

LIST

OF

FILES

HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS AFFAIRS,
2011-2012 (SCOMM 169)

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HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS AFFAIRS,
2011-2012 (SCOMM 169)
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2/03/11

Overview:

Department of
Military and
Veterans
Affairs

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of Military and Veterans
Affairs</SUBJECT><COMM>HMLV27</COMM></TARGET>

**ALASKA STATE LEGISLATURE
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**Department of Military and Veterans Affairs
Department Overview
February 3, 2011**

Presenters:

Major General Thomas Katkus, Commissioner
DMVA/Adjutant General

McHugh Pierre, Deputy Commissioner
DMVA

Brigadier General Deborah McManus, Commander
Alaska Air National Guard

Colonel Roger Holl, Commander
Alaska State Defense Force

Verdie Bowen, Director
Veterans Affairs Office

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December 20, 2010

Alaska State Defense Force
P.O. Box 5800
Fort Richardson, AK 99505-5800

Dear Alaska State Defense Force Members,

Thank you for serving as members of the Alaska State Defense Force (ASDF). I appreciate your continued dedication to serving Alaska, and your commitment to the safety and protection of this great state.

As an all volunteer strategic reserve unit, the ASDF is composed of those who give of their time and energy to be ready to serve Alaska and her people in case of a disaster. ASDF volunteers play a key role in the effectiveness of Alaska's response team by filling support roles as called upon, which in turn allows the Alaska National Guard to respond effectively to their required missions. As members of the ASDF, your dedication and efforts ensure a greater level of safety for our citizens.

The ASDF needs 150 to 225 members to be able to mobilize effectively. This cadre of volunteers is required to train regularly, develop responsible leadership tasks, and build a practical and functional knowledge base that supports long-term emergency response efforts in Alaska.

The ASDF carries the honor, tradition, and respect of a recognized military branch. With the commitment to volunteer as an ASDF member comes the obligation to uphold the honor and values of the State of Alaska, and the Department of Military and Veterans Affairs. Each member is responsible to demonstrate the competence and quality of the ASDF through his or her individual actions in the community, and all members have the right to hold their heads high as respected and valued members of the Alaska defense community.

I appreciate your selfless service to the great state we call home. I take comfort in the knowledge that if and when there is a need, the ASDF is prepared to answer the call to serve and protect Alaska and her people.

Best regards,

Sean Parnell
Governor

cc: Colonel Roger E. Holl, Commander, Alaska State Defense Force

Alaska

Department of Military & Veterans Affairs

The Alaska State Defense Force

49th Readiness Brigade



Alaskans Helping Alaskans

Background:

The Alaska State Defense Force (ASDF) was established in February 1984 by The Alaska Department of Military & Veterans Affairs (DMVA) during a nationwide effort to bring several state defense organizations into the national total force concept. The National Guard Bureau is the federal executive agency assigned the coordinating and regulating functions. The Governor is the Commander-in-Chief and exercises that authority through the Adjutant General.



The primary objective of DoD regarding State Defense Forces is to serve as a cadre-size unit, representing 10-15% of an augmentation force that may be required during a domestic emergency. This cadre would be instrumental in receiving and processing National Guard forces from other states and citizen volunteers to assist the State's response.

In 2004, the ASDF was designated the 49th Military Police Brigade until 2008 when it became the 49th Readiness Brigade to reflect new missions more critical to Alaska's domestic emergency response.

Mission:

The Alaska State Defense Force is an all-volunteer organization whose primary role is to augment and support the Alaska National Guard during domestic emergency response operations. The ASDF is equipped and trained for various readiness response missions to include communications, emergency management, medical, logistical support, chaplaincy, and shelter management.

Do you want to join the ASDF & serve the State of Alaska?

Train to meet the mission: To serve the State of Alaska

We are currently accepting applications from individuals over the age of 17.



Whether you are prior military, right out of high school, or a full-time working professional, your experience, knowledge and participation are valuable assets. Members have the honor of wearing a military uniform, while on duty, with dignity, pride and dedicated patriotism.

Frequently Asked Questions:

- **Where will I serve?** You will serve in your own community. Units are located on Joint Base Elmendorf-Richardson, in Fairbanks, Delta Junction, Wasilla, Anchorage, Juneau, Kenai and in Valdez.
- **Will I be paid?** The ASDF is a voluntary unpaid force during training and operational support. During state emergencies or state active duty, you will receive pay according to state law and as authorized by the Governor.
- **What is my expected commitment?** You are expected to attend every drill; however, depending upon training schedules, there is flexibility for participation.
- **How do I apply for membership?** If you are interested in having someone contact you please send an email to asdf@alaska.gov. We look forward to hearing from you.



- **Can I call and get information also?** Yes, you may contact us at 907-428-6850. We may not be available at all times so please leave a voice mail and we will contact you.

Do you have a website? <http://www.dmva.alaska.gov/asdf/default.htm>



FACTS ABOUT ALASKA STATE DEFENSE FORCE

- State militias have helped to defend the United States since the Revolutionary War. Today, 23 states and territories have organized militias, most commonly known as State Defense Forces (SDFs). SDFs provide governors with a cost-effective, vital force multiplier and resource, especially if state National Guard (NG) units are federalized/deployed.

- Each SDF is under the control of its respective governor through the state's military department. The Adjutant General (TAG), the state's senior military commander commands the SDF on behalf of the governor. It may be further delegated to the deputy TAG. The TAG is responsible for all training, equipment allocation, and decisions regarding the SDF's strength, activity, and mission. (AK Statute 26.05.170. and AK Administrative Order No. 203 dated 13 Jan 03)

- The primary objective of DoD is for State Defense Forces to be a cadre-size unit, representing 10 – 15% of the augmentation that may be required during a domestic emergency response. The Alaska SDF (ASDF) is now being trained in this primary mission. In Alaska Statute 26, there is reference to an Unorganized Militia, which could be conscripted. However, the most likely circumstance is to absorb NG units from other states as well as civilian volunteers in responding to a lengthy recovery event such as a Katrina. The ASDF is being trained in the Alaska National Guard's process, JRSOI (Joint Reception, Staging, Onward Movement, and Integration).

- The ASDF originated as a Civil Support Brigade in 1984. After 9/11, it became the 49th Military Police Brigade. Today, as most State Defense Forces nationwide, the Alaska State Defense force has transitioned to military support roles, capitalizing on the diverse strengths of the ASDF volunteers in providing broadened services for the state during emergencies. It is now designated the 49th Readiness Brigade. ASDF members were vital participants in Vigilant Guard 2010, demonstrating their new capabilities. In addition to JRSOI, new mission sets include:

-- Communications: ASDF personnel are trained on the most modern equipment – the NG's Joint Incident Site Communications Capability, satellite phones, ALMRs, UHF/VHF and HF radios, and the Homeland Security Unified Communications Van. Many members are amateur radio certified, a.k.a. ham radio operators, to ensure that vital link with remote communities.

-- Medical: ASDF doctors and nurses are available to provide triage to victims or first responders. Other ASDF soldiers are commencing emergency trauma technician (ETT) training/certification to serve as a deployable medical support detachment.

-- Red Cross Shelter Management: This year, ASDF troops were trained in Red Cross Shelter Management to have the capability of assisting Alaskans in time of disaster.

-- National Incident Command System: Many ASDF soldiers have the nationally recognized Military Emergency Management Specialist (MEMS) certification. A state chapter for the MEMS Academy is being created by the ASDF through the State Guard Association of the United States (SGAUS).

-- Chaplaincy: The ASDF has chaplains throughout much of the state. In addition to addressing the spiritual needs of ASDF personnel and their families, they are trained in Critical Stress Incident Management (CISM). CISM provides counseling to victims and first responders. ASDF Chaplains have assisted with suicide prevention training as well as military funerals.

- Annual training schedules and budget expenditures correlate directly to new missions.

-- Much training is conducted by credentialed instructors resulting in certifications. And, ASDF participates in Alaska National Guard training venues.

-- Budget: The budget of the ASDF is \$30,000 per year and is used to provide office supplies, computers, communications equipment, medical supplies, and travel associated with training.

- Membership: Active membership remains consistent at ~150.

- Organization: The ASDF is organized into a headquarters unit, three area commands (Northern, Southcentral, and Southern), and multiple battalions. Locations include Fairbanks, Delta Junction, Anchorage, Wasilla, Juneau, Kenai, and Valdez.

- Authorities: 32 USC 109, NGR 10-4, Alaska Statute 26.05

MEMORANDUM STATE OF ALASKA

To: Joint Armed Services Committee (JASC)

Date: 1 Feb 2011

From: Verdie Bowen

Phone: 907-428-6016

Subject: Office of Veterans Affairs Report

Office of Veterans Affairs Goal:

Serving Alaska One Veteran at a Time

Back ground Office of Veterans Affairs 2010:

Veterans Affairs provides state and federal government interface for veterans, veteran families, and veterans' organizations. Our current state population is over 650,000 and our direct veteran's population is 77,025 with 89,000 dependents. Along with veterans supported this office also supports 28,936 active duty military and 37,742 dependents. The total state population supported by Veterans Affairs is 232,703. The veteran population is per VA statistics and the Military statistics are from the Alaska Military Economic Impact/Personnel Data file.

There are currently two State of Alaska staff members in the veteran's office and 14 Veterans Service Officers (VSO's) located in Fairbanks, Anchorage, and Wasilla the VSO's are paid under a State of Alaska grant. The Administrator of Veterans Affairs manages the day to day operations of all 15 personnel and the total decision authority over all VA approved education programs located in the state.

Support provided to the Yellow Ribbon Reconnecting Veterans Mobile Outreach Team:

This program was funded by a federal grant with the purpose of reconnecting our returning veterans. Sixteen months ago a team was developed using National Guard Family Programs healthcare professionals and Veterans Affairs Service Officers. During this period of service they traveled to 162 villages via transportation provided by several transportation providers; Civil Air Patrol, Commercial Airlines, Military Aircraft and vehicles, Private Charters, and GSA transport. This was a very aggressive schedule due to weather and other environmental constraints. The total communities in the State are 392 and the plan is to continue this outreach during FY 11.

This effort was huge for a state our size and the success's are measured through contacts. Over 1000 veterans of all branches of the service were helped and over 400 family members were assisted with needed benefits. The service officers are still receiving calls regarding future outreach efforts and we have increased travel to the remote areas of the state. This is one of our most positive efforts to date. Veterans Affairs has set a goal to reach 100 communities each SFY.

Alaska Veteran Town Hall Meetings:

The Veterans Affairs in partnership with the Alaska Veterans Advisory Council, the Joint Alaska State Legislative Veterans Caucus, and Senators Begich and Murkowski hosted town hall meetings over the past 12 months. The meetings were held in Juneau, Anchorage, Fairbanks, Bethel, Eagle River, Wasilla, Toke, Nome, and Ketchikan. The panels were established to provide a venue for veterans to address their concerns and provide information on items they believe would assist the veteran community as a whole. The members on the panel in each community provided information and guidance in the areas of healthcare, home loans, education, pension benefits, and disability compensation and addressed any specific personal issues veterans may be facing. These meetings were open to veterans, family members, and all the local communities. Items that could not be addressed at the meetings were delivered to the State Wide Veterans Summit, or back to the agency that could provide direct assistance to the veteran.

