x			
Jammie Wilson	Wilson	x			
R. H. Buch	Buch	x			
Bryant	Bryant	x			
Chair:	Gatto	x			
Chair:					

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, AK 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

January 5, 2010

TO: Representative Carl Gatto

FROM: Patty Rose, Legal Editor
Division of Legal Services

SUBJECT: Work Order Number 26-LS1299R
Purple Heart Day

The enclosed work order has been formally prefiled as you requested. This draft copy is for your information only. Please advise immediately if you wish to withdraw this measure or make any changes.

Enclosure

26-LS1299R

Kane

1/5/10

HOUSE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES DAHLSTROM, GARDNER, BUCH, KELLER, PETERSEN, LYNN, GATTO, TUCK, DOOGAN, THOMAS, HAWKER, GUTTENBERG, RAMRAS, FAIRCLOUGH, JOHNSON, MILLETT, AND HERRON

Introduced:

Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act establishing August 7 as Purple Heart Day."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 44.12 is amended by adding a new section to read:

4 **Sec. 44.12.115. Purple Heart Day.** Purple Heart Day is established on
5 August 7 of each year to honor recipients of the Purple Heart. The day may be
6 observed by suitable observances and exercises by civic groups and the public.

HB

291

<target><bill>HB 291</bill><subject>HB
291</subject><comm>HMLV26</comm></target>



Headquarters
4300 Boniface Parkway
Anchorage, Alaska 99504
(907) 338-6100

Mailing Address
P.O. Box 101020
Anchorage, AK 99510-1020

Internet Web Site
<http://www.ahfc.state.ak.us>

MEMORANDUM

Date: January 21, 2010

To: Representative Carl Gatto, Chair
House Special Committee on Military and Veterans' Affairs

From: Dan Fauske, Executive Director/CEO
Alaska Housing Finance Corporation

Re: HB 291, AHFC Vets Bond Bill

This is a request for the scheduling of House Bill 291, An Act relating to the issuance of state-guaranteed revenue bonds by the Alaska Housing Finance Corporation to finance mortgages for qualifying veterans; and providing for an effective date.

HB 291 will put on the general election 2010 ballot a question for voters on whether or not to approve having AHFC issue up to \$600 million in bonds to fund the Alaska Veterans Mortgage Loan Program.

Alaska is one of five states in the country that has a veterans mortgage loan program. This program requires the general obligation of the state of Alaska to back the bonds sold to fund the program. Over the years the vets program has been very successful, having one of the lowest foreclosure rates of any of AHFC's programs.

The last time this question was on the general election ballot was 2002, when over seventy percent of voters approved \$500 million in bonds for the program.

Due to recent positive changes that the five states were able to get through Congress, there are now more veterans eligible for the program than past years. As a result, the Corporation



"HOUSING FOR ALASKANS"



estimates that we may run out of funds for the program some time in 2011. As a result, a vote will be needed this year to make sure that the program doesn't have to be shut down.

I would appreciate the scheduling of HB 291 in the House Special Committee on Military and Veterans' Affairs at your earliest possible convenience. If you have any questions or need any further information about the bill, please contact Bryan Butcher in my office at 330-8445.



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4300 Boniface Parkway
Anchorage, Alaska 99504
(907) 338-6100

Mailing Address
P.O. Box 101020
Anchorage, AK 99510-1020

Internet Web Site
<http://www.ahfc.state.ak.us>

HB 291 AHFC Vets Bonds Sponsor Statement

House Bill 291 will place a question on the ballot for the general election of 2010 asking voters to approve an additional \$600 million of state guaranteed bonds to be issued by the Alaska Housing Finance Corporation for the purchase of mortgage loans made to qualifying veterans. The Veterans Mortgage Loan Program allows the Alaska Housing Finance Corporation to sell tax-exempt bonds to fund the program. Because of this, the Veterans Mortgage Loan Program generally offers a lower interest rate than the conventional single family mortgage loan program. As of December 23, 2009, the Veterans program interest rate was 3/8 of a percent below the Corporation's conventional taxable mortgage loan program.

To qualify, veterans must apply to AHFC within 25 years of his/her date of discharge from "active duty service." (Active duty service is full-time duty, other than for training.) Active duty service in the US Armed Forces, US Armed Forces Reserves, Public Health Service, NOAA, or service as a cadet at the US Military, Air Force, Coast Guard or Naval Academy may meet requirements.

Qualified veterans may be retired or active duty personnel. If retired, discharged, or released from active duty, separation must have been under conditions other than dishonorable. Active duty personnel must have completed their initial military obligation.

The last time veterans bonds were on the general election ballot was 2002, when Alaskans approved the bonds by over seventy percent. As a result of recent passed legislation in Congress, Alaska along with the states of California, Oregon, Texas and Wisconsin have been able to offer more loans to veterans through the program than the previous years. Because of this, it is estimated that the Corporation could run out of bond authorization for the veterans loan program some time in 2011. This is the reason for the urgency of getting the issue to the ballot in 2010.



"HOUSING FOR ALASKANS"



FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 291
 (H) Publish Date: 1/19/10

Identifier (file name): 0879-OOG-DOE-12-18-09 Dept. Affected: OOG
 Title "An Act relating to the issuance of state-guaranteed revenue RDU Elections
bonds by the Alaska Housing Finance Corporation..." Component Elections
 Sponsor Rules Committee
 Requester Governor Sean Parnell Component Number 21

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual		1.5						
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING		0.0	1.5	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
-----------------------------	--	--	--	--	--	--	--	--

CHANGE IN REVENUES ()								
-------------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF		1.5						
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL		0.0	1.5	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2010) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

The passage of this legislation would require the bonding proposition to appear on the 2010 general election ballot. The cost of providing information about the bonding proposition in the Official Election Pamphlet, as required by AS 15.58 is \$1.5. Should the addition of this question require printing an 8-1/2 by 18 inch ballot, the cost will increase to \$22.0.

Prepared by: Gail Fenumiai, Director
 Division: Elections
 Approved by: Linda Perez, Director
Administrative Services Division

Phone 465-2644
 Date/Time 12/18/2009, 1:42pm
 Date _____

Karen Sawyer

From: Bryan Butcher [bbutcher@ahfc.state.ak.us]
Sent: Wednesday, January 27, 2010 2:32 PM
To: Karen Sawyer
Subject: RE: HB 291 Scheduling Request

Categories: MVA

Karen,

We do not have any letters of support. I can get you some info on the program however. Alaska has the lowest delinquencies of any other Vet's loan program at 1.28 percent.

Testifying on the bill will be:

Bryan Butcher, Director of Governmental Relations and Public Affairs

Joe Dubler, Chief Financial Officer/Finance Director

We will be here in person and if the bill is up in the next two weeks, our Chief Executive Officer Dan Fauske would also be available to testify in person.

I am the legislative contact and my office number is 330-8445. My cell number is 360-9859 and that is a better one to contact me on when I'm in Juneau.

I don't have the actual letter to the Speaker from the Governor's office here in Juneau (It's in Anchorage) but I'll try to track one down from the Governor's office.

Thanks,

Bryan Butcher

Alaska Housing Finance Corporation

From: Karen Sawyer [mailto:Karen_Sawyer@legis.state.ak.us]
Sent: Tuesday, January 26, 2010 4:28 PM
To: Bryan Butcher
Subject: RE: HB 291 Scheduling Request

Hi Bryan,

Thanks for sending the hearing request for HB291. Do you have any support letters or background documentation to add to the packet? Could you send me an e-copy of the Governor's letter to the House Speaker? Remember to send each type of document in a separate e-file --- support letters together, background docs together, etc.

I also need to know who is actually presenting the bill, who the legislative staff contact is and their phone number. Will you be testifying in person or by teleconference? Do you have a preference regarding when you want it scheduled if you are testifying in person?

Karen

Karen Sawyer, Staff
Office of Representative Carl Gatto
State Capitol, Room 103
Juneau AK 99801

465-5025 direct
465-3743 main
465-2331 fax
Karen.Sawyer@legis.state.ak.us

From: Bryan Butcher [mailto:bbutcher@ahfc.state.ak.us]
Sent: Thursday, January 21, 2010 12:03 PM
To: Karen Sawyer; Rep. Carl Gatto
Subject: HB 291 Scheduling Request

Representative Gatto and Ms. Sawyer,

Attached are a hearing request for HB 291, the AHFC Vets Bond bill that is in the House Special Committee on Military and Veterans' Affairs as well as a sponsor statement.

Please contact me if you have any questions or need any additional information.

Thanks,

Bryan Butcher, Director

Governmental Relations/Public Affairs

Alaska Housing Finance Corporation

330-8445

360-9859 cell

Karen Sawyer

From: Bryan Butcher [bbutcher@ahfc.state.ak.us]
Sent: Friday, January 29, 2010 10:58 AM
To: Karen Sawyer
Subject: RE: Military & Veterans Affairs Committee Schedule for February 1-5, 2010

Testifying here in Juneau will be:

Dan Fauske, CEO/Executive Director
Bryan Butcher, Director of Governmental Relations/Public Affairs
Joe Dubler, CFO/Director of Finance

We would like to have our Residential Lending Officer Laurie Holte call in just in case there are detailed questions.

Thanks,
Bryan

From: Karen Sawyer [mailto:Karen_Sawyer@legis.state.ak.us]
Sent: Thursday, January 28, 2010 1:32 PM
Subject: Military & Veterans Affairs Committee Schedule for February 1-5, 2010

Hi,

Your bill is scheduled for a hearing next week on Tuesday, February 2nd. Please let me know if you will have anyone testifying by teleconference. Thanks.

Karen

Karen Sawyer, Staff
Office of Representative Carl Gatto
State Capitol, Room 108
Juneau AK 99801

465-5025 direct
465-3743 main
465-2381 fax
Karen.Sawyer@legis.state.ak.us

HB

292

<target><bill>HB 292</bill><subject>HB
292</subject><comm>HMLV26</comm></target>

STATE OF ALASKA

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
OFFICE OF THE COMMISSIONER

Sean Parnell, GOVERNOR

P. O. BOX 5800

Ft Richardson, ALASKA 99505-5800

PHONE: (907) 428-6003

FAX: (907) 428-6019

January 26, 2010

Rep. Carl Gatto:

I respectfully request that you hold a hearing and move forward House Bill 292 regarding Disaster Assistance Grants. After the devastating year of 2009, where we had two separate Presidential Disaster Declarations, it has been made painfully obvious that Alaska's Individual and Family Grant program is out of date and must be made relevant.

The critical piece of this legislation is the connection to the Federal Individual Assistance Grant Award and the Consumer Price Index. Alaska's Individual and Family Grant program was first put on the books in 1977 at the current maximum level of payment, which is \$5000.00. By connecting the grant maximum to half of the Federal Individual Assistance maximum grant amount identified in 42 U.S.C. 5174(h) which fluxuates based upon the Consumer Price Index, we will ensure that the original intent of the legislation will remain relevant to the economy and not require future statutory change.

I appreciate your willingness to hear this piece of legislation and I will be available to testify at your request. Thank you for your support.

Sincerely,



Brigadier General Thomas H. Katkus
Commissioner

STATE CAPITOL
PO Box 110001
Juneau, Alaska 99811-0001
907-465-3500
fax: 907-465-3532



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Governor@alaska.gov

Governor Sean Parnell
STATE OF ALASKA

January 8, 2010

The Honorable Mike Chenault
Speaker of the House
Alaska State Legislature
State Capitol, Room 208
Juneau, AK 99801-1182

Dear Speaker Chenault,

Under the authority of Art. III, Sec. 18, of the Alaska Constitution, I am transmitting a bill that increases the existing limit on State grants for major disaster victims in the State of Alaska.

This bill would change an existing limitation on the Governor's authority to issue assistance grants to victims of a major disaster in this state, which has not been updated for nearly 20 years. Under current law, when the Governor declares a disaster emergency, a grant can only be provided to a victim of the disaster in this state in an amount not to exceed \$5,000. After witnessing the widespread disaster of the 2009 spring floods, it has become obvious that the maximum amount of \$5,000 per household is not enough to cover incurred costs from damages in today's economy. It is clearly time to revise the limit and give the State the ability to provide improved relief to victims of major disasters in this state.

This proposed legislation increases the maximum amount that can be granted to a household in 2010 to \$14,950 for a State-declared disaster. This is calculated by setting it at half of the amount of a federally declared disaster. The amount will be adjusted each year based upon the consumer price index.

I urge your prompt and favorable action on this bill.

Sincerely,

A handwritten signature in cursive script that reads "Sean Parnell".

Sean Parnell
Governor

Enclosure

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 292
 (H) Publish Date: 1/19/10

Identifier (file name): LL0854 Disaster Relief Dept. Affected: DMVA
 Title: An Act relating to grants to victims of a disaster in this state; RDU Fund Transfers (52)
and providing for an effective date Component: Disaster Relief Fund
 Sponsor: Rules Committee
 Requester: Governor Component Number: 2497

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
		FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES							
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims	595.5	300.0	895.5	895.5	895.5	895.5	895.5
Miscellaneous							
TOTAL OPERATING	595.5	300.0	895.5	895.5	895.5	895.5	895.5
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	595.5	300.0	895.5	895.5	895.5	895.5	895.5
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	595.5	300.0	895.5	895.5	895.5	895.5	895.5

Estimate of any current year (FY2010) cost: 0.0

POSITIONS

Full-time	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Part-time	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Temporary	0.0	0.0	0.0	0.0	0.0	0.0	0.0

ANALYSIS: (Attach a separate page if necessary)

Please see attached

Prepared by: McHugh Pierre, Deputy Commissioner/Legislative Liaison Phone 907-428-6003
 Division: Commissioner's Office Date/Time 12/11/09 @ 11:00 am
 Approved by: Thomas Katkus, Commissioner Date 12/11/2009
Department of Military and Veterans Affairs

ANALYSIS CONTINUATION

Funding for this legislation is authorized under the Alaska Disaster Act 26.23 and provided through fund transfers to the Disaster Relief Fund (DRF). In recent years, the Legislature has provided an annual appropriation to the DRF ensuring funds are quickly available once a disaster declaration is made and legislative concurrence is obtained, when required. Therefore, determining an annual amount for a fiscal note is dependent upon the number of disasters we incur that affect individuals and families. This cannot be predicted but historical references are provided for analysis and we made the assumption that there may be 2 events per year that qualify for this benefit.

2009 Spring Flood Disaster is used as an example - a large portion of this disaster was approved for a Presidential Disaster Declaration and there the State Individual Assistance Program was only enacted for a total of 30 eligible applicants. If all applicants had major damages, they would be eligible for the maximum current grant of \$5,000 for a total of \$150,000. Under proposed legislative language change, each applicant would be eligible for \$14,950 (one half of the maximum grant amount established under Section 1 of the bill) if their damages equaled this amount under the State Individual Assistance Plan. The total maximum grant funds for the 30 applicants would have totaled \$448,500, an increase in State Disaster Relief Funding requirements of \$298,500 for this disaster.

In order to provide an average, we have the following statistics. Since 2002, we have had 10 disasters where we implemented the State Individual Assistance Program with an average of 133 applicants. Under our current legislation, the maximum total grant funds per disaster would have been an average of \$665,000. With the implementation of new legislation, the increase would have been an average of over \$1.3 million per event. These are only estimates and would depend on levels of damages incurred by each individual applicant.

STATE INDIVIDUAL and FAMILY GRANT PROGRAM (IFG)

History of State IFG Program:

Authority: Alaska Statute 26.23.090

Enacted in: 1977

Amended in 1990

\$5,000 limit dates back to original date statute was enacted (1977)

Regulations: 06 Alaska Administrative Codes (AAC) 94.200 – 94.280

Adopted in: 2000

Individual Assistance Task Force:

- The Individual Assistance Task Force convened January 2008 to examine Individual Assistance programs and current program capacity to provide prompt and effective relief to individuals and families affected by disasters.
- Agencies involved in review of IFG program:
 - Division of Homeland Security and Emergency Management, Department of Commerce, Community, and Economic Development, Department of Health and Social Services, Alaska Housing Finance Corporation, Alaska VOAD, American Red Cross of Alaska, and USDA Rural Development
- Agencies met 10 times over a six month period
- Task Force recommended that maximum awards increase and that funding levels be tied to an annual figure such as the FEMA Individual and Households Program award or the Consumer Price Index.

IFG Program Requirements:

- AS 26.23.090
 - Governor authorized to make grants to individuals and families to meet disaster related expenses or serious needs that cannot be met from other means of assistance.
 - Current funding limits:
 - State Disaster Limit - \$5,000
 - Legislative Recommendation – One-Half of Federal IA Program (based on CPI)
- 06 AAC 94.200 – 94.280
 - Must incur a necessary expense or serious need in the declared disaster area as a result of the disaster, and be unable to meet that expense or need
 - Grants may be given to meet necessary expenses or serious needs by providing essential items or services in the following categories: housing; housing repair; personal property, transportation; medical or dental expenses; expenses related to funerals, burials, and cremations.

- Disaster victims' needs will be identified on the Disaster Assistance Application and confirmed by verifications. Verifications can be accomplished by on-site visits, photographs, Loss Verification Statement forms, and other documentation deemed appropriate by the IA Officer.
- Applicants will be denied eligibility for a current disaster claims if they have not complied with requirements on previous disasters. Therefore, applicants will be cross-referenced for any past disaster non-compliance.
- If the grantee is in a Special Flood Hazard Area, as determined by the National Flood Insurance Program (NFIP), and the grantee is a homeowner, flood insurance coverage must be maintained on the residence at the flood-damaged property address for as long as the grantee owns the structure, in order for the grantee to be eligible for a future grant for acquisition and construction purposes. If the grantee is a renter, flood insurance required under this section must be maintained on the contents of the rental unit for as long as the grantee resides at the flood-damaged property address.

STATE OF ALASKA

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

OFFICE OF THE COMMISSIONER

Sean Parnell, GOVERNOR

P. O. BOX 5800

Ft Richardson, ALASKA 99505-5800

PHONE: (907) 428-6003

FAX: (907) 428-6019

January 26, 2010

HB 292 primary staff contacts:

McHugh Pierre
Deputy Commissioner
907-428-6003

Mike O'Hare
Deputy Director, Division of Homeland Security and Emergency Management
907-428-7066

HB

334

<target><bill>HB 334</bill><subject>HB
334</subject><comm>HMLV26</comm></target>



REPRESENTATIVE BILL THOMAS

ALASKA STATE LEGISLATURE DISTRICT 5

e-mail: Representative.Bill.Thomas@legis.state.ak.us
webpage: www.akrepublicans.org/thomas/

State Capitol

Juneau AK, 99801-1182

907-465-3732

888-461-3732

FAX 907-465-2652

MEMORANDUM

DATE: February 15, 2010

TO: Representative Carl Gatto, Chair House Military and Veterans' Affairs
Committee

FROM: Representative Thomas

RE: HB 334 "An Act establishing child custody, modification, and visitation standards for a military parent who is deployed; and amending Rule 99, Alaska Rules of Civil Procedure."

I respectfully request that the House Military and Veterans' Affairs Committee hear HB 334 at its earliest convenience.

HB 334 outlines procedures that should take place in court if a parent finds themselves in a child custody battle while they are subject to military deployment.

If you have any questions about this bill please contact Kaci Schroeder Hotch, in my office, at 465-3732.

Thank you.

NO RESOLUTION PRESENTED HEREIN REPRESENTS THE POLICY OF THE ASSOCIATION UNTIL IT SHALL HAVE BEEN APPROVED BY THE HOUSE OF DELEGATES. INFORMATIONAL REPORTS, COMMENTS AND SUPPORTING DATA ARE NOT APPROVED BY THE HOUSE IN ITS VOTING AND REPRESENT ONLY THE VIEWS OF THE SECTION OR COMMITTEE SUBMITTING THEM.

106

AMERICAN BAR ASSOCIATION

SECTION OF FAMILY LAW

**STANDING COMMITTEE ON LEGAL ASSISTANCE FOR MILITARY PERSONNEL
STANDING COMMITTEE ON LEGAL AID AND INDIGENT DEFENDANTS**

REPORT TO THE HOUSE OF DELEGATES

RECOMMENDATION

1 RESOLVED, That the American Bar Association opposes the enactment of federal
2 legislation that would:

3
4 (a) create federal-question jurisdiction in child custody cases, including cases
5 involving servicemember-parents;

6
7 (b) dictate case outcomes or impose evidentiary burdens in state child-custody
8 matters involving servicemember-parents;

9
10 (c) co-opt the discretionary authority of state courts, in cases involving
11 servicemember-parents, to determine the best interests of the child and award custody
12 accordingly; and

13
14 (d) pre-empt the growing body of state laws that comprehensively address
15 servicemember domestic relations matters, including child custody.

16
17 FURTHER RESOLVED, That the American Bar Association urges states to enact
18 legislation prohibiting denial of child custody to a servicemember based solely on absence due
19 to military deployment.

REPORT

We Americans owe many things to those who disproportionately bear the burden of national sacrifice, but bad law is not one of them. Today as always, the American Bar Association is as resolutely committed to the legal rights of American military members as it is to those of America's children. Yet there can be no Solomon-like splitting of interests when it comes to legislation that, in the name of deployed servicemembers' parental rights, would create a federal child custody law that usurps the historic primacy of the states in domestic relations law and relegates the best interests of the child to a secondary consideration in custody disputes.

Such legislation was kept out of the Fiscal Year 2009 National Defense Authorization Act at the eleventh hour. Similar measures had been introduced in prior sessions of Congress, and there is every reason to believe that this measure will keep resurfacing until either passed, or finally dispatched after a full vetting. Should such a measure re-surface, the ABA urges Congress to reject in its entirety this unsound incursion into the realm of the states, however well-intentioned its proponents, with the understanding that the rights of servicemembers and their children are best served within the existing framework of state laws and court-integrated social services, and the formidable procedural protections already built into the federal Servicemembers Civil Relief Act (SCRA).

The Recent Legislation

The latest iteration of the opposed legislation, section 4510 of H.R. 5658, 110th Congress, would have amended 50 U.S.C. App. § 521, the SCRA, by adding language dictating outcomes in child custody cases, where a servicemember parent had legal custody of the child at the time the parent was deployed to a contingency operation such as Iraq or Afghanistan. The bill would have compelled courts to restore custody of the child to the servicemember parent upon his or her return home post-deployment, unless it could be demonstrated by "clear and convincing evidence" that it was not in the child's best interest to have custody restored to the returning servicemember parent. The bill also would have prohibited a court, in deciding the child's interests, from considering how a servicemember's extended absence due to deployment may have affected those interests. The bill further would have prohibited change in child custody while a servicemember was deployed, through modification of a child custody arrangement that existed at the time of deployment, absent clear and convincing evidence that the change was in the child's best interests.

The Threat to Existing, Effective Legal Mechanisms

On its face, the proposition that an American servicemember must not lose custody of his or her child by virtue of service to our country in distant danger zones seems unassailable. On the other hand, is it ever reasonable to suggest that a court, in deciding a child's best interest, be prohibited from even considering how a parent's prolonged military deployment, *among other factors*, might affect the child's-best-interests analysis? The reality is that conflicting interests within separated families do not lend themselves to inflexible legal prescriptions. Such matters must be

decided on a case-by-case basis, always focusing on the best interest of the child as the primary factor.

Wielding the club of a federal child-custody law that pre-ordains pro-servicemember outcomes in these cases would compromise the generally-accepted “best interests of the child” standard governing custody decisions.

- A. Creating a Federal Law of Child Custody for These Servicemember-Parent Cases Would Invade the Province of State Courts and Disrupt Existing, Effective Legal Frameworks for Resolving Child Custody Disputes.

Child Custody Is Not a Federal Question.

The opposed legislation would create a new substantive legal interest in restored child-custody rights, under the SCRA. It would thus create federal-question jurisdiction over covered child custody cases, forcing federal judges to venture into the *terra incognita* of child custody jurisprudence when a covered case is originally filed in federal court pursuant to 28 U.S.C. §1331 or removed to federal court pursuant to 28 U.S.C. §1446.

Such an outcome would run counter to a long and unbroken history of federal deference to state courts on subject matters not expressly reserved to federal judicial authority. In particular, federal courts have not entertained claims addressing child custody or visitation, or other “adjustments to family status.” See *Ankenbrandt v. Richards and Kessler*, 504 U.S. 689 (1992); *Thompson v. Thompson*, 798 F.2d 1547 (9th Cir. 1986), *aff’d* 484 U.S. 174 (1988); *Cole v. Cole*, 693 F.2d 1083 (4th Cir. 1980); *Doe v. Doe*, 660 F.2d 101 (4th Cir. 1981). In *Ankenbrandt*, the Supreme Court observed:

Issuance of [custody] decrees . . . not infrequently involves retention of jurisdiction by the court and deployment of social workers to monitor compliance. As a matter of judicial economy, state courts are more eminently suited to work of this type than are federal courts, which lack the close association with state and local government organizations dedicated to handling that arise out of conflicts over divorce, alimony, and child custody decrees. Moreover, as a matter of judicial expertise, it makes far more sense to retain the rule that federal courts lack power to issue these types of decrees because of the special proficiency developed by state tribunals of the past century and a half. 504 U.S. at 703-04.

The same reasoning must guide Congress in consideration of the next bill purporting to create a federal law of child custody.

Such Legislation Would Tie the Hands of Judges.

Whether these matters are decided in federal or state court, the opposed legislation would tie the hands of judges by mandating a particular result in favor of the servicemember parent returning from deployment. It would mandate automatic restoration of custody to the returning parent, provided that he or she had custody of the child at the time of deployment. In forcing that decision, the opposed rule would bar a court from even considering the effect of prolonged parental absence, due to deployment, on the child's best interests. The court would have no discretion in these custody decisions, absent a showing by "clear and convincing" evidence that the child should not resume residence with that parent.

Even where it could be proven by a preponderance of the evidence that the child's best interests lay with a grant of custody to the other parent, the court would be forced to restore the child to the custody of the returning servicemember, unless the more stringent "clear and convincing" threshold could be met.

The States Are Making Rapid Progress in Addressing These Matters.

The states have moved rapidly and responsibly to address the extraordinarily complex set of family law and other legal issues confronting this generation of servicemembers and their families, of whom so much has been demanded. Nine states have enacted legislation squarely addressing the child custody circumstances at issue in the opposed legislation: Arizona, California, Kansas, Kentucky, Louisiana, Michigan, Mississippi, North Carolina and Virginia. More than 20 states have adopted legislation acknowledging the potentially competing interests of the child and custodial servicemember and seeking to balance those interests within the framework of the individual states family service systems. These recent state statutes provide, or will provide, broad protections of family member interests, addressing not only restoration of custody but representation of the servicemember's interests in state proceedings and incorporation of mental health and other state support services.

The typical emergent state statute goes much further than the opposed federal bill in protecting servicemembers' interests. For example, it provides for electronic testimony by deployed servicemembers and expedited dockets for those wishing to organize their affairs in advance of deployment.

Importantly, many of the new comprehensive state laws, unlike the proposed federal legislation, also address child-visitation for servicemembers who do *not* have custody. Most active-duty servicemembers who have minor children are not custodial parents. Department of Defense regulations generally prohibit first-term single parents from having legal custody of a minor child. Moreover, the military lifestyle often compels the servicemember parent to relinquish custody to the non-servicemember parent.

These state-law solutions, tailored to and consonant with particular state social service systems and the broad array of servicemember parental interests, represent by far the better and more effective remedy.

The U.S. Department of Defense strongly opposes the type of legislation at issue -- the department has urged in its position statement on point:

The progress with which the states have embraced the military-specific issues has been phenomenal and shows no indication of waning. Five military custody bills became law in just the first six months of 2008. It would be a mistake to intrude on the significant protections and creativity demonstrated by the states.

The opposed bill would do substantial damage to this significant new line of state-based protections, as federal law would be pre-emptive on the burden of proof question and, in a radical and unprecedented departure from the long history of state dominion over family relations disputes, would mandate custody-dispute outcomes from afar without due consideration of the child's best interests. It must be recognized that, at the end of the day, the creative servicemember-parent protections offered by the new and growing array of state statutes are significantly stronger than those contained in this misguided proposal.

B. This Legislation Would Undermine and Misuse
The Servicemembers Civil Relief Act.

The opposed bill would compromise the purpose and effect of the SCRA by converting it into a results-driven hammer for forcing particular outcomes in child custody cases. Such a misuse of this far-reaching legal shield for American servicemembers and their families would destroy its procedural focus, as it applies to courts and litigation, with its provisions for issuing automatic stays, vacating default judgments and appointing counsel for servicemembers.

As the Department of Defense noted in its opposition:

The SCRA . . . currently provides powerful rights to mobilized custodial caregivers. A number of high-visibility custody cases have resulted in custody decisions adverse to deployed servicemembers; however, in many of these cases the basic and generally easily met prerequisites for automatic 90-day stays under the SCRA were not followed. In other cases, judges simply ignored the SCRA. This indicates a problem of a lack of education about the effect and use of the SCRA rather than a problem with its substantive limitations.

The opposed initiative would also introduce a real risk of dilution of important protections already found in the SCRA, by creating the possibility of a legal inference that those protections *only* apply to the particular child custody circumstances addressed by the bill, (i.e., the custody rights of servicemembers who had custody pre-deployment and are returning from deployment.)

The Department of Defense also points out that passage of the proposal could leave "other types of domestic cases vulnerable to arguments that the failure to explicitly address them indicates a legislative intent to exclude them" from SCRA procedural protections."

The SCRA, as it is written, provides clear protections for civil litigants in uniform, including deployed servicemembers in child custody matters, and it means what it says. Doubt as to the scope and reach of this seminal statute's array of servicemember protections must not be legislatively introduced, where no such doubt currently exists.

Damage to the purpose and function of this pre-eminent servicemember-protection statute was a primary consideration of an original sponsoring entity of the instant resolution, the Standing Committee on Legal Assistance for Military Personnel (LAMP), in its decision to strongly oppose the legislative proposal at issue here. LAMP exists to serve and support American servicemembers and their families. While on its face the offending legislation purports to support servicemember parents, the LAMP Committee has concluded that this support is largely illusory, as the bill would do irreparable harm to state-law-based servicemember protections, which are rapidly improving, and upset the well-established legal-social framework for managing child custody cases affecting military and civilian families alike.

C. The Best Interests of the Child Standard Must be Preserved in Custody Cases.

The opposed bill would compromise the best interest of the child standard in custody decisions. To be sure, in fairness to those who leave home to answer their country's call to arms, the mere fact of deployment of a custodial caregiver, standing alone, cannot constitute legal grounds for depriving a servicemember parent of custody. But the proposal in question veers off to the opposite extreme, making restoration of pre-deployment custody *automatic* and relegating the child's interests to a secondary consideration, unless it can be shown by "clear and convincing" evidence that restoring custody to that servicemember-parent would be against the child's best interests. In the murky world of most family relationships, proving anything to a "clear and convincing" certainty is a tall order indeed. The proposed standard thus would turn on its head the generally-accepted "best interests" standard, a deviation that would represent a dangerous precedent that ultimately serves no one's interests, including those of servicemembers or their families.

Additional Considerations

The proposal is also unworkable to the extent that it would only create custody rights in cases involving the actual deployment of a servicemember to a "contingency operation," which means a designated conflict zone such as Iraq or Afghanistan. As the Department of Defense noted, this introduces

another arbitrarily created distinction between those involved in a contingency operation and those who must be absent from their child for other military-directed reasons. Why should the deployment of a servicemember in support of a humanitarian operation, as opposed to a peacekeeping operation, be forced to operate under different laws and perhaps different courts? Few other provisions of the SCRA turn on such arbitrarily imposed distinctions.

Likewise, no protections would be afforded servicemembers who are called up to replace those mobilized and who take their places, yet are not on a humanitarian mission, and those who face military absence due to the nature of the mission – an “unaccompanied tour.” There is no reason why these members of the military should face disparate treatment.

On a separate point, all of the service branches (Army, Navy, Air Force, Coast Guard and Marine Corps) have been developing new Family Care Plan instructions designed to encourage servicemembers to create explicit plans for the handling of child custody issues and other family matters in the event of deployment. Going forward, the revised Family Care Plan instructions, once completed by all the services, should prevent a number of these custody disputes from arising, further obviating a statutory fix that would be far worse than the problem.

Respectfully submitted by:

Anita M. Ventrelli, Chair, Section of Family Law

Donald J. Guter, Chair, Standing Committee on Legal Assistance for Military Personnel

February 2009

GENERAL INFORMATION FORM

Submitting Entities: ABA Section of Family Law
 ABA Standing Committee on Legal Assistance for Military Personnel

Submitted By: Anita M. Ventrelli, Chair, Section of Family Law
 Donald J. Guter, Chair, Standing Committee on Legal Assistance for
 Military Personnel

1. Summary of Recommendation(s).

The Section of Family Law and the Standing Committee on Legal Assistance for Military Personnel (LAMP) of the American Bar Association recommend to the ABA House of Delegates that the ABA urge Congress to oppose any federal legislation that would create a new federal law of child custody controlling resolution of child-custody disputes involving the custodial rights of servicemember-parents. They recommend opposition to such legislation to the extent that it would: create federal-question jurisdiction over these child custody cases; threaten existing procedural protections for American servicemembers found in the Servicemembers Civil Relief Act; co-opt the growing body of state laws that comprehensively address the domestic relations interests of servicemembers; and legislatively dictate outcomes and evidentiary burdens in child-custody cases, while compromising the best-interests-of-the-child standard.

2. Approval by Submitting Entity.

This Recommendation was approved by the Council of the Section of Family Law on October 2, 2008 and by the LAMP Committee on November 14, 2008.

3. Has this or a similar recommendation been submitted to the ABA House of Delegates or Board of Governors previously?

No

4. What existing Association policies are relevant to this recommendation and how would they be affected by its adoption?

This Recommendation is consistent with the American Bar Association's 1984 policy urging the legal profession to direct attention to issues affecting children, including the preservation of children's legal rights; the 1995 policy urging respect of the rights of all children in the United States; and the 1993 policy urging amendment of the former Soldiers' and Sailors' Civil Relief Act to clarify and modernize the Act's protections of American servicemembers.

5. What urgency exists which requires action at this meeting of the House?
 The latest iteration of the opposed legislation was introduced as part of the Fiscal Year 2009 National Defense Authorization Act. Only at the eleventh hour was this bill, along with other bills amending the Servicemembers Civil Relief Act, purged from the Defense Authorization Act. Congressional staff and observers who closely follow this subject expect the bill to be reintroduced in 2009. Action by the House at this time is necessary to have an influence on Senate and Congressional action.

6. Status of Legislation. (If applicable.)
 The opposed bill, section 4510 of H.R. 5658, would have amended 50 U.S.C. App. § 521, the Servicemembers Civil Relief Act. It was introduced in the 110th Congress in 2008. It was not adopted as part of the final FY 2009 National Defense Authorization Act. It is not a currently pending bill, but is expected to be reintroduced.

7. Cost to the Association. (Both direct and indirect costs.)
 None.

8. Disclosure of Interest. (If applicable.)
 None.

9. Referrals. (List entities to which the recommendation has been referred, the date of referral and the response of each entity if known.)
 The Resolution and Report were distributed to the following ABA entities on Nov. 13, 2008, with the request for their co-sponsorship:
 Standing Committee on Armed Forces Law,
 Standing Committee on Legal Aid and Indigent Defense (SLCAID),
 Section of Litigation,
 Center for Children and the Law,
 General Practice, Solo, and Small Firm Division (Military Committee),
 Government and Public Sector Lawyers Division,
 Judicial Division,
 Section of Individual Rights and Responsibilities, and
 Young Lawyers Division.

Government and Public Sector Lawyers Division is reviewing the recommendation;
 SLCAID will vote on co-sponsorship on Nov. 22, 2008.

10. Contact Persons. (Prior to the meeting. Please include name, address, telephone number and email address.)

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11. Contact Persons. (Who will present the report to the House. Please include email address and cell phone number.)

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EXECUTIVE SUMMARY

1. Summary of the Recommendation

The Recommendation calls for the American Bar Association to urge Congress to oppose legislation that would create a federal law of child custody controlling state custody cases involving servicemember-parents. The Recommendation urges that the legislation be stopped because it would dictate court outcomes in child custody cases, even where the child's best interests do not support that outcome; create federal-question jurisdiction over child custody cases, long the province of state courts; impose federally-mandated evidentiary burdens on state courts; co-opt the growing body of state laws that comprehensively and appropriately address domestic relations matters affecting servicemembers; and cast doubt on existing servicemember protections found in the Servicemembers Civil Relief Act (SCRA), 50 U.S.C. App. §§ 501-596.

2. Summary of the Issue that the Resolution Addresses

The issue arises from strong concern among child advocates, military legal assistance experts and others that the opposed legislation would inappropriately employ federal fiat to invade the province of the states by dictating court outcomes in child custody cases affecting deployed servicemembers. The opposed legislation provides that deployed servicemembers who had child custody at the time of their deployment would automatically have that custody restored upon their return, irrespective of other considerations affecting the best interests of the child. The opposed legislation would provide that custody could be denied to the returning servicemember in such a case only by a showing of "clear and convincing" evidence that it was not in the child's best interests. The opposed legislation improperly creates federal substantive law and evidentiary rules for custody determinations historically left to state courts. The opposed legislation would misuse the Servicemembers Civil Relief Act, the source of important procedural protections for servicemembers in litigation, to dictate substantive outcomes in custody cases. The legislation would cast doubt of the ample and adequate servicemember protections already found in the SCRA. The opposed legislation would create federal-question jurisdiction over these child custody cases, a role federal courts are ill-equipped to fulfill. The opposed legislation would pre-empt the emerging body of state laws that comprehensively and organically address servicemember domestic relations interests. The essence of the issue is that the opposed legislation is not in the interest of children or servicemembers.