Veterans Summit:

On June 24th 2010 we held the second annual state-wide Veteran's Summit in Wasilla, Alaska at the Curtis D. Menard Sports Complex. It was the culmination of all the town hall meetings held across the State of Alaska. This program was set up in a workshop-style format and was attended by key representative of the veteran's community, elected/appointed officials, and other state and federal employees.

This year's summit had just over 200 in attendance and the final summit report is due to the JASC in Juneau in February. The hosts of the 2010 Veteran Summit were the Joint Alaska State Legislative Veterans Caucus, Alaska Department of Military and Veterans Affairs, and the Alaska Veterans Advisory Council. A couple of the key items identified and supported by the summit are currently under review by the Governor. They are the relocation and expansion of the Veterans Services. This will provide for ease of access and provide more services to the Alaskan Veteran. The other items from the summit will be gathered from each work group team leader and will guide Alaska's military and veterans policies in 2011.

Veteran Results for 2010:

To date we have 1201 Alaska Territorial Guardsmen with United States Army Honorable Discharges and this number includes the 123 living members. Over the past year we found four new ATG members who were eligible for a federal retirement. With adding the 5 years in the ATG with their 15+ years in the Alaska National Guard, they are all receiving their federal retirements. Along with this effort, we found 32 spouses of ATG veterans who were eligible for the survivor's benefits program and are currently receiving these funds as well. Last we found six ATG members who were eligible for State of Alaska Retirements for Guard and Militia and these benefits were paid to the family because the ATG member was deceased. This year we hit a major milestone. All living ATG members have been processed for discharge. We will continue to work ensuring all 6300 ATG members receive U.S. Army Honorable Discharges.

In SFY 2010, veterans received additional benefits worth more than \$35.6 million dollars. The total for SFY 09 was \$31 million. These funds are directly due to the work of our 14 VSO's and the Veterans

Affairs Staff. This number is reflective of the one time payments made to the veteran caused by either presumptive disability claims or back payments of their disability.

The number of veterans served by the Office of Veterans Affairs and the VSO's for SFY 2010 was 19,355. The total serviced SFY 2009 was 10,500. This increase is reflective of the increased outreach efforts by the Office of Veterans Affairs, the addition of a service officer to the Reconnecting Veterans Mobile Team, town hall meetings, and the normal monthly outreach provided to the communities by the State Service Officers. Also, reflective of this number is the growth in our state veteran's population of returning veterans to their home of record. This number of veterans served will continue to grow with more presumptive conditions added to past areas of operations and increased education efforts provided to all separating military members stationed in Alaska.

The introduction of the new Post 9-11 GI Bill has created an additional work load for the Office of Veterans Affairs. Prior to the Post 9-11 GI Bill we had on average 300 students in our total education programs located in the state of Alaska. This year alone we have seen an explosion in our veterans and their dependents attending the University of Alaska campuses. Our average of students in the system is now pushing 1280 a month and this number is growing. This includes all Universities located in Alaska and does not include active duty members. To date our state has received over \$9 million in tuition alone. The VA is still working off a non automated system and we will receive the adjusted amount at a later date.

On the 10th of January the President signed into law and enhancement to the Pos 9-11 GI Bill. This will now allow this group of veterans to receive benefits in the trades programs as well and allow them to pursue graduate degrees and higher. This amendment will also pay the basic book allowance to spouses and active duty. The effective day for this change is 1 October 2011. This has the potential of increasing our student workload to over 3500 a month. This number was derived by using the VA formula for the last increase.

The Office of Veterans Affairs under directives provided by the Federal VA certifies over 800 education courses offered throughout the state. This certification is accomplished through site visits, education material audits, and education program audits. This task is performed by one education officer. This will continue to grow as we move into a new year and more education programs are covered by the GI Bill.

On the 25th of October 2010 a new VA Community Based Outpatient Clinic was opened in Juneau. This is directly the result of SE Alaska Veterans working to reflect the needs of this community. This clinic will save time and funds for the 7400 veterans located in this area. This is also the last of the VA's construction projects planned for Alaska. Over the past year the VA has spent over \$45M in construction projects in Alaska.

VA approved home loans are also one of our areas we provide assistance. This year we provided assistance to veterans in attaining affordable housing. Our part is helping to attain the VA certification for a VA Guaranteed loans for our veterans and this year we were able to assist over 2800 members.

The total return to our veteran community in annual disability compensation is over \$150M a year. This is an increase of over \$10M from 2009. This number is paid to our 14,071 veterans who are disabled in the state and will continue to rise our veterans return home from war. We also have over 24,000 Vietnam Era veterans who have not applied for benefits that they are qualified for and we are working to reach each veteran of this conflict through our outreach efforts. We also have an additional annual compensation of over \$2.7M in disability pensions that veterans or their widows receive in the state. In order to receive a pension a veteran must have served in a conflict and either the veteran or the widow must meet a household income requirement.

Limiting Factors for the Office of Veterans Affairs in serving Veterans in 2011:

Over the past 12 months veteran services has lost 7 support staff that was funded through federal grants. These personnel supported our Veterans and Alaska Territorial Guard Outreach efforts. They traveled to 235 communities in the state and were augmented by the administrator and VSO's during their outreach efforts. The direct result of this outreach effort was an increase of VA claims and was directly reflected in the increase in annual compensation and pension claims. Even without the staff, this number will continue to grow as our veteran's age and need medical care and as our combat veterans return home. Our program does not have the ability to reduce services for veterans we will continue to work, but what will be affected is the burn out rate of our service offers and the department.

Along with the growth in the outreach efforts, the State Education Approving program has seen explosive growth. With the addition of the new Post 9-11 GI Bill, our monthly student case load has doubled. We are now assisting over 700 students per month in just the University of Alaska system and this does not include Alaska Pacific University, Wayland Baptist, and Charter College. In addition to the student load, the education program is experiencing the largest number of accreditation requests since the start of the program. The single state employee currently audits 800 programs in our education systems. Without the audits and accreditations, the VA will not allow the veteran to use their GI Bill benefits. This growth was not expected by the VA or by our education programs. We are meeting our VA obligations but are unable to meet the needs of each veteran who needs assistance.

With the reduction in federally funded positions above, we also lost a VA funded service officer in Juneau. This service officer assisted veterans in SE Alaska in filing compensation claims and receiving medical services. This position was deleted after the VA opened their new Community Based Outreach Clinic in Juneau. With this loss we will have a very difficult time in meeting the needs of our veterans located in SE Alaska.

Each day the office is located on Ft Richardson is another day Veterans of Alaska do not have access to all the services we provide. We have numerous veterans who either cannot access the base due to discharges or who do not access the facility due to PTSD. The limited access to Veterans Affairs will not be fully realized unless a move is accomplished. We will open a one day a week office in Wasilla, but this will be manned by the Director and will continue to stress the limited personnel.

We have a new challenge in the department and that is the new State Veterans Cemetery located in Fairbanks. We are currently in the design and development stage of the program. Starting January 2011 we will begin the land negotiations with the US Army. Once that is complete then a date will be set in

the fall of 2011 for a ground breaking event. This is a large project and needs a full time manager once the construction begins.



2010 ANNUAL REPORT

Alaska Department of Military & Veterans Affairs





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DMVA 2010 ANNUAL REPORT

Main photo: **Patrol Zone.** Specialist Jose Carrillo-Mojica, military police officer, scans his patrol zone on the Missile Defense Complex at Fort Greely. The military police company of the 49th Missile Defense Battalion, Alaska Army National Guard, conducts the only 24/7 continuous site security mission of a strategic missile defense site in the Army National Guard. Photo: Staff Sergeant Jack W. Carlson III, 49th Missile Defense Battalion



Top left: **Funeral Honors.** Members of the Alaska National Guard present the Alaska state flag during a memorial service in 2010.

Photo: Captain Amy B. Slinker, 134th Public Affairs Detachment

Top right: **Fuel Testing.** Staff Sergeant Mark Gilleland, 176th Fuels Management Flight, Alaska Air National Guard, performs a solids test on a shipment of fuel. The filter is weighed, baked in a drying oven, then weighed again. This process is used to ensure that the solid found in the fuel falls within military specifications.

Photo: Master Sergeant Shannon Oleson, 176th Wing Public Affairs

Center: **Academy Amenities.** Cadet Taylor J. Elg stands at attention during the opening of the newly renovated Alaska Military Youth Academy Tracy L. Sheldon Dining Facility dedication. The Academy's main campus at Camp Carroll provides living facilities, food service, academic classes, vocational training, counseling, medical services and administrative support 24 hours a day, seven days a week.

Photo: Staff Sergeant Karima Turner, DMVA Public Affairs

Bottom: **Decontamination.** Members of the 103rd Civil Support Team - Weapons of Mass Destruction decontaminate each other after responding to a simulated chemical spill as part of the training scenario of exercise Vigilant Guard. Photo: Private First Class Karina Paraoan, DMVA Public Affairs

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Airborne. Specialist Joe Pete, B Company, 1/143rd Infantry Airborne, Alaska Army National Guard, jumps from a UH-60 Black Hawk at 1,500 feet during a joint airborne operation in Bethel. Eleven Alaska Guardsmen from the unit were the first to jump into the Bethel Flats Rotary Wing Drop Zone from a UH-60 Black Hawk. "This was one of the milestones for building this company," said First Lieutenant Jason Caldwell, commander, B Company, 1/143rd Infantry Airborne. Photo: Specialist Michelle Nash, 134th Public Affairs Detachment

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Ready to Serve

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For the People

Governor Sean Parnell
Commander in Chief



Thank You for Your Service

We are profoundly grateful for all who serve Alaska with dignity and honor, from the Guard members protecting our country both at home and abroad to the state employees who vigilantly monitor for natural disasters.

The impact of Alaska's National Guard members is expansive – spanning far beyond the borders of our state. Following the massive earthquake that devastated Haiti,

Alaska Air National Guardsmen flew cargo aircraft to deliver essential relief supplies and provide critical assistance. Humanitarian and relief missions such as those in Haiti highlight the role Alaska's National Guard plays around the world.

The Alaska Army National Guard 1/207th Aviation deployed again this year. Soldiers from B Company are now in Iraq supporting Operation New Dawn with

Black Hawk helicopter operations. I was honored to shake the hands of these fine Guard members before they deployed; and my wife, Sandy, and I continue to pray for their safe return.

In Afghanistan, pararescumen from the Alaska Air National Guard's 212th Rescue Squadron are performing search and rescue missions. Known as "Guardian Angels," they continue to save lives on the battlefield and epitomize their motto, "That others may live." Alaskans are blessed to have such heroes among us.

Alaska faced challenges in 2010, but many more tragedies were prevented because of the skill and dedication of Alaska's rescue squadrons. These brave men and women saved more than 50 lives locally. The Division of Homeland Security & Emergency Management is an integral partner in keeping Alaskans safe. When heavy rains washed out parts of the Taylor Highway during the summer, the Division worked tirelessly to help community members and businesses who were impacted by the road closures and water damage. The Division was also instrumental in hosting a successful Alaska Shield exercise. The exercise tested emergency response and capabilities in the event of a major disaster of several organizations essential to Alaskans' safety.

The Department of Military & Veterans Affairs plays a key role in establishing a strong military future in Alaska. The Alaska Military Force Advocacy and Structure Team, led by Major General Thomas H. Katkus, has proposed strategies to expand and acquire future missions and infrastructure that will strengthen national security and build Alaska's economy. They continue to work to ensure the viability and growth of Alaska's military.

To Alaska's service members who serve with bravery, integrity and honor – it is you who keep us safe and respond in our times of need. I am honored to be your commander in chief, and am proud of the work you are doing in the Department of Military & Veterans Affairs. On behalf of all Alaskans, thank you for your service.



Deployment Farewell. During the deployment ceremony for B Company, 1/207th Aviation, Alaska Army National Guard, Governor Sean Parnell shakes the hand of each Soldier leaving on the one-year deployment to Iraq in support of Operation New Dawn. The Guardsmen have the mission to transport distinguished visitors, troops and equipment via UH-60 Black Hawk helicopters. Photo: Courtesy Office of Governor Sean Parnell



The Adjutant General



Major General Thomas H. Katkus
Adjutant General, Alaska National Guard
& Commissioner, Alaska Department of Military & Veterans Affairs

Exceptional Effort Made 2010 a Success

Thanks to all the members of the Department of Military & Veterans Affairs who contributed to the tremendous success reflected by the numbers contained in this year's annual report. An exceptional effort was put forth by every division. Every director and staff member made significant contributions to our success. This annual report is a reflection of all of your competency and professionalism.

2010 presented challenges to both the Alaska Air and Army National Guard as they continued to deploy uniformed members to meet their federal mission, while simultaneously meeting their exceedingly challenging state requirements.

An inordinate number of aircraft mishaps resulted in an extended level of rescue assets engaged across the state. Many of these rescues were high profile and drew considerable public attention. All the while, members of the 176th Wing continued to plan and execute their long anticipated move from Kulis Air National Guard Base to Joint Base Elmendorf-Richardson, and the Army Guard finished off its transformation into a relevant and vibrant fighting force with its new structure and formations.

Emergency managers coordinated throughout the year after starting the spring with a robust training exercise that involved several thousand participants in a mock earthquake scenario. This exercise not only enhanced the state's already healthy response capability, but also cemented relationships that paid big dividends to many communities as they worked through several other emergencies throughout the year.

The Alaska Military Youth Academy continued to graduate near record numbers of students as it improved facilities and provided a challenging environment for those youth in attendance. New dining, shower and laundry amenities were incorporated into the austere campus on Camp Carroll. This allowed better through-put of the students in their day-to-day activities and provided additional precious time to devote to studies.

Our Veterans Affairs office continued to engage with our veteran community. Coordinating at a national level, our Veterans Affairs director has had tremendous success in bringing focus to the many challenges our veterans here in Alaska face.

This annual report is a summary of the exceptional work conducted by the nearly 4,500 members of the Department of Military & Veterans Affairs. As a direct result of your effort, Alaska is a safer and more secure place.

There are many challenges ahead on the 2011 horizon. As we move forward, we will keep playing a strong role in the development of a strong sustainable economy and enhance the ability of our communities to get back on their feet after a disaster. We will continue to make Alaska one of the best places in our nation to settle and raise a family.

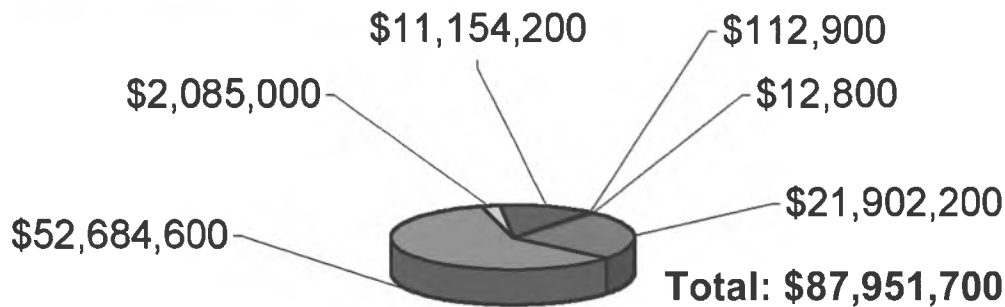


Heritage Painting Presentation. Major General Thomas H. Katkus, adjutant general of the Alaska National Guard, presents a National Guard heritage painting depicting the 1968 Scout Battalions of the 297th Infantry, Alaska Army National Guard, to a group of foreign military defense attaches who visited Alaska in May 2010.

Photo: Major Guy Hayes, DMVA Public Affairs

DMVA... By the Numbers

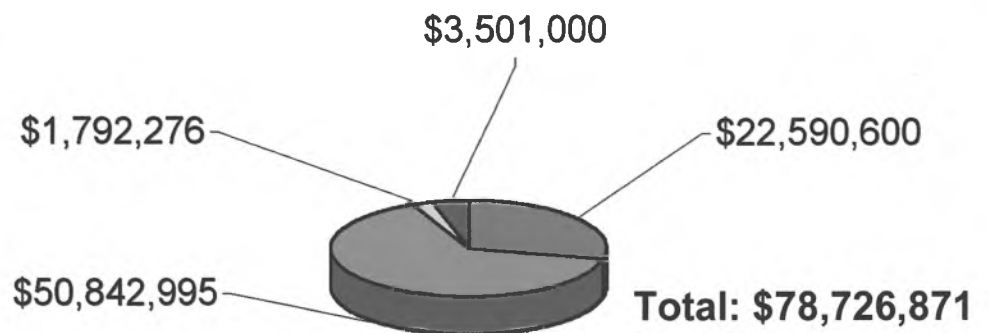
DMVA SFY2010 State Operating & Capital Actual Expenditures



- General Funds
- Federal Receipts
- CIP Payroll
- State Interagency Receipts
- Designated Program Receipts
- Vet Memorial Fund

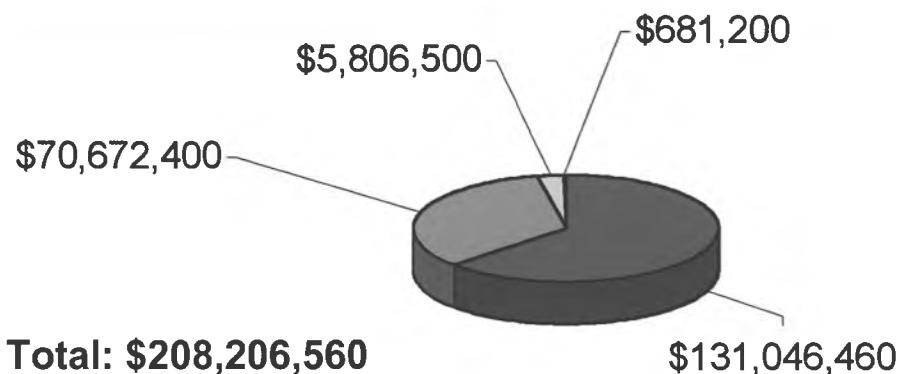
Army Guard Funding in Alaska – FFY10

- Personnel
- Operations & Maintenance
- Military Construction
- AK Military Youth Academy

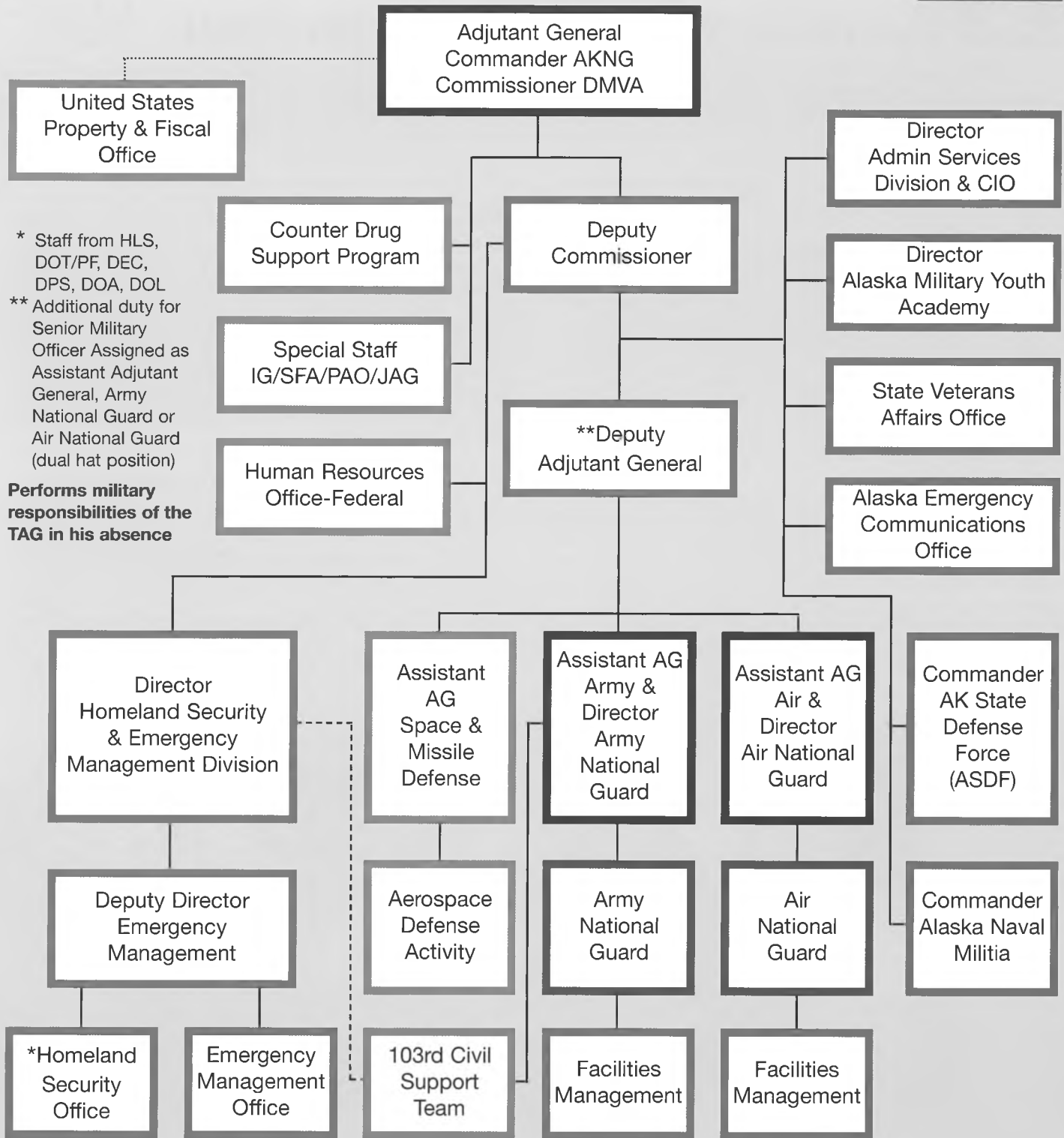


Air Guard Funding in Alaska – FFY10

- Personnel
- Operations & Maintenance
- Cooperative Agreement
- BRAC



Department of Military & Veterans Affairs



* Staff from HLS, DOT/PF, DEC, DPS, DOA, DOL
 ** Additional duty for Senior Military Officer Assigned as Assistant Adjutant General, Army National Guard or Air National Guard (dual hat position)
Performs military responsibilities of the TAG in his absence

.....Coordination - - - - -Supervisory Control *(When Designated)*

State	Federal	Combination State & Federal Depending on status: Normally State during M-F work week. Paid Federally when in military status, unless called to State Active Duty.	Federally paid but may be called to State Active Duty
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Veterans



Reaching Veterans Across the State

The Office of Veterans Affairs continued its efforts to award discharges to Alaska Territorial Guard veterans, enhanced its Veteran Service Officer Corps, hit challenges with the new Post-9/11 GI Bill head on and traveled all across Alaska helping veterans where they live. The Office of Veterans Affairs was able to meet and exceed all the 2010 goals while providing outstanding support to the state's 77,000 veterans and their families.