3. Please Explain How the Proposed Policy Position will Address the Issue

The Proposed Policy would influence the United States Senate and the House of Representatives to oppose the legislation and thereby remove the threat to the interests of children and servicemembers posed thereby.

4. Summary of Minority Views

We are aware of no minority views within the ABA.

For deployed Vermont military, help with child custody

By Peter Hirschfeld Vermont Press Bureau - Published: January 20, 2010

MONTPELIER – For military parents deployed to war zones overseas, the toughest battle can often be the child-custody dispute awaiting them back home.

The call to duty, family-law experts told Vermont lawmakers on Tuesday, can be used in court against military parents who split custody of their children with a former spouse or partner. And the impacts, they said, can exacerbate the intense emotional trauma that long deployments inflict on troops and their children.

"We don't have a lot of horror stories here, but boy are they out there in the rest of the country," said Patricia Benelli, a family-law attorney from Chester. "And we're trying to avoid them here."

Lt. Col. Ellen Abbott, a judge-advocate general in the Vermont National Guard, said she had to assist a Vermont soldier who returned from a long deployment to Iraq only to find that his ex-partner had been granted full custody of their child in his absence. It took months of court proceedings and \$23,000 in legal fees, Abbott said, for the man to regain custody of his child.

"It was a very difficult thing for this soldier to go through," Abbott said. "Had we had something in place to provide protections to him, it might have made things easier."

Lawmakers this session will consider a bill that supporters say would provide those protections by addressing the legal pitfalls into which at least some military parents fall. Without such reforms, Benelli said, the state risks "penalizing people in the military for serving their country."

Rep. Maxine Grad, a Waitsfield Democrat and vice-chairwoman of the House Judiciary Committee, introduced the legislation, which now has 88 co-sponsors. With more than 5,000 Vermonters serving as active members of the military, including 1,500 headed for Afghanistan next month, she said it's incumbent upon the state to protect the parental rights of servicemen and women.

When deployment orders come through, Abbott said, many military parents "are afraid to go to court because they're going to take their children away."

Indeed, legal experts said Tuesday, a military deployment can be construed by family-court judges as the "real, substantial and unanticipated change" required by Vermont statutes to amend child-custody arrangements.

Proposed legislation would prevent judges from using deployment-related separation as the sole reason for changing custody or visitation orders.

"I think this bill provides the framework to give assurances to military parents that they won't lose contact with their children either before, during or after their deployment," Abbott said.

The bill would also ensure that parents forced to cede custody or visitation during a deployment could appoint a friend or family member to assume those rights on their behalf. The measure is needed, lawyers said Tuesday, to ensure a continued bond with members of the deployed parent's family.

The legislation additionally ensures contact rights for deployed parents wishing to correspond with their children via telephone, e-mail or Web cameras. Abbott, who herself has been deployed to Iraq, said contact with children is important to sustaining soldiers' morale.

"Being over there I can tell you soldiers live for contact with their children," Abbott said. "We also have soldiers who are devastated when they get no response from their children – none whatsoever. It degrades their ability to focus on the mission and that's what we need – the ability to focus on the mission so they can come back."

The bill would also force family courts to make deployment-related custody hearings priority cases, and allow deployed soldiers to participate in those hearings via phone.

26-LS1310E
Kurtz/Mischel
2/16/10

CS FOR HOUSE BILL NO. 334()

**IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - SECOND SESSION**

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES THOMAS, Dahlstrom

A BILL

FOR AN ACT ENTITLED

1 **"An Act establishing child custody, modification, and visitation standards for a military**
2 **parent; and amending Rule 99, Alaska Rules of Civil Procedure."**

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

4 *** Section 1.** AS 25.20 is amended by adding a new section to read:

5 **Sec. 25.20.095. Custody and visitation proceedings involving a military**
6 **parent.** (a) Except as provided in this section, a parent's temporary duty, mobilization,
7 or deployment to military service and the resultant temporary disruption to the
8 schedule of a child of the parent may not be a factor in a court's decision to grant or
9 deny a petition for custody or visitation.

10 (b) A parent who is deployed may petition a court of competent jurisdiction
11 for custody or visitation. The petition shall be construed to be an application for
12 affirmative relief, consistent with the protections afforded under 50 U.S.C. App. 501 -
13 596 (Servicemembers Civil Relief Act) and may include a request to delegate the
14 deployed parent's visitation rights to a family member.

1 (c) A court shall order a delegation of visitation rights based on a petition filed
2 under (b) of this section if the court finds that

3 (1) the family member receiving the delegation has an existing close
4 relationship to the child; and

5 (2) the delegation is in the child's best interest.

6 (d) A hearing on a petition filed under this section shall be expedited by the
7 court on a motion filed by the deployed parent and subject to an additional 10 days'
8 notice.

9 (e) A parent who is deployed may not be construed to have waived any rights
10 or protections with regard to custody or visitation of the deployed parent's child unless
11 the deployed parent expressly waives the right or protection in writing.

12 (f) A court order entered under this section must require that

13 (1) the nondeployed parent make the child reasonably available for
14 visitation to the deployed parent when the deployed parent is on leave if the visits are
15 in the child's best interest;

16 (2) the nondeployed parent facilitate contact, including telephonic and
17 electronic contact, between the deployed parent's child and the deployed parent if the
18 contact is in the child's best interest; electronic contact with a video image must be
19 facilitated whenever feasible; and

20 (3) the deployed parent provide timely information to the nondeployed
21 parent regarding the deployed parent's leave schedule.

22 (g) In making a determination of the best interests of the child, the court shall
23 consider the factors under AS 25.24.150(c) and apply the rebuttable presumption
24 under AS 25.24.150(g) to visitation, delegation, and custody orders issued under this
25 section. In addition, there is a rebuttable presumption that a deployed parent's
26 visitation rights may not be delegated to a family member who has a history of
27 perpetrating domestic violence against a spouse, a child, or a domestic living partner,
28 or to a family member with an individual in the family member's household who has a
29 history of perpetrating domestic violence against a spouse, a child, or a domestic
30 living partner.

31 (h) In this section,

1 (1) "deployment" or "deployed" means military services performed in
2 compliance with a valid order received by an active duty or reserve member of the
3 armed services of the United States, National Guard, or United States Coast Guard to
4 report for combat operations, contingency operations, peacekeeping operations,
5 temporary duty, a remote tour of duty, or other active service for which the deploying
6 parent reports unaccompanied by any family member;

7 (2) "family member" means a person who is an adult sibling, aunt,
8 uncle, first cousin, or grandparent related by blood, adoption, or marriage or a
9 stepparent to the child who is the subject of a custody order issued under this section;

10 (3) "military service" includes the period from which the deployed
11 parent receives and is subject to deployment orders and the period in which the parent
12 is awaiting travel or remains deployed because of sickness, wounds, leave, or other
13 lawful cause.

14 * **Sec. 2.** AS 25.20.110 is amended by adding new subsections to read:

15 (d) Except as provided in (e) - (h) of this section, a parent's temporary duty,
16 mobilization, or deployment to military service and the resultant temporary disruption
17 to the schedule of a child of the parent may not be a factor in finding a change of
18 circumstances on a motion to modify child custody or visitation.

19 (e) A court may provide for a temporary modification of a custody or
20 visitation order during the period of a parent's deployment to military service to make
21 reasonable accommodation for the deployment. The temporary order must specify that
22 deployment is the basis of the order and include provisions for

23 (1) custody or reasonable visitation during a period of leave granted to
24 the deployed parent if the custody or visitation is in the child's best interest;

25 (2) termination of the temporary order and resumption of the
26 permanent order within 10 days after notification of the deployed parent's ability to
27 resume custody or visitation unless the court finds that resumption of the custody or
28 visitation order in effect before deployment is no longer in the child's best interest; the
29 nondeployed parent shall bear the burden of proving that resumption of the order is no
30 longer in the child's best interest;

31 (3) a hearing if a child of a deployed parent has been moved out of

1 state and the nondeployed parent has filed a motion that alleges that resumption of the
2 permanent custody order will result in immediate danger of irreparable harm to the
3 child or that the presumption under AS 25.24.150(g) exists;

4 (4) delegation, on request of the deployed parent, of the deployed
5 parent's visitation rights under an existing order, if any, to another family member who
6 has an existing close relationship to the child if the delegation is in the child's best
7 interest; and

8 (5) immediate notification by the parent who is not deployed of a
9 change of address or contact information to the deployed parent and to the court; if a
10 valid court order issued under AS 12.61.120 or AS 25.20.060 or an equivalent
11 provision in another jurisdiction is in effect that requires that the address or contact
12 information of the parent who is not deployed be kept confidential, the notification
13 shall be made to the court only, and a copy of the order shall be included in the
14 notification.

15 (f) A court shall expedite a hearing to modify custody or visitation on a
16 motion made by a parent who is subject to deployment.

17 (g) In making a determination of the best interests of the child, the court shall
18 consider the factors under AS 25.24.150(c) and apply the rebuttable presumption
19 under AS 25.24.150(g) to visitation, delegation, and custody orders issued under this
20 section. In addition, there is a rebuttable presumption that a deployed parent's
21 visitation rights may not be delegated to a family member who has a history of
22 perpetrating domestic violence against a spouse, a child, or a domestic living partner,
23 or to a family member with an individual in the family member's household who has a
24 history of perpetrating domestic violence against a spouse, a child, or a domestic
25 living partner.

26 (h) In this section, "deployment," "family member," and "military service"
27 have the meanings given in AS 25.20.095.

28 * Sec. 3. AS 25.24.150 is amended by adding a new subsection to read:

29 (i) Except as provided in AS 25.20.095 and 25.20.110, a court may not
30 consider a parent's activation to military service and deployment in determining the
31 best interest of the child under (c) of this section. In this subsection, "deployment" has

1 the meaning given in AS 25.20.095.

2 * **Sec. 4.** The uncoded law of the State of Alaska is amended by adding a new section to
3 read:

4 DIRECT COURT RULE AMENDMENT. Rule 99(a), Alaska Rules of Civil
5 Procedure, is amended to read:

6 (a) **Authorization for Telephonic, Video, or Internet Participation.** The
7 court may allow one or more parties, counsel, witnesses or the judge to participate
8 telephonically in any hearing or deposition for good cause and in the absence of
9 substantial prejudice to opposing parties. The court shall allow video or Internet
10 testimony if the hearing or deposition involves the custody or visitation of a child
11 of a parent who is deployed, as that term is defined in AS 25.20.095, at the
12 request of the deployed parent. Authorization for a witness to telephonically
13 participate in a deposition does not bar the witnesses' testimony from being videotaped
14 under Civil Rule 30.1; nor does it bar a party or attorney from being present at the site
15 at which the witness is physically present.

16 * **Sec. 5.** The uncoded law of the State of Alaska is amended by adding a new section to
17 read:

18 CONDITIONAL EFFECT. The amendment to Rule 99(a), Alaska Rules of Civil
19 Procedure, made by sec. 4 of this Act, takes effect only if sec. 4 of this Act receives the two-
20 thirds majority vote of each house required by art. IV, sec. 15, Constitution of the State of
21 Alaska.



REPRESENTATIVE BILL THOMAS

ALASKA STATE LEGISLATURE DISTRICT 5

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Explanation of Changes to CS HB 334

Page 4, Line 9

Inserted: If a court order is in place that requires the contact information of a parent to be kept confidential, notification of a change in address shall be kept by the court only and the parent will not be required to notify the other parent of the change in address.

Page 2, line 25

Inserted: Does not allow a deployed parent to delegate their visitation rights to someone with a history of domestic violence.

Page 4, Line 20

Inserted: Does not allow a deployed parent to delegate their visitation rights to someone with a history of domestic violence.

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: HB 334
 Bill Version: _____
 () Publish Date: _____

Identifier (file name): _____ Dept. Affected: Alaska Court System
 Title Military Deployment and Child Custody RDU Trial Courts
 Component _____
 Sponsor Representative Thomas Component Number _____
 Requester _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
		FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES							
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES							
-----------------------------	--	--	--	--	--	--	--

CHANGE IN REVENUES ()							
-------------------------------	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other Interagency Receipts						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2010) cost: _____

POSITIONS

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

House Bill 334 changes some of the provisions that govern child custody in cases where a parent is a service member who is or recently has been deployed. Two provisions have the potential to impact the court system. The first is the right to a custody hearing within 10 days after a service member requests the hearing after returning from deployment. Courts already frequently set these hearings on an expedited basis and this change will probably not have a significant impact on current practices. However, should a significant number of hearings be sought soon after the return of a large number of deployed service members, this may create scheduling problems.

The second possible impact involves internet testimony when a deployed parent wishes to participate in a custody hearing. The court can currently use this technology in the courts most likely to hear these cases (Anchorage, Fairbanks and Palmer). Any associated costs are likely to be minor and can be absorbed without the need for additional funding.

Prepared by: Doug Wooliver, Administrative Attorney
 Division Alaska Court System
 Approved by: Doug Wooliver for Christine Johnson, Administrative Director
Alaska Court System

Phone 907-463-4750
 Date/Time 2-16-10 @ 12:00 pm
 Date 2/16/2010



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Sponsor Statement HB 334

“An Act establishing child custody, modification, and visitation standards for a military parent who is deployed; and amending Rule 99, Alaska Rules of Civil Procedure.”

For nearly a decade, the War on Terror has required Alaska to frequently deploy our active military, reserve, and National Guard troops. This high deployment tempo is putting even more pressure on our already strained military families. Children who are already in unusual circumstances due to their parents' military careers are being put in the situation of having to deal with a deployed parent. It is no wonder that the divorce rate for members in the military has been steadily rising for the past decade.

However, while the travesty of divorce is hard enough on all members of a family, the court system is also finding it difficult to balance the issues of deployment with child custody issues. A deploying family member now must fight a battle on two fronts, the one in the Middle East, and the one at home. HB 334 ensures that the court system has clear directive as to how it should deal with a deploying military member if they should find themselves in the midst of a child custody battle. It affords them the right to an expedited hearing so that matters can be taken care of before deployment, if necessary, and it also allows the member to delegate their visitation rights to another family member in order for the child to maintain all familial connections. Most importantly, HB 334 requires that a court *not* use deployment as the sole reason for a change in a child custody order. Our men and women are sacrificing enough for our country, their military service should not be a reason in itself for them to lose custody of their children.

In 2009, because of the potential for conflict with current states child custody laws, congress deemed military child custody to be the responsibility of individual states.

HB 334 includes the following items and restrictions:

- A definition of a military absence.
- Assurance that military duties cannot be the sole reason for a permanent change of custody.
- Allowance of expedited hearings with restrictions.
- The right to delegate visitation to another family member.
- Allowance of electronic testimony.
- Limitations on temporary custody orders.

In recognizing that the federal government should not legislate a Military Child Custody statute, that Alaska has many service-members, that the United States military currently has a high rate of deployment, and that military divorce rates continue to rise, now is a good time for the Alaska Legislature to address military child custody.



REPRESENTATIVE BILL THOMAS

ALASKA STATE LEGISLATURE DISTRICT 5

e-mail: Representative.Bill.Thomas@legis.state.ak.us
webpage: www.akrepublicans.org/thomas/

State Capitol

Juneau AK, 99801-1182

907-465-3732

888-461-3732

FAX 907-465-2652

Sectional

HB 334

“An Act establishing child custody, modification, and visitation standards for a military parent; and amending Rule 99, Alaska Rules of Civil Procedure.”

Section 1: AS 25.20 adds a new section:

Sec. 25.20.095. Custody and visitation proceedings involving a military parent.

- (a) Military service cannot be a factor in granting or denying a petition for custody or visitation.
- (b) – (e) Upon receiving deployment orders a military parent shall receive an expedited hearing and the parent can delegate visitation rights to a family member if doing so is within a child’s best interests. Any petition for custody or visitation will be given the same protections as afforded under the SCRA. Additionally, rights or protections regarding custody or visitation can only be waived writing
- (f) A court order entered under this section must require
 - (1) a child be made reasonably available during periods of leave
 - (2) the facilitation of written and electronic contact between the deployed parent and the child, preferably electronic contact with a video image
 - (3) the deployed parent provide timely leave information
- (g) Factors in determining a child’s best interests. Cross reference to AS 25.24.150(c) and AS 25.24.150(g)
- (h) Definition of “deployment,” “family member,” and “military service”

Section 2: AS 25.20.110 is amended by adding new subsection to read:

- (d) Except as provided in (e) – (h) military service cannot be a factor in finding a change of circumstances on a motion to modify child custody or visitation
- (e) A court may provide for a temporary modification of a custody or visitation order to make reasonable accommodation for a deployment. The temporary order must include provisions for
 - (1) custody or visitation during periods of leave if doing so is within the child’s best interests.
 - (2) termination of the temporary order within 10 days of notification of the deployed parent’s ability to resume custody if doing so is within the child’s best interests. The non-deployed parent shall bear the burden of proof.

(3) a hearing if a child of a deployed parent moved out of state and the non-deployed parent files a motion that alleges that resumption of the permanent custody order will result in immediate danger of irreparable harm to the child or that the presumption under AS 25.24.150(g) exists

(4) delegation of the deployed parent's visitation rights to a family member if doing so is within the child's best interests.

(5) immediate notification from the non-deployed parent of a change of address or contact information.

(f) A court shall expedite a hearing to modify custody or visitation on a motion made by a parent who is subject to deployment.

(g) Factors in determining a child's best interests. Cross reference to AS 25.24.150(c) and AS 25.24.150(g)

(h) Definition of "deployment," "family member," and "military service." Cross reference to AS 25.20.095

Section 3: AS 25.24.150 is amended by adding new subsection to read:

(l) Except as provided in AS 25.20.095 and 25.20.110 military service cannot be a factor in determining the best interest of the child under (c) of this section.

Section 4: The uncodified law of the State of Alaska is amended by adding a new section to read:

(a) Authorization for Telephonic, Video, or Internet Participation.

The court shall allow video or Internet testimony if the hearing or deposition involves the custody or visitation of a child of a parent who is deployed, as that term is defined in AS 25.20.095, at the request of the deployed parent.

Karen Sawyer

From: Kaci Schroeder
Sent: Thursday, February 18, 2010 9:30 AM
To: Karen Sawyer
Subject: RE: HB334

Karen,

Apparently the issue addressed by HB 334 hasn't happened a whole lot in Alaska yet and the parents who this has happened to are unwilling to come forward at this time. Josh has spoken with a few JAG attorneys and they mentioned to him that this has happened up here, but not very much. However, it is an issue across the nation and we want to prevent it from happening in the future. It is also helpful to the courts if they have statute to fall back on.

So at this point we don't have a lot of "public" testimony. Mostly testimony from attorneys who see the need for this in their practice and the Department of Defense.

I'm still checking on more news articles.

Kaci

From: Karen Sawyer
Sent: Wednesday, February 17, 2010 4:22 PM
To: Kaci Schroeder
Subject: HB334
Importance: High

Hi Kaci,

Of the folks who will be testifying for HB 334 next Tuesday, are they all by teleconference? How about an actual military parent who is affected? Anyone testifying in person? Have you checked with DMVA – McHugh Pierre to see if he can testify in support of the bill?

You might want to print off some of the news stories that support the bill – and e-mail them to me. I just want there to be enough support for the bill to move it out of committee the same day. Otherwise, scheduling a follow-up hearing will be tough because of member conflicts.

Thanks, Kaci.

Karen

Karen Sawyer, Staff
Office of Representative Carl Gatto
State Capitol, Room 108
Juneau AK 99801

Persons to Call in for Testimony on HB 334

Allen Bailey – Family Law Attorney

Mark Sullivan – Family Law Attorney, Military Child Custody Expert

Mark San Souci – State Liaison, Department of Defense

Jean Mischel – Legislative Legal

Karen Sawyer

From: Apache [apache@wwwjnu02.legis.state.ak.us]
Sent: Monday, February 22, 2010 10:02 AM
To: LIO Juneau; Karen Sawyer
Subject: [SPAM] Teleconference Order Form

Meeting: new

Sponsor and/or Committee Name: House Military and Veterans Affairs Committee

Date of Teleconference: Tuesday, February 23

Start Time: 1 PM

End Time: 3 PM (may end earlier)

Chairing Site: Juneau

Juneau Room: 124

Testimony: yes

Testimony Time Limit: three min

Executive Session: no

Contact Person: Karen Sawyer

Telephone Number: 465-5025

Email Address: Karen_Sawyer@legis.state.ak.us

LIO Sites:

anchorage
bethel
fairbanks
juneau
kenai
matsu
valdez

May other LIO's add: yes

Offnet Name(s):

Allen Bailey
Mark Sullivan

Mark San Souci
Jean Mischel

Subject of meeting and/or Bills on Agenda:

HB 334 MILITARY DEPLOYMENT AND CHILD CUSTODY

HCR

7

<target><bill>HCR 7</bill><subject>HCR
7</subject><comm>HMLV26</comm></target>

ALASKA STATE LEGISLATURE

Co-Chair:
Joint Armed Services Committee

Vice-Chair:
Judiciary
Legislative Budget and Audit

Member:
Economic Development, Trade & Tourism
Energy



Session:
Alaska State Capitol
Juneau, AK 99801-1182
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REPRESENTATIVE NANCY DAHLSTROM

ELMENDORF AFB • FORT RICHARDSON • BIRCHWOOD • FIRE LAKE • GOVERNMENT HILL • MULDOON
Representative_Nancy_Dahlstrom@legis.state.ak.us

Date: 2/11/2009

To: Representative Carl Gatto, Chairman
House Special Committee on Military and Veterans Affairs

From: Representative Nancy Dahlstrom, Co-Chair
Joint Armed Services Committee

RE: Hearing Request

L. Pierre for Rep. Dahlstrom

I am requesting a hearing, for my House Concurrent Resolution 7, "Relating to awarding the Alaska Decoration of Honor to certain members of the military."

This resolution awards the Alaska Decoration of Honor medal to six military members who were killed in action.

If you have any questions please contact Laura Pierre in my office at 465-6598.

ALASKA STATE LEGISLATURE

Co-Chair:
Joint Armed Services Committee

Vice-Chair:
Legislative Budget and Audit
Judiciary Committee

Member:
Economic Development, Trade & Tourism
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REPRESENTATIVE NANCY DAHLSTROM

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Representative_Nancy_Dahlstrom@legis.state.ak.us

Sponsor Statement

House Concurrent Resolution 7

“Relating to awarding the Alaska Decoration of Honor to certain members of the military.”

This resolution awards the Alaska Decoration of Honor to six individuals who were killed in the line of duty, between January 1, 2008 and December 31, 2008, while honorably serving our state and country. This award was established in 2007 through House Bill 244. The Decoration of Honor is awarded to military service members from Alaska, or those service members deployed while stationed in Alaska, who were killed in action or in support of combat.

The legislature must approve the names of those individuals in order to receive the award. Last year, 171 individuals were approved through SCR 18 to receive the medal at the Decoration of Honor ceremony being held on May 23, 2009. If passed, SCR 7 will allow these six individuals to be included in this year's ceremony. Next of kin will be presented with the award in honor of their loved ones sacrifice.

I respectfully request favorable support of House Concurrent Resolution 7.

Thank you.



LAWS OF ALASKA

2007

Source

CSHB 244(FIN) am

Chapter No.

AN ACT

Creating an Alaska Decoration of Honor and establishing criteria for awarding the decoration.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1

Enrolled HB 244

AN ACT

1 Creating an Alaska Decoration of Honor and establishing criteria for awarding the decoration.

2

3 * **Section 1.** AS 26.05.190 is amended by adding a new subsection to read:

4 (e) The adjutant general shall maintain the Alaska Decoration of Honor Roll.

5 * **Sec. 2.** AS 26.05 is amended by adding a new section to read:

6 **Sec. 26.05.342. Alaska Decoration of Honor.** (a) There is created an Alaska
7 Decoration of Honor. The Alaska Decoration of Honor may be awarded to an
8 individual who has been killed in action on or after the date Alaska achieved statehood
9 while

10 (1) engaged in an action against any enemy of the United States;

11 (2) engaged in military operations involving conflict with an opposing
12 foreign force;

13 (3) serving with friendly foreign forces engaged in an armed conflict

1 against an opposing armed force in which the United States is not a belligerent party;
2 or

3 (4) serving in or deploying to or from a combat zone as designated by
4 presidential order.

5 (b) To be eligible to receive the Alaska Decoration of Honor, an individual
6 must have been, at the time the individual was killed in action, a member of

7 (1) the Alaska National Guard who was a legal resident of the state;

8 (2) the United States military reserves who was a legal resident of the
9 state; or

10 (3) the regular United States armed forces who was

11 (A) a legal resident of the state; or

12 (B) stationed in the state by a proper order of the United States
13 Department of Defense.

14 (c) The Alaska Decoration of Honor shall be awarded by a concurrent
15 resolution drafted in consultation with the adjutant general's office. The resolution
16 must be

17 (1) introduced by the president of the senate, the speaker of the house
18 of representatives, a member of the legislature who is the authorized representative of
19 the president of the senate or the speaker of the house of representatives, or the chair
20 of the committee of each house of the legislature with primary jurisdiction over
21 military and veterans' affairs; and

22 (2) adopted by both houses of the legislature.

23 (d) The Joint Armed Services Committee shall make arrangements for the
24 designing and awarding of the Alaska Decoration of Honor.

25 (e) The adjutant general shall

26 (1) annually obtain from the United States government a list of
27 individuals who fulfill the criteria described in (a)(1) - (4) and (b)(1) - (3) of this
28 section during the previous calendar year; and

29 (2) not later than December 31 each year, provide this list of
30 individuals to the president of the senate and speaker of the house of representatives;
31 the adjutant general may edit the list to remove from it the name of any individual

1 whose service, in the judgment of the adjutant general, would have resulted in the
2 individual's discharge or release under conditions that were other than honorable.

3 (f) The adjutant general shall enter the name of each recipient of the Alaska
4 Decoration of Honor on the Alaska Decoration of Honor Roll maintained under
5 AS 26.05.190(e).

6 * Sec. 3. The uncodified law of the State of Alaska is amended by adding a new section to
7 read:

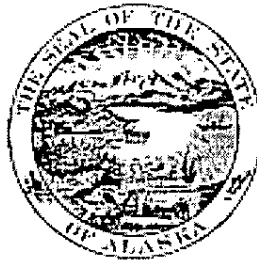
8 INITIAL LIST TO BE OBTAINED BY ADJUTANT GENERAL. The initial list of
9 individuals obtained from the United States government by the adjutant general under
10 AS 26.05.342(e)(1) must include all individuals who meet the criteria described in
11 AS 26.05.342(a)(1) - (4) and (b)(1) - (3) and were killed in action at some time after
12 January 2, 1959, and before January 1, 2007.

**STATE OF ALASKA
THE LEGISLATURE**

2008

Source
SCR 18 am

**Legislative
Resolve No.**
36



Awarding the Alaska Decoration of Honor to certain members of the military.

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

WHEREAS the Alaska Decoration of Honor was established to honor individuals who were killed on or after the date Alaska achieved statehood in military actions while serving the United States;

BE IT RESOLVED that the Alaska State Legislature awards the Alaska Decoration of Honor to the following individuals:

- (1) Shawn G. Adams;
- (2) Jesse Bryon Albrecht;
- (3) Christopher M. Alcozer;
- (4) Eugene Henry Eli Alex;
- (5) Charles D. Allen;
- (6) Carl Anderson Jr.;
- (7) Thomas Edward Anderson;
- (8) Kurtis Dean Kama-O-Apelila Arcala;
- (9) Brian D. Ardron;

- (10) Michael Dean Banta;
- (11) Edward Nasuesak Barr;
- (12) Thomas M. Barr;
- (13) Daniel D. Bartels;
- (14) Richard Gene Bauer;
- (15) Ryan J. Baum;
- (16) Shane R. Becker;
- (17) Larry LeRoy Betts;
- (18) Jeffery Dean Bisson;
- (19) Alan R. Blohm;
- (20) Jeremiah J. Boehmer;
- (21) Matthew Charles Bohling;
- (22) Matthew T. Bolar;
- (23) John G. Borbonus;
- (24) Christopher Robert Brevard;
- (25) James L. Bridges;
- (26) David Dee Brown Jr.;
- (27) Charles Edward Brown;
- (28) William F. Brown;
- (29) Gary Edwin Bullock;
- (30) Jaime L. Campbell;
- (31) William Steven Childers;
- (32) Johnathan Bryan Chism;
- (33) Donald George Chmiel;
- (34) Brad A. Clemmons;
- (35) Adare William Cleveland;
- (36) Ryan D. Collins;
- (37) Clinton Arthur Cook;
- (38) Jason Jarrard Corbett;
- (39) Daniel Franklin Cox;
- (40) Shawn R. Creighton;

- (41) Eric B. Das;
- (42) George W. Dauma Jr.;
- (43) Carletta S. Davis;
- (44) David J. Davis;
- (45) Micheal W. Davis;
- (46) Wilbert Davis;
- (47) Dustin R. Donica;
- (48) David Q. Douthit;
- (49) William Bradley Duncan;
- (50) Scott Douglas Dykman;
- (51) William Albert Eaton;
- (52) Michael Ignatius Edwards;
- (53) David Henry Elisovsky;
- (54) Robert Thomas Elliott III;
- (55) Shawn Patrick Falter;
- (56) Sean Patrick Fennerty;
- (57) David Lynn Ferry;
- (58) Sean P. Fisher;
- (59) Nick Ulysses Fleener;
- (60) Victor M. Fontanilla;
- (61) Phillip Cody Ford;
- (62) Kraig D. Foyteck;
- (63) Lucas Frantz;
- (64) Grant B. Fraser;
- (65) Jacob Noal Fritz;
- (66) Charles F. Gamble Jr.;
- (67) Brennan Chriss Gibson;
- (68) Micah S. Gifford;
- (69) Dale Anthony Griffin;
- (70) Howard Wayne Gulliksen;
- (71) Daniel Lee Harmon;

- (72) Dustin J. Harris;
- (73) Raymond L. Henry;
- (74) Irving Hernandez Jr.;
- (75) Adam Herold;
- (76) Patrick W. Herried;
- (77) Kenneth Hess;
- (78) William Earl Hibpshman;
- (79) Michael Thomas Hoke;
- (80) Jaron D. Holliday;
- (81) Jerry Verne Horn;
- (82) Michael R. Hullender;
- (83) Kurt Int-Hout;
- (84) Sam Ivey;
- (85) Steven R. Jewell;
- (86) Christopher C. Johnson;
- (87) Jeremiah Jewel Johnson;
- (88) Wayne Elmer Jones;
- (89) Alexander Jordon;
- (90) Adam P. Kennedy;
- (91) Gilbert Ketzler Jr.;
- (92) George Gregory Kilbuck;
- (93) Jeremiah C. Kinchen;
- (94) Donald Harry Kito;
- (95) Howard Mark Koslosky;
- (96) Russell A. Kurtz;
- (97) Kermit Harold La Belle Jr.;
- (98) Jason K. LaFleur;
- (99) Mickey Daniel Lang;
- (100) Jason Lantieri;
- (101) David Alen Lape;
- (102) Michael H. Lasky;

- (103) Aaron Latimer;
- (104) Robert Edward Lee;
- (105) Henry W. Linck;
- (106) James T. Lindsey;
- (107) Norman Lewis Lingley;
- (108) Joseph I. Love-Fowler;
- (109) Jeremy M. Loveless;
- (110) Bryan C. Luckey;
- (111) Bradley W. Marshall;
- (112) Thomas M. Martin;
- (113) Brian McElroy;
- (114) Jackie L. McFarlane Jr.;
- (115) Patrick M. McInerney;
- (116) Jacob Gerald McMillan;
- (117) Phillip David McNeill;
- (118) Benjamin E. Mejia;
- (119) Jacob Eugene Melson;
- (120) Kenneth Bruce Millhouse;
- (121) Johnathon Miles Millican;
- (122) Robert J. Montgomery;
- (123) Trista L. Moretti;
- (124) Christopher R. Morningstar;
- (125) Shawn Matthew Murphy;
- (126) Jason L. Norton;
- (127) Toby Richard Olsen;
- (128) Warren Paulsen;
- (129) Joshua M. Pearce;
- (130) Coty J. Phelps;
- (131) William Franci Piaskowski;
- (132) Larry Joe Plett;
- (133) David Shelton Prentice;

- (134) Cody A. Putman;
- (135) Lloyd Steven Rainey;
- (136) Daniel F. Reyes;
- (137) Stanley B. Reynolds;
- (138) Andrew William Rice Jr.;
- (139) Floyd Whitley Richardson;
- (140) Norman Franklin Ridley;
- (141) Michelle R. Ring;
- (142) Timothy J. Roark;
- (143) Donald Robert Robison;
- (144) Jessy S. Rogers;
- (145) Jonathan Rojas;
- (146) Donald Ray Sanders;
- (147) Frederick M. Simeonoff;
- (148) Nicholas R. Sowinski;
- (149) Donald Walter Sperl;
- (150) Clifford A. Spohn III;
- (151) Lance Craig Springer II;
- (152) Derek T. Stenroos;
- (153) Joseph A. Strong;
- (154) Stephen Sutherland;
- (155) William Arthur Thompson;
- (156) Douglas L. Tinsley;
- (157) Chester William Troxel;
- (158) Colby J. Umbrell;
- (159) Joe Wayne Vanderpool;
- (160) John S. Vaughan;
- (161) Dustin S. Wakeman;
- (162) Mark A. Wall;
- (163) William Francis Walters;
- (164) Shannon Weaver;

- (165) Mason Douglas Whetstone;
- (166) Arthur Joseph Whitney Jr.;
- (167) Jamie Duggan Wilson;
- (168) Daniel Eugene Woodcock;
- (169) Shane William Woods;
- (170) James R. Worster;
- (171) David Reese Young Jr.

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HCR 7
 () Publish Date: _____

Identifier (file name): _____ Dept. Affected: _____
 Title HCR 7 DECORATION OF HONOR RDU _____
 Component _____
 Sponsor Representative Nancy Dahlstrom
 Requester Military and Veterans' Affairs Committee Component Number _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING		0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
CHANGE IN REVENUES ()								

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

Prepared by: House Military and Veterans' Affairs Committee Phone _____
 Division _____ Date/Time _____
 Approved by: Represtatative Carl Gatto Date 2/24/2008

HJR

10

<target><bill>HJR 10</bill><subject>HJR
10</subject><comm>HMLV26</comm></target>

ALASKA STATE LEGISLATURE

Sponsor



Statement

SESSION:

Alaska State Capitol, Room 418
Juneau, AK 99801
(907) 465-4457 Office
(907) 465-3519 Fax
(800) 928-4457 Toll Free

INTERIM:

1292 Sadler Way, Suite 304
Fairbanks, AK 99701
Office (907) 456-8172
Fax (907) 456-2490

Representative David Guttenberg

“A Resolution urging the United States Congress to improve health care for veterans”

The United States government has a responsibility to all veterans for their service to our state and nation. HJR 10 urges the United States Congress to live up to that responsibility by providing veterans with adequate and improved health care. Alaska has the highest per capita population of veterans in the nation.

The Partnership for Veterans Health Care Budget Reform (a non profit whose mission is to support sufficient, timely and predictable funding for veteran health care) has found the current funding mechanism for veterans' health care to be unreliable and vulnerable to political posturing, cost cutting, and budget gimmickry. Our veterans deserve better than that. Along with the increasing number of veterans is the increasing number of traumatic brain injury and combat-related psychological injuries.

Without a streamlined and comprehensive health care system, veterans are being denied the health care they are entitled to. This house joint resolution seeks to establish the voice of the 26th Alaska State Legislature in favor of better health care reform for all veterans.