Alaska Territorial Guard

The Alaska Territorial Guard Recognition Program remains the top priority of the Office of Veterans Affairs. It is hard to believe that we have more than 6,400 veterans in Alaska who did not receive honorable discharges when their units were disbanded in 1947, but this did happen, and now we're working to correct that. In order for us to find these veterans, we've done large amounts of research and traveled to numerous Alaska communities. We have also enlisted the assistance of every community in Alaska, and this has proved very successful. To date, we have issued 1,594 discharges from the U.S. Army.

One new item we accomplished this year was that our research team completed comprehensive research into the Alaska National Guard military service records. The team searched all records from 1948 forward. This was a huge task because these records are not automated and are stored on microfilm. The team viewed thousands of records, found four ATG members who were due a military retirement and had that benefit restored. We also found 32 spouses who were due survivor's benefits. These benefits are paid to widows of retired military after the veteran's death, and in these cases, each ATG member was deceased but still had a living widow. This was

a huge find and is a direct result of the efforts of Linda Flegle, our ATG research team chief. Along with these two federal benefits, we found six ATG members who were eligible for Alaska National Guard retirement. This is paid to ATG members who retired from the National Guard after 1968.

We still have 158 living ATG veterans in Alaska, and we just completed the last two applications for discharge for the living members. We are now concentrating our efforts on ensuring that each family receives the discharge for each ATG veteran's service.

This year, we added a new component to the National Guard Honors Program. When the Alaska National Guard Military Funeral Honors Team performs ceremonies for Alaska Territorial Guard veterans, we are now presenting the families with an Alaska state flag along with the U.S. flag. During the flag presentation ceremony, the honors team is also presenting the Alaska Territorial Guard Service Medal on behalf of the governor to the family. This is a wonderful way to honor our ATG veterans and builds a bridge between our children and the past.

Veteran Service Officer Grant Management

In order to receive the best service for our veterans, we provide 14 veteran service officers located across the state. They provide free services to veterans, such as representation of veterans and their families while processing claims to the government for benefits earned while on active duty or in the Guard. They are well trained in these programs and certified through the U.S. Department of Veterans Affairs.

We currently have the following VSO organizations certified through the VA: Veterans of Foreign Wars, American Legion, the



Honoring Service. Members of the Nome-Beltz Junior Reserve Officers Training Corps flank the Alaska Territorial Guard statue in Nome that was unveiled in front of a few Alaska Territorial Guard veterans on Alaska Day. The new statue honors the Alaska Territorial Guard and stands in front of the Old Federal Building on Front Street.

Photo: Lieutenant Colonel John Woyte, Alaska Army National Guard



Funeral Honors. During a funeral at Fort Richardson National Cemetery, members of the Alaska National Guard Military Funeral Honors Team prepare to fire rifle volleys. The funeral honors program is supported by Alaska Army National Guard Soldiers and conducts funeral honors for all branches of service including the Alaska Territorial Guard.

Photo: Private First Class Karina Paraoan, DMVA Public Affairs

Military Order of the Purple Heart and the Disabled American Veterans. These organizations returned more than \$35.6 million in past payments owed to veterans, while filing more than 19,000 new claims. The continued success of this program is also measured through state veterans receiving annual compensation and pension payments. This year, the U.S. Department of Veterans Affairs sent \$150 million to veterans and their families in the state, while providing more than \$129 million in medical coverage.

In 2010, we visited 235 communities in the state by partnering with the Yellow Ribbon Program, and in turn, we processed more than 1,000 veterans and 400 family members for new benefits. Because of these positive results, we will continue our outreach efforts through our Veteran Service Officer program.

The Alaska State Approving Agency

We currently have more than 800 approved programs of study at more than 60 education and training facilities across Alaska. The overall program has increased from 300 students per month to an overall average of 700. Throughout the past year, the U.S. Department of Veterans Affairs provided more than \$9 million in education funds to Alaska education programs. Our troops are returning home and have the best chance at obtaining higher education with minimal out-of-pocket expense.

Veterans Summit

In June 2010, we held our second annual Veterans Summit with more than 200 veterans in attendance. The event was held in Wasilla, and each year we plan to hold the Veterans Summit in a different city across the state. The 2010 summit was sponsored by the Department of Military & Veterans Affairs and the State of Alaska Veterans Caucus. The Alaska Veterans Advisory Council facilitated the break-out groups during the event, and feedback from those sessions will be presented to the Joint Armed Services Committee in February 2011.

As part of a joint outreach, the Office of Veterans Affairs partnered with the Alaska Veterans Advisory Council and held town hall meetings all around the state. We traveled to Ketchikan, Juneau, Bethel, Anchorage, Eagle River, Wasilla and Fairbanks. We assisted

veterans with VA medical care, education benefits, housing and home loans. With the success of these meetings, we plan to host similar town hall meetings throughout 2011.

New Satellite Office

The Office of Veterans Affairs will open a new office located in the Alcantra Armory in Wasilla. This allows veterans and their families in the Matanuska-Susitna Borough easier access to our staff and resources. More than 11,000 veterans reside within the Matanuska-Susitna Borough.

Other Significant Accomplishments

In June 2010, the governor signed into law the designation of Aug. 7 as Purple Heart Day. This day recognizes those veterans who were combat wounded, as well as remembering all who have served our country.

The Office of Veterans Affairs introduced a new coin that will be presented to veterans in Alaska during events across the state as a way to honor those who served and live here.

During Stand Down 2010, we met with more than 700 under-privileged veterans. Our veterans were provided medical treatment, job placement assistance and introduced to several social programs. At Stand Down, we are also able to fast-track veterans' requests for assistance and social security benefits.

The Blue Star Banner program remains popular, and we provided more than 300 Blue Star Banners to Alaskan families who have members serving our country in the military. We will continue to send these flags to families all across the state when they are requested.

The U.S. Department of Veterans Affairs ended the Rural Healthcare Pilot Program in July 2010 and hired an independent assessment firm to measure the results. We assisted this firm in collecting key data points for their report. This effort brought about testimonies on rural healthcare to the U.S. Senate Armed Services Committee in Washington, D.C. After the testimony, the committee commissioned a new study on rural healthcare, which will help the Senate direct new healthcare to our veterans in Alaska bush communities. We look forward to working with the VA, Indian Health Services and the Senate on this issue in 2011.



Veterans Day. Two loadmasters with the 249th Airlift Squadron flank the Alaska Air National Guard memorial on Veterans Day. The names of the three 249th Airlift Squadron members – Major Michael Freyholtz, Major Aaron Malone and Senior Master Sergeant Thomas Cicardo – who died in a C-17 accident July 28 were added to the memorial.

Photo: Private First Class Karina Paraoan, DMVA Public Affairs

Alaska Army National Guard



New Bethel Readiness Center Begins. The official party digs up dirt as a sign of “breaking ground” for the start of construction of the new Bethel Readiness Center. So far, the contractor has poured the concrete, insulated side panels and put roof panels in place. The project is ahead of schedule and is expected to be completed by December 2011. From left: Brigadier General J. Randy Banez, assistant adjutant general, Alaska Army National Guard; Representative Bob Herron, Alaska State Legislature; Jim Miller, project superintendent, Unit Construction; Lieutenant Governor Craig Campbell; First Lieutenant Jason Caldwell, commander, B Company, 1/143rd Infantry Regiment, Alaska Army National Guard; Major General Thomas H. Kalkus, adjutant general, Alaska National Guard. Photo: Private First Class Karina Pavaoan, DMVA Public Affairs.

New Equipment

The Alaska Army National Guard completed the closeout and turn-in of the entire property record of the legacy 207th Infantry Group and began to receive large amounts of new, modern equipment for future forces and missions of the organization. This “equipment tidal wave” provides for a modernized, highly capable force much more able to respond to federal and state missions. Included are trucks of multiple configurations, generators, communications systems, night vision devices and weapons.

Facilities Maintenance

The Alaska Army National Guard received more than \$4.3 million from the American Recovery and Reinvestment Act for nine energy-saving projects to help conserve natural resources across the state. Projects ranged from Nome to Juneau and included numerous lighting upgrades, boiler replacements and other efficiency projects. The Army Guard hangar in Nome received a lighting upgrade that will result in an annual cost savings of \$26,000 and a pay back based upon current electrical rates in 3.6 years.

Our Environmental section has been diligently working on numerous Defense Environmental Restoration Program projects. Three sites were remediated in the summer of 2010 – Akiachak, Scammon Bay and Kwigillingok – for approximately \$2.5 million. Three additional sites are scheduled for 2011, and 21 sites have characterizations scheduled for the summer of 2011.

49th Missile Defense Battalion

The 49th Missile Defense Battalion continued to strengthen and evolve its strategic mission of defending the nation from the threat of a rogue nation’s intercontinental ballistic missiles. The men and women of the 49th are Alaska Army National Guard Soldiers who volunteered from all across the nation for this 24/7 mission.



Modernizing the Force. The Alaska Army National Guard received millions of dollars in new equipment recently, like these up-armored Humvees, to keep the Guard modern, reliable and ready to support the homeland in domestic emergencies and overseas in the fight against terror. Photo: Staff Sergeant Karima Turner, DMVA Public Affairs

The majority of the Soldiers here are Military Police with the responsibility to secure and defend the 800-acre Missile Defense Complex at Fort Greely, just north of the Alaska Range.

With the national commitment to missile defense, the post at Fort Greely continues to grow. In 2010, the post has completely renovated the exterior of most buildings to improve energy efficiency and has also broken ground on a community activities center due to be completed in 2012. The visits of high-ranking leaders continued in 2010 with more than 100 separate visits to the Missile Defense Complex.

The Soldiers of the battalion have not stopped growing either, as missile defenders in the Fire Direction Center consistently excelled during their training scenarios and exercises with senior leadership. The military police company and headquarters battery participated in Global Thunder 10, which tested Soldiers on their tactical responses to various scenarios and the defense of our nation from the threat of an ICBM. These events and extracurricular

activities were held while the battalion continued to maintain 100 percent on weapons qualifications and Army warrior tasks and drills for each Soldier over the entire 12-month period.