26-LS0313\E
Bailey
2/24/09

CS FOR HOUSE JOINT RESOLUTION NO. 10()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES GUTTENBERG, Kawasaki, Salmon, Kerttula, Gruenberg, Cissna

A RESOLUTION

1 **Urging the United States Congress to improve health care for veterans.**

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

3 **WHEREAS** the Veterans Health Administration in the United States Department of
4 Veterans Affairs, the gateway to veterans' health care, is backlogged because of inadequate
5 resources; and

6 **WHEREAS** the Partnership for Veterans Health Care Budget Reform is composed of
7 the American Legion, AMVETS, Blinded Veterans Association, Disabled American
8 Veterans, Jewish War Veterans, Military Order of the Purple Heart, Paralyzed Veterans of
9 America, Veterans of Foreign Wars, and Vietnam Veterans of America; and

10 **WHEREAS** the Partnership for Veterans Health Care Budget Reform has found the
11 current funding mechanism for veterans' health care to be unreliable and vulnerable to
12 political posturing, cost cutting, and budget gimmickry; and

13 **WHEREAS** the number of veterans increases every day as members of the military
14 return from overseas and re-enter civilian life; and

15 **WHEREAS** the medical needs of returning veterans, especially those suffering from
16 traumatic brain injury, post-traumatic stress syndrome, and other combat-related

1 psychological injuries, must be met; and

2 **WHEREAS** the Veterans Affairs Healthcare System facility in Anchorage, the
3 Veterans Affairs Community-based Outpatient Clinics at Fort Wainwright and in Kenai, and
4 the soon to open facilities in the Matanuska-Susitna Borough, Juneau, and Homer provide
5 outpatient services for Alaska's veterans, but Alaska remains one of three states that does not
6 have a veterans' hospital that provides acute care inpatient services; and

7 **WHEREAS** the Veterans Health Care Budget Reform and Transparency Act of 2009,
8 introduced in the 111th Congress, allows for a two-fiscal-year budget authority for veterans'
9 health care programs and requires the Comptroller General of the United States to conduct a
10 study on the adequacy and accuracy of baseline model projections for veterans' health care
11 expenditures of the United States Department of Veterans Affairs; and

12 **WHEREAS** the Partnership for Veterans Health Care Budget Reform endorses the
13 Veterans Health Care Budget Reform and Transparency Act of 2009;

14 **WHEREAS** veterans of the United States-led wars in Afghanistan and Iraq are
15 entitled to five years of health care without charge from the United States Department of
16 Veterans Affairs regardless of the priority group to which they are assigned, but are
17 reimbursed for the cost of traveling to access that care only if they meet the eligibility criteria
18 in the travel regulations of the United States Department of Veterans Affairs; and

19 **WHEREAS** United States Senator Lisa Murkowski conducted a hearing under the
20 auspices of the Senate Committee on Indian Affairs in November 2007 which established that
21 veterans of the wars in Afghanistan and Iraq who live in rural Alaska have limited, or no
22 access to their earned United States Department of Veterans Affairs health benefits and that
23 the Alaska Native health system, which is severely under funded, is providing care to these
24 veterans without reimbursement from the United States Department of Veterans Affairs at the
25 expense of the Native health system's primary mission; and

26 **WHEREAS** the Secretary of Veterans Affairs "CARES Decision" states, "Medical
27 care is a key component of the benefits and services enacted by Congress in recognition of the
28 service, and sometimes the sacrifice, of the men and women whose military service preserved
29 and protected America's freedoms."; and

30 **WHEREAS** in written testimony to the United States House Committee on Veterans
31 Affairs, Andy Behrman, Rural Health Policy chair of the National Rural Health Association,

1 asserted that "The disproportionate numbers of rural Americans serving in the military has
2 created a disproportionate need for veterans' care in rural areas and yet rural areas are less
3 likely to have VA services available to them," that "time and distance prevent many rural
4 veterans from getting their healthcare benefits through a VHA facility," and that other
5 approaches are "readily available in the VA system and in the rural health landscape that
6 could improve this situation"; and

7 **WHEREAS** the written testimony of the National Rural Health Association also
8 stresses the problem that "Federally Qualified Community Health Centers (CHCs) serve
9 millions of rural Americans, but most veterans cannot use their VA health benefits to receive
10 care at these CHCs" because a "national policy advocating VHA-CHC collaboration has not
11 emerged in an effective way"; and

12 **WHEREAS** the written testimony of the National Rural Health Association
13 emphasizes that a "limited number of collaborations between the VHA and CHCs already
14 exist and have proven to be prudent and cost-effective solutions to serving eligible veterans in
15 remote areas" and that this "model of collaboration between VHA and CHCs might do well in
16 other rural states and with other rural providers and systems of care and should be
17 implemented further"; and

18 **WHEREAS** a report written by David R. Selig, Chief Executive Officer of the
19 Community Care Network of Virginia, provides a concrete proposal of collaboration between
20 community health centers and the United States Department of Veterans Affairs by
21 suggesting that community health centers "serve as a vehicle for increasing access to primary
22 care for Veterans" and presents a model where community health centers "function as a
23 Community Based Outpatient Clinics (CBOCs) as defined by the Department of Veterans
24 Affairs"; and

25 **WHEREAS** the existing community and tribal health organizations infrastructure in
26 Alaska should be used to its full potential to provide access to cost-effective, quality care for
27 Alaska Veterans whether through a Community Based Outpatient Clinic arrangement, a
28 network arrangement, or individual arrangements with individual community or tribal health
29 centers; and

30 **WHEREAS** community and tribal health organizations provide comprehensive
31 primary care and mental health and substance abuse services to medically underserved areas

1 and populations, and to uninsured and underinsured individuals, low-income families,
2 veterans, seniors, seasonal workers, and non-English speaking individuals;

3 **BE IT RESOLVED** that the Alaska State Legislature urges the United States
4 Congress to provide adequate funding and resources to enable the Veterans Health
5 Administration to properly care for the health care needs of all veterans by adopting a method
6 similar to that proposed in the Veterans Health Care Budget Reform and Transparency Act of
7 2009; and be it

8 **FURTHER RESOLVED** that the Alaska State Legislature urges the United States
9 Congress to provide the United States Department of Veterans Affairs with sufficient, timely,
10 and predictable funding for veterans' health care programs; and be it

11 **FURTHER RESOLVED** that the Alaska State Legislature urges the United States
12 Congress to increase funding for research into traumatic brain injuries; and be it

13 **FURTHER RESOLVED** that the Alaska State Legislature urges the United States
14 Congress to encourage the Veterans Health Administration to improve its electronic claims
15 filing process and its ability to use information contained in military records; and be it

16 **FURTHER RESOLVED** that the Alaska State Legislature supports federal and state
17 funding and other efforts to ensure that veterans across the state have access to quality health
18 care, including community mental health centers, substance abuse treatment centers, and
19 tribal health organizations in the outlying areas where the United States Veterans
20 Administration does not have clinics.

21 **COPIES** of this resolution shall be sent to the Honorable Barack Obama, President of
22 the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and
23 President of the U.S. Senate; the Honorable Robert C. Byrd, President Pro Tempore of the
24 U.S. Senate; the Honorable Nancy Pelosi, Speaker of the U.S. House of Representatives; the
25 Honorable Daniel Akaka, Chair of the U.S. Senate Committee on Veterans' Affairs; the
26 Honorable Bob Filner, Chair of the U.S. House Committee on Veterans' Affairs; the
27 Honorable Eric K. Shinseki, United States Secretary of Veterans Affairs; the Honorable
28 Michael B. Donley, United States Secretary of the Air Force; the Honorable Pete Geren,
29 United States Secretary of the Army; and the Honorable Lisa Murkowski and the Honorable
30 Mark Begich, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of
31 the Alaska delegation in Congress.

ISSUE BRIEF: HEALTH CARE FUNDING REFORM

VA has a long history of significant delays in receiving the funding it needs to treat veterans at VA hospitals and clinics around the nation.

The Situation

- VA has received its annual funding for veterans' health care late 19 of the last 22 years.
- In too many cases, VA is unable to properly treat the physical and mental scars of war, in part because its budget is late and unpredictable. Such an irrational financing system causes unnecessary delays and backlogs in the system. Hiring key staff is put off, or just not done, while injuries like PTSD or TBI are too often not diagnosed or treated in a timely manner.
- A 2007 report by the VA's own Office of Inspector General concluded that 27% of the injured veterans seeking treatment at the VA had to wait more than 30 days for an appointment. These men and women had severe service-related injuries.

The Challenge

- Not knowing when or at what level of funding VA will receive from year to year – or whether Congress will approve or oppose the Administration's proposals – hinders the ability of VA officials to efficiently plan and responsibly manage their health care system.
- Since 2001, the number of VA patients has risen by two million – a 50 percent increase. And our newest generation of veterans has increasingly complex mental and physical healthcare needs that may require a lifetime of care.

The Solution

- DAV and its allies in the Partnership for Veterans Health Care Budget Reform – a coalition of nine veteran service organizations with a combined membership of 8 million veterans – helped develop and fully endorse the *Veterans Health Care Budget Reform Act*. This bill would authorize Congress to appropriate funding for veterans' health care one year in advance, and would add greater transparency to VA's internal budget process, ensuring approval of sufficient funding. The legislation has bipartisan support in Congress and is endorsed by President-elect Obama and VA Secretary-nominee Shinseki.
- Unlike the mandatory funding provided to the Medicare and Medicaid systems, advance appropriations would allow Congress to approve funding each year and retain all of its oversight authority over VA programs.
- Reintroduction and passage of the *Veterans Health Care Budget Reform Act* in the 111th Congress would address the health care funding needs of VA and the veterans they serve.

[<<Back](#)



Healthcare Among Top Problems Facing Veterans

Posted: Feb 1, 2009 09:15 PM

Updated: Feb 8, 2009 08:38 PM



According to the New York Times, suicide rates of U.S. soldiers are higher than they've been in almost three decades. The economy may be one of the reasons why.

They've fought for the red, white and blue. Now these veterans fight to be heard. "Healthcare. It's always a main issue," explained John McNeill.

Even more uncertainty comes with a new Commander-in-Chief. "The Bush administration in the last eight years had the greatest increase we ever had in veterans healthcare. Significant increases. We'd like to certainly see that happen," said McNeill of his hopes for the new administration.

Yet in this economy it's a fight for every dollar. "There's always this issue of getting the adequate amount of funding. You're always competing with some other programs that are on Congress' mind," said McNeill.

Without help, many veterans can't afford the medical attention they need. "There's a lot of families that are having problems paying their bills. Even just buying groceries. Just having a hard time making ends meet," Carol Thompson, President of the Nebraska Ladies Auxillary of the VFW, explained.

Many soldiers battle post-traumatic stress disorder. According to the New York Times that along with financial worries (among other things) has led to the highest suicide rate since the Vietnam War. McNeill said, "The one big issue is the unseen wounds, like traumatic brain injury, that were concerned about now."

The crunch also limits the VFW's work, advocating for better health care and serving soldiers returning home. "We rely heavily on donations. The impact there, obviously people are starting to look at where I can donate and where I can't donate and that is a concern for us," McNeill said.

Years after serving their country these veterans hope Washington returns the favor.

Reporter's Notes by Laurie Dutcher:

The Veterans of Foreign Wars held their statewide convention this weekend in Grand Island.

For help for veterans check out the [Veterans Help Network](#).

Or contact your local VFW:

Kearney (308) 234-9714

Grand Island (308) 381-1555

Hastings (402) 463-1262

Or to find another VFW [click here](#).

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\$3.6 billion hike urged for VA health care

By Rick Maze - Staff writer
Posted : Friday Feb 6, 2009 15:11:06 EST

Four leading veterans groups called Friday for a \$4.5 billion increase in veterans programs, including \$3.6 billion for health care.

This is an even bigger increase than the groups asked for a year ago, and puts added pressure on President Barack Obama to keep campaign promises for full funding of Veterans Affairs Department programs.

The increase, which would result in a \$54.6 billion discretionary VA budget, comes in the so-called "independent budget" prepared each year by AmVets, Disabled American Veterans, Paralyzed Veterans of America and Veterans of Foreign Wars.

The \$54.6 billion budget includes health care, administrative and construction funds and some costs related to the administration of benefits, but not the costs of the benefits themselves.

Recommendations made in the independent budget often become a benchmark used by members of Congress to judge the adequacy of administration budget requests. Its timing — before the Obama administration makes its first budget submission — sets the stage for criticism if Obama asks for an increase of less than \$3.6 billion.

This is the 23rd year that veterans' groups have joined efforts to craft a combined budget recommendation.

Randy Pleva Sr., Paralyzed Veterans of America president, said the four organizations "urge" Obama to adopt the independent budget recommendations. "It is good for veterans. It is good for the economy. It is good for America," he said in a statement.

In addition to the health care increase, the budget calls for increases in funding for information technology, the National Cemetery Administration, the VA inspector general's office, administrative costs for processing benefits claims and a \$2 billion increase in construction money.

The big increase in major and minor construction is an effort to reduce a backlog of infrastructure needs, according to the veterans groups.

Part of the health care increase would be used to lease facilities for outpatient care, said Glen Gardner, VFW national commander.

"Forcing disabled veterans to travel great distances because their local VA medical center dropped inpatient care is not the proper way to care for America's veterans," Gardner said.

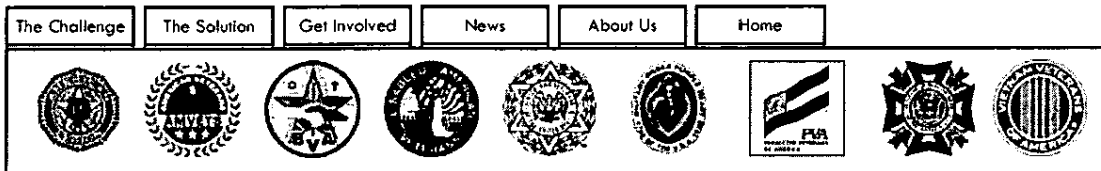
 Print  Email

 Reddit  Digg



"There was no way to adequately meet the continuing waves of new patients and properly maintain operations at the facility"

Joseph M. Manley, former VA Medical Center Director in July 2007 Senate testimony



The Challenge

Over the past six years, VA has not received its annual funding on average more than three months after the start of the new fiscal year. While great strides have been made to increase the level of the Department of Veterans Affairs (VA) health care funding during the past several years, there have been significant delays in receiving those funds.

Unlike Medicare or Medicaid, VA health care must rely on Congress and the President to pass a new appropriations law each year that provides VA hospitals and clinics with the funding it needs to treat veterans. But this funding mechanism is unreliable and subject to great political wrangling.

Not knowing when or at what level of funding VA will receive from year to year - or whether Congress will approve or oppose the Administration's proposals - hinders the ability of VA officials to plan their spending for the coming year. Any corporation, for instance, would not perform well without knowing how much money it can spend and when that money would be available for distribution.

Compounding the problem are the new demands placed on the VA system. Since 2001, the number of VA patients has risen by two million - a 50 percent increase. And our newest generation of veterans has increasingly complex mental and physical healthcare needs.

[Contact Us](#)

Chris Reid

From: k8819tejk@netscape.net
Sent: Friday, February 13, 2009 5:53 AM
To: Chris Reid
Subject: Leeter of Agreement

Thomas E. Kopaceski
99687-1116

February 13, 2009 P. O. Box 871115 Wasilla, Ak.

Dear Representative David Guttenberg,

Since I am a Viet Nam veteran, I have reviewed HJR10 Resolution. I am in total support of HJR10.

Sincerely,

Thomas E. Kopaceski

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES
ADVISORY BOARD ON ALCOHOLISM AND DRUG ABUSE
and ALASKA MENTAL HEALTH BOARD

SARAH PALIN, GOVERNOR

P.O. BOX 110608
431 N. Franklin Street, Suite 200
JUNEAU, ALASKA 99811-0608
PHONE: (907) 465-8920
FAX: (907) 465-4410
TOLL FREE: (888) 464-8920

February 10, 2009

Representative David Guttenberg
Alaska State Capitol, Room 418
Juneau, Alaska 99801

Re: Support for HJR 10

Representative Guttenberg:

The Advisory Board on Alcohol and Drug Abuse and the Alaska Mental Health Board appreciate your recognition of our nation's responsibility to our returning veterans and military service members. We support HJR 10 calling for a comprehensive national response to our service members' health care needs and offer our assistance in helping to pass this important resolution.

We respectfully recommend the inclusion of a specific provision to address the behavioral health needs of veterans and returning service members. We also recommend specifically including tribal health organizations as an important resource in the coordination of care for returning service members, since many Alaskan veterans return to rural communities served exclusively by tribal health organizations. We also would strongly recommend that any expansion of veterans' health care services be carefully constructed so as not to result in a reduction of services already being provided to veterans with service-connected disabilities.

We respectfully offer the following language to be considered as a possible amendment to the resolution:

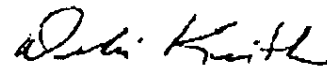
27 **FURTHER RESOLVED** that the Alaska State Legislature encourages the United
28 States Department of Veterans Affairs to create a special health pass or "heroes health card"
29 to provide veterans with health care in local communities by coordinating care provided by
30 local doctors, [and] community health care facilities, community mental health centers and
31 substance abuse treatment centers, and tribal health organizations with care provided by
32 military doctors and medical facilities.

We appreciate your advocacy on behalf of our military service members and look forward to working with you on this issue.

Sincerely,



Lonnie Walters, Chair
ABADA



Debi Keith, Chair
AMHB

STATE OF ALASKA

DEPT. OF HEALTH & SOCIAL SERVICES

Alaska Commission on Aging

SARAH PALIN, GOVERNOR

P.O. BOX 110693
JUNEAU, ALASKA 99811-0693
PHONE: (907) 465-3250
FAX: (907) 465-1398

February 23, 2009

The Honorable Carl Gatto
House Military and Veterans' Affairs
Alaska State Capitol, Room 108
Juneau, Alaska 99801-1182

Subject: Support for HJR 10

Dear Chair Gatto:

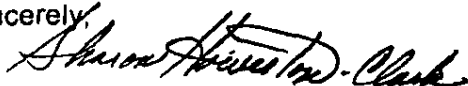
The Alaska Commission on Aging (ACoA) encourages support for HJR 10 sponsored by Representative Guttenberg, Representative Kawasaki, Representative Salmon, Representative Kerttula, Representative Gruenberg, and Representative Cissna that encourages the United States Congress to improve health care and access for veterans. ACoA supports this resolution and its intent for Congress to provide sufficient, timely, and stable funding for veterans' health programs and to improve service delivery.

Health care is a key benefit of the services provided to persons who served in the armed forces. The number of veterans returning from military duty, in addition to veterans who are aging, is increasing along with the associated health care expenses. Although Alaska has the highest per capita population of veterans in the nation, our state remains as one of three states in the nation without a veterans' hospital that provides acute care inpatient services.

Moreover, Alaskan veterans come from all areas of the state. Veteran clinic facilities are located only in Anchorage, Fairbanks, Juneau, and Kenai. If a veteran lives outside of these areas and his/her medical condition is not 51% or more service-related, that individual is responsible for paying their own travel expenses. The Commission on Aging supports the Resolution's recommendation of a special "Heroes Health Card" to provide veterans access to health care in communities where they live, including those without veteran clinic facilities, by coordinating care provided by local medical providers and community health care facilities with care provided by military doctors and medical facilities.

ACoA supports HJR 10 and believes that veterans who served our country deserve decent health care. It is our responsibility and obligation to provide quality and accessible health care for veterans who joined the armed forces to serve and protect our nation. Please feel free to contact Denise Daniello, ACoA's executive director (465-4879), should you have any questions regarding our position. Thank you for your consideration.

Sincerely,



Sharon Howerton-Clark
Chair, Alaska Commission on Aging

Sincerely,



Denise Daniello,
ACoA Executive Director

Cc: Representative Harris
Representative Olson
Representative Buch

Representative Lynn
Representative Ramras
Representative Kawasaki



MESSAGE TO THE AMERICAN LEGION SOUTHEAST DISTRICT CONVENTION JANUARY 29, 2008

Dear American Legion Members:

Greetings to you from the Alaska VA Healthcare System. Unfortunately, I'm not able to join you in person this year. I felt it important to send you an update on what the Alaska VA has been doing for Alaska veterans during this past year and to bring you some exciting news for Southeast Alaska veterans. We continue to grow in the number of veterans enrolling for care and coming to our VA clinics for care. Over 27,000 veterans have now enrolled for care in the Alaska VA system and last year 14,379 veterans came to the Alaska VA for medical care services.

We continue to grow with additional staff, as well. We recruited staff for the support of returning soldiers from Operation Iraqi Freedom/Operation Enduring Freedom (OIF/OEF). We brought on new psychiatrists, a Suicide Prevention Coordinator and a Recovery Coordinator as well as outreach coordinators for these returning veterans. Much of our outreach this year has been focused on our returning OIF/OEF National Guard troops and active duty soldiers. On September 11, 2007, the Alaska VA Healthcare System and Regional Office and the State of Alaska Department of Military and Veterans Affairs signed a Memorandum of Understanding committing that we would work together to outreach to our National Guard men and women. Later in September, a VA outreach team went to six Alaska Native Health Care Corporations to include Juneau and Sitka in Southeast Alaska to assure a seamless transition for Alaska Native veterans who wish to transfer their care to the VA system.

And now for the exciting news I promised for the American Legion Southeast Alaska Convention. It is with great pleasure I announce that the Alaska VA Healthcare System has received approval to move forward on placing a VA Outreach Clinic in Juneau, Alaska. Look for information soon on an official announcement as we secure space and staffing for the clinic. We will keep you informed.

I want to thank each and every one of you who are in attendance of the Southeast convention today and other American Legion members throughout Southeast Alaska for your tireless and consistent efforts to advocate for a VA Clinic presence in your area. Without your support and your voice this approval would not have occurred.

The American Legion has been a wonderful supporter of the Alaska VA throughout the years and an effective advocate for services to Alaska veterans. We at the Alaska VA Healthcare System value the partnership we have with you as one of our veterans service organizations.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Spector".

Alex Spector
Director

Alaska Primary Care Association

"...uncompromising in the pursuit of access to primary care for all Alaskans."



Alaska Primary Care Association Board of Directors

RESOLUTION 2009-10

Veteran Access to Health Care (State and Federal)

WHEREAS the mission of the Alaska Primary Care Association is to improve access to primary care for all Alaskans by supporting Community Health Centers (CHCs) and safety net providers throughout the state; and

WHEREAS CHCs provide comprehensive primary care services to medically underserved areas and populations including but not limited to uninsured and underinsured individuals, low income families, Veterans, seniors, seasonal workers, non-English speaking individuals; and

WHEREAS a National Rural Health Association (NRHA) Written Testimony by Andy Behrman, NRHA Rural Health Policy Board Chair, prepared for the Health Subcommittee of the House Committee on Veteran's Affairs, asserts, "The disproportionate number of rural Americans serving in the military has created a disproportionate need for veteran's care in rural areas and yet rural areas are less likely to have VA services available to them;"¹ and

WHEREAS the above mentioned written testimony states that "time and distance prevent many rural veterans from getting their healthcare benefits through a VHA facility" and that approaches, including CHCs, are "readily available in the VA system and in the rural health landscape that could improve this situation;"² and

WHEREAS the written testimony also stresses the problem that "Federally Qualified Community Health Centers (CHCs) serve millions of rural Americans, but most veterans cannot use their VA health benefits to receive care at these CHCs" because a "national policy advocating VHA-CHC collaboration has not emerged in an effective way;"³ and

WHEREAS the NRHA written testimony emphasizes that a "limited number of collaborations between the VHA and CHCs already exist and have proven to be prudent and cost-effective solutions to serving eligible veterans in remote areas" and that this "model of collaboration between VHA and CHCs might do well in other rural states and with other rural providers and systems of care and should be implemented further;"⁴ and

WHEREAS a report written by David R. Selig, Chief Executive Officer of the Community Care Network of Virginia, provides a concrete proposal of collaboration between CHCs and the VA by suggesting that CHCs "serve as a vehicle for increasing access to primary care for Veterans" and

Alaska Primary Care Association

"...uncompromising in the pursuit of access to primary care for all Alaskans."



presents a model where CHCs "function as a Community Based Outpatient Clinics (CBOCs) as defined by the Department of Veterans Affairs;"⁵ and

WHEREAS the proposed model mentioned above would help provide access by enhancing CHCs ability to serve Alaska's Veterans in rural communities and the written proposal provides the following rationales for CHCs functioning as CBOCs:

- The goal of the CBOC program to increase access to primary care for its Veterans is consistent with the mission of community health centers and the President's Initiative.
- Community health centers offer the wide range of services that meet or exceed VA's requirements for CBOCs [Community Based Outpatient Clinics] including primary care, laboratory, radiology, mental health, and women's services;"⁶
- Veteran patient population health demographics are consistent with the patient health demographics of community health center patients and the program's efforts to further develop disease collaboratives.
- Community health centers are well suited to meet the CBOC Performance Measures, as established by the VA, in the areas of JCAHO accreditation, travel distance, mental health, patient satisfaction, ect.
- There is a growing community health center commitment to health information technology, high speed internet connectivity, and an electronic health record which is consistent with the Veterans Administration's Commitment to the Computerized Patient Record Systems (CPRS).
- Community health centers are organized in BPHC funded networks that can provide the infrastructure and expertise in information technology, contracting and care management;"⁷

WHEREAS CHCs are an existing infrastructure within Alaska and should be utilized to their full potential in providing access to cost-effective, quality care for Alaska's Veterans whether through a CBOC arrangement, a network arrangement, or individual arrangements with individual CHCs; and

WHEREAS the Secretary of Veteran Affairs CARES Decision states, "Medical care is a key component of the benefits and services enacted by Congress in recognition of the service, and sometimes the sacrifice, of the men and women whose military service preserved and protected America's freedoms."⁸

THEREFORE BE IT RESOLVED that the Alaska Primary Care Association supports federal and state legislative and other efforts to assure Veterans across the state have access to quality health care, including in outlying areas where there are no VA-run clinics.

Alaska Primary Care Association

"...uncompromising in the pursuit of access to primary care for all Alaskans."



SUBMITTED BY:

Regan Mattingly, State Affairs Coordinator

Shelley S. Hughes, Government Affairs Director

Marilyn Kasmar, Executive Director

DONE AND DATED THE 21st DAY OF January IN THE YEAR 2009

SIGNED BY

A handwritten signature in black ink, which appears to read 'Sonia Handforth-Kome'.

Sonia Handforth-Kome, APCA Board President

¹ National Rural Health Association. *Written Testimony*, Andy Behrman. Prepared for the Health Subcommittee of the House Committee on Veterans' Affairs Oversight Hearing on "Access to VA Health Care: How Easy is it for Veterans? Addressing the Gaps," April 18, 2007.

² Ibid.

³ Ibid.

⁴ Ibid.

⁵ Selig, David R. *Utilizing Community Health Centers As a Vehicle for Increasing Access to Primary Care for Veterans Through the Rapid Activation of Community Based Outpatient Clinics (CBOCs)*. May 2007.

⁶ Ibid.

⁷ Ibid.

⁸ Department of Veterans Affairs, *Secretary of Veterans CARES Decision*, Office of the Secretary, May 2004.

Alaska Primary Care Association

"...uncompromising in the pursuit of access to primary care for all Alaskans."



Honorable Carl Gatto, Chair
House Military and Veterans Affairs Committee
State Capitol, Room 108
Juneau, Alaska 99801

February 24, 2009

Re: Support of HJR 10 *Veterans' Health Care*

Dear (H)MVA Chair, Representative Gatto,

The Alaska Primary Care Association (APCA) works to promote primary care access for all Alaskans and is strongly in support of HJR 10 *Veterans' Health Care*. Many of the veterans in Alaska reside in medically underserved areas; with the current funding levels and criteria for VA sponsored health care, many of our Alaskan veterans do not have adequate primary care access. When the medical condition is not service-related and does not exceed a certain degree of disability, these veterans in outlying areas have primarily three choices: 1) cover their own expenses to fly in to Anchorage or Fairbanks to access VA care; 2) go without care; or 3) access services at a non-VA clinic, very likely to be one of the 141 Community Health Center (CHC) sites in the state.

For those veterans who opt for the third choice above, often, the CHC does not receive reimbursement because the veteran did not file the necessary paperwork in advance. The CHC typically eats the cost. The APCA is working at this time with the Alaska VA Health Care System to increase access for all the veterans who live in areas outside of the vicinity of the VA clinics, including all the veterans who have gone without but need care and all those who have had limited care because of the cost of travel.

It is very important that Congress adequately fund VA health care so that veterans from every corner of Alaska have appropriate access – all veterans, those returning from the current conflict with pressing issues as well as those who served previously and are experiencing increasing health care needs as they age. The APCA urges congress to utilize the CHC infrastructure across Alaska rather than duplicate services by establishing new VA clinics where there is already a CHC.

The Alaska Primary Care adamantly supports HJR 10 and appreciates the Alaska State Legislature working to promote health care access for veterans throughout the state by passing this important resolution in order to communicate this priority to the U.S. Congress.

Supporting health care for Alaska's veterans,

Regan Mattingly
State Affairs Coordinator

Shelley S. Hughes
Government Affairs Director

Marilyn Kasmar
Executive Director

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HJR 10
 () Publish Date: _____

Identifier (file name): _____ Dept. Affected: _____
 Title HJR 10 VETERANS' HEALTH CARE RDU _____
 Component _____
 Sponsor Representative David Guttenberg
 Requester Military and Veterans' Affairs Committee Component Number _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
		FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES							
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES							
CHANGE IN REVENUES ()							

FUND SOURCE (Thousands of Dollars)

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other Interagency Receipts						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: _____

POSITIONS

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: House Military and Veterans' Affairs Committee Phone _____
 Division _____ Date/Time _____
 Approved by: Represtatative Carl Gatto Date 2/24/2008

Alaska Primary Care Association

"...uncompromising in the pursuit of access to primary care for all Alaskans."



Alaska Primary Care Association Board of Directors

RESOLUTION 2009-10

Veteran Access to Health Care (State and Federal)

WHEREAS the mission of the Alaska Primary Care Association is to improve access to primary care for all Alaskans by supporting Community Health Centers (CHCs) and safety net providers throughout the state; and

WHEREAS CHCs provide comprehensive primary care services to medically underserved areas and populations including but not limited to uninsured and underinsured individuals, low income families, Veterans, seniors, seasonal workers, non-English speaking individuals; and

WHEREAS a National Rural Health Association (NRHA) Written Testimony by Andy Behrman, NRHA Rural Health Policy Board Chair, prepared for the Health Subcommittee of the House Committee on Veteran's Affairs, asserts, "The disproportionate number of rural Americans serving in the military has created a disproportionate need for veteran's care in rural areas and yet rural areas are less likely to have VA services available to them;"¹ and

WHEREAS the above mentioned written testimony states that "time and distance prevent many rural veterans from getting their healthcare benefits through a VHA facility" and that approaches, including CHCs, are "readily available in the VA system and in the rural health landscape that could improve this situation;"² and

WHEREAS the written testimony also stresses the problem that "Federally Qualified Community Health Centers (CHCs) serve millions of rural Americans, but most veterans cannot use their VA health benefits to receive care at these CHCs" because a "national policy advocating VHA-CHC collaboration has not emerged in an effective way;"³ and

WHEREAS the NRHA written testimony emphasizes that a "limited number of collaborations between the VHA and CHCs already exist and have proven to be prudent and cost-effective solutions to serving eligible veterans in remote areas" and that this "model of collaboration between VHA and CHCs might do well in other rural states and with other rural providers and systems of care and should be implemented further;"⁴ and

WHEREAS a report written by David R. Selig, Chief Executive Officer of the Community Care Network of Virginia, provides a concrete proposal of collaboration between CHCs and the VA by suggesting that CHCs "serve as a vehicle for increasing access to primary care for Veterans" and

Alaska Primary Care Association

"...uncompromising in the pursuit of access to primary care for all Alaskans."



presents a model where CHCs "function as a Community Based Outpatient Clinics (CBOCs) as defined by the Department of Veterans Affairs;"⁵ and

WHEREAS the proposed model mentioned above would help provide access by enhancing CHCs ability to serve Alaska's Veterans in rural communities and the written proposal provides the following rationales for CHCs functioning as CBOCs:

- The goal of the CBOC program to increase access to primary care for its Veterans is consistent with the mission of community health centers and the President's Initiative.
- Community health centers offer the wide range of services that meet or exceed VA's requirements for CBOCs [Community Based Outpatient Clinics] including primary care, laboratory, radiology, mental health, and women's services;"⁶
- Veteran patient population health demographics are consistent with the patient health demographics of community health center patients and the program's efforts to further develop disease collaboratives.
- Community health centers are well suited to meet the CBOC Performance Measures, as established by the VA, in the areas of JCAHO accreditation, travel distance, mental health, patient satisfaction, ect.
- There is a growing community health center commitment to health information technology, high speed internet connectivity, and an electronic health record which is consistent with the Veterans Administration's Commitment to the Computerized Patient Record Systems (CPRS).
- Community health centers are organized in BPHC funded networks that can provide the infrastructure and expertise in information technology, contracting and care management;"⁷

WHEREAS CHCs are an existing infrastructure within Alaska and should be utilized to their full potential in providing access to cost-effective, quality care for Alaska's Veterans whether through a CBOC arrangement, a network arrangement, or individual arrangements with individual CHCs; and

WHEREAS the Secretary of Veteran Affairs CARES Decision states, "Medical care is a key component of the benefits and services enacted by Congress in recognition of the service, and sometimes the sacrifice, of the men and women whose military service preserved and protected America's freedoms."⁸

THEREFORE BE IT RESOLVED that the Alaska Primary Care Association supports federal and state legislative and other efforts to assure Veterans across the state have access to quality health care, including in outlying areas where there are no VA-run clinics.

Alaska Primary Care Association

"...uncompromising in the pursuit of access to primary care for all Alaskans."



SUBMITTED BY:

Regan Mattingly, State Affairs Coordinator
Shelley S. Hughes, Government Affairs Director
Marilyn Kasmar, Executive Director

DONE AND DATED THE 21st DAY OF January IN THE YEAR 2009

SIGNED BY

Sonia Handforth-Kome, APCA Board President

¹ National Rural Health Association. *Written Testimony*, Andy Behrman. Prepared for the Health Subcommittee of the House Committee on Veterans' Affairs Oversight Hearing on "Access to VA Health Care: How Easy is it for Veterans? Addressing the Gaps," April 18, 2007.

² Ibid.

³ Ibid.

⁴ Ibid.

⁵ Selig, David R. *Utilizing Community Health Centers As a Vehicle for Increasing Access to Primary Care for Veterans Through the Rapid Activation of Community Based Outpatient Clinics (CBOCs)*. May 2007.

⁶ Ibid.

⁷ Ibid.

⁸ Department of Veterans Affairs, *Secretary of Veterans CARES Decision*, Office of the Secretary, May 2004.

Alaska Primary Care Association

"...uncompromising in the pursuit of access to primary care for all Alaskans."



Honorable Carl Gatto, Chair
House Military and Veterans Affairs Committee
State Capitol, Room 108
Juneau, Alaska 99801

February 24, 2009

Re: Support of HJR 10 *Veterans' Health Care*

Dear (H)MVA Chair, Representative Gatto,

The Alaska Primary Care Association (APCA) works to promote primary care access for all Alaskans and is strongly in support of HJR 10 *Veterans' Health Care*. Many of the veterans in Alaska reside in medically underserved areas; with the current funding levels and criteria for VA sponsored health care, many of our Alaskan veterans do not have adequate primary care access. When the medical condition is not service-related and does not exceed a certain degree of disability, these veterans in outlying areas have primarily three choices: 1) cover their own expenses to fly in to Anchorage or Fairbanks to access VA care; 2) go without care; or 3) access services at a non-VA clinic, very likely to be one of the 141 Community Health Center (CHC) sites in the state.

For those veterans who opt for the third choice above, often, the CHC does not receive reimbursement because the veteran did not file the necessary paperwork in advance. The CHC typically eats the cost. The APCA is working at this time with the Alaska VA Health Care System to increase access for all the veterans who live in areas outside of the vicinity of the VA clinics, including all the veterans who have gone without but need care and all those who have had limited care because of the cost of travel.

It is very important that Congress adequately fund VA health care so that veterans from every corner of Alaska have appropriate access – all veterans, those returning from the current conflict with pressing issues as well as those who served previously and are experiencing increasing health care needs as they age. The APCA urges congress to utilize the CHC infrastructure across Alaska rather than duplicate services by establishing new VA clinics where there is already a CHC.

The Alaska Primary Care adamantly supports HJR 10 and appreciates the Alaska State Legislature working to promote health care access for veterans throughout the state by passing this important resolution in order to communicate this priority to the U.S. Congress.

Supporting health care for Alaska's veterans,

Regan Mattingly
State Affairs Coordinator

Shelley S. Hughes
Government Affairs Director

Marilyn Kasmar
Executive Director

AMENDMENT

Offered in the House

by Representative Scott Kawasaki

Page 2, lines 5 and 6, following "services for Alaska's veterans,"

Delete: "but Alaska remains of three states that does not have a veteran's hospital that provides acute care inpatient services"

Page 2, line 23, following "Alaska Native health system"

Delete: ", which is"

Insert: "and Community Health Centers, which are"

Page 2, line 25, following "Alaska Native health"

Delete: "system's"

Insert: "system and Community Health Centers"

Page 3, line 25, following "the existing"

Delete: "community"

Insert: "Community Health Center"

Page 3, lines 28 and 29, following "with individual"

Delete: "community or tribal health centers"

Insert: "Community Health Centers or tribal clinics"

Page 3, line 30, following "Whereas"

Delete: "community"

Insert: "Community Health Centers"

Page 4, lines 1 and 2, following “and populations”

Delete: “and to uninsured and underinsured individuals, low-income families, veterans, seniors, seasonal workers, and non-English speaking individuals”

Insert: “including veterans who do not reside in the vicinity of a VA health care facility”

Page 4, line 18, following “quality health care, including”

Insert: “at Community Health Centers,”

Page 4, line 18, following “substance abuse treatment centers,”

Delete: “and”

Page 4, line 19, following “tribal health organizations”

Insert: and other appropriate local providers”

Chris Reid

From: k8819tejk@netscape.net
Sent: Friday, February 13, 2009 5:53 AM
To: Chris Reid
Subject: Leeter of Agreement

Thomas E. Kopaceski

99687-1116

February 13, 2009 P. O. Box 871115 Wasilla, Ak.