Alaska-Mongolia Partnership Program

The Alaska-Mongolia State Partnership Program continues to mature and has evolved into a seven-year relationship that continues to serve vital strategic interests in Pacific Command's Northeast Asia policy. Alaska-Mongolia relations and cooperation span military partnerships, disaster management, first-responder capabilities, recruiting and retention, and medical care exchanges to ensure the broadest level of engagement and cooperation.

Alaska and Mongolia's broad engagement continues to set the standard across the National Guard Bureau for depth and breadth and is consistently cited as one of the Bureau's most successful state-country partnerships. In 2010, staff from the House Armed Services Committee came to Alaska to learn more about the Guard's State Partnership Program. They also traveled to Mongolia to observe subject-matter-expert exchanges and the Khaan Quest exercise, a multinational training exercise and humanitarian support mission.

The Alaska Army National Guard served as executive agent for Khaan Quest 2010, consisting of three main components: a command post exercise, humanitarian construction project and a medical support assistance team.

Our commitment and success with Mongolia has involved sharing risks in contingency operations in Iraq and Afghanistan at the request of the Chief and Minister of Defense of Mongolia. The Alaska Army National Guard has deployed advisors with the Mongolian Expeditionary Task Force to Afghanistan in support of Operation Enduring Freedom and supported Mongolia's largest troop deployment to Afghanistan.



Cleanup. Members of the 103rd Civil Support Team-Weapons of Mass Destruction decontaminate their equipment after responding to a simulated chemical spill as part of the training scenario of exercise Vigilant Guard 2010. Photo: First Sergeant Mike Cummings, U.S. Army



Manning Missile Defense. Sitting at their consoles literally at the "tip of freedom's spear," members of the 49th Missile Defense Battalion operate the Ground-based Midcourse Defense portion of the Ballistic Missile Defense System at Fort Greely. The system has been manned 24/7 since achieving limited defensive capability in September 2004.

Photo: Staff Sergeant Jack W. Carlson III, 49th Missile Defense Battalion

Chaplain

The Alaska Army National Guard Chaplain program has been busy supporting the spiritual needs of our Soldiers and their families, as well as the morale and welfare of the units. A major area of focus this year has been suicide prevention, coupled with contributing to the Army "Resiliency" program. The suicide prevention curriculum is effective but is only half the battle. Teaching resiliency provides Soldiers and their families with the skills to cope with losses and hard times.

Our Unit Ministry Teams have also provided continued Strong Bonds instruction. The program is an Army-wide, chaplain-led program that focuses on relationship and life skills with the goal of enriching marriages and relationships by providing weekend retreats for couples, families and singles.

In 2010, we welcomed back two of our chaplains and one chaplain assistant from various deployments. Our chaplains are thankful for the opportunity to serve God through their service to the Alaska Army National Guard and look forward to a future of productive ministry with our Soldiers and families.

103rd Civil Support Team

Members of the 103rd Civil Support Team-Weapons of Mass Destruction provided assessment and assistance to first responders, industry members, and the military in response to potentially hazardous material releases, as well as the tragic crash of an Air Force C-17. The 103rd CST also provided information and assistance to the Anchorage Fire Department and FBI, while helping to protect residences of a South Anchorage apartment complex. Later, the 103rd CST assisted the Joint Base Elmendorf-Richardson Emergency Services and FBI in response to an incident in family housing. The team was a vital participant in the Vigilant Guard exercise by providing chemical, biological, radiological and



Arctic Care. Crews and UH-60 Black Hawk helicopters from the Alaska Army National Guard's A Company, 1/207th Aviation gather in Kotzebue during Operation Arctic Care 2010. This year's operation marked the 16th year military medical teams have deployed to remote areas of Alaska to treat patients and provide veterinary care. The Alaska Army National Guard provided airlift support to 11 remote villages during the event.
Photo: Courtesy of Alaska Army National Guard

nuclear explosive response teams, liaisons with civilian authorities, and command and control. The team also provided subject-matter experts to liaison and work with first responders of the Commonwealth of the Northern Mariana Islands, promoting cooperation and improved emergency response capabilities.

Counterdrug Support Program

Continued congressional funding gave us an annual budget of almost \$4 million, allowing us to support our local law enforcement agencies, schools and community-based organizations with 47 full-time counterdrug members. The primary mission of the Counterdrug Support Program encompasses two critical areas: Drug Interdiction and Drug Demand Reduction.

Our Rural Education Program partnered with the Chugach School District and the Voyage to Excellence program, which gives students throughout Alaska opportunities to apply what they have learned in school to real-life situations and also make them eligible for college credit at no cost. The goal of this partnership is to provide our youth with the skills and knowledge necessary to make a successful transition from school to life after building a strong anti-substance abuse foundation.

In all, our drug educators presented drug education messages to 6,081 students and taught our nationally accredited 12-week drug education/positive-life-choices curriculum to 7,990 students in 26 schools. This is an incredible increase from last year, and we



Vigilant Guard. First Lieutenant Noah Wescarver, B Company, 1/143rd Infantry Airborne, briefs his Soldiers in a simulated riot training scenario during exercise Vigilant Guard 2010, an annual, disaster-based training scenario to test the coordination of National Guard units with local, state, regional and national disaster preparedness organizations.
Photo: Technical Sergeant Brian E. Christiansen, North Carolina National Guard

attribute this growth to having more trained counterdrug members assigned to our DDR section, educators networking within the teaching community and outreach into schools that were difficult to reach last year.

Through the use of our E3 high-ropes challenge course, we provided experiential education to 656 participants, representing 12 community-based organizations throughout the state. We nearly doubled our attendance from 2009. This no-cost summer camp offered a savings to these agencies of more than \$150,000.

In an effort to bolster our Drug Interdiction efforts, the Alaska Counterdrug Program increased its support to 20 law enforcement drug units throughout the state. Each of these agencies was supported by operational case support, criminal analysis support or both. Along with direct case support and assisting with drug-related seizures, the Counterdrug Program also facilitated and sponsored training to more than 100 law enforcement professionals.

Since the inception of the Alaska National Guard Counterdrug Support Program, Alaska Guardsmen have become a critical component in supporting our communities and law enforcement agencies in combating Alaska's drug offenders. This program has shown that joint operations with the Alaska National Guard, while making use of all of our combined resources, can make a significant impact on developing partnerships and relationships, providing necessary manpower and resources to law enforcement agencies, and assisting our teachers and local leaders in finding ways to reduce substance abuse within our communities.

1\207th Aviation

A Company, 1/207th Aviation, supported Arctic Care 2010, an annual Innovative Readiness Training event for a medical task force based out of Kotzebue. A Company flew the medical teams around 11 rural villages, logging in 240 hours through challenging weather conditions throughout a 21-day period. The unit also conducted air movements in support of Vigilant Guard 2010, an exercise focused on training units to execute joint multi-agency operations. The company flew 42 hours, moved 189 passengers and transferred 2,950 pounds of cargo.

B Company is currently deployed to Baghdad, Iraq, in support of Operation New Dawn. The unit, consisting of 75 soldiers and 10 UH-60 Black Hawk helicopters, left Alaska in August 2010 and will return August 2011.

F Company returned in 2010 from its third Iraq deployment. Since the Guardsmen came home, they have supported Arctic Care 2010 and Vigilant Guard 2010, and conducted multiple para-drop missions for both the Alaska Army National Guard and the active-duty. In addition, F Company adopted a new mission involving gravel runway operations and has supported Alaskan Command radar sites around the state.

Small Arms Readiness Training Section

After a long break, the Small Arms Readiness Training Section has been revitalized with the primary mission of marksmanship training. The new program will conduct periodic workshops throughout the year covering everything from the basic marksmanship to advanced long-range shooting techniques to include optics and range estimation. This will allow the participants to return to their units and disseminate that information in order to raise the standard marksmanship level within their respective units. In addition, Alaska was fortunate to receive an influx of simulation equipment aimed at increasing marksmanship. New and upgraded weapons systems are designed to increase Soldier performance during the winter months where conditions may not make it feasible to use actual equipment.



Uniquely Alaskan. Warrant Officer Rick Fleming, right, and Staff Sergeant Elaine Jackson line up at the start of the 2010 Alaska National Guard Iron Dog Race. The Alaska National Guard was the lead sponsor for the 2010 Iron Dog, becoming presenting partner in October 2009 in order to support a uniquely Alaskan event and bolster the Alaska National Guard throughout Alaska and the nation. Photo: Major Guy Hayes, DMVA Public Affairs

Regional Training Institute

The 207th Regional Training Institute instructed and graduated more than 300 active-duty, Army Reserve and National Guard students from various noncommissioned officer education system courses and Officer Candidate School. Highlights from the past year include providing validation support for mobilizations and deployments, as well as supporting logistics improvements within new units and the state.

Military Support

We were heavily involved in the Vigilant Guard 2010 exercise, which featured extensive local, state, regional, federal, and private sector participation from organizations in Alaska, Washington, Oregon, Idaho, North Carolina and Hawaii. Training audiences examined the challenges associated with a regional earthquake and local tsunami response. The lessons learned during Vigilant Guard 2010 prepare the Alaska National Guard to respond to such real-world events.

In other activities, emergency response operations were focused on aircraft mishaps and accidents in Alaska. We provided support to several civilian and military operations during these incidents.

We also received much needed equipment required to operate in arctic conditions, including SUSVs, snow machines, zodiac boats, and high-frequency communications antennas and radios. This equipment is distributed statewide to be utilized by Alaska National Guard units responding to local emergencies in support of Alaska's Division of Homeland Security & Emergency Management.

Recruiting and Retention

We brought 395 new Soldiers and officers into the Alaska Army National Guard this year and supported some of the state's largest public events, including the Iron Dog snow machine race. The Recruiting and Retention Battalion participated in the Guard's Environment Campaign by teaming up with the Alaska Department of Fish and Game to clean up the Goose Bay Game Refuge. During the one-day event, more than 60 Guardsmen and 15 Fish and Game personnel removed more than 107 tons of waste from the refuge.

Medical Detachment

In 2010, the Medical Detachment focused on maintaining and improving the medical readiness of the Alaska Army National Guard and ensured that deploying units were medically prepared. The primary focus during drill weekends was to conduct periodic health assessments and dental exams, along with physical exams for flight and military schools, all while simultaneously maintaining the training currency of our medics and providers.

The highlight of this year was our participation in Vigilant Guard 2010 when we trained alongside our Air National Guard counterparts with the Expeditionary Medical Hospital System that was deployed to the rubble pile in Anchorage. We sent teams to Cordova and Valdez to train with the local emergency medical services and hospitals in supporting mass casualty events.

Three members of the Medical Detachment participated in Khan Quest 2010 in Mongolia, where a 60-member medical team of U.S. and Mongolian Armed Forces treated nearly 3,000 patients in the austere South Gobi region.

Alaska Air National Guard



Supporting Alaska on the Home Front

The mission of the Alaska Air National Guard is to recruit, train, equip and maintain America's finest Airmen. Tasked with this vital mission, the Alaska Air Guard supports worldwide contingency operations, State of Alaska emergency operations, daily homeland security and defense missions, and provides rescue forces on continual alert to protect life and property for the citizens of Alaska.