Dear Representative David Guttenberg,

Since I am a Viet Nam veteran, I have reviewed HJR10 Resolution. I am in total support of HJR10.

Sincerely,

Thomas E. Kopaceski



**MESSAGE TO THE AMERICAN LEGION
SOUTHEAST DISTRICT CONVENTION
JANUARY 29, 2008**

Dear American Legion Members:

Greetings to you from the Alaska VA Healthcare System. Unfortunately, I'm not able to join you in person this year. I felt it important to send you an update on what the Alaska VA has been doing for Alaska veterans during this past year and to bring you some exciting news for Southeast Alaska veterans. We continue to grow in the number of veterans enrolling for care and coming to our VA clinics for care. Over 27,000 veterans have now enrolled for care in the Alaska VA system and last year 14,379 veterans came to the Alaska VA for medical care services.

We continue to grow with additional staff, as well. We recruited staff for the support of returning soldiers from Operation Iraqi Freedom/Operation Enduring Freedom (OIF/OEF). We brought on new psychiatrists, a Suicide Prevention Coordinator and a Recovery Coordinator as well as outreach coordinators for these returning veterans. Much of our outreach this year has been focused on our returning OIF/OEF National Guard troops and active duty soldiers. On September 11, 2007, the Alaska VA Healthcare System and Regional Office and the State of Alaska Department of Military and Veterans Affairs signed a Memorandum of Understanding committing that we would work together to outreach to our National Guard men and women. Later in September, a VA outreach team went to six Alaska Native Health Care Corporations to include Juneau and Sitka in Southeast Alaska to assure a seamless transition for Alaska Native veterans who wish to transfer their care to the VA system.

And now for the exciting news I promised for the American Legion Southeast Alaska Convention. It is with great pleasure I announce that the Alaska VA Healthcare System has received approval to move forward on placing a VA Outreach Clinic in Juneau, Alaska. Look for information soon on an official announcement as we secure space and staffing for the clinic. We will keep you informed.

I want to thank each and every one of you who are in attendance of the Southeast convention today and other American Legion members throughout Southeast Alaska for your tireless and consistent efforts to advocate for a VA Clinic presence in your area. Without your support and your voice this approval would not have occurred.

The American Legion has been a wonderful supporter of the Alaska VA throughout the years and an effective advocate for services to Alaska veterans. We at the Alaska VA Healthcare System value the partnership we have with you as one of our veterans service organizations.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Spector".

Alex Spector
Director

DEPT. OF HEALTH AND SOCIAL SERVICES
ADVISORY BOARD ON ALCOHOLISM AND DRUG ABUSE
and ALASKA MENTAL HEALTH BOARD

SARAH PALIN, GOVERNOR

P.O. BOX 110608
431 N. Franklin Street, Suite 200
JUNEAU, ALASKA 99811-0608
PHONE: (907) 465-8920
FAX: (907) 465-4410
TOLL FREE: (888) 464-8920

February 10, 2009

Representative David Guttenberg
Alaska State Capitol, Room 418
Juneau, Alaska 99801

Re: Support for HJR 10

Representative Guttenberg:

The Advisory Board on Alcohol and Drug Abuse and the Alaska Mental Health Board appreciate your recognition of our nation's responsibility to our returning veterans and military service members. We support HJR 10 calling for a comprehensive national response to our service members' health care needs and offer our assistance in helping to pass this important resolution.

We respectfully recommend the inclusion of a specific provision to address the behavioral health needs of veterans and returning service members. We also recommend specifically including tribal health organizations as an important resource in the coordination of care for returning service members, since many Alaskan veterans return to rural communities served exclusively by tribal health organizations. We also would strongly recommend that any expansion of veterans' health care services be carefully constructed so as not to result in a reduction of services already being provided to veterans with service-connected disabilities.

We respectfully offer the following language to be considered as a possible amendment to the resolution:

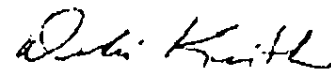
27 **FURTHER RESOLVED** that the Alaska State Legislature encourages the United
28 States Department of Veterans Affairs to create a special health pass or "heroes health card"
29 to provide veterans with health care in local communities by coordinating care provided by
30 local doctors, [and] community health care facilities, community mental health centers and
31 substance abuse treatment centers, and tribal health organizations with care provided by
32 military doctors and medical facilities.

We appreciate your advocacy on behalf of our military service members and look forward to working with you on this issue.

Sincerely,



Lonnie Walters, Chair
ABADA



Debi Keith, Chair
AMIIB

STATE OF ALASKA

DEPT. OF HEALTH & SOCIAL SERVICES

Alaska Commission on Aging

SARAH PALIN, GOVERNOR

P.O. BOX 110693
JUNEAU, ALASKA 99811-0693
PHONE: (907) 465-3250
FAX: (907) 465-1398

February 23, 2009

The Honorable Carl Gatto
House Military and Veterans' Affairs
Alaska State Capitol, Room 108
Juneau, Alaska 99801-1182

Subject: Support for HJR 10

Dear Chair Gatto:

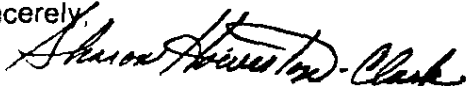
The Alaska Commission on Aging (ACoA) encourages support for HJR 10 sponsored by Representative Guttenberg, Representative Kawasaki, Representative Salmon, Representative Kerttula, Representative Gruenberg, and Representative Cissna that encourages the United States Congress to improve health care and access for veterans. ACoA supports this resolution and its intent for Congress to provide sufficient, timely, and stable funding for veterans' health programs and to improve service delivery.

Health care is a key benefit of the services provided to persons who served in the armed forces. The number of veterans returning from military duty, in addition to veterans who are aging, is increasing along with the associated health care expenses. Although Alaska has the highest per capita population of veterans in the nation, our state remains as one of three states in the nation without a veterans' hospital that provides acute care inpatient services.

Moreover, Alaskan veterans come from all areas of the state. Veteran clinic facilities are located only in Anchorage, Fairbanks, Juneau, and Kenai. If a veteran lives outside of these areas and his/her medical condition is not 51% or more service-related, that individual is responsible for paying their own travel expenses. The Commission on Aging supports the Resolution's recommendation of a special "Heroes Health Card" to provide veterans access to health care in communities where they live, including those without veteran clinic facilities, by coordinating care provided by local medical providers and community health care facilities with care provided by military doctors and medical facilities.

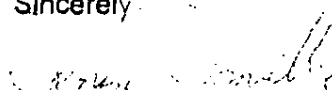
ACoA supports HJR 10 and believes that veterans who served our country deserve decent health care. It is our responsibility and obligation to provide quality and accessible health care for veterans who joined the armed forces to serve and protect our nation. Please feel free to contact Denise Daniello, ACoA's executive director (465-4879), should you have any questions regarding our position. Thank you for your consideration.

Sincerely,



Sharon Howerton-Clark
Chair, Alaska Commission on Aging

Sincerely,



Denise Daniello,
ACoA Executive Director

Cc: Representative Harris
Representative Olson
Representative Buch

Representative Lynn
Representative Ramras
Representative Kawasaki

Session:
State Capitol
Juneau, Alaska 99801
(907) 465-4457 Office
(907) 465-3519 Fax
(800) 928-4457 Toll Free

Alaska House of Representatives
David Guttenberg



District 8

Interim:
1292 Sadler Way
Suite 304
Fairbanks, Alaska 99701-3171
(907) 456-8172
(907) 456-2490 Fax

MEMO

To: **Representative Carl Gatto, Chair**
House Military and Veterans' Affairs Committee

From: Representative David Guttenberg

Date: February 11, 2009

Re: Hearing request for HJR 10, "Urging the United States Congress to improve health care for veterans"

I respectfully request that HJR 10 be scheduled for a hearing in the House Military and Veterans' Affairs Committee at your earliest Convenience.

Included you will find:

- The current version of HJR 10
- Sponsor statement
- Support and background materials

I look forward to discussing the merits of this bill in the House Military and Veterans' Affairs Committee. My staff, Chris Reid, is assigned to this legislation if there are any questions, 465-4457. Any additional materials we wish to place before the committee will be submitted no later than 24 hours prior to the scheduled hearing.

Anderson • Cantwell • Chena • Denali Park • Ester • Geist • Goldstream • Healy • Pike
University Campus • University Hills • University West
Representative_David_Guttenberg@legis.state.ak.us

HJR

12

<target><bill>HJR 12</bill><subject>HJR
12</subject><comm>HMLV26</comm></target>

ALASKA STATE LEGISLATURE

Co-Chair:
Joint Armed Services Committee

Vice-Chair:
Judiciary
Legislative Budget and Audit

Member:
Economic Development, Trade & Tourism
Energy



Session:
Alaska State Capitol
Juneau, AK 99801-1182
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Fax: (907) 622-3784

REPRESENTATIVE NANCY DAHLSTROM

ELMENDORF AFB • FORT RICHARDSON • BIRCHWOOD • FIRE LAKE • GOVERNMENT HILL • MULDOON
Representative_Nancy_Dahlstrom@legis.state.ak.us

Date: 2/4/2009
To: Representative Carl Gatto, Chairman
House Special Committee on Military and Veterans Affairs
From: Representative Nancy Dahlstrom, Co-Chair
Joint Armed Services Committee
RE: Hearing Request

I am requesting a hearing, for House Joint Resolution 12, "Relating to the Ground-based Midcourse Defense System."

This resolution urges Congress to continue to support the Ground-based Midcourse Defense System.

If you have any questions please contact Angie Blanchard in my office at 465-3783.

ALASKA STATE LEGISLATURE

Co-Chair:
Joint Armed Services Committee

Vice-Chair:
Legislative Budget and Audit
Judiciary Committee

Member:
Economic Development, Trade & Tourism
Energy



Session:
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Phone: (907) 622-3783
Fax: (907) 622-3784

REPRESENTATIVE NANCY DAHLSTROM

ELMENDORF AFB • FORT RICHARDSON • BIRCHWOOD • FIRE LAKE • GOVERNMENT HILL • MULDOON
Representative_Nancy_Dahlstrom@legis.state.ak.us

Sponsor Statement

HJR 12

“A resolution respectfully urging the United States Congress to provide the necessary funding for the ongoing development, operation, and maintenance of the Ground-based Midcourse Defense System.”

The Ground-based Midcourse Defense System makes up a significant piece of the United States’ defense against foreign ballistic missile threats. Urging Congress to support the Ground-based Midcourse Defense System is crucial, because the system serves as the nation’s only deployed operational system for defending against long range ballistic missiles. Having this defense system in our state contributes greatly to Alaska’s economy, and continues to be a successful program.

The program’s first interceptors were activated at Ft. Greely, Alaska in 2004. Today, foreign missile threats remain plausible. This resolution respectfully reminds Congress that now is not the time for the U.S. to let its guard down, and change course in terms of supporting the program. This system is viewed as the cornerstone of the nation’s defense against foreign missile threats, and vital for the security of our country.

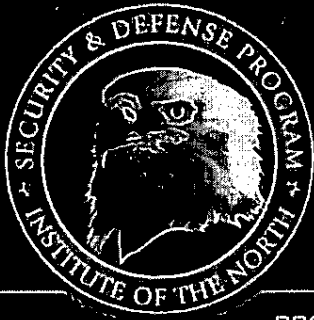
Furthermore, this resolution highlights the importance of the Ground-based Midcourse Defense System to Alaska in these uncertain economic times. The program provides over 700 jobs in state, and has an economic impact of nearly \$250,000,000 on the state.

Lastly, this program boasts significant accomplishments, some as recently as 2008. Successful missions include an operationally realistic flight test intercepting a target missile launched from Kodiak, the deployment of additional long-range interceptor missiles at Ft. Greely, and superior weapon readiness rates in support of the 49th Missile Defense Battalion, made up of 200 member of the Alaska National Guard.

The Ground-based Midcourse Defense System remains vital for the defense of the nation and its citizens, important to Alaska’s economy, and continues to be a successful program.

I respectfully request favorable support of House Joint Resolution 12.

Thank you.



VANGUARD

PROVIDING INFORMATION ON NATIONAL SECURITY FOR STATE & LOCAL POLICYMAKERS.

21 January 2009

Missile Defense Program in Alaska Boosts State's Economy Directly, and the Nation's Economy Overall

By Mead Treadwell and Jeremy Thompson, editors

A recent study by Hans Geier at the University of Alaska Fairbanks measures the economic impact that the Ground-based Midcourse Defense (GMD) Program is having on the local Alaska economy. The study, entitled *Economic Impact of the Boeing Ground-based Midcourse Defense (GMD) Program: Alaska Operations 2007*, surveyed four regions of the state and estimated the impact of GMD on both on the local rural economies and the gross domestic product of Alaska. The results make a compelling case that while research and development of GMD occurs in other parts of the United States, construction and operations is providing a boost to Alaska's still-developing economy.

Economic impact was classified into two categories. The first kind of impact stems from expenditures by the GMD program itself: direct, indirect and induced. The direct effects are the changes in the industries associated with GMD expenditures. The indirect effects are changes in inter-industry purchases as they respond to the new demands of GMD-affected industries. Induced effects reflect the changes in spending from households as income increases or decreases due to the change in spending by Boeing, the prime contractor for the GMD program and sponsor of the study. All effects combined showed the defense program boosted the state's economy by \$246 million.

The second kind of impact considers household earnings income, tax revenue generated for state and local government, property and sales. The GMD program directly employs 323 people. For each employee, the study finds that an additional 1.2 jobs are created, giving a total of 716 jobs directly and indirectly created. The cumulative total of household earnings based on the factors of payroll and benefits was \$71.8 million, directly and indirectly, with many of the jobs located in areas where few employment opportunities exist. These jobs and income generated \$9.6 million in state and local tax revenue and \$19.4 million for the federal government.

In addition to the role it plays in national defense, the GMD Program is one of Alaska's largest construction projects with economic effects which trickle down to the local level in some of the most isolated rural economies in the world. Ft. Greely, where interceptors are based, was set to be closed entirely before the GMD site decision was made in the Clinton Administration. The Aleutian port of Adak, home port of the GMD's X-Band radar, is one of the most remote places in America, and the local economy had taken a dive after a U.S. Navy base had closed there. Remote Kodiak, with a state-owned launch facility that serves as part of the test-bed for both GMD and other elements of

the layered national system – which envisions sea, air, and ultimately space-based defenses – is also benefitting from GMD construction in Alaska.

At the Institute of the North's Security and Defense Program, we seldom discuss the economic impact of missile defense construction. The right policy is to defend the homeland against any threat using the best means from the best location. The wrong policy is to support missile defense as a project for creating jobs. Alaskans simply called for a missile defense that would defend all 50 states through a legislative resolution in 1999. The resolution was first introduced in the state legislature in 1997, years before it was known that Alaska might host one layer of the nation's missile defense system. An effective missile defense is essential to deter missile attack on the United States, its forward forces, our friends and allies, especially from "asymmetric" or anonymous sources – states like North Korea, Iran, or from other rogue sources who might launch from ships at sea with no known "national" return address for a retaliatory response. Whatever the economic impact in Alaska, Alabama, California, Hawaii or Colorado, the ultimate impact is to provide an umbrella for the entire U.S. economy. *Link to study:* http://www.uaf.edu/snras/afes/pubs/misc/R_08_01.pdf

This article was taken from the Vanguard, a weekly publication of the Security and Defense program at the Institute of the North. It is edited by Senior Fellow Mead Treadwell and Research Associate Jeremy Thompson. For more information or to subscribe, send an email to jthompson@institutenorth.org. The Security and Defense program at the Institute of the North conducts research and educates policymakers on strategic issues relating to the defense of the United States that particularly concern decision makers in Alaska and at the state and local level throughout the nation.

The Institute of the North, based in Anchorage, Alaska, is a non-profit educational and research organization founded in 1994 by former Secretary of the Interior and twice Governor of Alaska Walter J. Hickel, focusing on strategic and natural resource issues.

*The Institute of the North · 509 West Third Avenue, Suite 107 · Anchorage, AK 99501
Phone: 907.771.2446 · Fax: 907.771.2466*

HJR

16

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

Alaska State Legislature

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Rep_Carl_Gatto@legis.state.ak.us

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

I N T E R N A T I O N A L

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

Phone (907) 563-2523
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

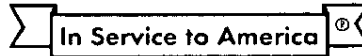
Job Hunting? [Start with the companies that posted job openings this week.](#)

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*

3705 Arctic Blvd #415, Anchorage, Alaska 99503
907 222 6945 907 222 6933 fax 907 229 5328 Chairman's Cell 907 748 1722 Ex Dir

HJR

24

<target><bill>HJR 24</bill><subject>HJR
24</subject><comm>HMLV26</comm></target>

Chair, Judiciary
Chair, Economic Development,
Trade & Tourism
Energy
Military & Veteran Affairs
Joint Armed Services
1292 Sadler Way, Suite 324
Fairbanks, Alaska 99701
Phone: (907) 452-1088
Fax: (907) 452-1146

Alaska State Legislature House of Representatives



While in Session
State Capitol, Room 118
Juneau, Alaska 99801-1182
(907) 465-3004
Fax: (907) 465-2070
Toll Free: (877) 465-3004

Representative Jay Ramras District 10

Sponsor Statement
HJR 24

“Urging the United States Congress and the United States Department of Agriculture to extend the basic housing allowance exclusion to all military families for purposes of the school nutrition program.”

House Joint Resolution 24 enables military families that are living off the base to qualify for the school nutrition programs.

Families who live off the base are given an additional basic allowance for housing (BAH). Due to this increase of income children of these families are not qualified for the school nutrition programs. Many of these families are struggling financially. This presents a major issue for families that have one or multiple children to feed and a vital program such as the free lunch program is denied to them because of the location of their homes and increased income due to the basic allowance for housing.

HJR 24 encourages the United States Congress and the United States Department of Agriculture to look at the issue presented to the heroic military men and women and thus their families. This is an opportunity to ensure our military families do not have to endure additional hardships while a family member is defending our country.

Representative_Jay_Ramras@legis.state.ak.us



Alaska School Nutrition Association

March 23, 2009

Honorable Congressman Young,

On behalf of the Alaska School Nutrition Association (AKSNA) I would like to congratulate you on your re-election. It is a time of change and extreme need in our country and we look forward to your leadership.

As a former member of the military and a supporter of child nutrition, I thought you would like to know about the Military Nutrition Protection Act introduced by Senator Michael Bennett from Colorado. He is seeking to exclude combat pay in eligibility requirements that eliminate dependents of deployed service members out of any special nutrition assistance programs. Those include free and reduced price school meals and supplemental nutrition assistance for women, infants, and children, otherwise known as "WIC" programs. Current regulations allow us to exclude the portion of income sent to the deployed household member yet that is not typically enough to provide benefits to these children.

In the Fairbanks North Star Borough School District, we have two military bases -- Ft. Wainwright and Eielson Air Force Base. There are currently over 5,000 members deployed overseas, several who have left behind families. The military receive many different types of adjustments -- e.g. COLA, BAH (housing assistance) -- that when combat pay is received can result in their children being ineligible for meal benefits. This can cause additional stress for those deployed and the families.

Last month, I spoke with state Representative Jay Ramras' office regarding the above issue and the disparity between households living on and those off of military installations. Soon all military families will be receiving BAH and we are informed that families on military installations do not have to include the housing assistance as income but those living off the installation do. This causes a disparity in treatment as school nutrition directors have been informed that if assistance is received monetarily and not in-kind, it must be counted as income when processing children for meal benefits. He and his staff are drafting a resolution supporting the exclusion of housing assistance as income for all military households.

These issues are seen every place a military installation is -- from Kodiak to Anchorage to Delta to Fairbanks. This is an opportunity to ensure our military families do not have to endure additional hardships while a family member is defending our country. With Congress' reauthorization of the Child Nutrition programs and Senator Bennett's legislation, there is an opportunity to ensure equitable treatment for our students in Alaska.

Please contact me if you have additional questions regarding these issues or as questions arise during the Reauthorization process. You may contact me at (907) 452-2000 x332 or arouse@northstar.k12.ak.us Thank you for your kind consideration.

Sincerely,


Amy C. Rouse, SNS
Director, Nutrition Services
Fairbanks North Star Borough School District
520 5th Avenue
Fairbanks, AK 99701



Exclusive: Michelle Obama's Emotional Meeting With Military Families

First Lady Tells ABC News That President Obama Is 'What We Need Right Now'

By KAREN TRAVERS

March 13, 2009—

First lady Michelle Obama says she is distressed by the plight of many military families who are struggling to keep their heads above the poverty line while the soldier in the family is in harm's way in Iraq or Afghanistan.

Michelle Obama opened up to Robin Roberts on "Good Morning America" in her first television interview since she became first lady.

Watch more of Robin Roberts' interview with first lady Michelle Obama on "World News With Charles Gibson" at 6:30 p.m. ET and "Nightline" at 11:35 p.m. ET

During the interview, the first lady talked about everything from her husband's handling of the presidency to what's been broken in the White House since the Obama's moved in.

But she was at her most emotional in talking about the families of soldiers and their financial battles while a parent is deployed to battle al Qaeda or the Taliban.

"It hurts. It hurts," the first lady said of hearing about military families on food stamps. "These are people who are willing to send their loved ones off to, perhaps, give their lives -- the ultimate sacrifice. But yet, they're living back at home on food stamps. It's not right, and it's not where we should be as a nation."

To highlight that concern, Mrs. Obama made her first trip outside Washington as first lady Thursday to Fort Bragg, N.C., where she visited with military families. It was an emotional meeting that clearly moved her.

"Our soldiers and their families have done their duty. They do it without complaint. And we as a grateful nation must do ours and do everything in our power to honor them by supporting them," she said at the Fort Bragg Community Center.

First Trip to Fort Bragg

During her visit to Fort Bragg, the first lady read "The Cat in the Hat" to a dozen preschoolers at the Prager Child Development Center, and the folks at Fort Bragg were touched by her performance.

"It was like she was reading to her children," said Mattie White, a lead education technician at Fort

Bragg.

While reading "The Cat in the Hat," the first lady told the children she had two young daughters, and one tyke chimed in "I know Sasha."

Her concern for military families is an agenda issue that began during the presidential campaign, and one that she vowed she would continue to work on from the East Wing of the White House.

The Fort Bragg visit is a setting that the first lady seems comfortable in -- it combines her top policy issue and the qualities of the "mom-in-chief" she aims to be.

And any mention of the Obama daughters, Malia, 10, and Sasha, 7, is an emotional touchstone for Mrs. Obama and, she suggests, for many in the country.

"You know, I just think, 'How sweet.' That's the power of kids connecting with other kids," the first lady said after the Fort Bragg child shouted out Sasha's name. "I think that that's, you know, been wonderful for the nation to have two little kids in the White House that they connect to."

Besides the financial woes of military families, the first lady said she is aware of how many American families are struggling during the economic recession. But she remains confident in her husband and the nation. "I wouldn't want anybody but Barack Obama to be working at this time, because he is a focused, clear-thinking, rational man -- and that's what we need right now," she said. "I'm coming off of a boost of understanding all that our country is made of, the values, the men, the women, people who are looking for the silver lining, even in tough times."

The first lady told Roberts about how she has taken time in the first few weeks in the White House to get to know the new city she now calls home and to make the rounds visiting various federal agencies. She has met with thousands of men and women who now work for her husband.

She makes these visits to thank the people she calls "the backbone of our government," and rally them for more work ahead.

It's also a chance for her to hear the concerns of federal government employees and relay them back to the president.

At each stop, she makes a point to meet privately with a smaller group of staffers before she delivers remarks. She has asked to meet with the longest-serving staff members at these agencies, and when she visited the Department of Interior last month, some of the employees she spoke with had worked there for nearly 40 years.

"Part of what I want to do is to tell them, 'Thank you. Thank you for your service.' They make up the foundation of this democracy as well," she said.

She plans to get to every federal agency over the next few months.

Michelle Obama is adjusting to her many new roles, including hostess-in-chief, she said. The first family has hosted regular Wednesday night social gatherings at the White House and two formal dinners in less than two months.

For Super Bowl Sunday, the Obamas opened the White House to friends and members of Congress and

their families.

Living in a home with antiques, historic artifacts and two small children might be an accident waiting to happen, but the first lady said, so far, the children have not broken anything.

"We've had some guests who've broken some things but not the kids," she said with a laugh. "And they know who they are."

Both the first lady and the president have talked about the simple joy of being able to eat dinner together every night at the White House after two long years on the campaign trail.

"There's time to breathe a little bit, at least as a family. We're breathing in a way that we haven't breathed in a long time. And it feels good," she told Roberts.

Her daughters, she said, are doing "great" after two months in Washington.

"I think they're doing great because I've been able to strike a balance," she said. "I have a pretty full plate, but I still have time to be home for homework and to make sure I'm there before they leave, and to go to their parent-teacher conferences and all the things that it's important to do as a parent. So they're doing great. They keep us going."

First Lady Michelle Obama on Family's White House Transition

The first lady credited her mother, Marian Robinson, with helping to ease the transition for her and her daughters and called Robinson's presence in the White House "immeasurable."

"First of all, she's one of the funniest people I know. And she's so nonimpressed by any of this. She keeps all of our feet on the ground," Michelle Obama said.

Robinson is there to lend a hand with the girls when the first lady's own schedule prevents her from being there, she said.

"Like today, when I'm out and about, I'm gone all day, she's picking them up, she's getting them through homework. She's, you know, making sure that they practice piano, all the things that moms would do," she said. "But she does it with that little extra kick of love, and a little extra piece of dessert, tonight, I'm sure is going on."

The first lady laughed when Roberts suggested her morning workout routine was paying off.

"Well, I covered my arms up" for the interview, she said, noting her departure from her well-documented fondness for sleeveless dress. Life in the White House for the new first lady starts with an early morning workout and ends with a late night "veg out" in front of the TV, the first lady confided to Roberts.

"I must confess," she said. "Sometimes I just click on some non-important TV and just veg out."

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FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HJR 24
 () Publish Date: _____

Identifier (file name): _____ Dept. Affected: _____
 Title HJR 24 FED. SCHOOL LUNCH PROGRAM/MILITARY RDU _____
 _____ Component _____
 Sponsor Representative Jay Ramras
 Requester Military and Veterans' Affairs Committee Component Number _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING		0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
-----------------------------	--	--	--	--	--	--	--	--

CHANGE IN REVENUES ()								
-------------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

Prepared by: House Military and Veterans' Affairs Committee Phone _____
 Division _____ Date/Time _____
 Approved by: Represtatave Carl Gatto Date 3/31/2009

Representative Jay Ramras
Chair, House Judiciary
House Labor & Commerce
House Oil & Gas
House Military & Veteran
Affairs

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Phone: (907) 452-1088
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Alaska State Legislature



While in Session
State Capitol, Room 118
Juneau, Alaska 99801-1182
(907) 465-3004
Fax: 465-2070
Toll Free: (877) 465-3004

House District 10

House of Representatives

Memo

To: Representative Gatto
Chair House Military and Veteran Affairs Committee

From: Representative Jay Ramras

Date: March 20, 2009

Re: HJR24 – Federal School Lunch Program/Military

Please consider this memorandum as a request for the House Military and Veterans Affairs Committee to schedule a hearing for HJR 24. Accompanying this memo are the following documents:

- Sponsor Statement
- 26-LS0710\A
- Support

Thank you for your time and consideration, should you have any questions, please do not hesitate to contact me or Dana Strommen at 465-3004.

Representative_Jay_Ramras@legis.state.ak.us

HJR

29

<target><bill>HJR 29</bill><subject>HJR
29</subject><comm>HMLV26</comm></target>

Alaska State Legislature

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Representative Carl Gatto

Chair, House Military and Veteran Affairs Committee
District 13 - Palmer

Sponsor Statement HJR 29

“Designating 2009 as the Year of the Noncommissioned Officer Corps of the United States Army.”

The Non-Commissioned Officers are the backbone of the Army, an invaluable wealth of information, knowledge and experience. They are the main cog in the wheel that allows the Army to operate at a time when limits are stretched, while fighting wars on two separate fronts. They are one of the most effective tools that a commander has at his or her disposal, to ensure that their Soldiers are mission ready. NCO's often have more time in the Army than the commanders in charge of them and do not hesitate to take a new commander under their wing, to guide them and help them learn the idiosyncrasies of the unit that they command. They are the first-line supervisors in the Army, the ones who know each of the soldiers in their unit, their strengths and weaknesses. NCO's serve as teacher, often ensuring that the soldiers they command receive the appropriate training and become mission ready. NCO's do not seek accolades and often do not get credit for the important work that they do.

Over the next year, the Army will develop new programs that will help to enhance the training opportunities, educational opportunities and the capability of the NCO Corps. This is a great step forward for the Army, as we recognize the importance of the NCO's and the wealth of experience that they bring to the table. The NCO is often the person, who takes a brand new company commander, and shares their experiences, successes, and failures to help the officer operate effectively in their role as commander. The NCOs know their jobs as well as the jobs of others. They know and understand the equipment they use and know individually the soldiers they lead. They recognize developing problems and take action to ensure that little problems do not escalate.

NCOs remain in the background; they ensure that the day to day operations of their company run smoothly. They work side by side with their soldiers, setting a good example and ensuring that those soldiers are the best that they can be. Like a supervisor in the civilian world, they may be tasked to deal with things outside the scope of their expertise. NCO's are adept at locating the resources they need to address these difficulties. They adapt and overcome barriers and teach those skills to the soldiers they lead. NCO's wear many hats during the course of their duties. To the soldiers they lead, they serve as mentor, father or mother figure, teacher, disciplinarian and friend. To their leaders they're the expert, the advisor, the sounding board, the teacher and mentor. They can't be everything to everyone, but they do come close.

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JOINT CHIEFS



ARMY



MARINES



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AIR FORCE

Army Secretary Announces 2009 Will Be 'Year of NCO'

By C. Todd Lopez
 Special to American Forces Press Service

WASHINGTON, Oct. 6, 2008 – The Army will recognize the value of its enlisted leaders at all levels of command as it observes "The Year of the Noncommissioned Officer" in 2009, Army Secretary Pete Geren said today.

Geren made the announcement during his keynote address at the opening of the 2008 Association of the United States Army Annual Meeting and Exposition here.

"At the front of every Army mission in the United States or overseas, you'll find a noncommissioned officer," he said. "They know their mission, they know their equipment, but most importantly, they know their soldiers."

The secretary said that during the year, the Army will develop new initiatives that enhance the training, education, capability and use of the NCO corps, showcase the NCO story to the Army and the American people, and honor the sacrifices and celebrate contributions of the NCO corps, past and present.

"Today's NCO operates autonomously, and always with confidence and competence," he said. "Our NCOs are empowered and trusted like no other NCO in the world, and most advanced armies in the world today are going to school on our model."

Geren noted he came to the Pentagon late in the summer of 2001, and that he was in the building during the Sept. 11 attack.

"And for seven years, I've watched soldiers go off to war, and watched their families stand with them," he said. "I've been inspired by the service of our soldiers, and humbled by the sacrifice of their families -- spouses and kids, moms and dads. And it's the privilege of a lifetime to work with and for soldiers and Army families."

The Army's first priority, Geren said, are the loved ones in harms way.

"They are front of mind 24 hours a day, and we're committed to meeting with urgency the ever-changing, life-and-death needs and demands of our soldiers in Afghanistan and in Iraq," Geren said. "And not just meet their needs and meet the evolving threats, but anticipate, and do everything we can to get ahead of the threat. And care for those who have borne the battle, and their loved ones. These are moral duties of the highest order for our nation and our Army."

The secretary also talked about an often unseen portion of the military -- those who deliver goods and services to the fighting force: the Army logisticians.

"We have 250,000 soldiers in 80 countries, and we've been at war for seven years, with 140,000 soldiers in theater today," he said. "Nobody ever asks, 'Who feeds those guys?'"

"Our logisticians are victims of their own success," he continued. "Their work is so good it is invisible -- it's a given. Wherever our Army goes, whatever our soldiers need, whenever they need it, they get it -- the miracle of Army logistics."

Geren said the Army logistics community repairs more than 14,000 vehicles every year -- a number equal to the number of yellow cabs in New York City. They also move more than 700,000 personnel in and out of theater, equal to the entire population of Charlotte, N.C. And each day, he said, Army logisticians provide 750,000 meals in Kuwait, Afghanistan, and Iraq. They also dispense enough fuel in the combat theater to fill up 750,000 cars -- nearly four times the number of vehicles registered in Washington, D.C.

"We talked much about the surge -- 15,000 more Soldiers in Iraq -- but nobody ever mentioned that Army logisticians would serve 45,000 more meals each day, and ship 120,000 more gallons of water each day," he said. During operations Iraqi Freedom and Enduring Freedom, 619 sustainment and support soldiers have given their lives, the secretary said.

Geren also pointed out the historic anniversaries the Army has celebrated in 2008, including the 25th anniversary of the Army Family Action Plan, the 30th anniversary of the disestablishment of the Women's Army Corps, and the 60th anniversary of the integration of the U.S. military.

"Sixty years ago, our Army did not stand as one," he said. "It was not a single band of brothers, rather, a collection of bands of brothers divided by race."

The policy then, he said, was that the Army was separate, but "hardly equal."

"[It was a] cruel irony of our nation sending soldiers to fight for freedom against the Germans -- yet affording privileges to white German prisoners of war held in the United States that were denied to the African-Americans soldiers who guarded them," the secretary said.

On July 26, 1948, President Harry S. Truman signed Executive Order 9981, declaring "there shall be equality of treatment and opportunity for all persons in the armed services without regard to race, color, religion or national origin."

"With the stroke of a pen, President Truman launched the Army on the path to the color-blind institution we know today," Geren said. "The Army moved slowly and stubbornly at first, but now stands as the model for equal opportunity in our nation. Today, we have an Army where the only colors that matter are red, white, and blue."

Geren also took time to reiterate another priority of the Army -- the elimination of sexual assault within the ranks.

"The brothers and sisters of our Army must be able to count on each other, wherever they are, in the battlefield or in the barracks, and whenever, on duty or off, no matter the cost," he said. "We will create a climate of zero tolerance for gender-based misconduct -- in attitude, word, and deed, and become fully, as our values demand, a band of brothers and sisters."

(C. Todd Lopez works at the Soldiers Media Center.)

Biographies:

[Pete Geren](#)

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Army Secretary announces 2009 'Year of NCO'

BY C. Todd Lopez

WASHINGTON -- During his keynote address at the opening of the 2008 Association of the United States Army Annual Meeting and Exposition, Secretary of the Army Pete Geren announced 2009 would be "the Year Of The Noncommissioned Officer."

"At the front of every Army mission in the United States or overseas, you'll find a non-commissioned officer," he said. "They know their mission, they know their equipment, but most importantly, they know their Soldiers."

The secretary said that during the year, the Army will accelerate NCO development of strategic initiatives, develop new initiatives that enhance the training, education, capability, and utilization of the NCO corps, showcase the NCO story to the Army and the American people, and honor the sacrifices and celebrate contributions of the NCO Corps, past and present.

"Today's NCO operates autonomously, and always with confidence and competence," he said. "Our NCOs are empowered and trusted like no other NCO in the world, and most advanced armies in the world today are going to school on our model."

More than 3,000 Soldiers, civilians and military personnel from allied nations gathered Oct. 6 for the opening of the 2008 AUSA meeting.

The opening event of the three-day meeting, themed "America's Army: The Strength of the Nation," featured music, reflection on the history of the Army, presentation of AUSA awards and Secretary Geren's address.

Due to a changing administration, the secretary said this has been a

year of "lasts" for him: last budget to prepare, last time representing the service at an Army-Navy game, last time talking with Soldiers as their secretary, and last time addressing an AUSA meeting. He told the gathered crowd he's talked about people -- those Soldiers, Army families and civilians that make up the Army.

"I came to the Pentagon late summer of 2001, and I was in the Pentagon the morning of 9/11," he said. "And for seven years, I've watched Soldiers go off to war, and watched their families stand with them. I've been inspired by the service of our Soldiers, and humbled by the sacrifice of their families -- spouses and kids, moms and dads. And it's the privilege of a lifetime to work with and for Soldiers and Army families."

The first priority of the Army, Geren said, are the loved ones in harm's way.

"They are front of mind 24 hours a day, and we're committed to meeting with urgency the ever-changing life and death needs and demands of our Soldiers in Afghanistan and in Iraq," Geren said. "And not just meet their needs and meet the evolving threats, but anticipate, and do everything we can to get ahead of the threat. And care for those who have borne the battle, and their loved ones. These are moral duties of the highest order for our nation and our Army."

The secretary also talked about an often unseen portion of the military -- those who deliver goods and services to the fighting force: the Army logisticians.

"We have 250,000 Soldiers in 80 countries, and we've been at war for seven years, with 140,000 Soldiers in theater today," he said. "Nobody ever asks, who feeds those guys? Our logisticians are victims of their own success. Their work is so good it is invisible -- it's a given. Wherever our Army goes, whatever our Soldiers need, whenever they need it, they get it. The miracle of Army logistics."