In 2010, Alaska Air National Guardsmen serving throughout Alaska met that mission by executing an extremely high operational tempo and deployment pace for yet another year.

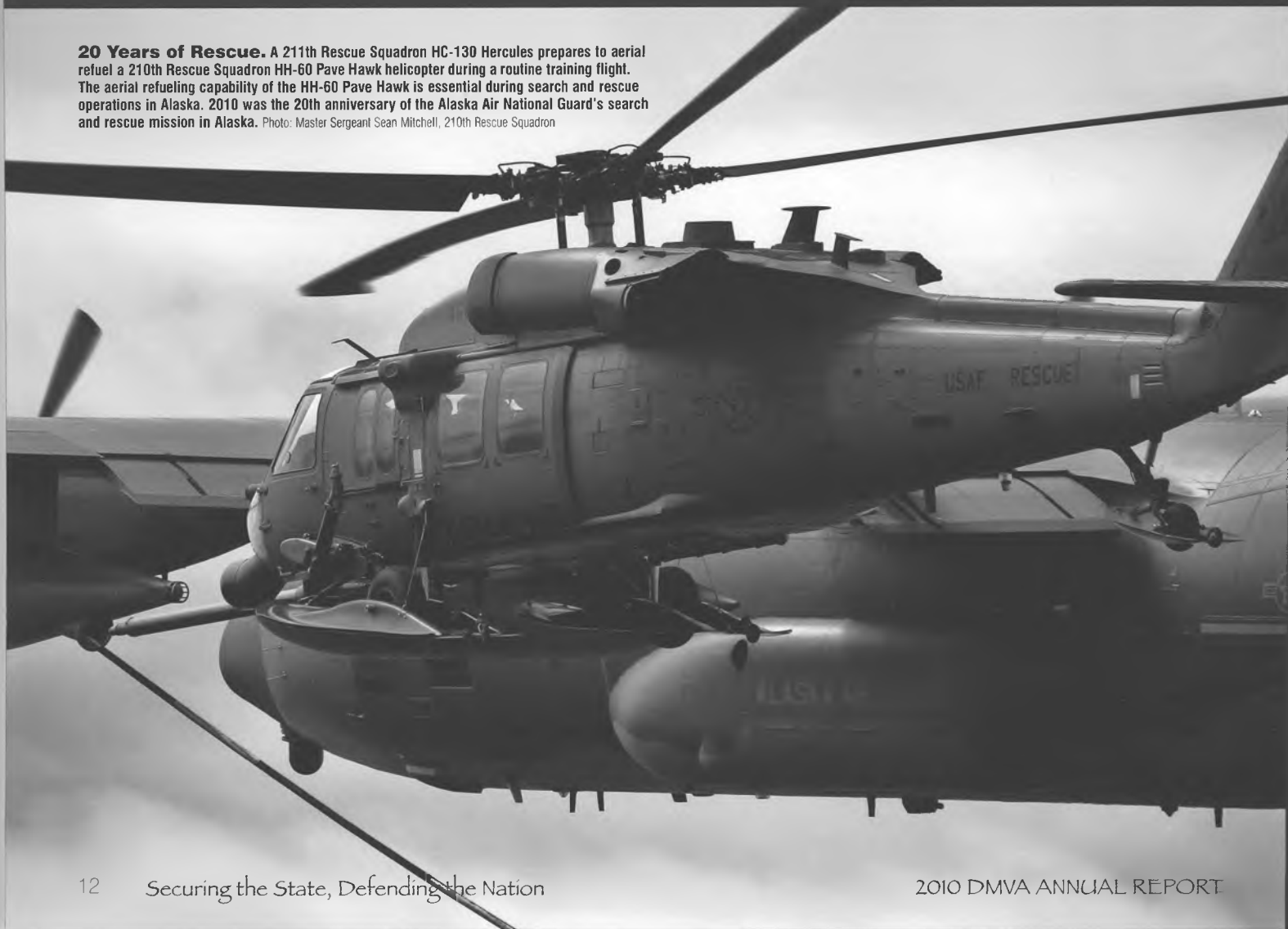
Nearly 100 full-time Guardsmen, assigned to the 213th Space Warning Squadron, performed daily missile warning and space surveillance at Clear Air Force Station, near Anderson, Alaska. The unit tracked more than 410,000 space objects and maintained a watchful eye on numerous ballistic missile events around the world. The unit also received the Air Force Vern Orr Award for effective use of human resources, the Air Force Lance Lord Award for greatest impact to mission accomplishment and the 2010 Governor's Award for excellence. The members of this unit truly understand the meaning of leading by example.

The 168th Air Refueling Wing, based in Interior Alaska at Eielson Air Force Base, flew 98 home-station missions, resulting in 547 flying hours in support of Alaska NORAD Region and other North Pacific real-world requirements. The Wing flew roughly 2,150 mishap-free hours.

The 168th Air Refueling Wing is home to the KC-135 Stratotanker. The Guard continues its close working relationship with the active duty – nearly all of its “customers” are active-duty aircraft, many of which are on operational missions, and the wing's eight KC-135 Stratotankers transfer more fuel than those of any other Air National Guard tanker wing.

Approximately 150 Alaska Air National Guardsmen assigned to the 176th Air Control Squadron performed a daily air sovereignty mission in support of the Alaskan Regional Air Operations Center on Joint Base Elmendorf-Richardson. Originally created to defend against potential bomber attacks from now-former Cold War foes, the Air Control Squadron today keeps tabs not only on continued probing by the Russians; it also identifies and directs response to incursions of other unknown aircraft into Alaskan airspace.

20 Years of Rescue. A 211th Rescue Squadron HC-130 Hercules prepares to aerial refuel a 210th Rescue Squadron HH-60 Pave Hawk helicopter during a routine training flight. The aerial refueling capability of the HH-60 Pave Hawk is essential during search and rescue operations in Alaska. 2010 was the 20th anniversary of the Alaska Air National Guard's search and rescue mission in Alaska. Photo: Master Sergeant Sean Mitchell, 210th Rescue Squadron



Load Up. An Alaska Land Mobile RadioTransportable is loaded onto an Alaska Air National Guard C-130 at Eielson Air Force Base during Arctic Edge 2010. The ALMR equipment was later transferred to Valdez for part of the exercise and provided communication capability for the Department of Defense, National Guard, Alaska State Troopers and municipalities. Photo: Staff Sergeant Christopher Boitz, U.S. Air Force



In 2010, the Air Control Squadron was credited with 26 Russian Bear intercepts and 12 additional northern air sovereignty operations. The 176th Air Control Squadron maintains the highest NORAD mission readiness status and is continually recognized for its outstanding performance.

The highest profile of all Alaska Air National Guard missions remains search and rescue. The 176th Wing has three rescue squadrons. The 210th Rescue Squadron flies six HH-60G Pave Hawk helicopters, highly modified search-and-rescue variants of the well-known Black Hawk.



Field Feeding Team. Senior Airman Miles Wong, front, 168th Air Refueling Wing, prepares jambalaya with Master Sergeant Stephen Hoffman, 193rd Special Operations Wing, Pennsylvania Air National Guard, in the expeditionary kitchen set up in Mertarvik. The two were part of the field feeding team who prepared three meals a day for service members taking part in the Innovative Readiness Training Program that moved the village of Newtok to Mertarvik. Photo: Master Sergeant Jason DeHeus, 168th Air Refueling Wing



Equipment Operators. Staff Sergeant Summer Rehak, left, and Senior Airman Danielle Randall operate forklifts during the Alaska Air National Guard's 176th Air Transportation annual training in Hawaii. The 176th trained for two weeks in Hawaii and even participated in the loading of food, supplies and vehicles onto aircraft bound for Haiti as part of earthquake relief efforts. Photo: Second Lieutenant Bernie Kale, 176th Wing Public Affairs



Bound for Afghanistan. Members of the Alaska Air National Guard's 212th Rescue Squadron transfer their gear from vehicles to a C-17 Globemaster III before deploying to Afghanistan to support combat search and rescue missions in support of Operation Enduring Freedom. Photo: Major Guy Hayes, DMVA Public Affairs



Universal Medicine. Alaska Air National Guard Senior Airman Amanda Crowson, aerospace medical technician, 168th Refueling Wing, takes care of a patient while deployed to Southwest Asia. She is part of the 386th Expeditionary Medical Group and provides emergency medical services, sick call assessments and immunizations. "I love being able to get our personnel back on their feet and back to work to keep the mission going," said Crowson on her first deployment experience. Photo: Courtesy of U.S. Air Force

The 211th Rescue Squadron flies four HC-130s specially equipped for aerial refueling and search-and-rescue missions. The 212th Rescue Squadron comprises the famed pararescuemen or "PJs" – elite rescuers trained in combat medicine, marksmanship, special tactics, mountaineering, scuba diving and a wide variety of wilderness survival skills. The 20th anniversary of rescue in the Alaska Air National Guard was celebrated this year with a gala event that included rescue force alumni, rescue tales from saved Alaskans, members of the Alaska Air National Guard and the community.

Search and rescue missions are coordinated through the 11th Rescue Coordination Center, a high-tech Air Guard facility located on Joint Base Elmendorf-Richardson. Together, the Alaska Air National Guard rescue squadrons were credited with saving 50 lives from January to November 2010. Most notable was the rescue mission near Dillingham that involved the late former U.S. Senator Ted Stevens. The mission was reported on by national media outlets, and the crews involved were recognized for their expertise, professionalism and true heroism – four saves were awarded for this mission for the rescue of former NASA chief Sean O'Keefe, Kevin O'Keefe, Jim Morhard and William "Willy" Phillips Jr.

Members of the 144th Airlift Squadron, which flies the C-130 Hercules, and 249th Airlift Squadron, which flies the C-17 Globemaster, supported several missions throughout Alaska in support of Operation

Santa Claus, which has been a long-time tradition of the Alaska Air National Guard and helps remote rural Alaska communities experience a little holiday cheer.

Airmen from the 168th, 176th and 15th Force Support Flight participated in the Newtok village relocation effort to Mertarvik, Alaska, as part of Innovative Readiness Training. The Guard members set up a single-pallet expeditionary kitchen to feed approximately 50 joint-service members for 65 days in field conditions.

Only a few construction projects remain in progress from the \$158.5 million in federal funding designated by the 2005 Base Realignment and Closure law that directed action to close Kulis Air National Guard Base and move the 176th Wing to Joint Base Elmendorf-Richardson. Currently, the 212th Rescue Squadron, 176th Medical Group and 249th Airlift Squadron have completed the transition to Joint Base Elmendorf-Richardson. The remaining units of the 176th Wing should complete their move by the end of February 2011. Kulis Air National Guard Base is on schedule to meet the September 2011 closure deadline, at which time the 170-plus acres of real property will be returned to the State of Alaska.

Recruiting efforts throughout the past two years have resulted in an impressive overall end-strength growth to 95 percent from 80.2 percent. New recruiting campaigns have included the development of a joint initiative with the Alaska Army National Guard, a new office in Wasilla, an updated office in Fairbanks, a planned future office in Kenai, extensive emphasis on unit referrals and individual unit involvement, additional recruiters and new partnerships to increase rural Alaska recruiting opportunities.

Defending America and Strengthening Relations

Alaska Air National Guardsmen answered the call to defend not only Alaska, but the United States in the Global War on Terrorism while supporting humanitarian and good will missions around the world.

From June 2009 to July 2010, 92 members of the 176th Wing deployed to various locations in support of Operation Enduring Freedom, and 14 Wing members deployed in support of Operation Iraqi Freedom. Missions took Alaska Air National Guardsmen to Bagram, Kandahar, Balad and Al Udeid, among other places in theater. Deployed Airmen typically served from 60 to 180 days in support of this contingency.



Aerial Refuel. A KC-135 Stratotanker from the 168th Air Refueling Wing readies to refuel an F-15 while deployed to Guam. The 168th Air Refueling Wing supported the continuous bomber presence and theater security package in the Pacific region as part of the 506th Expeditionary Air Refueling Squadron. Photo: Airman Whitney Amstutz, U.S. Air Force

Guardsmen from the 176th Wing and 168th Air Refueling Wing assisted multiple Indonesian communities during Operation Pacific Angel 2010, a humanitarian assis-

tance mission sponsored by U.S. Pacific Command designed to support areas in need in the Pacific region. Operation Pacific Angel is conducted in locations through-

out the Pacific theater to support the U.S. military charter of capacity building in partner nations. Alaska Air National Guardsmen provided air refueling, transportation, engineering and medical support to those in need, while building important civil-military relationships and regional awareness of the personnel involved.

The massive earthquake that struck Haiti prompted Alaska Air Guardsmen to spring into action. Members of the 144th Airlift Squadron and 249th Airlift Squadron completed multiple humanitarian missions in support of the Haiti earthquake relief effort. These missions included the transport of thousands of pounds of supplies into the devastated region along with hundreds of personnel evacuated to safety.

Elsewhere in the world, the 168th Air Refueling Wing provided airlift for the 176th Civil Engineer Squadron deployment for training to U.S. Coast Guard Air Station Borinquen, Puerto Rico. There, the Guard members completed 29 construction projects, reducing base operations and maintenance backlog.



Helping Haiti Relief Efforts. Staff Sergeant Thomas Berry, loadmaster with the 249th Airlift Squadron, performs flight preparations in the C-17 Globemaster III while the aircraft is in Mississippi before heading to Port au Prince, Haiti. This was one of four C-17 Globemaster III aircraft from Alaska that supported Haiti earthquake relief efforts. Missions into Haiti brought humanitarian supplies and personnel. Photo: Master Sergeant Andy Miller, Mississippi Air National Guard

Homeland Security & Emergency Management 2010 Top Ten Activities



INVEST in Interoperable Communications • Seven years, more than **\$22 million** in communications equipment enhance capabilities across the state • **In the future** • The 2nd Annual Youth Explorers Emergency Preparedness Conference trained future first responders • **In new strategies** • **Emergency Management Mentorship and Case Management** support successful completion of disaster-funded projects while streamlined online tools ease completion of **Emergency Operations Plans** • The **Mobile Emergency Operations Center** is already used in Alaska State Trooper and Search and Rescue functions.



Teamwork. The Cordova Fire Department cares for a volunteer disaster victim during the Alaska Shield 2010 full-scale exercise.

Photo: Megan Peters, Department of Public Safety

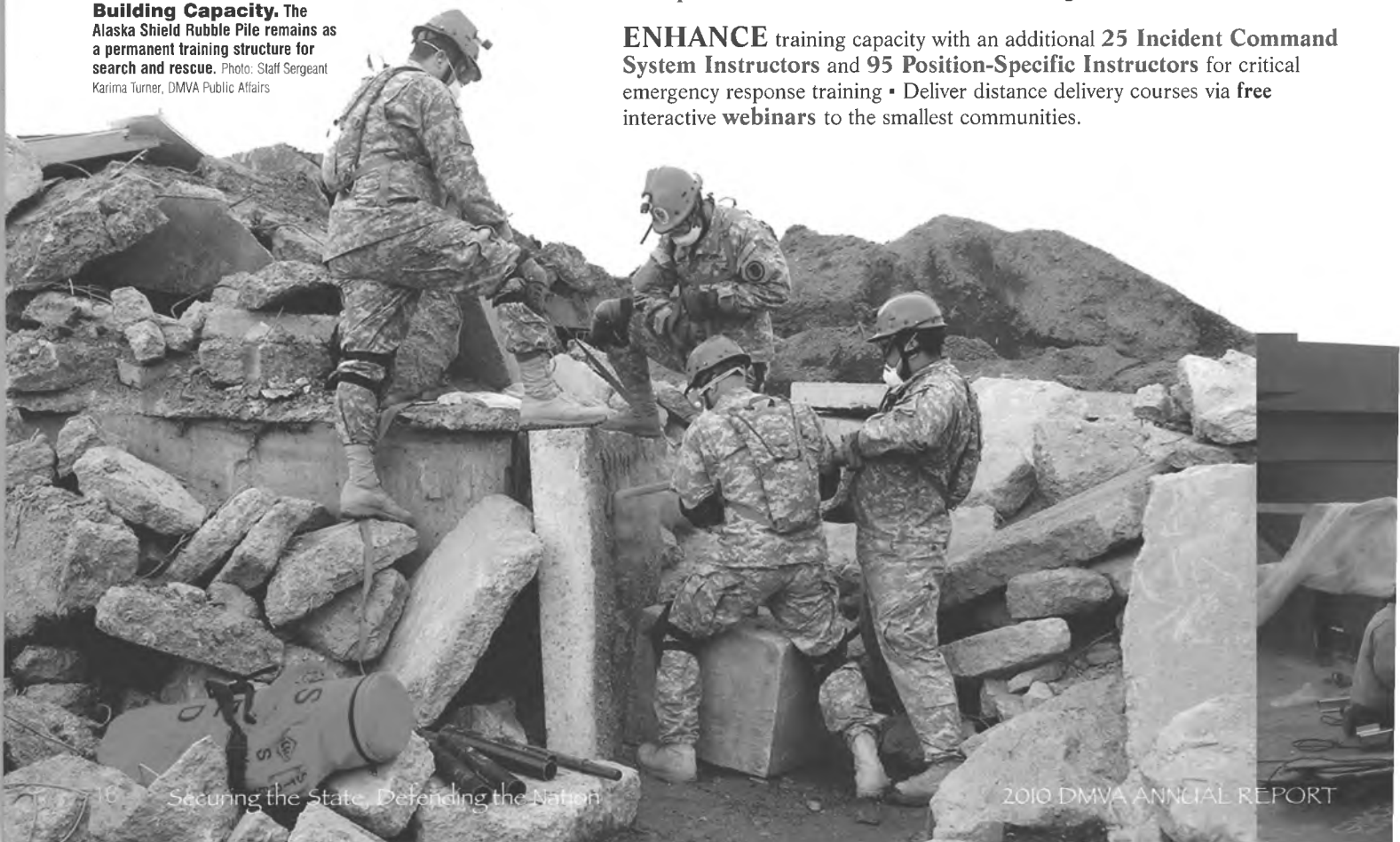
Building Capacity. The Alaska Shield Rubble Pile remains as a permanent training structure for search and rescue. Photo: Staff Sergeant Karima Turner, DMVA Public Affairs

BUILD structures to train and exercise • A **Rubble Pile** (collapse simulator) for Search and Rescue, used in the Alaska Shield 2010 full-scale exercise and the **upcoming** cross-border **2011 Cold Weather Exercise** • A temporary **Bailey Bridge** to transport equipment and personnel.

EXPAND Medical Surge capabilities • Transport and assembly of shelters in Southeast and Southcentral Alaska • Fairbanks **Oxygen Generator** ensures **critical** oxygen is available at hospitals during power outages • Test Anchorage's **Electronic Patient Tracking System**.

COLLABORATE River Watch teams of local elders, National Weather Service, and staff fly Alaska's river systems to assess and **warn** of the flood potential for the **30th** year • **Read Ready** provides preparedness materials to low-level adult readers statewide in Adult Basic Education • The State Emergency Coordination Center **serves** as a coordinating agency on **Unexploded Ordnances** and **Bioterrorism** agents.

ENHANCE training capacity with an additional **25 Incident Command System Instructors** and **95 Position-Specific Instructors** for critical emergency response training • Deliver distance delivery courses via **free** interactive **webinars** to the smallest communities.

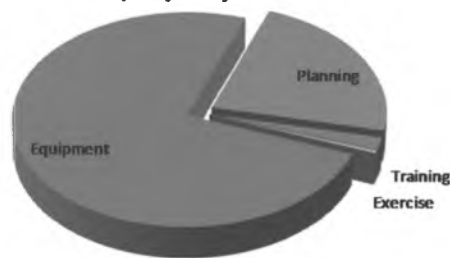




Building Bridges and Partnerships. State Department of Transportation workers and active-duty Army Soldiers construct a temporary bridge.
Photo: Meadow Bailey, Department of Transportation

2010 Funds to Communities

\$10,027,867



PROTECT communities through six new **Security Vulnerability Assessments** annually identifying equipment to address critical shortfalls • Information Technology specialist **CyberSecurity** training • Equip nine communities with **10 Emergency Warning Sirens** and hold a **Tsunami Awareness Workshop** for 10 communities in Unalaska.

LEVERAGE EXPERTISE locally • Local Experts share best practices and lessons learned at semi-annual **Preparedness Conferences** • Assist staff at local and regional events • **Nationally** • Staff called on for **leadership** in grant management practices, hazard mitigation for small communities, disaster assistance, tsunami warning and planning and service on national committees.

READY ALASKA preparedness **Public Education** campaign • **Responder Ready**, helping responders ready for the call to disasters through **family preparedness** • **Preparedness Partners** expanding and recognizing groups **working** toward a disaster-Ready Alaska.

INCREASE resources available to **Volunteers** by • Staffing a Volunteer Agency **Liaison** • Funding **Volunteer Organizations Active in Disaster Conference** • **Supporting** Community Emergency Response Team volunteer activities, including Kenai's joint exercise with the **Alaska Army National Guard**.

PERSIST working with FEMA for 15 years to ensure **Cold Weather Electrical Generators** for back-up power are **pre-positioned** in Alaska. The work **continues!**

Seismic Retrofit. The Ben Boeke Sports Arena seismic retrofit ensures an earthquake resistant shelter facility. Photo: Courtesy DHS&EM

Ready Alaska

Get a Kit, Make a Plan, Be Informed www.ready.alaska.gov



Joint Exercise. The Kenai Community Emergency Response Team, Alaska Army National Guard's B Troop, 1/297th Reconnaissance and Surveillance and the Kenai Fire Department practice combined response. Photo: Courtesy DHS&EM

Next Generation Preparing Today. Youth Explorers practice HazMat decontamination during the Emergency Preparedness Youth Explorer Conference.