According to Geren, the Army logistics community repairs over 14,000 vehicles every year -- a number equal to the number of yellow cabs in New York City. They also move more than 700,000 personnel in and out of theater, equal to the entire population of Charlotte, N.C. And each day, he said, Army logisticians provide 750,000 meals in Kuwait, Afghanistan, and Iraq. They also dispense enough fuel in theater to fill up 750,000 cars -- nearly four times the number of vehicles registered in Washington, D.C.

"We talked much about the surge -- 15,000 more Soldiers in Iraq -- but nobody ever mentioned that Army logisticians would serve 45,000 more meals each day, and ship 120,000 more gallons of water each day," he said. "Army logisticians -- invisible, because they're so good at what they do, and absolutely indispensable."

During the course of Iraqi Freedom and Enduring Freedom, over 619 sustainment and support Soldiers have given their lives, the secretary said.

Secretary Geren also pointed out the historic anniversaries the Army has celebrated in 2008, including the 25th anniversary of the Army Family Action Plan, the 30th anniversary of the disestablishment of the Women's Army Corps, and the 60th anniversary of the integration of the U.S. military.

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FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HJR 29
 () Publish Date: _____

Identifier (file name): _____ Dept. Affected: _____
 Title HJR 29 DESIGNATING 2009 AS THE YEAR OF ARMY NCO RDU _____
 Component _____
 Sponsor Representative Carl Gatto
 Requester Military and Veterans' Affairs Committee Component Number _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING		0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
-----------------------------	--	--	--	--	--	--	--	--

CHANGE IN REVENUES ()								
-------------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

	FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: _____

POSITIONS

	FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*

Prepared by: House Military and Veterans' Affairs Committee Phone _____
 Division _____ Date/Time _____
 Approved by: Represtatative Carl Gatto Date 3/31/2009

HJR

31

<target><bill>HJR 31</bill><subject>HJR
31</subject><comm>HMLV26</comm></target>



REPRESENTATIVE BILL THOMAS

ALASKA STATE LEGISLATURE DISTRICT 5

e-mail: Representative.Bill.Thomas@legis.state.ak.us

webpage: www.akrepublicans.org/thomas/

State Capitol

Juneau AK, 99801-

1182

907-465-3732

888-461-3732

Sponsor Statement HJR 31

"Urging the United States Congress to pass the Honor the Written Intent of our Soldier Heroes Act."

HJR 31 expresses the Alaska's support for H.R. 1633; a congressional bill entitled *Honor the WISH Act*. This bill would allow our troops to designate people other than their immediate family members to oversee their disposition if they are killed in the line of duty. Current law prohibits the members of our armed forces from authorizing non-relatives to make their funeral arrangements.

Members of the Armed Services fill out a DD93 Form to designate who will direct disposition of the member's remains if they die in active duty. However, current law only allows them to designate a spouse, blood relatives, or adoptive parents. Some of our service members need someone who does not fall into these categories to bear that responsibility, but are prohibited by federal law to do so. The Honor the Wish Act would allow servicemen and women to designate whomever they want to direct disposition.

An example of the need for this legislation is as follows:

Specialist Christopher T. Fox, of Tennessee served in Bravo Company, 1st of the 68th Combined Arms Battalion, 3rd Brigade Combat Team, 4th Infantry Division. He served with them in combat in Iraq from 2005 – 2006, and again in 2007. On 29 September 2008 Specialist Fox was killed in action in Baghdad; his DD93 specified Amy Frost, his mother figure, as the person to handle the disposition of his remains. JAG concluded that Amy Frost wasn't legally eligible under the current law to be the designee, and overturned Specialist Christopher Fox's last wishes. Christopher Fox had been born to other parents, his mother had since passed, and his step father and step brother kicked him out of their home at 17. Amy Frost, one of Christopher's high school teachers saw potential in the young man and took him into her home; she was there for him when he enlisted and supported him through his military career. On September 29, 2008 she lost a young man who thought of her as a mother. A few days later, she lost him again when JAG awarded his less than desirable step father and brother custody over his remains. Amy Frost wanted Specialist Fox buried in a Veterans cemetery in Knoxville, near her home, where even strangers could know he was an American Hero, and his grave would never go unobserved; instead he was laid to rest in a public cemetery in Memphis.

H.R. 1633 supports our troops and their dying wishes. Passing HJR 31 will be a very meaningful way for Alaska to continue supporting our military while they are in combat.

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HJR 31
 () Publish Date: _____

Identifier (file name): _____ Dept. Affected: _____
 Title HJR 31SUPPORT SOLDIERS' BURIAL DESIGNATIONS RDU _____
 Sponsor Representative Bill Thomas Component _____
 Requester Military and Veterans' Affairs Committee Component Number _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING		0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
-----------------------------	--	--	--	--	--	--	--	--

CHANGE IN REVENUES ()								
-------------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: *(Attach a separate page if necessary)*

Prepared by: House Military and Veterans' Affairs Committee Phone _____
 Division _____ Date/Time _____
 Approved by: Represtativ Carl Gatto Date 4/7/2009



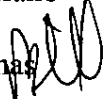
REPRESENTATIVE BILL THOMAS
ALASKA STATE LEGISLATURE DISTRICT 5
e-mail: Representative.Bill.Thomas@legis.state.ak.us
webpage: www.akrepublicans.org/thomas/

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Juneau AK, 99801-
1182
907-465-3732
888-461-3732

Memorandum

April 1, 2009

To: Representative Carl Gatto, Chair
Military and Veterans Affairs

From: Representative Bill Thomas 

Subject: Request to Schedule HJR 31 for a Hearing

I respectfully request the scheduling of HJR 31, "Urging the United States Congress to pass the Honor the Written Intent of our Soldier Heroes Act," for a hearing before the House Military and Veterans Affairs Committee at your earliest convenience.

Please contact Josh Tempel, staff person for the Joint Alaska State Legislative Veterans' Caucus, with any questions on the details of this bill. Josh's phone number is 465-4066.

Please find attached pertinent information for the committee.

Thank you.

Attachments

RECORD OF EMERGENCY DATA

PRIVACY ACT STATEMENT

AUTHORITY: 5 USC 552, 10 USC 655, 1475 to 1480 and 2771, 38 USC 1970, 44 USC 3101, and EO 9397 (SSN).

PRINCIPAL PURPOSES: This form is used by military personnel and Department of Defense civilian and contractor personnel, collectively referred to as civilians, when applicable. For military personnel, it is used to designate beneficiaries for certain benefits in the event of the Service member's death. It is also a guide for disposition of that member's pay and allowances if captured, missing or interned. It also shows names and addresses of the person(s) the Service member desires to be notified in case of emergency or death. For civilian personnel, it is used to expedite the notification process in the event of an emergency and/or the death of the member. The purpose of soliciting the SSN is to provide positive identification. All items may not be applicable.

ROUTINE USES: None.

DISCLOSURE: Voluntary; however, failure to provide accurate personal identifier information and other solicited information will delay notification and the processing of benefits to designated beneficiaries if applicable.

INSTRUCTIONS TO SERVICE MEMBER

This extremely important form is to be used by you to show the names and addresses of your spouse, children, parents, and any other person(s) you would like notified if you become a casualty (other family members or fiancé), and, to designate beneficiaries for certain benefits if you die. IT IS YOUR RESPONSIBILITY to keep your Record of Emergency Data up to date to show your desires as to beneficiaries to receive certain death payments, and to show changes in your family or other personnel listed, for example, as a result of marriage, civil court action, death, or address change.

INSTRUCTIONS TO CIVILIANS

This extremely important form is to be used by you to show the names and addresses of your spouse, children, parents, and any other person(s) you would like notified if you become a casualty. Not every item on this form is applicable to you. This form is used by the Department of Defense (DoD) to expedite notification in the case of emergencies or death. It does not have a legal impact on other forms you may have completed with the DoD or your employer.

IMPORTANT: This form is divided into two sections: Section 1 - Emergency Contact Information and Section 2 - Benefits Related Information. READ THE INSTRUCTIONS ON PAGES 3 AND 4 BEFORE COMPLETING THIS FORM.

SECTION 1 - EMERGENCY CONTACT INFORMATION

1. NAME (Last, First, Middle Initial)		2. SSN	
3a. SERVICE/CIVILIAN CATEGORY <input type="checkbox"/> ARMY <input type="checkbox"/> NAVY <input type="checkbox"/> MARINE CORPS <input type="checkbox"/> AIR FORCE <input type="checkbox"/> DoD <input type="checkbox"/> CIVILIAN <input type="checkbox"/> CONTRACTOR			b. REPORTING UNIT CODE/DUTY STATION
4a. SPOUSE NAME (If applicable) (Last, First, Middle Initial) <input type="checkbox"/> SINGLE <input type="checkbox"/> DIVORCED <input type="checkbox"/> WIDOWED		b. ADDRESS (Include ZIP Code) AND TELEPHONE NUMBER	
5. CHILDREN a. NAME (Last, First, Middle Initial)	b. RELATIONSHIP	c. DATE OF BIRTH (YYYYMMDD)	d. ADDRESS (Include ZIP Code) AND TELEPHONE NUMBER
6a. FATHER NAME (Last, First, Middle Initial)	b. ADDRESS (Include ZIP Code) AND TELEPHONE NUMBER		
7a. MOTHER NAME (Last, First, Middle Initial)	b. ADDRESS (Include ZIP Code) AND TELEPHONE NUMBER		
8a. DO NOT NOTIFY DUE TO ILL HEALTH	b. NOTIFY INSTEAD		
9a. DESIGNATED PERSON(S) (Military only)		b. ADDRESS (Include ZIP Code) AND TELEPHONE NUMBER	
10. CONTRACTING AGENCY AND TELEPHONE NUMBER (Contractors only)			

INSTRUCTIONS FOR PREPARING DD FORM 93

(See appropriate Service Directives for supplemental instructions for completion of this form at other than MEPS)

All entries explained below are for electronic or typewriter completion, except those specifically noted. If a computer or typewriter is not available, print in black or blue-black ink insuring a legible image on all copies. Include "Jr.," "Sr.," "III" or similar designation for each name, if applicable. When an address is entered, include the appropriate ZIP Code. If the member cannot provide a current address, indicate "unknown" in the appropriate item. Addresses shown as P.O. Box Numbers or RFD numbers should indicate in Item 14, "Continuations/Remarks", a street address or general guidance to reach the place of residence. In addition, the notation "See Item 14" should be included in the item pertaining to the particular next of kin or when the space for a particular item is insufficient. If the address for the person in the item has been shown in a preceding item, it is unnecessary to repeat the address; however, the name must be entered. Those items that are considered not applicable to civilians will be left blank.

ITEM 1. Enter full last name, first name, and middle initial.

ITEM 2. Enter social security number (SSN).

ITEM 3a. Service. **Military:** Mark X in appropriate block. **Civilian:** Mark two blocks as appropriate. Examples: an Army civilian would mark Army and either Civilian or Contractor; a DoD civilian, without affiliation to one of the Military Services, would mark DoD and then either Civilian or Contractor as appropriate.

ITEM 3b. Reporting Unit Code/Duty Station. See Service Directives.

ITEM 4a. Spouse Name. Enter last name (if different from Item 1), first name and middle initial on the line provided. If single, divorced, or widowed, mark appropriate block.

ITEM 4b. Address and Telephone Number. Enter the "actual" address and telephone number, not the mailing address. Include civilian title or military rank and service if applicable. If one of the blocks in 4a is marked, leave blank.

ITEM 5a-d. Children. Enter last name (only if different from Item 1) first name and middle initial, relationship, and date of birth of all children. If none, so state. Include illegitimate children if acknowledged by member or paternity/maternity has been judicially decreed. Relationship examples: son, daughter, stepson or daughter, adopted son or daughter or ward. Date of birth example: 19950704. For children not living with the member's current spouse, include address and name and relationship of person with whom residing in item 5d.

ITEM 6a. Father Name. Last name, first name and middle initial.

ITEM 6b. Address and Telephone Number of Father. If unknown or deceased, so state. Include civilian title or military rank and service if applicable. If other than natural father is listed, indicate relationship

ITEM 7a. Mother Name. Last name, first name and middle initial.

ITEM 7b. Address and Telephone Number of Mother. If unknown or deceased, so state. Include civilian title or military rank and service if applicable. If other than natural mother is listed, indicate relationship.

ITEM 8. Persons Not to be Notified Due to Ill Health.

a. List relationship, e.g., "Mother," of person(s) listed in Items 4, 5, 6, or 7 who are not to be notified of a casualty due to ill health. If more than one child, specify, e.g., "daughter Susan." Otherwise, enter "None".

b. List relationship, e.g., "Father" or name and address of person(s) to be notified in lieu of person(s) listed in item 8a. If "None" is entered in Item 8a, leave blank.

ITEM 9a. This item will be used to record the name of the person or persons, if any, other than the member's primary next of kin or immediate family, to whom information on the whereabouts and status of the member shall be provided if the member is placed in a missing status. Reference 10 USC, Section 655. **NOT APPLICABLE to civilians.**

ITEM 9b. Address and telephone number of Designated Person(s). **NOT APPLICABLE to civilians.**

ITEM 10. Contracting Agency and Telephone Number (**Contractors only**). **NOT APPLICABLE to military personnel.** Civilian contractors will provide the name of their contracting agency and its telephone number. Example: XYZ Electric, (703) 555-5689. The telephone number should be to the company or corporation's personnel or human resources office.

ITEM 11a. Beneficiary(ies) for Death Gratuity (**Military only**). Enter first name(s), middle initial, and last name(s) of the person(s) to receive death gratuity pay. A member may designate one or more persons to receive all or a portion of the death gratuity pay. The designation of a person to receive a portion of the amount shall indicate the percentage of the amount, to be specified only in 10 percent increments, that the person may receive. If the member does not wish to designate a beneficiary for the payment of death gratuity, enter "None," or if the full amount is not designated, the payment or balance will be paid as follows:

- (1) To the surviving spouse of the person, if any;
- (2) To any surviving children of the person and the descendants of any deceased children by representation;
- (3) To the surviving parents or the survivor of them;
- (4) To the duly appointed executor or administrator of the estate of the person;
- (5) If there are none of the above, to other next of kin of the person entitled under the laws of domicile of the person at the time of the person's death.

The member should make specific designations, as it expedites payment.

INSTRUCTIONS FOR PREPARING DD FORM 93

(Continued)

ITEM 11a. (Continued) Seek legal advice if naming a minor child as a beneficiary. If a member has a spouse but designates a person other than the spouse to receive all or a portion of the death gratuity pay, the Service concerned is required to provide notice of the designation to the spouse. **NOT APPLICABLE to civilians.**

Item 11b. Relationship. **NOT APPLICABLE to civilians.**

ITEM 11c. Enter beneficiary(ies) full mailing address and telephone number to include the ZIP Code. **NOT APPLICABLE to civilians.**

ITEM 11d. Show the percentage to be paid to each person. Enter 10%, 20%, 30%, up to 100% as appropriate. The sum shares must equal 100 percent. If no percent is indicated and more than one person is named, the money is paid in equal shares to the persons named. **NOT APPLICABLE to civilians.**

ITEM 12a. Beneficiary(ies) for Unpaid Pay/Allowance (**Military only**). Enter first name(s), middle initial, last name(s) and relationship of person to receive unpaid pay and allowances at the time of death. The member may indicate anyone to receive this payment. If the member designated two or more beneficiaries, state the percentage to be paid each in item 10c. If the member does not wish to designate a beneficiary, enter "By Law." The member is urged to designate a beneficiary for unpaid pay and allowances as payment will be made to the person in order of precedence by law (10 USC 2771) in the absence of a designation. Seek legal advice if naming a minor child as beneficiary. **NOT APPLICABLE to civilians.**

ITEM 12b. Enter beneficiary(ies) full mailing address and telephone number to include the ZIP Code. **NOT APPLICABLE to civilians.**

ITEM 12c. If the member designated two or more beneficiaries, state the percentage to be paid each in this section. The sum shares must equal 100 percent. **NOT APPLICABLE to civilians.**

ITEM 13a. Enter the name and relationship of the Person Authorized to Direct Disposition (PADD) of your remains should you become a casualty. Only the following persons may be named as a PADD: surviving spouse, blood relative of legal age, or adoptive relatives of the decedent. If neither of these three can be found, a person standing in loco parentis may be named. **NOT APPLICABLE to civilians.**

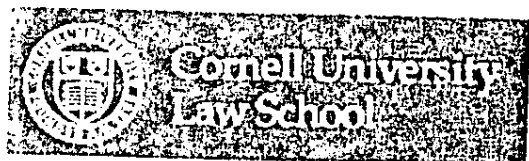
ITEM 13b. Address and telephone number of PADD. **NOT APPLICABLE to civilians.**

ITEM 14. Continuations/Remarks. Use this item for remarks or continuation of other items, if necessary. Prefix entry with the number of the item being continued; for example, 5/John J./son/ 19851220/321 Pecan Drive, Schertz TX 78151. Also use this item to list name, address, and relationship of other persons the member desires to be notified. Other dependents may also be listed. This block offers the greatest amount of flexibility for the member to record other important information not otherwise requested but considered extremely useful in the casualty notification and assistance process. Besides continuing information from other blocks on this form, the member may desire to include additional information such as: NOK language barriers, location or existence of a Will, additional private insurance information, other family member contact numbers, etc. If additional space is required, attach a supplemental sheet of standard bond paper with the information.

ITEM 15. Signature of Service Member/Civilian. Check and verify all entries and sign all copies in ink as follows: First name, middle initial, last name. Include rank, rate, or grade if applicable. May be electronically signed (see DoD Instruction 1300.18 for guidelines).

ITEM 16. Signature of Witness. Have a witness (disinterested person) sign all copies in ink as follows: First name, middle initial, last name. Include rank, rate, or grade as appropriate. A witness signature is not required for electronic versions of the DD Form 93 (see DoD Instruction 1300.18).

ITEM 17. Date the member or civilian signs the form. This item is an ink entry and must be completed on all copies.



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U.S. Code collection

TITLE 10 > Subtitle A > PART II > CHAPTER 75 > SUBCHAPTER II > § 1482

§ 1482. Expenses incident to death

(a) Incident to the recovery, care, and

disposition of the remains of any decedent covered by section 1481 of this title, the Secretary concerned may pay the necessary expenses of the following:

- (1) Recovery and identification of the remains.
- (2) Notification to the next of kin or other appropriate person.
- (3) Preparation of the remains for burial, including cremation if requested by the person designated to direct disposition of the remains.
- (4) Furnishing of a uniform or other clothing.
- (5) Furnishing of a casket or urn, or both, with outside box.
- (6) Hearse service.
- (7) Funeral director's services.
- (8) Transportation of the remains, and roundtrip transportation and prescribed allowances for an escort of one person, to the place selected by the person designated to direct disposition of the remains or, if such a selection is not made, to a national or other cemetery which is selected by the Secretary and in which burial of the decedent is authorized.
- (9) Interment of the remains.
- (10) Presentation of a flag of the United States to the person designated to direct disposition of the remains, except in the case of a military prisoner who dies while in the custody of the Secretary and while under a sentence that includes a discharge.
- (11) Presentation of a flag of equal size to the flag presented under paragraph (10) to the parents or parent, if the person to be presented a flag under paragraph (10) is other than the parent of the decedent. For the purpose of this paragraph, the term "parent" includes a natural parent, a stepparent, a parent by adoption or a person who for a period of not less than one year before the death of the decedent stood in loco parentis to him, and preference under this paragraph shall be given to the persons who exercised a parental relationship at the time of, or most nearly before, the death of the decedent.

(b) If an individual pays any expense payable by the United States under this section, the Secretary concerned shall reimburse him or his representative in an amount not larger than that normally incurred by the Secretary in furnishing the supply or service

concerned. If reimbursement by the United States is also authorized under another provision of law or regulation, the individual may elect under which provision to be reimbursed.

(c) Only the following persons may be designated to direct disposition of the remains of a decedent covered by this chapter:

- (1) The surviving spouse of the decedent.
- (2) Blood relatives of the decedent.
- (3) Adoptive relatives of the decedent.
- (4) If no person covered by clauses (1)-(3) can be found, a person standing in loco parentis to the decedent.

(d) When the remains of a decedent covered by section 1481 of this title, whose death occurs after January 1, 1961, are determined to be nonrecoverable, the person who would have been designated under subsection (c) to direct disposition of the remains if they had been recovered may be—

- (1) presented with a flag of the United States; however, if the person designated by subsection (c) is other than a parent of the deceased member, a flag of equal size may also be presented to the parents, and
- (2) reimbursed by the Secretary concerned for the necessary expenses of a memorial service.

However, the amount of the reimbursement shall be determined in the manner prescribed in subsection (b) for an interment, but may not be larger than that authorized when the United States provides the grave site. A claim for reimbursement under this subsection may be allowed only if it is presented within two years after the date of death or the date the person who would have been designated under subsection (c) to direct disposition of the remains, if they had been recovered, receives notification that the member has been reported or determined to be dead under authority of chapter 10 of title 37, whichever is later.

(e) The Secretary concerned may pay the necessary expenses for the presentation of a flag to the person designated to direct the disposition of the remains of a member of the Reserve of an armed force under his jurisdiction who dies under honorable circumstances as determined by the Secretary and who is not covered by section 1481 of this title if, at the time of such member's death, he—

- (1) was a member of the Ready Reserve; or
- (2) had performed at least twenty years of service as computed under section 12732 of this title and was not entitled to retired pay under section 12731 of this title.

(f) The payment of expenses incident to the recovery, care, and disposition of a decedent covered by section 1481 (a)(9) of this title is limited to the payment of expenses described in paragraphs (1) through (5) of subsection (a) and air transportation of the remains from a location outside the United States to a point of entry in the United States. Such air transportation may be provided without reimbursement on a space-available basis in military or military-chartered aircraft. The Secretary concerned shall pay all other expenses authorized to be paid under this subsection only on a reimbursable basis. Amounts reimbursed to the Secretary concerned under this subsection shall be credited to appropriations available, at the

time of reimbursement, for the payment of such expenses.

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26-LS0835\R

Bailey

4/7/09

CS FOR HOUSE JOINT RESOLUTION NO. 31(MLV)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

Offered:

Referred:

Sponsor(s): REPRESENTATIVES THOMAS, Dahlstrom

A RESOLUTION

1 **Urging the United States Congress to pass the Honor the Written Intent of our Soldier**
2 **Heroes Act.**

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

4 **WHEREAS** federal law under 10 U.S.C. 1482(c) prohibits a service member from
5 designating a person other than a surviving spouse, blood relative, or adoptive relative to
6 direct the disposal of a service member's remains; and

7 **WHEREAS**, before deploying on a combat operation, a service member is asked to
8 designate a person who will be responsible for arranging the service member's memorial
9 services and overseeing the service member's burial arrangements; and

10 **WHEREAS** service members fill out DD Form 93, on which they express their last
11 wishes with the expectation that their last wishes regarding memorial services and burial
12 arrangements will be honored; and

13 **WHEREAS**, since 2003, more than 4,000 service members who have served
14 honorably have given their lives in combat; and

15 **WHEREAS** a service member deploying on a combat operation in defense of our
16 country should be allowed to designate any person the service member wishes to direct the

1 disposition of the service member's remains; and

2 **WHEREAS** H.R. 1633, the Honor the Written Intent of our Soldier Heroes Act, also
3 referred to as the Honor the WISH Act, amends 10 U.S.C. 1482(c) to allow a service member
4 to designate any person the service member wishes to direct the disposition of the service
5 member's remains, regardless of the designated person's relationship to the service member;

6 **BE IT RESOLVED** that the Alaska State Legislature urges the United States
7 Congress to pass H.R. 1633, the "Honor the Written Intent of our Soldier Heroes Act."

8 **COPIES** of this resolution shall be sent to the Honorable Pete Geren, United States
9 Secretary of the Army; the Honorable Donald C. Winter, United States Secretary of the Navy;
10 the Honorable Michael B. Donley, United States Secretary of the Air Force; the Honorable
11 Sarah Palin, Governor of Alaska; and the Honorable Lisa Murkowski and the Honorable
12 Mark Begich, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of
13 the Alaska delegation in Congress.

111TH CONGRESS
1ST SESSION

H. R. 1633

To amend title 10, United States Code, to authorize a member of the Armed Forces to designate anyone as the person authorized to direct disposition of the remains of the member if the member dies while on active duty.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2009

Mr. COHEN (for himself, Mr. DUNCAN, Mr. ROHRBACHER, Ms. WATSON, and Ms. MOORE of Wisconsin) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to authorize a member of the Armed Forces to designate anyone as the person authorized to direct disposition of the remains of the member if the member dies while on active duty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Honor the Written Intent of our Soldier Heroes Act” or “Honor the WISH Act”.

SEC. 2. DESIGNATION OF PERSONS AUTHORIZED TO DIRECT DISPOSITION OF REMAINS OF MEMBERS OF THE ARMED FORCES.

Section 1482(c) of title 10, United States Code, is amended—

(1) by striking “Only the” in the matter preceding paragraph (1) and inserting “The”;

(2) by redesignating paragraphs (1) through (4) as paragraphs (2)

through (5), respectively;

(3) in paragraph (5), as so redesignated, by striking “clauses (1)–(3)” and inserting “paragraphs (1) through (4)”; and

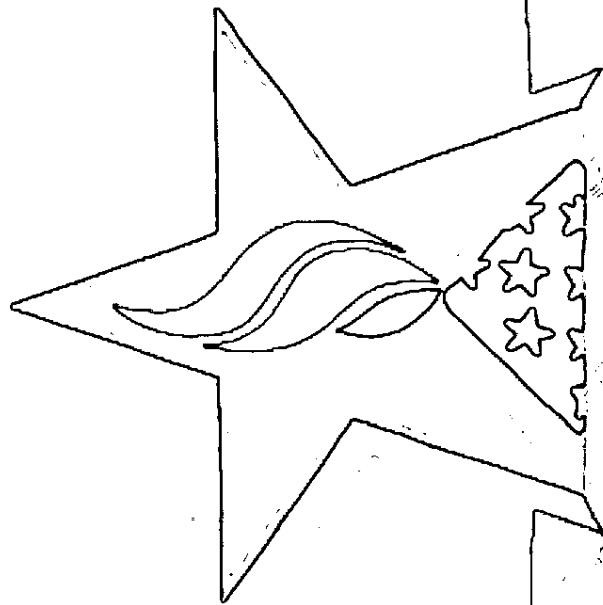
(4) by inserting before paragraph (2), as so redesignated, the following new paragraph:

“(1) The person identified by the decedent on the record of emergency data maintained by the Secretary concerned (DD Form 93 or any successor to that form), as the Person Authorized to Direct Disposition (PADD), regardless of the relationship of the designee to the decedent.”.

HJR

53

<target><bill>HJR 53</bill><subject>HJR
53</subject><comm>HMLV26</comm></target>



HONOR AND REMEMBER

SSG Jonathan K. Dozier ~ 9 Jan 2008 ~ Iraq

ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
MILITARY & VETERAN AFFAIRS COMMITTEE
REPRESENTATIVE CARL GATTO, CHAIR

Committee Members

Rep. John Harris
Rep. Bob Lynn
Rep. Tammie Wilson
Rep. Jay Ramras
Rep. Bob Buch
Rep. Scott Kawasaki



State Capitol Building, Room 108
Juneau AK 99801-1182
907-465-3743
907-465-2381 Fax
Rep_Carl_Gatto@legis.state.ak.us

Sponsor Statement

HJR 53
Honor and Remember Flag

In the more than 200 years of our nation's history, there has never been an officially-recognized symbol that reminds us daily of the sacrifices made by members of our military who lost their lives in service to our country.

The **Honor and Remember Flag**, created by Honor and Remember, Inc., recognizes all individuals who died while serving our nation, not only those killed in action, but all who have died in the line of duty. The flag serves as a symbol of national gratitude for the over 1,600,000 American men and women who bravely made the ultimate sacrifice to preserve the freedoms we enjoy. The flag also helps to give closure to the thousands of families that deserve recognition for the sacrifice of a lost loved one.

An objective of the organization, Honor and Remember, Inc., is to place an Honor and Remember Flag in the hands of the immediate families who have lost someone in military service to America.

H.R. 1034 is a bill in Congress to designate the Honor and Remember Flag as an official symbol to recognize and honor members of the Armed Forces who died in the line of duty. **HJR 53** urges our Congress to enact a law officially recognizing the Honor and Remember Flag.

Contact: Karen Sawyer
465-5025
March 18, 2010
26-LS1579\R

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HJR 53
 () Publish Date: 3/12/2010

Identifier (file name): _____ Dept. Affected: _____
 Title Honor and Remember Flag RDU _____
 Component _____
 Sponsor House Rules Committee
 Requester House Military & Veterans' Affairs Committee Component Number _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
-----------------------------	--	--	--	--	--	--	--	--

CHANGE IN REVENUES ()								
-------------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2010) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

No impact on State departments.

Prepared by: Karen Sawyer, Staff Phone 907-465-5025
 Division Representative Carl Gatto, Chair, Military & Veterans' Affairs Committee Date/Time 03/12/10 1pm
 Approved by: _____ Date _____

The **Honor and Remember Flag's design** is distinctive, yet simple. Each detail on the flag symbolizes an important part of the overall meaning of the flag's message.



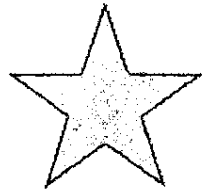
The Red Field represents the blood spilled by brave men and women in America's military throughout our history, who willingly gave their lives so that we all would remain free.



The Blue Star represents active service in military conflict. This symbol originated with World War I, but on this flag it signifies service through all generations from the American Revolution to present day.



The White Border surrounding the gold star recognizes the purity of sacrifice. There is no greater price an American can pay than to give his or her life in service to our country.



The Gold Star signifies the ultimate sacrifice of a warrior in active service who will not return home. Gold reflects the value of the life that was given.



The Folded Flag signifies the final tribute to an individual life that a family sacrificed and gave to the nation.



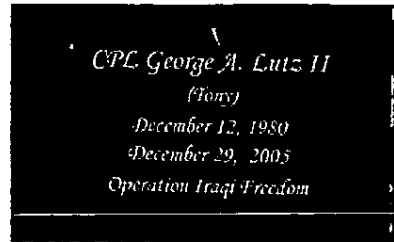
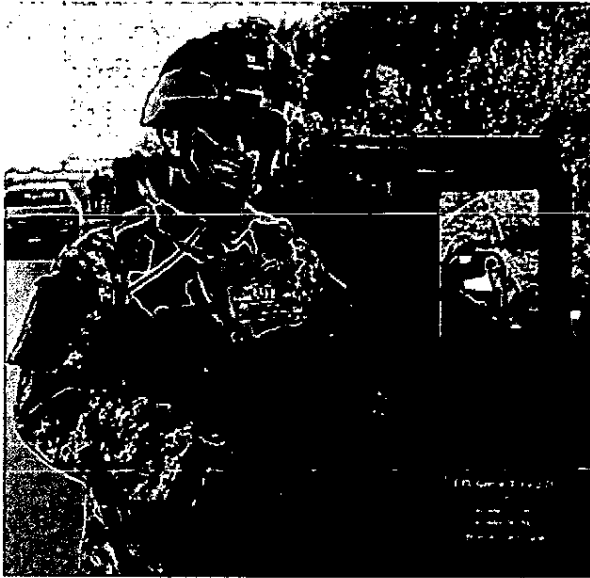
The Flame is an eternal reminder of the spirit that has departed this life yet burns on in the memory of all who knew and loved the fallen hero.

Honor and Remember

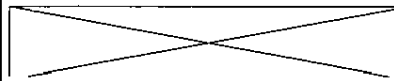
We will always Honor their selfless sacrifice and Remember them individually by name.



Honor and Remember origins:



Cpl George A. Lutz II
December 12, 1980
December 29, 2005
Psychological Operations
9th Batt, Ft Bragg, NC



On December 29, 2005, George Anthony Lutz II (Tony) was killed by a sniper's bullet while he was on patrol in Fallujah, Iraq. His family and friends endured the shock, emotional agony and overwhelming loss that accompanied the news of Tony's death, just like the many families who have suffered the same tragedy.

In the months that followed Tony's funeral, his father, George, visited other families who had lost loved ones in the Iraq war. He began to sense that he had joined the ranks of a unique fellowship. These families were only the latest additions to a group that originated with the American Revolution, when the first soldiers to shed their blood for our freedom gave their lives.

George found another commonality among the families of fallen soldiers. After their grief had transitioned to numbness and finally to acceptance, many families wanted to know two things: their sacrifice was not in vain and the nation would never forget. These concerns led George on a quest to discover if there was a universally recognized symbol that specifically acknowledges the American service men and women who never made it home. To his surprise, he found nothing. Thus the Honor and Remember Flag was conceived.

BELOW IS AN OPEN LETTER SENT TO THE SOLDIERS AT TONY'S SIDE THAT DAY.

Dear Downrange Soldiers,

On December 29th 2005, a snipers bullet claimed the life of our son Tony. This was the most difficult day in our family's life, I cannot imagine a more tragic one. And as difficult a day it was for us, our heart breaks for those of you who were by his side. You see we know how Tony affected lives, how much of an impression he made on everyone he touched. That day we not only lost a son, but you lost a friend and a brother. We do not know all of the facts, but we do know that he died surrounded by those who loved him.

Tony was a man who tried to lighten every situation and I am sure there were many times you could remember when he made you smile or laugh out loud. He was dedicated to his family a good husband and father and spent every available minute communicating back home. And when he was home, loving on his wife and children. Some of you remember last summer when his daughter Ava was born and how he so appreciated being given the time to leave training to be by his wife's side.

He was a good soldier, rarely complaining and excited at every phase of his training. Being a former runner he especially loved PT, accepted the challenges of AIT, language school and was particularly proud of his Army and German jump wings.

Tony strongly believed in what he was doing, believed in the mission of liberating the Iraqi people and in his relationship with you his military family. He knew why he was there and even though he fully expected to return, he was prepared for the sacrifice. We want you to know that we firmly believe that he died fighting for those beliefs, and in no way hold anyone responsible for his death. There was nothing anyone could have done to more fully protect him. War breeds casualties and many thousands of moms and dads have given their children for freedom's cause. I would like to think that Tony's death would bring an end, but we know it hasn't. Others have since given their lives and many more will most definitely follow.

We are proud that he was a soldier not only in the American army but also in the army of God. Tony had a strong faith in his savior Jesus Christ and always knew his future reward. In fact one of the last words he wrote to me was "Dad, don't worry, God is literally my shield". He knew where he would spend eternity and lived that knowledge everyday. God had a purpose for Tony's life and took him that day; nothing could have prevented it.

I know that any one of you would have willingly taken his place if possible, but conversely know this as truth, that Tony would have run to take that bullet for you. And that day he did.

His mother and I want to be sure you know that we pray for your safety everyday. Keep your eyes open, be vigilant at every moment, win that war and come back safely to your families. But especially, seek after God's purpose in your lives.

When your mission is completed please call or write, our home is open and we welcome a visit from you. We would love to hear how Tony's life or death was meaningful to you. God Bless each of you, we cannot thank you enough for your service. Courage and Honor.

Very Respectfully

George L

Becoming a State Chapter

As the number of Honor and Remember supporters increases across America, so do the number of opportunities to promote the Honor and Remember mission and goals. With the help of many we are able to make positive inroads in hundreds of communities and all fifty states.

For those reasons, Honor and Remember is in the process of developing a network of state chapters that will serve as the front line of future efforts to build recognition, involvement and support for our cause. From its beginning, Honor and Remember has been a grassroots effort. We truly believe that the only way we can accomplish our mission is with a "boots on the ground" presence in every state that will enable us to: identify and communicate with local Gold Star families; promote the flag and the cause to municipal and state officials; encourage corporate sponsorship; collect petition signatures; and organize local fundraising and promotional events.

If you have an interest in helping us organize a state chapter where you live, please contact us below. Our National Chapter Director will respond with information and guidelines for creating an Honor and Remember chapter in your area.

Email: Chapters@HonorandRemember.org

Postal Address:

State Chapters
Honor and Remember, Inc
PO Box 16834
Chesapeake, VA 23328

Fax: (757) 204-4726

Alaska State Chapter
AKchapter@HonorandRemember.org

North Carolina State Chapter
NCchapter@HonorandRemember.org

Ohio State Chapter
OHchapter@HonorandRemember.org

Virginia State Chapter
VAchapter@HonorandRemember.org

Sponsoring a Personalized Flag:

Our country was founded and maintained on individual separate lives, names not statistics. One life upon one life, precept upon precept, similar to the building blocks of a foundation, our country continues to remain strong and free.

A unique feature of the Flag design is the option to personalize it, to actually carry the name of a friend or loved one as part of its structure. Not only can the flag be flown in general but it can also be displayed in specific honor of one lost.

It is our desire and organizational goal that every family that lost a loved one in military service to our country should have a personalized flag. Regardless of the era, as far back as Korea, we are working on the task. A flag that proudly represents that special life lost and compliments the hundreds of thousands that will fly across this nation in grateful respect.

This mission includes partnering with individuals, organizations, corporations and government entities to seek out Gold Star families and help us by sponsoring and presenting Honor and Remember Flags.

Here are several examples of how partnerships are working:

Retired sailors from the FRA, Branch 5, Norfolk VA, collected funds to provide flags for all 17 families that lost loved ones on the USS Cole bombing. Personalized flags were presented at a special ceremony on October 12, 2008 the 8th anniversary of their October 12, 2000 sacrifice.

Cpl Matthew Drake, lone survivor of a suicide car bomber and mother Lisa Schuster donated and presented personalized flags October 15, 2008 to the three mothers who lost their soldier sons in Iraq on October 15th, 2004, the fourth anniversary of their loss. (See newsletter issue 4).

Honor and Remember Inc, presented flags to the president and executive board member of the National American Gold Star mothers on September 26th. Mrs Georgie Carter lost her son Bruce, in 1969, Vietnam, Mrs Molly Morel who lost Brent in 2004, Iraq.

We are currently working with our state government to present, in a general ceremony, Honor and Remember flags to Gold star families in the state. We hope to model this in state ceremonies around the country.

Local Veterans organizations are identifying Gold Star families in their areas and preparing flags for specific tribute presentations.

Gold Star mothers who have received flags are now presenting flags to others.

There are hundreds of ways to reach out and honor so many families who gave all. We believe that there are still over 20,000 families yet to individually recognize. We are currently fundraising and taking donations to accomplish our national goal.

If you would like to order a personalized flag for yourself or someone as a gift please visit our online store or donate below. However please contact us if you would like to participate in any other way to help accomplish our mission.

111TH CONGRESS
1ST SESSION

H. R. 1034

To amend title 36, United States Code, to designate the Honor and Remember Flag created by Honor and Remember, Inc., as an official symbol to recognize and honor members of the Armed Forces who died in the line of duty, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2009

Mr. FORBES introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To amend title 36, United States Code, to designate the Honor and Remember Flag created by Honor and Remember, Inc., as an official symbol to recognize and honor members of the Armed Forces who died in the line of duty, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DESIGNATION OF HONOR AND REMEMBER**
4 **FLAG FOR FALLEN MEMBERS OF THE ARMED**
5 **FORCES.**

6 (a) FINDINGS.—Congress finds the following:

1 (1) Since the Revolutionary War, more than
2 one million members of the United States Armed
3 Forces have paid the ultimate price by sacrificing
4 their lives in the line of duty.

5 (2) The contributions of those fallen members
6 of the Armed Forces are deserving of national rec-
7 ognition.

8 (3) Currently, there is no officially recognized
9 symbol that acknowledges members of the Armed
10 Forces who died in the line of duty.

11 (b) DESIGNATION.—Chapter 9 of title 36, United
12 States Code, is amended by adding at the end the fol-
13 lowing new section:

14 **“§ 904. Honor and Remember flag for fallen members**
15 **of the Armed Forces**

16 “(a) DESIGNATION.—The Honor and Remember
17 Flag created by Honor and Remember, Inc., is designated
18 as the symbol of our Nation’s concern and commitment
19 to honoring and remembering the lives of all members of
20 the United States Armed Forces who have lost their lives
21 in the line of duty.

22 “(b) REQUIRED DISPLAY.—(1) The Honor and Re-
23 member Flag shall be displayed at the locations specified
24 in subsection (c) on the days specified in paragraph (2):

1 “(2) The required Honor and Remember Flag display
2 days are the following:

3 “(A) Armed Forces Day, the third Saturday in
4 May.

5 “(B) Memorial Day, the last Monday in May.

6 “(C) Flag Day, June 14.

7 “(D) Independence Day, July 4.

8 “(E) National POW/MIA Recognition Day.

9 “(F) Veterans Day, November 11.

10 “(3) In addition to the days specified in paragraph
11 (2), Honor and Remember Flag display days include—

12 “(A) in the case of display at the World War
13 II Memorial, Korean War Veterans Memorial, and
14 Vietnam Veterans Memorial (required by subsection
15 (e)(3)), any day on which the United States flag is
16 displayed;

17 “(B) in the case of display at medical centers
18 of the Department of Veterans Affairs (required by
19 subsection (e)(7)), any day on which the flag of the
20 United States is displayed; and

21 “(C) in the case of display at United States
22 Postal Service post offices (required by subsection
23 (e)(8)), the last business day before a day specified
24 in paragraph (2) that in any year is not itself a
25 business day.

1 “(c) LOCATIONS FOR FLAG DISPLAY.—The locations
2 for the display of the Honor and Remember Flag under
3 subsection (b) are the following:

4 “(1) The Capitol.

5 “(2) The White House.

6 “(3) The World War II Memorial, the Korean
7 War Veterans Memorial, and the Vietnam Veterans
8 Memorial.

9 “(4) Each national cemetery.

10 “(5) The buildings containing the official office
11 of—

12 “(A) the Secretary of State;

13 “(B) the Secretary of Defense;

14 “(C) the Secretary of Veterans Affairs;

15 and

16 “(D) the Director of the Selective Service
17 System.

18 “(6) Each major military installation, as des-
19 ignated by the Secretary of Defense.

20 “(7) Each medical center of the Department of
21 Veterans Affairs.

22 “(8) Each United States Postal Service post of-
23 fice.

24 “(d) DISPLAY TO BE IN A MANNER VISIBLE TO THE
25 PUBLIC.—Display of the Honor and Remember Flag pur-

1 suant to this section shall be in a manner designed to en-
2 sure visibility to the public.

3 “(e) LIMITATION.—This section may not be con-
4 strued or applied so as to require any employee to report
5 to work solely for the purpose of providing for the display
6 of the Honor and Remember Flag or any other flag.”.

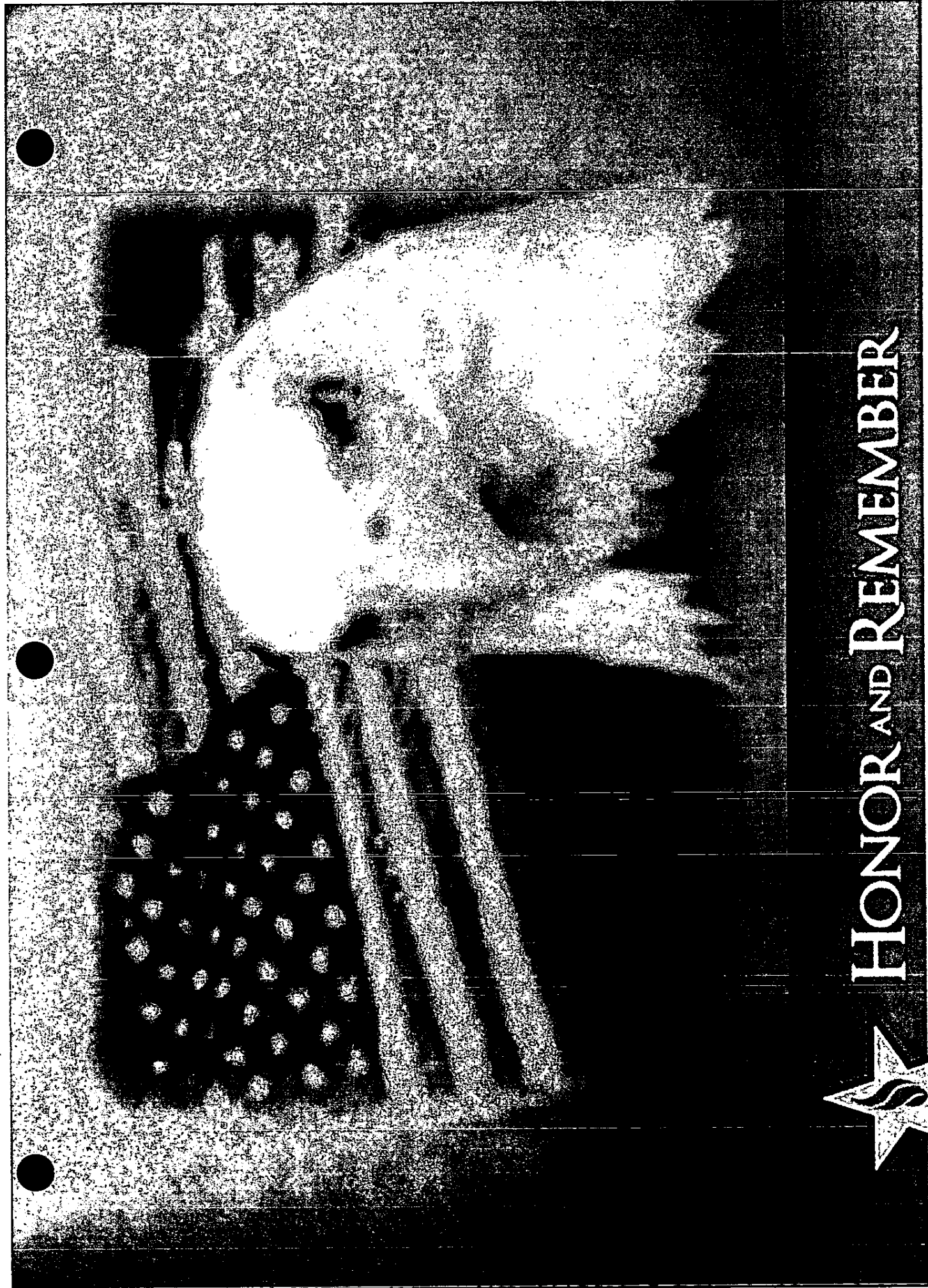
7 (e) CLERICAL AMENDMENT.—The table of sections
8 at the beginning of such chapter is amended by adding
9 at the end the following new item:

“904. Honor and Remember flag for fallen members of the Armed Forces.”.

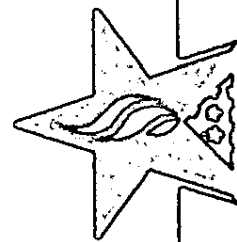
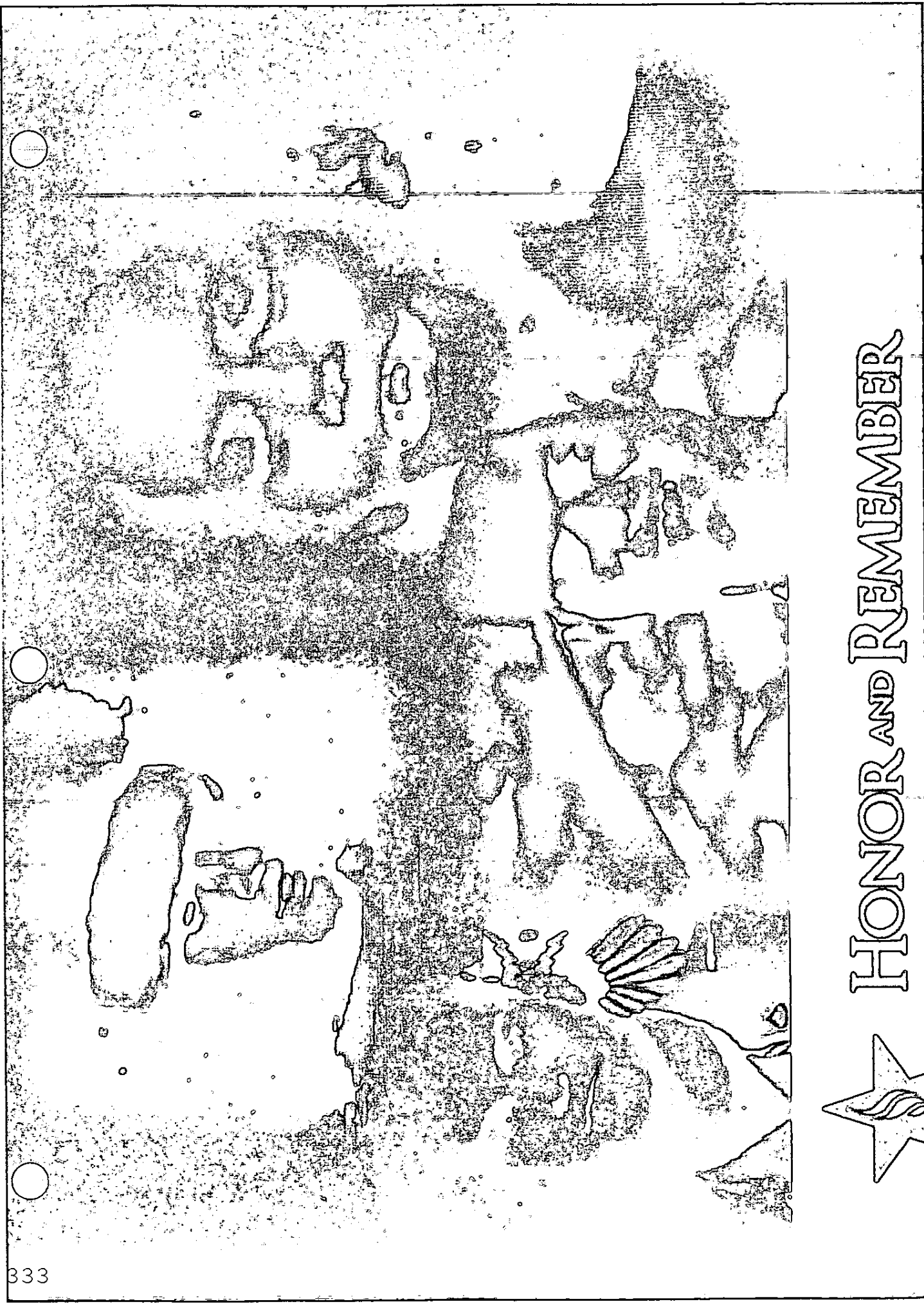
10 (d) REGULATIONS FOR IMPLEMENTATION.—Not
11 later than 180 days after the date of the enactment of
12 this Act, the head of each department, agency, or other
13 establishment responsible for a location specified in sub-
14 section (c) of section 904 of title 36, United States Code,
15 as added by subsection (a), shall prescribe such regula-
16 tions as necessary to carry out such section.

17 (e) PROCUREMENT AND DISTRIBUTION OF FLAGS.—
18 Not later than 30 days after the date of the enactment
19 of this Act, the Administrator of General Services shall
20 commence the procurement of Honor and Remember
21 Flags and distribute them as necessary to permit compli-
22 ance with section 904 of title 36, United States Code, as
23 added by subsection (a).

○



HONOR AND REMEMBER



HONOR AND REMEMBER

SIGN THE PETITION – SHARE THE VISION – FLY THE FLAG



HONOR AND REMEMBER

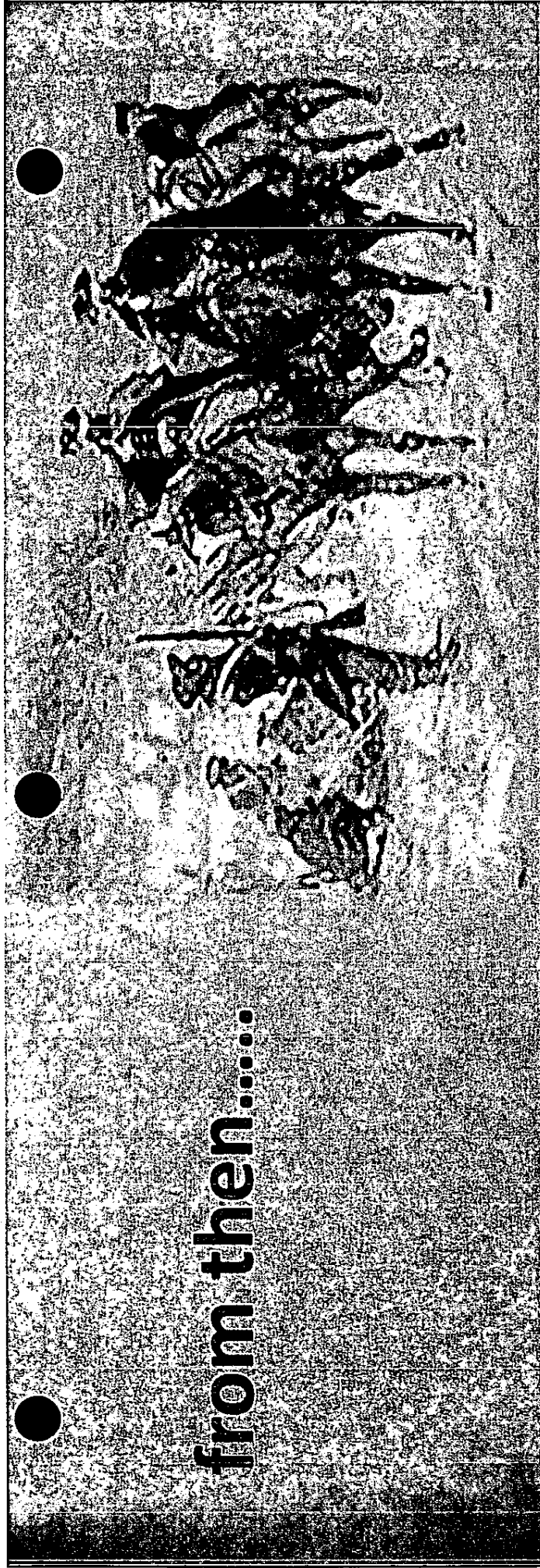
SIGN THE PETITION – SHARE THE VISION – FLY THE FLAG

A National Remembrance Flag?



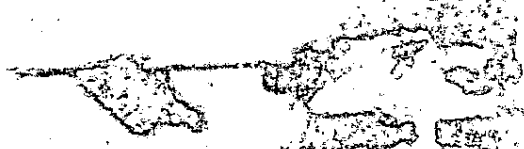
“Honor and Remember” has
launched a national campaign
and created an emblem, by
which every patriotic American
can acknowledge the ultimate
price of FREEDOM.

from then.....



The "Honor and Remember Flag" recognizes all individuals from all wars or conflicts involving the United States, who died while serving our nation. Not only those killed in action, but all who have died in the line of duty.

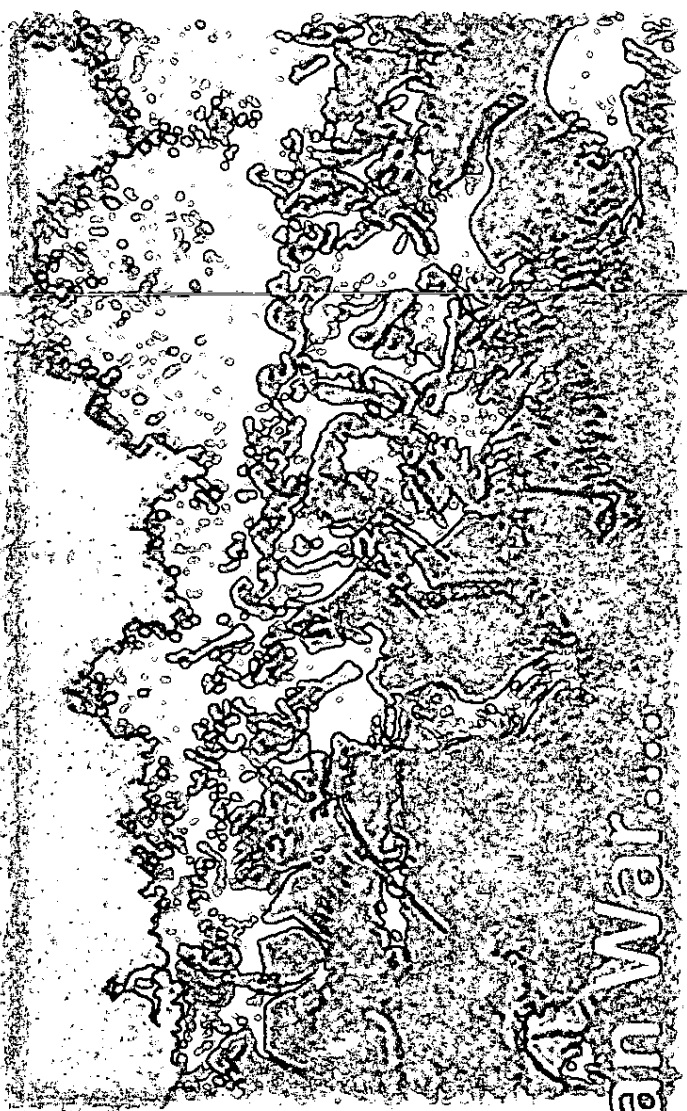




These families of today,
are only the latest
additions to a group that
originated with the
American Revolutionary
War,

when the first soldiers
to shed their blood for
our freedom gave
their lives.


Spanish American War...



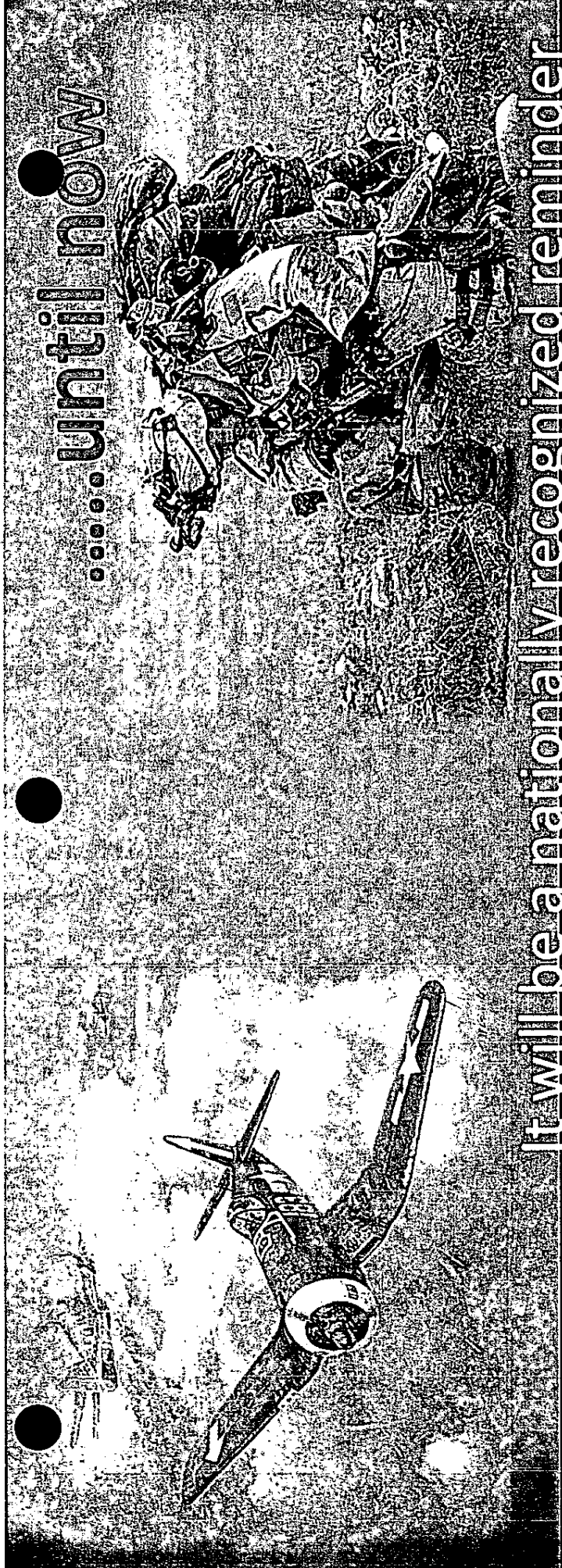
World Wars I and II



The flag will serve as a symbol
of national gratitude for the
hundreds of thousands of



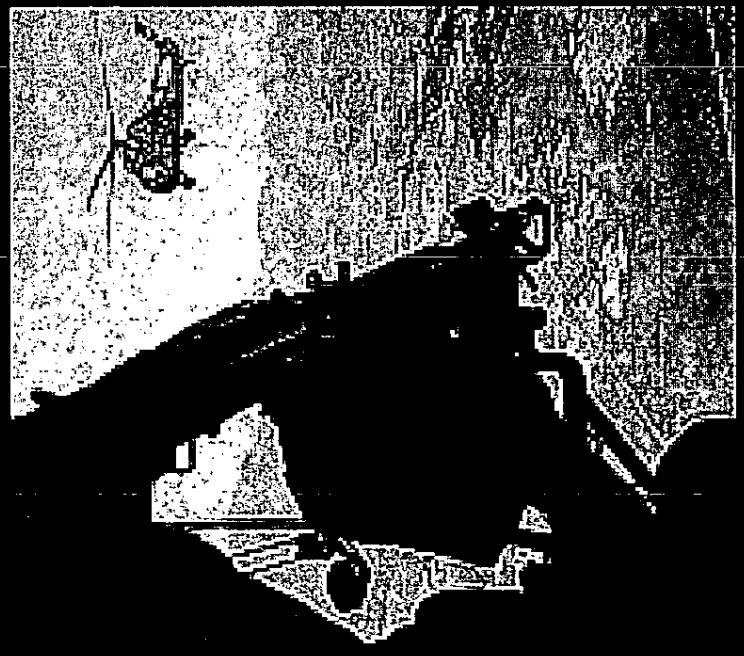
American men and women
who bravely made the
ultimate sacrifice, to preserve
the freedoms we enjoy. The flag will also help
bring healing to the families that deserve the
recognition, for their sacrifice of a lost loved one.

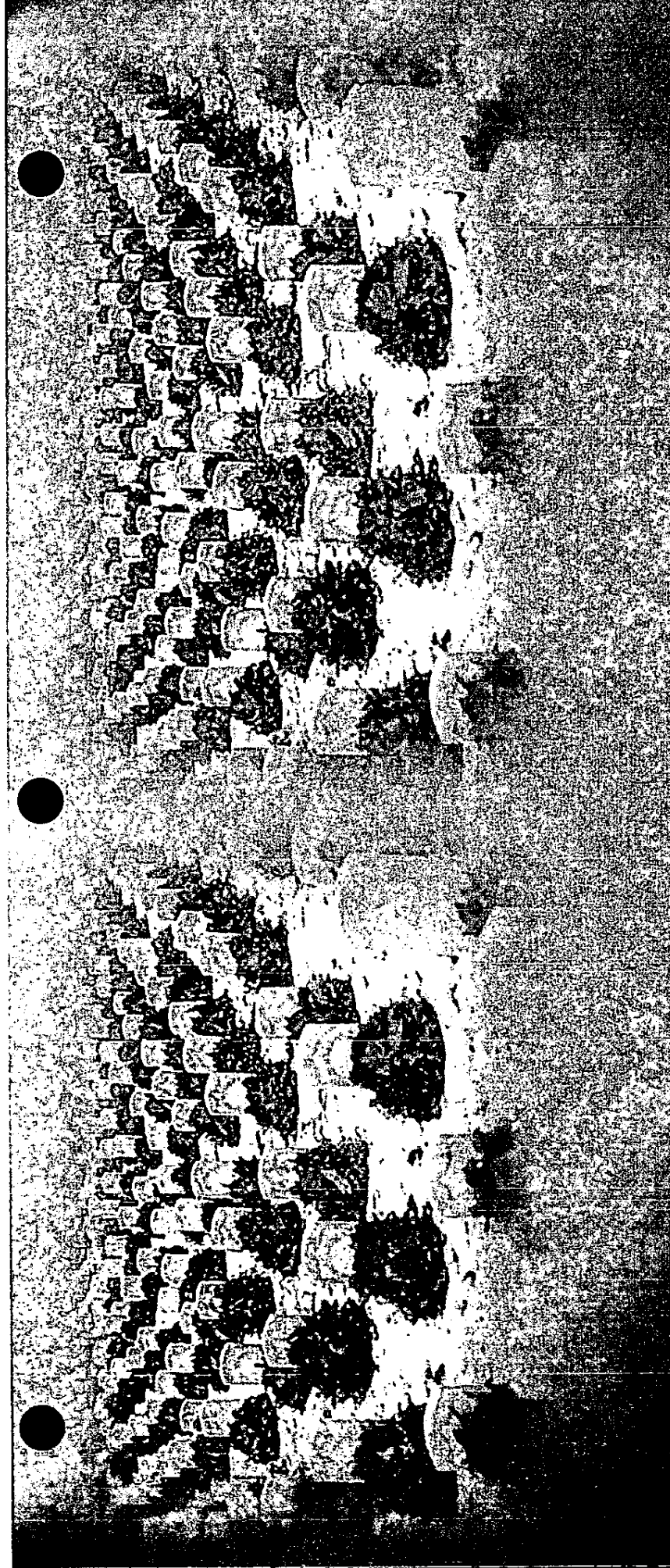


.....until now.....

It will be a nationally recognized reminder

to all Americans of the value of each individual life given for our freedom. Important objectives are to place an "Honor and Remember Flag" in the hands of immediate families who have lost a loved one in military service to America.





For the flag to fly continuously in eternal honor
and remembrance of our fallen military men
and women. To encourage all Americans to fly
this new emblem wherever our national flag is
flown.

● The Flag's Origin...

(Tony) was killed by a sniper's bullet while on patrol in Fallujah.

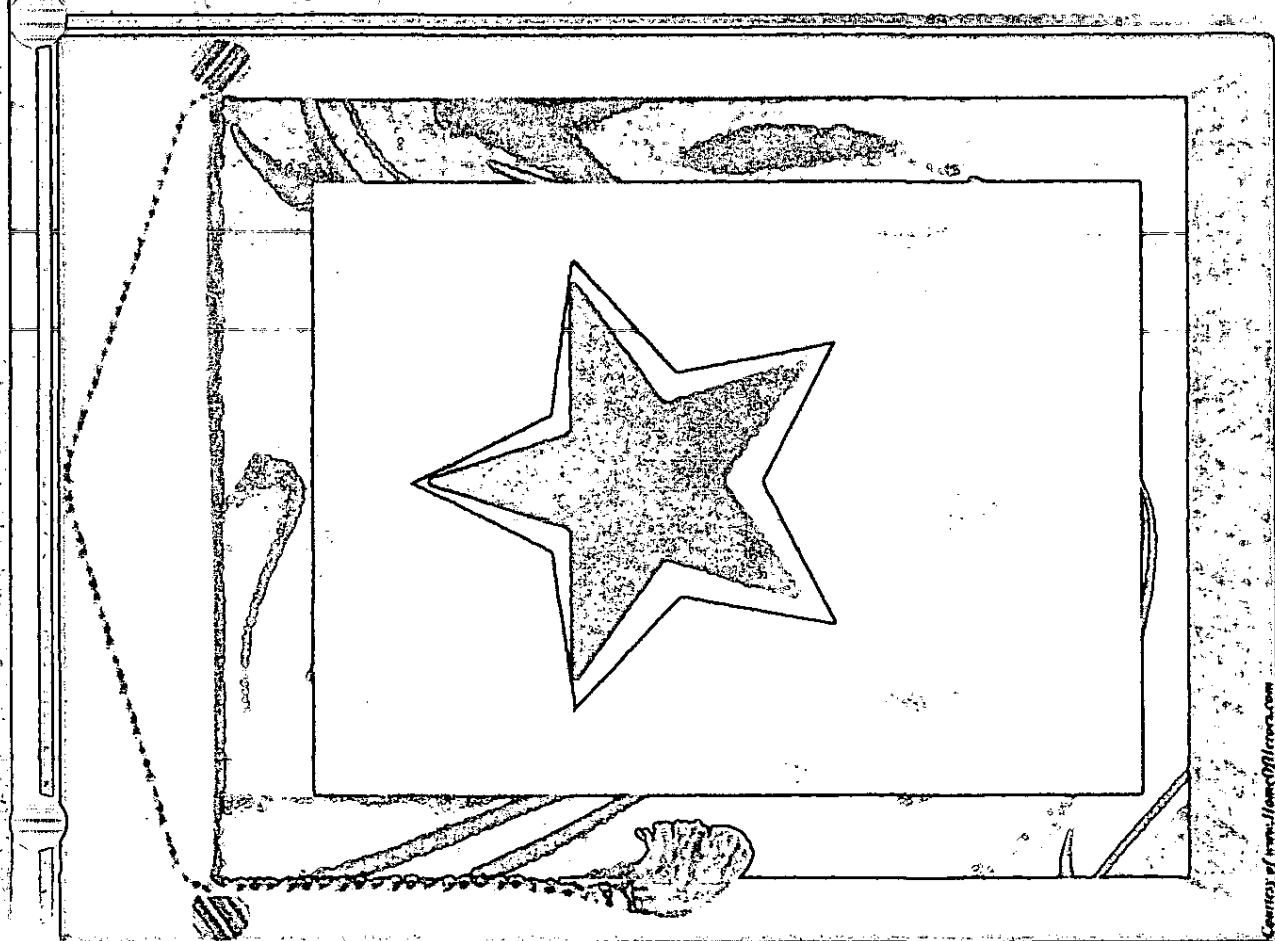
His family and friends endured the shock, emotional agony and overwhelming loss that accompanied the news of his death, just like the many families who have suffered this same tragedy.



Corporal George Anthony Lutz II

Dec. 12, 1980 -- Dec. 29, 2005

9th Battalion, Ft Bragg, NC



Copyright © 2000 by www.1000000.com



In the months that followed Tony's funeral, his father George, visited other families who had lost loved ones in the Iraq war. He began to sense that he had joined a unique fellowship.

Gold Star Families

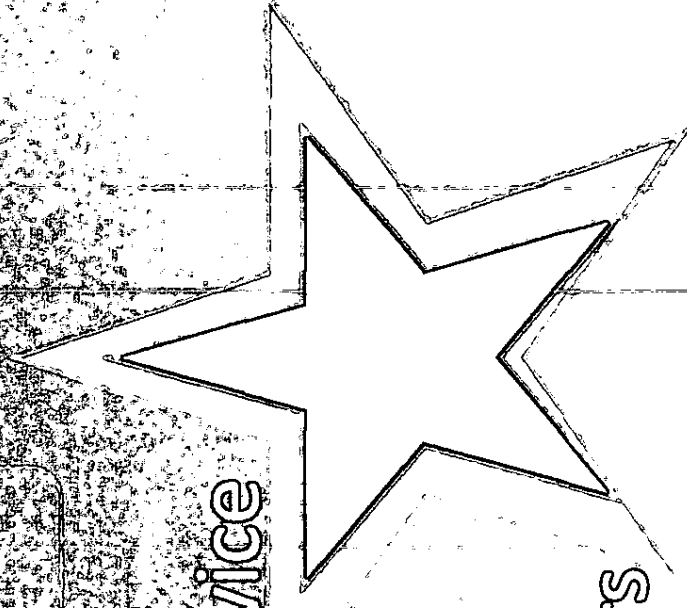
Thus was conceived, the "Honor and Remember Flag"

Flag details... The Red Field represents the blood spilled by brave men and women in America's military throughout our history, who willingly gave their lives so that we all would remain free.

The Blue Star represents active Service in military conflict. This symbol

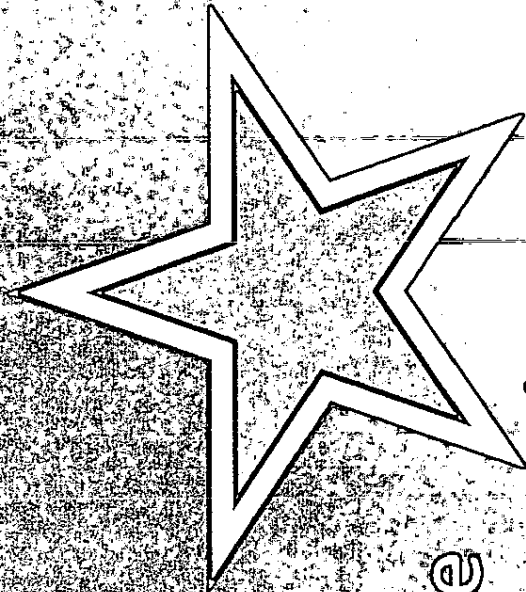
originated with World War I, but on this flag it signifies service in all wars

from the American Revolution, to present day.



Flag details... The White Border

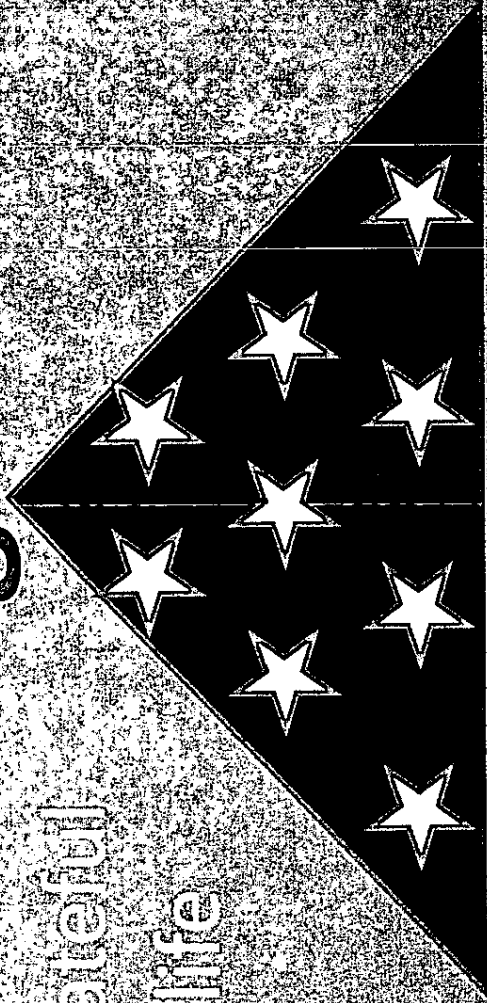
surrounding the gold star recognizes the purity of sacrifice. For there is no greater price an American can pay, than to give his or her life in service to our country.



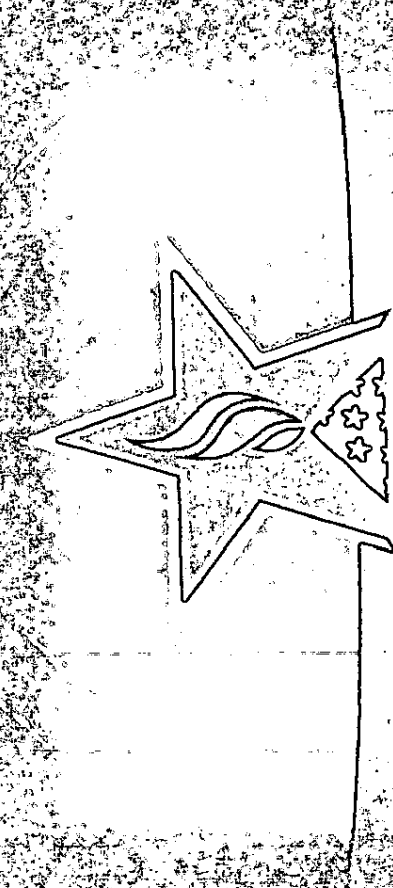
The Gold Star signifies the ultimate sacrifice of a warrior in active service who will not return home. Gold reflects the value of that life given.

● The Folded Flag Significance... Flag details

the final tribute of a grateful nation to an individual life that a family sacrificed and gave to the nation.



The Flame is an eternal reminder of the spirit that has departed this life, yet burns on in the memory of all who knew and loved the fallen hero.



HONOR AND REMEMBER

A unique

aspect of

this flag is that it can be personalized, with a member's

NAME, DATE, and PLACE of D

Then presented as a gift, to a "Gold Star" parent, spouse or child. We want to see every family, that has lost a loved one in military service to our country, receive a personalized flag.

If you know of a deserving family, and would like to donate a flag - please, let us know.



George found another commonality among the families of fallen heroes.

As they transitioned from loss, to grief and finally acceptance... there were just two things they wanted to know,

- That the sacrifices of their families, have not been in vain.
- That the personal sacrifice of their fallen, will not be forgotten.

These concerns led George on a quest,

to discover if there was a
universally recognized symbol that
specifically acknowledges the
military men and women who have
never made it home on their own.

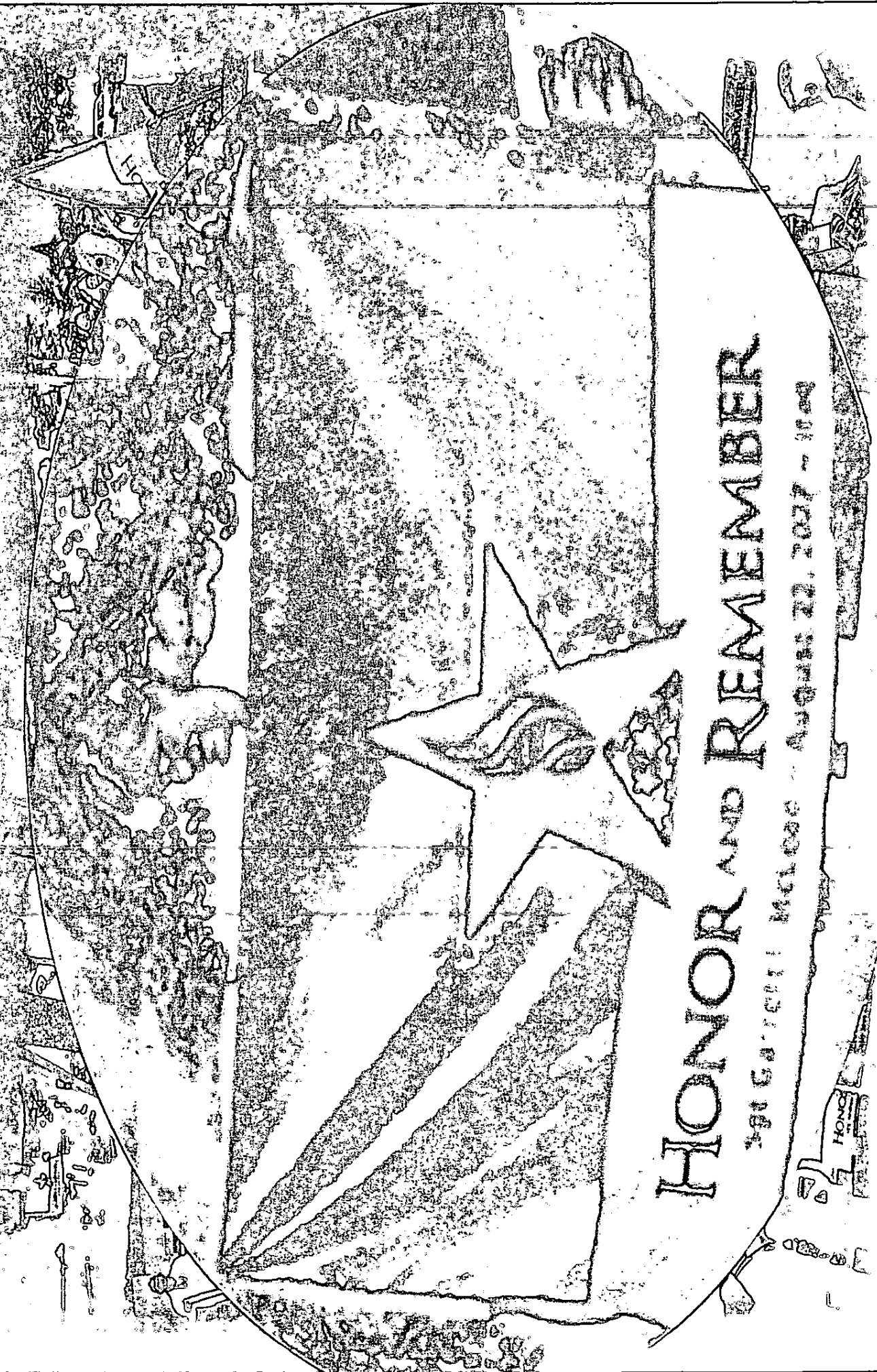
To his surprise,,,

he found nothing

REMEMBERED

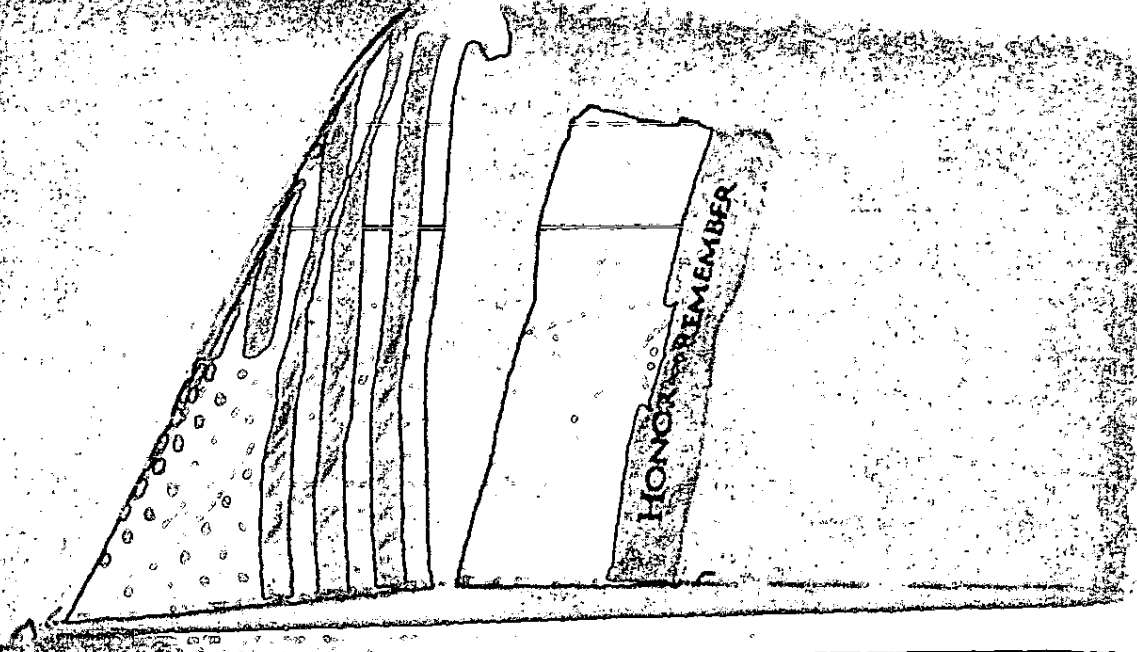
HONOR AND REMEMBER

1916-1917 - 1918 - 1919



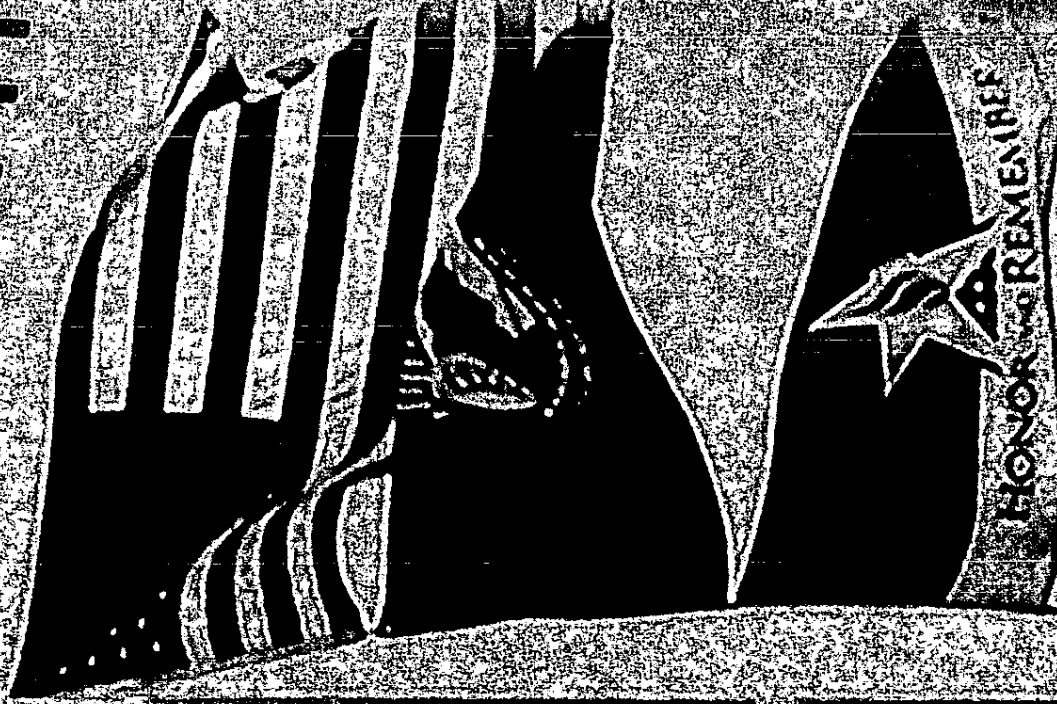
OUR MISSION.

To create, establish and promote a nationally recognized flag that would fly continuously as a visible reminder to all Americans of the lives lost in defense of our national freedoms. All Military lives lost, not only in action, but also in service, from our nation's beginnings.

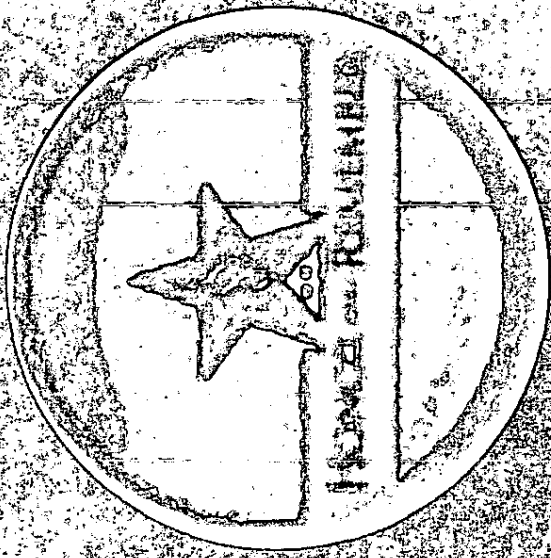


The Rationale:

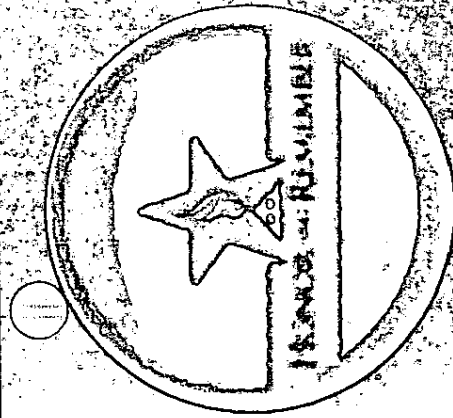
In our over 200 year history there has never been an official national symbol that recognizes in gratitude and respect the ultimate sacrifice made by the members of the United States military in service to our nation. The "Honor and Remember Flag" was created for that purpose.



OUR GOALS...



1. To promote the vision of the "Honor and Remember Flag" and request that visitors to the website sign a petition and pass the word about the importance of this new symbol.

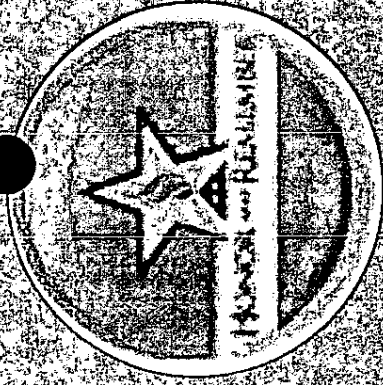


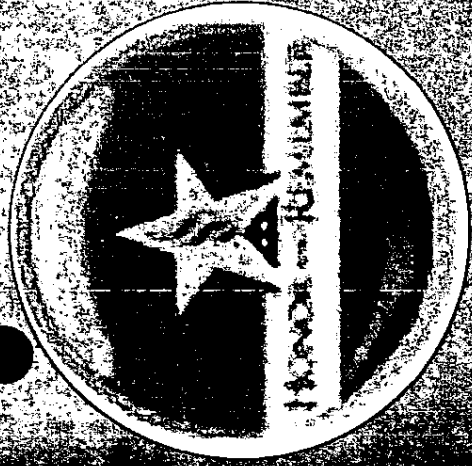
... Our Goals ...

2. To build consensus among the branches of the United States military, veterans organizations, service and civic groups, businesses and individuals in order to collectively solicit the Department of Defense and the United States Congress to propose and accept the "Honor and Remember Flag" as the official flag for honoring all fallen servicemen and servicewomen.

...Our Goals...

3. To promote broad national awareness of and a groundswell interest in the flag, so that military, government and educational facilities as well as households throughout the country would begin flying the "Honor and Remember Flag" in recognition of our nation's fallen warriors.





...Our Goals

4. To place one personalized "Honor and Remember Flag" in the hands of immediate families who have lost a loved one in military service to America.



A Petition

to Establish a National Remembrance Flag

For your convenience, the petition is available here, or if you prefer you can electronically sign it on our web site.

www.HonorandRemember.org

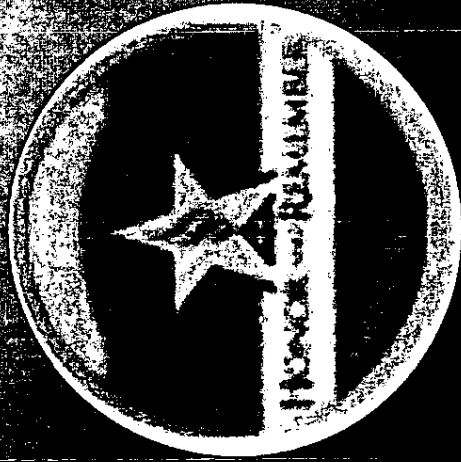
Under no circumstance will any personal information ever be shared or sold to anyone.

To: *The Department of Defense, the United States Congress and the President of the United States of America.*

● We, the undersigned, representing military institutions and associations, civic and service organizations, businesses and individual citizens are in favor of the drafting and adoption of a bill that establishes the "Honor and Remember Flag" as an official flag of the United States of America. The flag shall recognize ALL individuals from all wars or conflicts

● involving the United States who died while serving our nation. This flag will serve as a symbol of national gratitude for the hundreds of thousands of American men and women who bravely made the ultimate sacrifice to preserve the freedoms we enjoy. The flag will also help to bring healing for the thousands of families crying out for

remembrance of a loved one and it will be a nationally recognized reminder to all Americans of the importance of each individual life lost.



This flag would be congressionally and militarily sanctioned as a permanent symbol to fly continuously in eternal honor and remembrance of fallen military service men and women.

Sincerely,
the Undersigned



HONOR AND REMEMBER OF ALASKA

SIGN THE PETITION - SHARE THE VISION - FLY THE FLAG

Honor and Remember of Alaska is a non-profit
Limited Liability Corporation organized and
officially recognized by the IRS
as a 501 (c)(3) entity.

As such, all donations are tax deductible.

**Please consider a donation or
pledge to our campaign**

**Thank You
for your time and
consideration of
support of this
national
campaign**

**For questions or information, please contact the
person who provided you with this opportunity.**



HONOR AND REMEMBER OF ALASKA

SIGN THE PETITION – SHARE THE VISION – FLY THE FLAG

<http://HonorandRemember.org>

AKchapter@HonorandRemember.org

P.O. Box 588

Sterling, Alaska 99672-0588

(907) 598-3105

SJR

5

<target><bill>SJR 5</bill><subject>SJR
5</subject><comm>HMLV26</comm></target>

ALASKA STATE LEGISLATURE

Senate District H
600 E. Railroad Avenue
Wasilla AK 99654
907-376-4866
907-373-4724 :Fax



State Capitol, Room 119
Juneau AK 99801-1182
907-465-3878
Fax: 907-465-3265
800-862-3878

Senate Rules Committee

SPONSOR STATEMENT

CS for SJR 5 (FIN)

A RESOLUTION

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

In the middle of January 2009, the U.S. Army Human Resources Command mailed letters to approximately 25 elderly Alaskans, telling them that the Army has changed its mind, based on a legal interpretation, about whether their service in the Alaska Territorial Guard (ATG) during World War II -- defending the United States from Japanese invasion -- counts toward military retirement. The effect of this abrupt reversal in position is to reduce the monthly retirement payments to each of these elderly Alaskans by an average of \$386 per month. Six will lose more than \$500 a month in retirement pay. These reductions were to take effect on February 1, 2009, during the middle of a very cold winter in communities where resources are scarce and the cost of fuel has risen to levels that most people simply cannot afford.

Since the news broke of the Army's decision, there has been significant critical response from Alaskans and citizens across the country directed towards the Army and Congress. Our Alaska delegation in Washington immediately fought to bring this tragic decision to the attention of the President and the rest of Congress.

Since this resolution was first introduced, at the urging of Alaska's Congressional delegation, the U.S. Army has agreed to provide immediate temporary 60-day financial assistance to these elderly ATG members out of the "emergency and extraordinary expense fund".

We thank the Alaska delegation for introducing legislation on January 28, 2009 that would permanently clarify that service in the ATG is credible toward military retirement. We support S. 342 and H.R. 744, and it is our hope that this legislation will move swiftly through Congress and pass within the 60-day reprieve by the Army.

In an effort to further encourage immediate action, SJR 5 urges the Department of the Defense to continue to use their "emergency and extraordinary expense funds" to provide retirement benefits for these ATG members until either Congress passes S.342 or H.R. 744; or the Department of the Defense reverses their decision made in January.

Contact: Karen Sawyer
465-3878
26-LS0468\E
2/6/09

FISCAL NOTE

STATE OF ALASKA
2009 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSSJR 5(FIN)
 (S) Publish Date: 2/4/09

Title: SJR 5-AK TERRITORIAL GUARD RETIREMENT BENEFITS
 Sponsor: Senate Rules Committee
 Requester: Senate Finance Committee
 Dept. Affected: All Departments
 RDU: _____
 Component: _____
 Component Number: _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING		0.0	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES								
CHANGE IN REVENUES ()								

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Senate Finance Committee Date/Time 2/2/2009
 Approved by: Senator Bert Stedman, Co-Chair Phone 465-3873
Senator Lyman Hoffman, Co-Chair Phone 465-4453

NEWS FROM THE OFFICE OF

SENATOR LISA MURKOWSKI

United States Senate**MURKOWSKI FIGHTS FOR ALASKA TERRITORIAL GUARD RETIREMENT PAY**

Friday, January 23, 2009

Mr. President, sometime this week letters will be mailed from the U.S. Army Human Resources Command in St. Louis, MO, to 25 elderly Alaskans. Those letters will tell these 25 elderly Alaskans that the Army has changed its mind--it has changed its mind--about whether their service in the Alaska Territorial Guard during World War II counts toward military retirement. The effect of this abrupt reversal in position is to reduce the monthly retirement payments to each of these 25 elderly Alaskans. These retirement payments will be reduced by an average of \$386 a month. Six will lose more than \$500 a month in retirement pay. These reductions will take effect on February 1.

So in less than 10 days, these individuals who have been receiving these payments--these elderly Alaskans who served us during World War II--will be receiving a letter, maybe before their benefits are cut off, but they will be receiving a letter saying: Sorry, your service doesn't count toward military retirement.

Mr. President, I state again: None of these 25 elderly Alaskans knows this is coming. It will come as a complete surprise to them, possibly, when they receive that letter. Whether they are tuning in to C-SPAN and hear my comments tonight, we don't know.

It is going to take a while for these letters coming out of St. Louis, MO, to reach their destinations because these letters are being sent to some of the remotest parts of our State, of rural Alaska. Four of these letters are destined for the village of Noatak. This is an Inupiat Eskimo village of 489 people in northwest Alaska. I would suggest, Mr. President, that outside of you and I, there is probably nobody in Washington, DC, who could identify Noatak on a map. Four of these letters are destined for the village of Kwigillingok. We call it Kwig because it is so difficult to pronounce. This is a Yupik Eskimo community of 361 people.

All told, these letters are being sent to elders in 15 Alaska Native communities in interior and western Alaska. The poster board that I have behind me indicates some of the elderly gentlemen who may be receiving these letters in the next several weeks.

This decision is tragic. It is tragic because it affects veterans who defended Alaska and who defended the United States from the Japanese during World War II. It is a tragedy because these people were led to believe they would be compensated for their service to our Nation. It is a tragedy because most of the people I am talking about, most of these gentlemen, are Eskimos--among the first people of the United States, members of a class of people to whom the United States Government has broken its promises time and time again. It is a tragedy because they were misled into believing their retirement pay was increasing. It is a further tragedy because this bad news is going to be communicated in a letter signed by a branch chief in the Army Human Resources Command. These people deserve an apology from the Secretary of Defense. They do not need to be receiving this news about this error from a branch chief in the Army Human Resources Command.

It is also a tragedy because some of these people in the Department of Defense chose to implement this decision in the dead of an Alaska winter, when we know that our Native elders in rural Alaska are most vulnerable. Right now, in the village of Kwig and in Noatak and in the other communities, it is dark, it is cold, and resources are scarce. The increase in retirement pay, which was implemented just this last June, was very welcome news to those who were receiving it. It came at a time when the cost of fuel was rising to levels in our rural communities that people simply could not pay.

If you will recall, back home in June and July, in the cities, we were paying \$4.50, \$5 a gallon for our fuel. But out in the villages they were paying \$7, \$8 a gallon, and in some areas even higher than that. Throughout the State, but particularly in rural Alaska last summer, folks were anxious about whether they were going to be able to afford to heat their homes this winter.

Last week, in the Indian Affairs Committee, the Presiding Officer had an opportunity to join us, and I was able to put on the record the plight of some of the Native people in the community of Emmonak who have literally had to choose between buying stove oil to heat their homes or whether they should buy food for their families.

I guess some of the good news we have learned is that none of these letters informing these elders that they will see a reduction in benefits is going to the village of Emmonak, but I would suspect many of the villages to which these letters are going are no better off. You just have to ask the question: How can our government be so insensitive--taking money, taking retirement benefits out of the pockets of our elders, of our seniors, at a time of the year when they are absolutely the most vulnerable?

I hope I have gained the attention of some, and with the indulgence of my colleagues, I would like to fill in a little bit of the background. I will not be talking too long--I know one of our Senators is waiting--but it is an interesting story, and I think he will appreciate it.

The Alaska Territorial Guard was created in June of 1942 in response to increasing Japanese activity and attacks on and around Alaska. At the time, the U.S. Army was reassigning our Alaska National Guard soldiers away from the State, and so there were no ground troops left to protect Alaska. So Earnest Gruening, who was the territorial governor at the time, called for volunteers to defend our great land up there in the north. Some 6,389 Alaskans answered the call. These volunteers came to be known as the Eskimo Scouts, but they were representative of all of Alaska. They were Inupiat Eskimos, Yupik Eskimos, Aleut people, Athabascan and Tlingit Indians, and there were Caucasians.

With no pay and very little equipment, these volunteers--these Eskimo Scouts--patrolled 5,400 miles of coastline to fend off a possible Japanese invasion. They shot down Japanese air balloons carrying bombs and eavesdropping radios. They rescued downed airmen, they transported equipment and supplies, they constructed airstrips and support facilities, they manned the field hospital outpost, and they engaged the enemy in combat.

You see the picture behind me of the Eskimo Scout in his snowshoes standing guard, standing ready. These men answered the call of our country and they defended our homeland. The Territorial Guard stood as the first line of defense for the terrain around the Lend-Lease area, the route from America to Russia, and it was this vital lifeline that allowed the United States to supply our Russian ally with essential military aircraft and proved essentially crucial to Russia's defense against Hitler's Germany.

In March of 1947, the Eskimo Scouts were disbanded, but many of them went on to continue to serve our Nation in the Army and the Alaska National Guard. For more than half a century after the Territorial Guard was disbanded, these brave and truly dedicated volunteers received not one ounce of recognition from our Federal Government for the service they had performed. It wasn't until the year 2000 that Senator Stevens succeeded in adding language to the Defense appropriations bill to recognize the Territorial Guard, and that legislation required the Secretary of Defense to treat the Alaska Territorial Guard just like any other soldiers and to require them to issue discharge certificates to those who remain alive.

I was privileged to be at a couple of ceremonies where some of these elders received their official discharge certificates, and it was incredibly moving to be with them when, after decades, their Government finally recognized their service. The Secretary of Veterans Affairs was also directed to treat these people as any other veteran of the Armed Forces of the United States.

I do understand and we are told that the Department of Defense was slow to implement the mandate of this legislation. I can tell you from my own experience in dealing with many of the veterans and their families, the efforts to get these discharge certificates in a timely fashion has been very frustrating--frustrating for the families, frustrating for those who have served, most certainly, and frustrating for those of us who have been trying to make it happen. Some former members of the Territorial Guard are still waiting to get their discharge certificates. We have been assisted by a wonderful volunteer, Bob Goodman, who lives in Anchorage. He helps the former members of the Territorial Guard document their service, and he tells me that unless we can get this turned around, unless we can kind of move through this roadblock, we are going to see more of these fine Americans who will pass on before they get their long-awaited recognition.

I just don't understand. I can't understand why it took nearly 8 years--8 years--for the Defense Department to recognize the Alaska Territorial Guard's service for military retirement benefits. But, as I mentioned, back in June of 2008, they did it. Apparently, that decision did not please some at the Defense Department. Between Thanksgiving and Christmas, we learned they made a case that the members of the Territorial Guard are not eligible for retirement benefits. This was all happening over there at the Department under the radar of Secretary Geren here in Washington. The Secretary says there is nothing we can do at this point in time; the retirement benefits have been reduced on the computers of the Defense Finance and Accounting Service and the payments are going to go down effective February 1.

I am not going to stand here and blame the lawyers for telling their clients that the policy of crediting Alaska Territorial Guard service toward retirement pay doesn't comport with the law. But at the same time, the Defense Department hasn't released that legal opinion, so I can't judge--the presiding officer can't judge--whether this conclusion is really compelled by the law. If the conclusion was compelled by the law, I suppose we can't call out the lawyers for saying so. But I do fault their clients, the leaders who knew this was coming. They knew it was coming, but they didn't bother to tell any of the members of the Alaska Congressional Delegation.

I was not notified; you were not notified, Mr. President; our Member in the House of Representatives--nobody came to us late last year and said: Hey, we have a problem. We have a problem, and it requires a legislative fix. Can we work together, can we do something either at the end of the 110th Congress or immediately at the outset of this new Congress?

The senior leaders in the Army and DOD didn't even acknowledge that there was a problem until you and I contacted the Secretary of the Army and asked: Is there a problem? We hear there is stuff floating around. What is going on?

As far as I was concerned, the reason we suspected there was a problem was because the adjutant general of Alaska, after trying to work through this problem at his level and through the chain of command, told us something was coming and it was going to be coming imminently.

Then just last week, Army Secretary Geren confirmed those fears, the fear that it will be real, that the retirement pay will be cut effective February 1. He says there is nothing he can do about it.

This afternoon, the members of the Alaska Congressional Delegation are writing to the administration, asking that he intervene to ensure that those Native elders who are affected by this tragic series of events do not lose this safety net.

Senator Begich and I are also preparing legislation that clarifies that service in the Alaska Territorial Guard is to be regarded as Active-Duty service for purposes of calculating retirement pay. We need to clear up that vagueness in the statutes.

I would just say, as I am able to speak here on the floor of the Senate, to Secretary Gates, if you are within the sound of my voice, I believe

you owe an apology to these people. It was just a month ago that the Army Chief of Staff sent a letter of apology to 7,000 surviving families of the global war on terror who received letters addressed to John Doe. The blunder I speak of today affects far fewer people, but it is certainly no less of a blunder. I think we recognize we have just gone through a transition, moving from one administration to the other. Things happen during a transition period--things just happen. Sometimes policy blunders can occur. These things do happen, and then it falls upon Congress and the administration to come back and fix things.

I pledge to the Alaskans, and I know the Presiding Officer and our colleague in the House, Representative Young--I think we all make the commitment to do everything we can to clean up what we are dealing with here. But I am left to wonder, what kind of a government, what kind of a Cruella, could cut retirement benefits to a group of Eskimos in their eighties, in the dead of an Alaskan winter, and say: Sorry, there is nothing we can do.

It is time for some soul searching at the Pentagon. I am looking for answers. I know you are looking for answers. We are looking for solutions, and there is really very little time left.

I thank the Presiding Officer. Know that we will find positive solutions for those who have served us honorably.

January 23, 2009

Honorable Barack H. Obama
President of the United States
The White House
Washington, DC 20500

Mr. President:

We are writing to express our deep disappointment over a decision of the Department of Defense to reverse a determination that service in the Alaska Territorial Guard during World War II is to be regarded as active duty service for purposes of military retirement. The effect of the initial decision was to increase the military retirement pay disbursed to 25 Alaska Native Elders. The effect of the reversal is to reduce retirement pay to these Native people effective February 1, 2009. Some will lose income in excess of \$500 a month. Those affected live in the remotest villages of rural Alaska. Communities with names transliterated into English from Alaska Native languages like Akiachak, Kwigillingok, Kongiganak, Kwethluk and Shaktoolik. These communities suffer from some of the highest living costs anywhere in our Nation. We are gravely concerned that this abrupt change of position, coming in the dead of Alaskan winter, will weaken the safety net for these Elders at a time of the year that they are most vulnerable.

The Alaska Territorial Guard was formed in June 1942 by Territorial Governor Ernest Gruening in response to increasing Japanese activity around Alaska. The Alaska National Guard was deploying away from Alaska at the time leaving no ground troops to protect the State. It was an uncompensated volunteer force of 6,389 Alaskans. While the Territorial Guard took on the moniker "Eskimo Scouts," the force included Aleut people, Alaska Indians, and Caucasians as well as Eskimos. From 1942 – 1947 members of the Territorial Guard shot down Japanese air balloons, rescued downed airmen, protected the Lend-Lease route from America to Russia, and engaged in combat with the enemy. When the Territorial Guard disbanded in 1947, many of its members were absorbed into the Army and the Alaska National Guard. The 25 Alaska Native Elders referenced in this letter earned military retirement benefits as a result of this service.

From 1947 until 2000 America did not recognize the sacrifices of the Alaska Territorial Guard members as service to America. Section 8147 of the Defense Appropriations Act for Fiscal Year 2001, Public Law 106-259, attempted to correct this injustice. It required the Secretary of Defense to issue certificates of discharge to members of the Alaska Territorial Guard and it required the Secretary of Veterans Affairs to make veterans benefits available to these individuals.

The Defense Department initially concluded that the issuance of the certificate of discharge entitled members of the Alaska Territorial Guard to military retirement credit for their years of service in that organization. That policy has been reversed effective February 1, 2009, leading to an impending reduction in retirement benefits to the 25 Alaska Native Elders. We are told that the decision is the result of legal review, but we have neither been provided with a copy of the legal opinion nor have we been briefed on the deliberative process that led to the shift in policy.

Little effort has been made to outreach to the affected Native Elders and address the consequences of this sudden loss of income. We are informed that the Elders will first learn that their benefits have been reduced by a letter from the Army Human Resources Command, St. Louis, mailed on or about January 22, 2009.

Ideally, the Defense Department would find a way to continue to credit Alaska Territorial Guard service for retirement purposes without further legislative action. However, if this is not possible, we believe it is only fair that the administration works expeditiously to send legislation to Congress before the reduction in benefits takes effect and works with us to enact that legislation. The legislation would end all doubt that Alaska Territorial Guard service is to be credited for military retirement and clarify that benefits are to be paid retroactive to the effective date of Section 8147. The Native Elders whose benefits have been reduced deserve an apology from a senior Defense Department official. Outreach needs to be done to assess the impact that the abrupt loss of income will have on the Elders and thought should be given to whether this difference can be made up through payments from other federal programs or donations from military oriented charities.

It is unfortunate that your administration inherited this issue in its initial days in office. We are disappointed that the Defense Department did not bring this issue to our attention at the same time it was working to eliminate the enhanced retirement benefit for former members of the Alaska Territorial Guard. It was not until we brought the issue to the attention of the Department that our worst fears were confirmed. As you instill a new sense of responsiveness and responsibility within federal agencies, we look forward to working with you to resolve this problem for these brave Alaskans.

Respectfully,

Lisa Murkowski
United States Senator

Mark Begich
United States Senator

Don Young
Congressman for All Alaska

cc: Honorable Robert M. Gates, Secretary of Defense
Honorable Pete Geren, Secretary of the Army

Courant.com

Army cuts off retirement pay for members of World War II Alaska militia

By RACHEL D'ORO

Associated Press Writer

10:29 PM EST, January 22, 2009

ANCHORAGE, Alaska (AP) — The Army has decided to cut off retirement pay for veterans of a largely Native militia formed to guard the territory of Alaska from the threat of Japanese attack during World War II.

The change means 26 surviving members of the Alaska Territorial Guard — most in their 80s and long retired — will lose as much as \$557 in monthly retirement pay, a state veterans officer said Thursday. The payments end Feb. 1.

Applications for retirement pay from 37 others have been suspended.

The state is pursuing a remedy for "these brave Alaskans, who did so much for the cause of freedom during a time of great national peril," Gov. Sarah Palin said.

The action comes almost a decade after Congress passed a law qualifying time served in the unpaid guard as active federal service. The Army agreed in 2004 to grant official military discharge certificates to members or their survivors.

An Army official said the law was misinterpreted. The law applies to military benefits, including medical benefits, but not retirement pay, said Lt. Col. Richard McNorton, with the Army's human resources command in Alexandria, Va.

"The focus is to follow the law," he said. "We can't choose whether to follow the law."

The Army doesn't intend to seek to recoup past pay, he said.

About 300 members are still living from the original 6,600-member unit called up from 1942 to 1947 to scout patrols, build military airstrips and perform other duties. But only a fraction had enough other military service to reach the 20-year requirement for retirement pay.

Among those who did is 88-year-old Paul Kiunya in the western Alaska village of Kipnuk. Kiunya was 16 when he joined the territorial guard and worked in communications, reporting by radio any unusual noises or the direction of aircraft, including some Japanese planes he spotted.

"We did not get one cent being in the territorial guard," he said. "And we worked hard."

Kiunya — who later put in 22 years in the National Guard and another decade in the Guard reserves — will lose more

<http://www.courant.com/news/nationworld/nation/wire/sns-ap-native-militia,0,1550390,print.story>

1/26/2009



than \$358 a month in his retirement package because of the Army's decision. With gasoline in his village at almost \$10 a gallon, that's a huge amount to lose.

"I don't know why they trying to cut the pay. It's not good for us right now," he said in a phone interview. "It's not right."

U.S. Sen. Lisa Murkowski said she and fellow Alaska Sen. Mark Begich are preparing legislation clarifying that service in the territorial guard counts as active duty for calculating retirement pay.

Murkowski said Alaska's congressional delegation has sent a letter to President Barack Obama, asking him to intervene so that those affected by "this tragic, tragic series of events do not lose the safety net."

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





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Army ends retirement payments to Alaska Territorial Guard members

Todd Walker
 Updated: 01/23/2009 02:43:39 PM AKST

 They served Alaska and America in their time of need in World War II. Just recently, members of the Alaska Territorial Guard were recognized for that service, but now, surviving members are about to lose a major lifeline.



(KTVA)

"We've been informed that the Army intends to stop payments for retirement benefits for those members of the ATG," said Lt. Gen. Craig Campbell, Commissioner of the Department of Military



Lt. Gen. Craig Campbell, Commissioner of the Department of Military and Veterans Affairs, explained the Army's reasoning. Thursday, January 22, 2009. (KTVA)

and Veterans Affairs.

Those retirement benefits paid up to \$1,000 per month to the 27 surviving servicemen. Exactly why the payments are being taken away has not been made clear.

"(The Army) believes the current program isn't compliant with public law," Campbell said.

That law was written by Sen. Ted Stevens in 2000. It provided honorable discharges for ATG members, but the only specification about benefits says they would not be paid retro-actively, nothing requiring a benefit payment.

"If this is the way we are going to treat our veterans, our WWII veterans," said Bob Goodman, president of the Alaska Territorial Guard Association, Inc.. "Seniors that are 80 and 90 years old, and their surviving spouses, we are

pretty sick."

Goodman has been fighting for ATG members for years.

"Once they started issuing the discharges," he said. "I don't see how they can take the entitlements away from the people who have already drawn the discharges."

Goodman said Lt. Gen. Campbell and Gov. Palin have been dragging their feet for years in regards to ATG issues and that it wasn't a priority of Campbell's.

Campbell said it's unconscionable the Army would take this kind of action. It's so

unconscionable that it made it's way to the floor of the U.S. Senate. Sen. Lisa Murkowski said she and the rest of Alaska's congressional delegation are working to shore up any vagaries in the law and is disappointed in Defense Secretary Robert Gates.

"I believe you owe an apology to these people," she said.

ATG members who received the checks may owe the money back to the federal government. Any other benefits they currently get, like healthcare, may also be cut off.



Bob Goodman, president of the Alaska Territorial Guard Association, Inc., denounced the Army's actions. Thursday, January 22, 2009. (KTVA)


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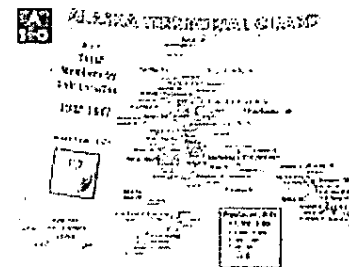
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Alaska Territorial Guard

From Wikipedia, the free encyclopedia

The **Alaska Territorial Guard (ATG)** or **Eskimo Scouts** was a military reserve force component of the US Army, organized in 1942 in response to attacks on American soil in Hawaii and Alaska by Japan during World War II. The ATG operated until 1947. 6,368 volunteers who served without pay were enrolled from 107 communities throughout Alaska in addition to a paid staff of 21, according to an official roster^[1]. The ATG brought together for the first time into a joint effort members of these ethnic groups: Aleut, Athabaskan, European, Inupiaq, Haida, Jewish, Tlingit, Tsimshian, Yupik, and most likely others. In later years, all members of some native units scored expert sharpshooter rankings^[2]. Among the 27 or more women members were at least one whose riflery skills exceeded the men^[3]. The ages of members at enrollment ranged from 80 years old^[4] to as young as twelve^[5] (both extremes occurring mostly in sparsely populated areas).



Map showing the locations of Alaska Territorial Guard units (with membership counts), major military bases, and evacuated Aleutian villages

One first-hand estimate states that around 20,000 Alaskans participated, officially or otherwise, in ATG reconnaissance or support activities^[6].

The ATG served at least two vital strategic purposes to the entire Allied effort during World War II:

- They safeguarded the only source of the strategic metal platinum in the Western Hemisphere against Japanese attack^[7].
- They secured the terrain around the vital Lend-Lease air route between the United States and Russia.

In addition to official duties, ATG members are noted for actively and successfully promoting racial integration within US military forces^{[8][9]}, and racial equality within the communities they protected^[10].

Several former members of the ATG were instrumental in achieving Alaska Statehood in 1959, as members of the Alaska Statehood Committee and/or delegates to the Alaska Constitutional Convention.

In 2000 all ATG members were granted US veteran status by law, finally acknowledging the contribution of these American heroes, a surprising number of whom are still living^[11]. But efforts to find the surviving ATG members and assist them through the application process have been stymied by years of bureaucratic evasiveness and a generally neglectful attitude among those that have benefited most from their sacrifice^[11].

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Conditions leading up to the ATG

Before World War II, Alaska was regarded by US military decision makers as too distant from the contiguous United States to effectively protect, and of little strategic importance^[12].

"...the mainland of Alaska is so remote from the strategic areas of the Pacific that it is difficult to conceive of circumstances in which air operations therefrom would contribute materially to the national defense." - General Malin Craig, US Army Chief of Staff, November 1937^[13]

This stands in marked contrast to the attitudes of US military leaders during the Cold War immediately after World War II:

"...as I continue to correspond and to talk with people throughout the United States and the Department of Defense, they too can see clearly the importance of these two battalions which you make up. The real honest-to-God and real-world first line of defense in Alaska ... nearer our opponent, Communist Russia, than any other armed troops in the United States." - General James F Hollingsworth, Commanding General, US Army Alaska (USARAL), February 1971 ^[14]

True to the earlier viewpoint, the US Army reassigned all Alaska National Guard units out of Alaska to Washington State in August 1941^[15]. Alaska was now without military reserves or any form of Home Guard. In the face of an encroaching enemy, the defense of nearly 34,000 miles (55,000 km) of US coastline was left to the best efforts of unorganized local citizens and already overworked seasonal laborers.

That enemy was demonstrating a definite interest in taking Alaska. In the early months of 1942, a Japanese Navy reconnaissance unit was caught on film making detailed surveys of Alaska coastline.

Enemy combatants strode unopposed onto American soil and made inquiries among the populace about the local economy. ^[16] Enemy aircraft and submarine sightings were common, inspiring great fear among the locals^[17], and culminating in the raid on Dutch Harbor and the occupation of the Aleutian Islands of Attu, Kiska and Adak that June.

Creation of the ATG

By the time of the Dutch Harbor bombing, a Major Marvin R Marston had submitted a new plan to defend the entire Alaska coast by enlisting the local citizens^[18]. He had conceived this plan while visiting Saint Lawrence Island and contemplating the fate of the locals he'd met^[19]. Marston's proposal finally met with favor when word of it got to Alaska territorial governor Ernest Gruening^[20]. Gruening had sought to organize a new guard for Alaska, including every able man and boy, since he got word that the US Army would reassign the Alaska National Guard^[15].

Motivated by the recent Dutch Harbor attack, the Alaska Command assigned Major Marston and Captain Carl Schreibner within days to serve as military aides to Governor Gruening. Shortly after, Gruening and Marston flew a chartered plane to begin setting up units of the new **Alaska Territorial Guard (ATG)**. This included one of the most strategically important sites in all Alaska, a tiny mining town called Platinum -- the only source of that strategic metal in all the Western Hemisphere. ^[21]

The enrollment drive continued into early 1943, the organizers travelling in all kinds of weather and by every available mode of transport, including plane, boat, snowmobile, foot, and the most reliable means in the region, dogsled. When a promised plane failed to arrive after a week, Major Marston set out by dogsled on an epic 680-mile (1,090 km) trip around the Seward Peninsula, during the coldest winter in 25 years^[22]. He survived by foregoing standard military survival training in favor of the native methods of his Eskimo guide, Sammy Mogg^[23].

Thanks to Marston and Mogg's heroic effort, the **ATG** stood as a first line of defense for the terrain around the Lend-Lease route from America to Russia, against attack by Japan and the Axis Powers. This vital lifeline allowed the US to supply its Russian ally with essential military aircraft^[24]. This lifeline had proven to be crucial to Russia's survival during Hitler's Operation Barbarossa^[1].

Organization of the ATG

Authority

The **Alaska Territorial Guard (ATG)** was organized in June 1942 under the authority of the office of the territorial governor, Ernest Gruening, who served as Commander-In-Chief. All members took an oath to obey the Governor's orders. The governor was directly supported by the **ATG** Adjutant General, J P Williams. Headquarters was in the territorial capital, Juneau.

Mission

The mission of the **ATG** was to play a defensive role for the entire coast of Alaska^[25]. Offensive action was the responsibility of the Pacific Theatre commanders, operating from large bases at Dutch Harbor, Cold Bay and Anchorage.

Explicit within the **ATG** mission was that of protecting the terrain around the American terminus of the Lend-Lease air route to Russia on which warplanes were flown from Great Falls, Montana to Whitehorse, Yukon Territory, Canada, then to Ladd Field, Alaska (now Eielson AFB) and on to Nome. Here, Russian pilots flew the planes on to their intended use, combat against Hitler's Third Reich. ^[24]

By Date

The Alaska Territorial Guard operated from its inception in June 1942^[26] until it was officially disbanded on 31 March 1947^[27].

By Geographic Area

The Territory of Alaska was divided vertically by the 156th Parallel^[28] into Eastern and Western Areas. To the Eastern Area was added Southwest Alaska, including the Aleutian Islands, which had been evacuated of non-combatants^[29].

The Western Area had a Field Headquarters in Nome, with the offices of the Commander, Quartermaster, Instructors, Public Relations Officer and Chaplains. Other field staff were located in Anchorage, Koyuk, Selawik and Gambell

(on Saint Lawrence Island, where Major Marston first conceived his plan).

The Eastern Area was headquartered in Juneau and held the offices of Property Officer (a role filled by the Adjutant General) and Instructors. Field staff were assigned to Glacier Highway, |, |, Palmer, | and Sitka.

By Ethnic Group

The **Alaska Territorial Guard** was drawn from 107 communities and from these ethnic groups: Aleut, Athabaskan, European, Inupiaq, Haida, Jewish, Tlingit, Tsimshian, Yupik, and probably more.

By Rank

The **ATG**, being organized by US Army officers^[30], made use of the same US Army rank structure, with these exceptions:

- Throughout the duration of the **ATG**, no member rose above the rank of Lieutenant Colonel, including the Adjutant *General*.
- The designation "Private" appears to have been little used, though most members were in fact of Private rank.^[1]

By Workload and Pay

The 21 staff officers were all full-time, paid positions (except for the governor, whose **ATG** duties were in addition to his regular office and without added salary). All other positions were strictly part-time volunteer, without pay.

By Sex

That total includes at least 27 **ATG** members who were women. Most women served as nurses at the field hospital in Kotzebue, although at least one woman served the **ATG**'s primary mission alongside the men. Laura Beltz Wright of Haycock is also noted for being the best sharpshooter in her company, scoring 98% bulls-eyes. She was chosen Queen of Fairbanks in a beauty contest, an honor her daughter later shared. One of her sons rose to become an airline vice president.^[3]

By Age

The age of **ATG** members at enrollment ranged from 80 years old^[31] to as young as twelve^{[20][5]}, even though official regulations put the minimum age at sixteen.

By Number

All told, there were 6,389 members of the **Alaska Territorial Guard (ATG)**, according to an official roster^[1].

Unofficial tally

Alongside those who served in the **ATG**, many others worked to support them, including food service, providing equipment and supplies to the Quartermaster, repair work, etc. Major Marston put the estimate at 20,000 Alaskans who materially participated in **ATG** activities, in his Western Area alone^[6].

ATG Activities

All **ATG** members except the 21 staff officers served without pay, and had to perform their new **ATG** duties in

addition to the often difficult challenges of subsisting in Arctic and extreme marine environments.

The **ATG** trained for and/or actively carried out the following:

- Issuing of weapons and ammunition^[32]
- Instruction, drill and target practice^[33]
- Transport of equipment and supplies^[34]
- Construction of ATG buildings and facilities^[35]
- Construction of airstrips and support facilities for other military agencies as needed^[36]
- Coastal and inland scouting patrols
- Breaking hundreds of miles of wilderness trails^[37]
- Setup and repair of dozens of emergency shelter cabins^[37]
- Distribution of emergency food and ammunition containers for the US Navy^[38]
- Firefighting^[37]
- Land and sea rescue^[37]
- Enemy combat

The **ATG** received commendations for:

- Shooting down Japanese air balloons carrying bombs and eavesdropping radios^[39]
- Rescue of a downed airman^[37]

In addition, some **ATG** members performed the following:

- Medical care at the field hospital in Kotzebue^[40]

ATG Artists

During the 1930s, as part of FDR's New Deal programs to ease the country out of Great Depression, the Works Progress Administration (WPA) hired many noted American artists. On the US entry into World War II, several WPA artists took work with the War Department. A few of these artists made their way to Alaska to help document the Aleutian Campaign and other Alaskan military operations, including the new **Alaska Territorial Guard**. Some of their work was featured nationwide on a number of wartime posters. The artists included:

- Magnus Colcord "Rusty" Heurlin - An ATG lieutenant, his painting was reproduced as the posters "Back the Attack"^[41] and "From Metlakatla to Barrow - The Territorial Guard"^{[42][43]}, ^[44]
- Joe Jones^{[45][46]}
- Henry Varnum Poor - His "Major Muktuk Marston Signs Up Soldiers" now hangs in the Pentagon's Hall of Fame^[47].

Other artists, born in Alaska and already well-known, gained further exposure through contact with ATG members and artists:

- Florence Nupok Melewotkuk^[1] - a Siberian Yupik from Saint Lawrence Island. Her work was promoted in the 1920s by Otto Geist^[2], later an **ATG** major^[48].
- George Aden Ahgupuk^[3] - a Shishmaref artist since boyhood, he was befriended by Major Marston, who wrote and spoke of his artistry within and outside the **ATG**. ^[49]

ATG influences

Several former members of the ATG were instrumental in achieving Alaska Statehood. In 1958 three of the eleven

- 1939 - Ernest Gruening is appointed Alaska territorial governor by his friend, US President Franklin D Roosevelt (FDR). Gruening gets four National Guard units organized in the Alaska Territory.
- 1940, Mar - A bill for an air base in Alaska failes to pass in the US House^[13].
- 1940, April - Hitler invades Norway and Denmark (whose territory includes Greenland).
- 1940, May - US Congress approves an air base in Alaska^[13]. Air raids from northern Alaska would help counter any Nazi bases built in Greenland, as a polar projection map will attest).
- 1941, Mar - Marvin Marston is commissioned at the Pentagon as a major with orders to Alaska^[54].
- Mid-1941 - Ernest Gruening seeks a new guard organization for Alaska, anticipating the reassignment of the Alaska National Guard^[15].
- 1941, August - The US Army reassigns Alaska National Guard soldiers away from Alaska, leaving the state with no military reserves or Home Guard^[15].
- 1941, December 7 - The Imperial Japanese Navy bombs the USA at Pearl Harbor, Hawaii, sinking most of the US Pacific Fleet. Soldiers' families are ordered evacuated from Alaska^[55].
- 1942, Feb-Mar - A Japanese Navy reconnaissance unit is filmed making detailed surveys of the Alaska coastline. Japanese crewmen (enemy combatants) came ashore and questioned the locals about the area. ^[16]
- 1942, Mar - Major Marston realizes the practicality of a 'tundra army' to defend the entire Alaskan coast.
- 1942, Mar - Japanese aircraft are sighted over Saint Lawrence Island^[56].
- 1942, Mar/April - Major Marston presents a formal plan for the defense of Alaska shoreline^[57].
- 1942, Jun - Japanese forces raid Dutch Harbor and take control of Attu, Kiska and Adak.
- 1942, Jun - The Alaska Command assigns Major Marvin Marston and Captain Carl Schreiber as military aides to Governor Gruening. Gruening and Marston soon embark on a trip to form the first units of the new **Alaska Territorial Guard**^[58].
- 1942 - Major Marston (by now known as "Muktuk" after an eating contest with a village headman) opts to make an **ATG** recruiting run by dogsled when a promised plane fails to show up^[59].
- 1943, Jan - Major Marston completes his circuit around the Seward Peninsula by dogsled during the coldest winter in 25 years^[22]. Living by native methods, he continues to travel the Arctic through 1945.
- 1945, August - VJ Day, The Empire of Japan surrenders.
- 1947 - The **Alaska Territorial Guard** is disbanded^[27].
- 1966 - The State of Alaska awards a medal to all **ATG** members^[27].
- 2000 - US Senator Ted Stevens' (R-AK) bill granting **ATG** members full veteran status is passed into law. Little is done to find and inform surviving **ATG** members and spouses, many of whom relocated numerous times in the intervening 53 years. ^[11]
- 2003 - Robert A "Bob" Goodman, Colonel (Retired), Alaska Air National Guard, takes up the task of finding as many former **ATG** members as possible, to help them apply for recognition as US veterans^[11].
- 2006 - Bob Goodman founds the Alaska Territorial Guard Organization, a 501(c)(3) non-profit, to support his efforts on behalf of all former **ATG** members. To date, they have found and helped gain approval for about 150 **ATG** veterans^[11].



U.S government poster from WWII

Noted ATG members

- Atwood, Robert - Editor and publisher of the Anchorage Times, **ATG** lieutenant, Statehood Committee chair
- Egan, William A - territorial & state representative, **ATG** corporal, Constitutional Convention president, state governor
- Geist, Otto William - Pioneer Alaskan archaeologist, promoter of Alaskan artist Florence Nupok Malewoktuk, **ATG** major and quartermaster^[60]. The University of Alaska Museum's main building is named for him.
- Gruening, Ernest - Friend of FDR, territorial governor, **ATG** founder^[61], Statehood Committee member, US Senator
- Heurlin, Magnus Colcord "Rusty" - WPA artist, **ATG** lieutenant, famed Alaskan artist, first art teacher at the

University of Alaska Fairbanks, influenced fellow artist Fred Machetanz

- Ipalook, Fred - Inupiaq native, ATG lieutenant, teacher for 39 years^[62].
- Ipalook, Percy - Inupiaq native, ATG chaplain, territorial & state legislator^[63], Statehood Committee member
- Johnson, Maurice Theodore - ATG member, Constitutional Convention delegate
- Jorgensen, Holger - ATG sergeant, commercial airline pilot^[64]
- Knight, William Wellington - ATG member, Constitutional Convention delegate
- Lisbourne, Daniel - ATG member, mayor
- Marston, Marvin R "Muktuk", Major, US Army - ATG organizer of Western Alaska, Constitutional Convention delegate, author of the book **Men of the Tundra: Alaska Eskimos at War**
- McNealy, Robert J - ATG corporal, Constitutional Convention delegate
- Mogg, Samuel Snell "Sammy" - ATG lieutenant, guide who led Major Marston by dogsled on an epic 680-mile (1,090 km) mid-winter organizing circuit around the Seward Peninsula.
- Nolan, James - ATG member, Constitutional Convention delegate
- Peratrovich, Frank J - Tlingit native; ATG captain; mayor; territorial & state representative; senator & senate president; Statehood Committee member; Constitutional Convention first vice president
- Reader, Peter L - ATG member, Constitutional Convention delegate
- Schreiber, Carl, Captain, US Army - ATG organizer of Eastern Alaska
- Wright, Laura Beltz - ATG member, best sharpshooter in her company, shooting 98% bulls-eyes, former Queen of Fairbanks

See also

Former United States special operations units Gutierrez, Fermin "Rocky"

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7. [^] Marston, Marvin (1969), *Men of the Tundra: Alaska Eskimos at War*, October House, pp. 51,54-57
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9. [^] Necrason, C F (1969), *Epilogue - Men of the Tundra: Alaska Eskimos at War*, October House, pp. 210-212,215-217
10. [^] ^a ^b Marston, Marvin (1969), *Men of the Tundra: Alaska Eskimos at War*, October House, pp. 130-140
11. [^] ^a ^b ^c ^d ^e ^f ^g ^h ⁱ ^j *Alaska Territorial Guard Organization*, <http://www.goodmanforatg.com>
12. [^] Gruening, Ernest (1969), *Introduction to Men of the Tundra: Alaska Eskimos at War*, October House, pp. 2-3
13. [^] ^a ^b ^c Gruening, Ernest (1969), *Introduction - Men of the Tundra: Alaska Eskimos at War*, October House. pp. 3
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15. [^] ^a ^b ^c ^d Gruening, Ernest (1969), *Introduction - Men of the Tundra: Alaska Eskimos at War*, October House, pp. 3-4
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17. [^] Marston, Marvin (1969), *Men of the Tundra: Alaska Eskimos at War*, October House, pp. 33-34,54-57
18. [^] Marston, Marvin (1969), *Men of the Tundra: Alaska Eskimos at War*, October House, pp. 37-48
19. [^] Marston, Marvin (1969), *Men of the Tundra: Alaska Eskimos at War*, October House, pp. 31-32
20. [^] ^a ^b Marston, Marvin (1969), *Men of the Tundra: Alaska Eskimos at War*, October House, pp. 45-47
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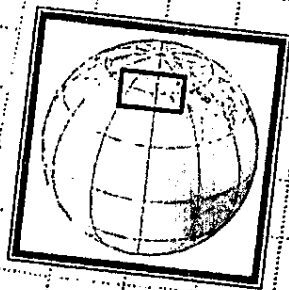


ALASKA TERRITORIAL GUARD

A B C D E F G H I J K L M N O P Q R S T U V W

MAP
Total
Members by
Unit Location
1942-1947

Grand Total: 6,122



ENEMY
OCCUPIED
ZONE

ALASKA
TERRITORY
(USA)

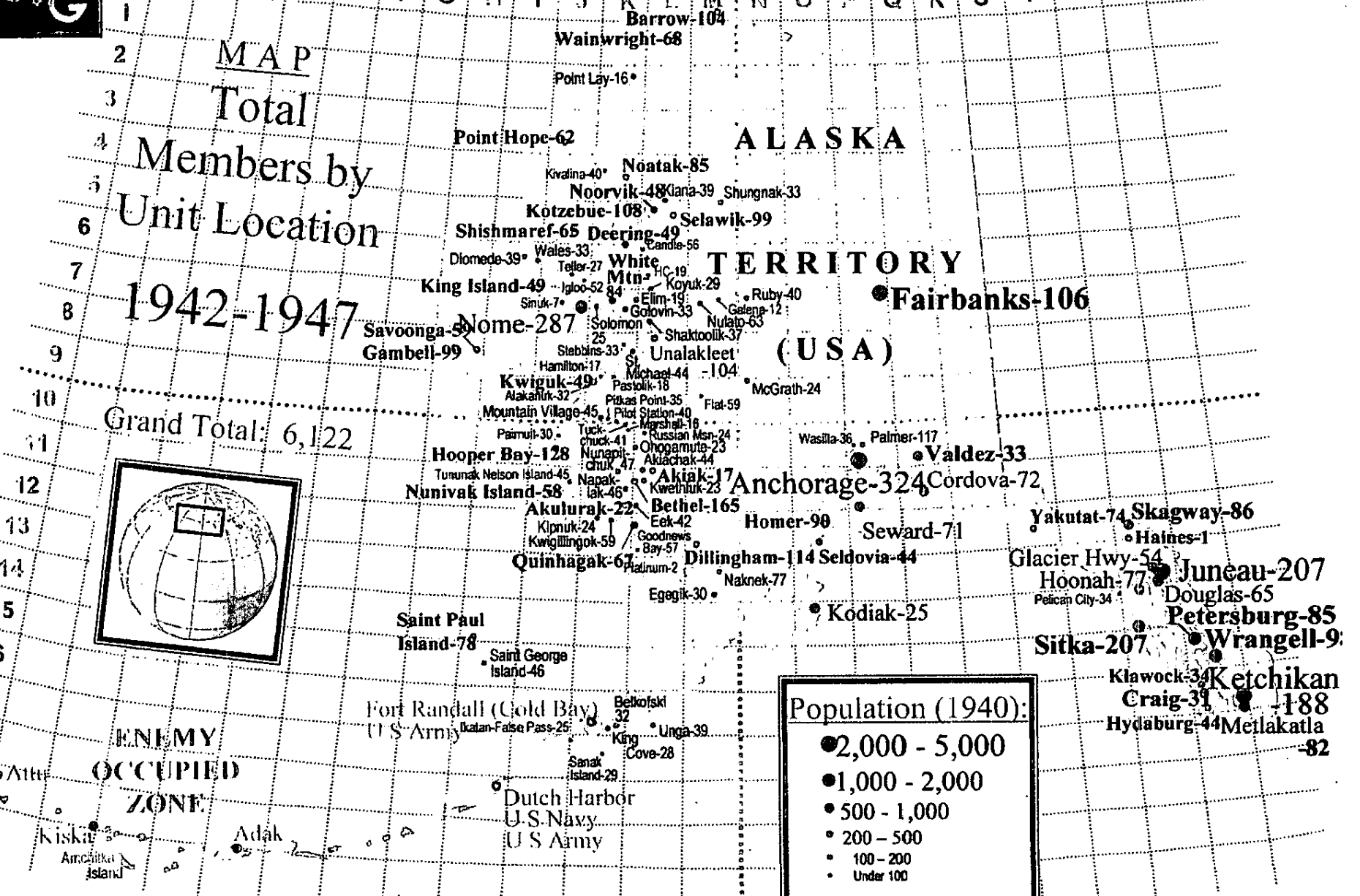
Population (1940):

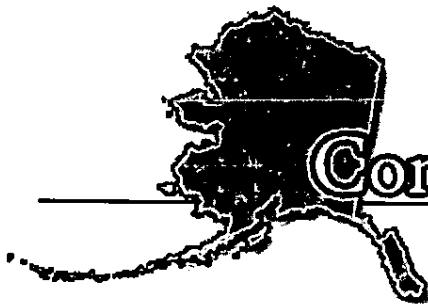
- 2,000 - 5,000
- 1,000 - 2,000
- 500 - 1,000
- 200 - 500
- 100 - 200
- Under 100

(Source: Alaska Dep't of CCED)

JAY GRIFFIN 907-248-2022

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ragent@gci.net Prepared by Jay Griffin





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FOR IMMEDIATE RELEASE
January 28, 2009

Sec. of Army Authorizes Emergency Payments to Alaska's ATG *Delegation continues to work on legislative long-term solution*

At the urging of Alaska's Congressional delegation, the U.S. Army has agreed to provide temporary financial assistance to 26 members of Alaska's Territorial Guard (ATG) whose retirement checks will be reduced on February 1 following a legal interpretation that ATG service does not count toward military retirement.

Secretary of the Army Pete Geren has authorized a two-month payment for each member, giving the delegation time to ask Congress to revisit the issue. Sec. Geren told delegation members early today the Army will use the "emergency and extraordinary expense fund" to bridge the shortfall through the end of March.

The move comes after the Army announced that it misinterpreted a section of federal law when it allowed service in the ATG to be counted toward military retirement.

"This is great news for these Alaska Territorial Guardsmen who fought bravely to defend our country during World War II," Sen. Begich said. "I appreciate Secretary Geren's intervention on this issue and giving it the priority attention it deserves. These emergency payments will give us some time to get the problem resolved while making sure these brave Alaskans get the retirement pay they so deserve."

"I am grateful that the Secretary of the Army has agreed to use emergency funds under his control to provide a temporary safety net for these 26 Native Elders who served Alaska and our Nation with distinction during World War II. In this era of high fuel and food costs, it would be tragic to reduce the retirement checks of these Elders who have done so much for our nation," Sen. Murkowski said. "This decision in no way lessens my resolve to ensure that their service in

the Alaska Territorial Guard is respected as active duty service and fully credited toward military retirement. This is an earned benefit and it must be restored.”

“I truly appreciate the assistance of my former colleague, Secretary Geren,” Rep. Young said. “The loss of retirement benefits for the brave Alaskans who served in the Alaska Territorial Guard is disgraceful and a huge misstep by the Department of Defense. I understand budgetary concerns, but cutting the retirement benefits of 26 Alaskans who fought for their country is not near the answer. Back in 2001, when we worked in getting recognition and benefits for members of the Territorial Guard, the intention was that it would be for life, not until the DOD reinterpreted legislative language to suit their needs. I spoke with Secretary Geren and am grateful that he was able to recognize this as a problem and is granting us the two-month extension while we work out a solution.”

When Alaska’s delegation members received word last week that the ATG retirement payments had been suspended, Sens. Begich and Murkowski and Congressman Don Young immediately sent a letter to President Barack Obama asking the administration to intervene on the matter.

The delegation today introduced legislation that would permanently clarify that service in the ATG is credible toward military retirement.

With Sen. Begich presiding over the Senate, Sen. Murkowski last Thursday evening spoke about the issue on the Senate floor criticizing the Defense Department for reducing the retirement pay of the former Territorial Guardsmen, most of whom are in their 80s, during the harsh Alaska winter. Sen. Begich brought the issue up Tuesday at the Armed Services Committee meeting with Sec. of Defense Robert Gates.

Sec. Geren has told the delegation the checks could be sent as soon as today.

###

111TH CONGRESS
1ST SESSION

S. 342

To provide for the treatment of service as a member of the Alaska Territorial Guard during World War II as active service for purposes of retired pay for members of the Armed Forces.

IN THE SENATE OF THE UNITED STATES

JANUARY 28, 2009

Ms. MURKOWSKI (for herself, Mr. BEGICH, and Mr. INOUE) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To provide for the treatment of service as a member of the Alaska Territorial Guard during World War II as active service for purposes of retired pay for members of the Armed Forces.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. TREATMENT AS ACTIVE SERVICE FOR RETIRED**
4 **PAY PURPOSES OF SERVICE AS A MEMBER OF**
5 **THE ALASKA TERRITORIAL GUARD DURING**
6 **WORLD WAR II.**

7 (a) IN GENERAL.—Service as a member of the Alas-
8 ka Territorial Guard during World War II of any indi-

1 vidual who was honorably discharged therefrom under sec-
2 tion 8147 of the Department of Defense Appropriations
3 Act, 2001 (Public Law 106-259; 114 Stat. 705) shall be
4 treated as active service for purposes of the computation
5 under chapter 71, 371, or 1223 of title 10, United States
6 Code, as applicable, of the retired pay to which such indi-
7 vidual may be entitled under title 10, United States Code.

8 (b) APPLICABILITY.—Subsection (a) shall apply with
9 respect to amounts of retired pay payable under title 10,
10 United States Code, for months beginning on or after Au-
11 gust 9, 2000. No retired pay shall be paid to any indi-
12 vidual by reason of subsection (a) for any period before
13 that date.

14 (c) WORLD WAR II DEFINED.—In this section, the
15 term “World War II” has the meaning given that term
16 in section 101(8) of title 38, United States Code.

○

111TH CONGRESS
1ST SESSION

H. R. 744

To provide for the treatment of service as a member of the Alaska Territorial Guard during World War II as active service for purposes of retired pay for members of the Armed Forces.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2009

Mr. YOUNG of Alaska introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To provide for the treatment of service as a member of the Alaska Territorial Guard during World War II as active service for purposes of retired pay for members of the Armed Forces.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. TREATMENT AS ACTIVE SERVICE FOR RETIRED**
4 **PAY PURPOSES OF SERVICE AS A MEMBER OF**
5 **THE ALASKA TERRITORIAL GUARD DURING**
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12 vidual by reason of subsection (a) for any period before
13 that date.

14 (c) WORLD WAR II DEFINED.—In this section, the
15 term “World War II” has the meaning given that term
16 in section 101(8) of title 38, United States Code.

○

Karen Sawyer

From: Rowland, Mindy B (GOV) [mindy.rowland@alaska.gov]
Sent: Wednesday, January 28, 2009 5:44 PM
To: GOV Legislators All; GOV Legislators Staff Partial
Subject: Governor Palin Pleased with Army Payments to ATG Veterans

Dear Legislator,

Our valued AK Territorial Guard Veterans will be able to continue receiving their retirement benefits. Let me know if you have any questions.

Thank you
Mindy

Mindy Rowland
Deputy Legislative Director
Office of Governor Sarah Palin
465-3994

Governor Palin Pleased with Army Payments to ATG Veterans
Letter urges President Obama to permanently reinstate benefits

January 28, 2009, Juneau, Alaska – Governor Sarah Palin applauded Secretary of the Army Pete Geren's decision to continue retirement payments to the Alaska Territorial Guard members on a temporary basis. A congressional fix will be needed to fully reinstate the retirement money rightfully earned by these veterans.

The Alaska Territorial Guard members are primarily Alaska Natives living in rural areas.

"Rural Alaskans face the highest food and energy costs in the nation, and these veterans need their retirement checks now more than ever," Governor Palin said. "Using the emergency fund to provide monetary protection for these 26 veterans is the right thing to do."

Governor Palin sent a letter directly to President Barack Obama asking him to honor these Native Alaskan veterans who gave their service without question during World War II, and asked for nothing in return. She urged the president to immediately reinstate their retirement benefits.

"The nation is in an economic downturn, and this is the worst time for the Army to cut these retirement checks to veterans who are in their late 80's and early 90's," said Palin.

A copy of Governor Palin's letter to President Obama can be found at:
<http://gov.state.ak.us/pdf/GovernorJan29-PresObama.pdf>

[<<Back](#)



Army provides pay to militia members

by Rachel D'Oro
The Associated Press
Wednesday, January 28, 2009

ANCHORAGE, Alaska -- Sen. Mark Begich says the Secretary of the Army has decided to provide emergency funds to surviving members of a World War II Alaska militia whose retirement pay was being cut off because of a legal technicality.

Army officials last week said a military analysis determined the law recognizing the Alaska Territorial Guard's service as federal active duty had initially been misinterpreted.

Julie Hasquet, a spokesperson for Begich, said Army Secretary Pete Geren will dip into an emergency fund to cover the pay for 26 former members of the largely Alaska Native guard for two months while Congress works on legislation to fix the law.

Hasquet said the survivors will receive a one-time emergency payment equal to two months pay.

The benefits amount to as much as \$557 a month.



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Karen Sawyer

From: Esther Brown [ebrown@loweryukon.org]
Sent: Tuesday, January 27, 2009 4:52 PM
To: Sen. Charlie Huggins
Subject: AK Territorial Guard Ltr 1-27-09
Importance: High

My name is Mr. Andrew Brown Sr. of Mountain Village, Alaska. I am a 79 year Alaska Territorial Guard Veteran and proudly served our country in a time of great crisis when our nation faced two world wars against Japan and Germany from 1941 to 1947. I and my native comrades were recruited with no pay by Muktuk Marston. With no hesitation we knew it was critical as Mr. Marston made every effort to recruit every capable man state-wide at a time when we were most needed. I even had to forego my high school education to defend our country which I did not mind. The only benefits we received at that time were rifles, steel head ammunition, and uniforms. What we were most grateful of was the armed forces aggressively protecting our nation and allies in an extremely difficult position. We were assigned to patrol the coast line to look out for enemy aircrafts, ships, or unusual activities at sea.

Our service to our country cannot and should not be ignored at that time or any other time. We were willing to sacrifice our lives for the freedom that is always our nation's privilege. As you may be aware we were finally recognized for our service just last spring 2008 at Hooper Bay, AK; we had finally received our discharge papers and were told we can apply for veteran's benefits. And then just recently we discovered our pensions were impermissible which brings forth my purpose in writing this letter asking you to kindly please recognize us territorial guards with fairness and honor and to develop new legislation that allows our right to receive benefits that are well deserved.

It is known other veteran soldiers receive veteran's benefits with no restrictions. The territorial guards were predominately native and we live in a country where discrimination is not allowed. To brush us aside is neither proper nor patriotic. Please find it in your heart to bring honor to us territorial guards that are still surviving and to those that passed away and give us the benefits we surely deserve. Your time and efforts would be very much appreciated. Thank you again.

Sincerely,
Andrew Brown Sr.
P.O. Box 32187
Mtn. Village, Alaska 99632
907-591-2735

Karen Sawyer

From: Ron and Judy Hills [judynron@mtaonline.net]
Sent: Tuesday, January 27, 2009 6:57 PM
To: Sen. Charlie Huggins
Subject: Alaska Territorial Guard
Follow Up Flag: Follow up
Flag Status: Blue

Hi there-I saw you on t.v. tonight speaking about the Territorial Guard. Thanks for standing up for them. Everyone I know is furious about the decision to stop their benefits. Is there anything that anyone of us can do to help with this? As Mr. Nugen from Nugens Ranch said several years ago about the longevity bonus-----we are dying as fast as we can!!! I am ashamed of iur government for this decision. Thanks again. Judy Hills

ALASKA STATE LEGISLATURE

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Senator_Charlie_Huggins@legis.state.ak.us



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800-862-3878
www.akrepublicans.org/huggins/

Charlie Huggins
Senator

MEMORANDUM

Date: February 6, 2009

To: Representative Carl Gatto, Chairman
Military and Veterans Affairs Committee

From: Senator Charlie Huggins

Subject: Hearing Request for CS for Senate Joint Resolution 5 (FIN)

I respectfully request a hearing for the CSSJR 5, which has unanimously passed the Senate.

We would appreciate this resolution being scheduled in your committee as soon as possible.

Attached please find the updated sponsor statement, legislation, fiscal statement, and background information. If you have any questions, please call my staff person, Karen Sawyer, at 465-3878.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Charlie Huggins".

Charlie Huggins
Senator

Attachments