Photo: Courtesy Fairbanks Volunteers in Policing



Alaska Military Youth Academy



The Alaska Military Youth Academy is part of the National Guard's Youth ChalleNGe Program with a mission "to help reclaim the lives of at-risk youth and produce program graduates with the values, skills, education and self-discipline necessary to succeed as adults." The Youth ChalleNGe Program is a 17.5-month program that consists of a 22-week residential phase based on the proven model of military education and training followed by a yearlong post-residential phase. The Alaska Military Youth Academy serves the needs of 16- to 18-year-old Alaskans and is located at Camp Carroll on Fort Richardson.



Parade Cadence. Cadets from the Alaska Military Youth Academy's class 2010-2 call out cadence at the Chugiak-Eagle River Bear Paw Parade. This class graduated 156 cadets, the second largest graduating class in the 16-year history of the Academy. Photo: Courtesy of Alaska Military Youth Academy

Serving Alaskans and Changing Lives

Cumulatively, the Academy has produced more than 3,261 graduates who are demonstrating exceptional success in their lives and futures. Without exception, the Academy has a proven track record of success and demonstrates unlimited potential to serve Alaska and Alaska's high school at-risk youth in the future.

The Alaska Military Youth Academy's tuition-free ChalleNGe program, located on Joint Base Elmendorf-Richardson within the Camp Carroll training site, is designed to provide at-risk 16-year-old through 18-year-old Alaskan youth who have dropped out of high school with an opportunity to recover credits, complete a high school education or earn a GED, gain healthy life skills, and develop leadership and teamwork skills that will prepare them for lifelong success.

Alaska's ChalleNGe program is based on historically tried and proven U.S. military training methods and structure. The structure and discipline allow cadets to strengthen their social and academic skills while encouraging emotional growth during the physically

demanding 22-week residential phase. The Academy is not a military "boot camp." The mission of the ChalleNGe program is to help reclaim the lives of at-risk youth.

To graduate from the residential phase, cadets are required to pass eight core components – academic excellence, physical fitness, job skills, service to the community, health and hygiene, responsible citizenship, leadership/followership and life coping skills. The residential phase further prepares cadets to successfully continue in the program's yearlong post-residential phase where students pursue their documented future plans.

To provide Alaskan youth and families easier access to Academy information and facilitate the application process, the school maintains two satellite offices – one in the Dimond Center in South Anchorage and another co-located with the Air and Army National Guard recruiting office in Fairbanks. Since the opening of the admissions office in Fairbanks, applications from interior and rural Alaska have increased and continue to remain high.

The classes that were conducted in 2010 reflect some of the best applicant-to-candidate show rates ever experienced by the Academy. The Academy was awarded the national USO ChalleNGe Award as the “Best Academic Program” in the nation.

During the spring and fall of 2010, the Academy achieved maximum use of the Academy’s capabilities by seeking the maximum number of applicants per class and ensuring that all candidates capable of participating in each class were invited to attend. The last four classes represent the highest average number of applicants and graduates in the 16-year existence of the Academy. In 2010, the Academy enhanced its Cooperative Work Experience program through an agreement with the University of Alaska Anchorage Career and Technical Education Program and awarded college credits for selected cadets participating in the Culinary Arts and Emergency Trauma Technician classes. The Academy’s largest group of graduates, 15, enrolled and began attending UAA classes in the fall of 2010.

The Academy works closely with a number of agencies to take advantage of the vast opportunities to provide services for the cadets. This includes a continuing education program with the U.S. Department of Education Educational Opportunity Center hosted by UAA that provides assistance with post-secondary institutions within the United States, as well as WorkKeys® Career Readiness Certificates through a joint partnership with the Departments of Education and Early Development and Labor and Workforce Development. The Academy was featured in “The Activity” August 2010 newsletter highlighting best practices of an educational institution achieving success with the WorkKeys® Career Readiness Courseware. Since implementing the pilot program in the summer of 2008, Alaska Military Youth Academy cadets have been awarded more than 400 Career Readiness Certificates, more than any other institution in the state.

Graduation metrics for the spring/summer class of 2010 – Class 2010-2 – show that the class graduated 156 cadets. This is the second largest graduating class in the 16-year history of the Academy. The fall/winter class – Class 2010-01 – graduated 136 cadets. These graduation statistics demonstrate that the Academy is producing 115 percent more than its target graduation population. The Academy ranks in the top two programs among all ChalleNGe programs in this area.

As of Oct. 1, 2010, the Academy had graduated more than 3,261 ChalleNGe cadets. The Academy is proud that 100 percent of the cadets graduating from the fall class of 2010-02 were placed for success after completion of the residential phase.



Hands on Training. Cadets practice emergency trauma technician skills, a job skills core component. To graduate from the residential phase, cadets are required to pass eight core components. Photo: Courtesy of Alaska Military Youth Academy



Drill and Ceremony. Alaska Military Youth Academy cadets perform in the drill and ceremony competition for Class 2010-1. During the event, cadets combine rigid marching formations with creative drill routines choreographed to music.

Photo: Staff Sergeant Karima Turner, DMVA Public Affairs

The Academy’s main campus located at Camp Carroll provides living facilities, food service, academic classes, vocational training, counseling, medical services and administrative support 24 hours a day, seven days a week for ChalleNGe cadets. The Alaska Military Youth Academy is accredited by the Northwest Accreditation Commission. The Academy is also an Alaska Department of Labor and Workforce Development GED testing site.

- Per capita, the Academy ranks #1 in the nation with regard to contacting and recruiting high school dropouts into the program.
- The Alaska Military Youth Academy is #2 nationally with regard to the number of cadets graduated above the published target graduation population.
- In June 2010, the Alaska Military Youth Academy received the national USO ChalleNGe Award for the “Best Academic Program” in the nation.
- Nationally, the Alaska Military Youth Academy is one of only seven ChalleNGe programs that has a nationally accredited educational component to issue high school diplomas.
- The Academy is producing 118 percent more than its target graduation population per year. The Academy ranks in the top three ChalleNGe programs nationally in this area.
- Class 2010-02, which graduated 156 cadets in August 2010, was the second largest graduating class in the Academy’s 16-year history.
- Cadet graduates from both classes in 2010 earned a total of 261 multi-level National Career Readiness Certificates.

STARBASE Alaska

Department of Defense STARBASE, sponsored locally by the Alaska Air National Guard, is a partnership between the military, local school systems and communities.

DoD STARBASE is a premier educational program, sponsored by the Office of the Assistant Secretary of Defense for Reserve Affairs. STARBASE students make connections with the “real world” and participate in challenging “hands-on, mind-on” activities in aviation, science, technology, engineering and math. Students also learn teamwork, goal setting and the importance of staying off drugs.

STARBASE Alaska’s goal is to motivate students to explore science, technology, engineering and math, or STEM, as they continue their education.

STARBASE is a world leader in introducing the latest STEM curriculum to elementary and middle school students. The inquiry-based curriculum, developed on six core concepts, engages students in exciting experiments and technology activities. The program is rigorous, relevant and has a “wow” factor for maximum learning.

STARBASE core curriculum concepts are: 1. Physics: Newton’s Law of Motion, fluid mechanics and aerodynamics; 2. Chemistry: building blocks of matter, atmospheric properties, and physical and chemical changes; 3. Technology: innovations, navigation and mapping; 4. Engineering: engineering design process and 3-D computer-aided design; 5. Mathematics: numbers and number relationships, measurement, geometry and data analysis; 6. STEM Careers: STEM careers on military facilities and personal investigations.

Each year STARBASE Alaska has grown in size and scope of its original mission. During the 2010 school year and summer sessions, STARBASE Alaska at Joint Base Elmendorf-Richardson reached



more than 1,700 students in the Anchorage and Matanuska-Susitna areas. This diverse group of young people came from 20 different schools.

In the summer months, we were able to reach out to special groups such as the families of the Department of Military & Veterans Affairs and students from Family Programs, as well as to partner with the Federal Aviation Administration to offer an Aviation Career Education Academy to students who have previously attended STARBASE. We continued to offer Teacher Kits, to reach more classrooms and support the Matanuska-Susitna School District.

By becoming Partners in Education with local school districts, STARBASE Alaska continues the mission of educating and developing responsible, productive, life-long learners and critical thinkers capable of assisting and leading America successfully in the 21st century. Together with the help of parents and teachers – 1,400 chaperone hours and 1,325 teacher hours in 2010 – STARBASE Alaska is making a difference in the lives of its students.



Fun Experiment. A student from Chugiak Elementary School demonstrates Bernoulli’s Principle – that air has lift.

Photo: Courtesy of STARBASE Alaska



Ready for Action. Students from Aquarian Charter School prepare to put Newton’s Laws of Motion into action.

Photo: Courtesy of STARBASE Alaska



Hands-on Learning. A student from Rabbit Creek Elementary School demonstrates air pressure principles.

Photo: Courtesy of STARBASE Alaska

Ethnicity of Student Population

Caucasian	1,083
Native American or Alaska Native	157
Asian/Pacific Islander	144
Hispanic	122
African American	102
Multiracial	88
Other	13

Number of Students Registering:
1,709

Female871
Male 838

2010 Highlights:

- Held weeklong ACE Academy focused on STEM careers in aviation
- Held two off-site STARBASE classes for schools that couldn’t raise transportation funds for onsite classes
- Partnered with the Anchorage School District’s 21st Century Schools (Northwood and Ptarmigan Elementary) to offer after-school classes twice a month
- Partnered with Operation Santa Claus to deliver STARBASE materials to nine rural villages
- ASD sponsored and created a STARBASE DVD to be shared with schools and potential partners



Space and Science. Students from Aquarian Charter School and Ursa Major Elementary in Anchorage work on various STARBASE curriculum highlights from spectrum of light effects and space station concepts to navigation and mapping techniques. Photos: Courtesy of STARBASE Alaska

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We're invested in the success of Alaska. Because we live here, too.

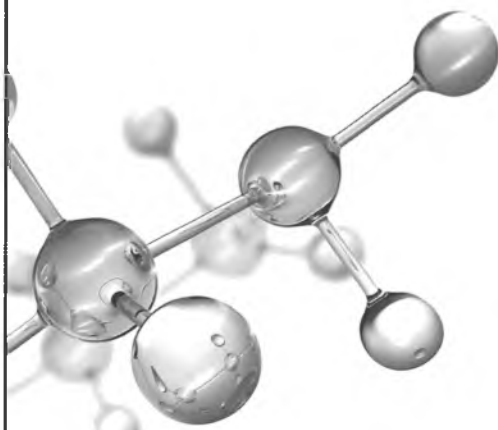


ExxonMobil has been a committed partner since Alaska's statehood. As such, our employees and their families are active participants in the community, volunteering for such events as the United Way Day of Caring, Habitat for Humanity, Junior Achievement and the Citywide Cleanup. We hope our involvement in these programs will help improve the overall quality of life in the state of Alaska. Because after all, we live here, too.

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FINALLY GOT BETTER. NOW YOU HAVE A
CHANCE TO GIVE BACK. WHY NOT QUIT
SMOKING, AND SAVE YOURSELF AGAIN.

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2/24/11

Presentation:

Northern

Rail

Extension

<TARGET><BILL></BILL><SUBJECT>2-24-11 Presentation
Northern Rail Extension</SUBJECT><COMM>HMLV27</COMM></TARGET>

Northern Rail Extension

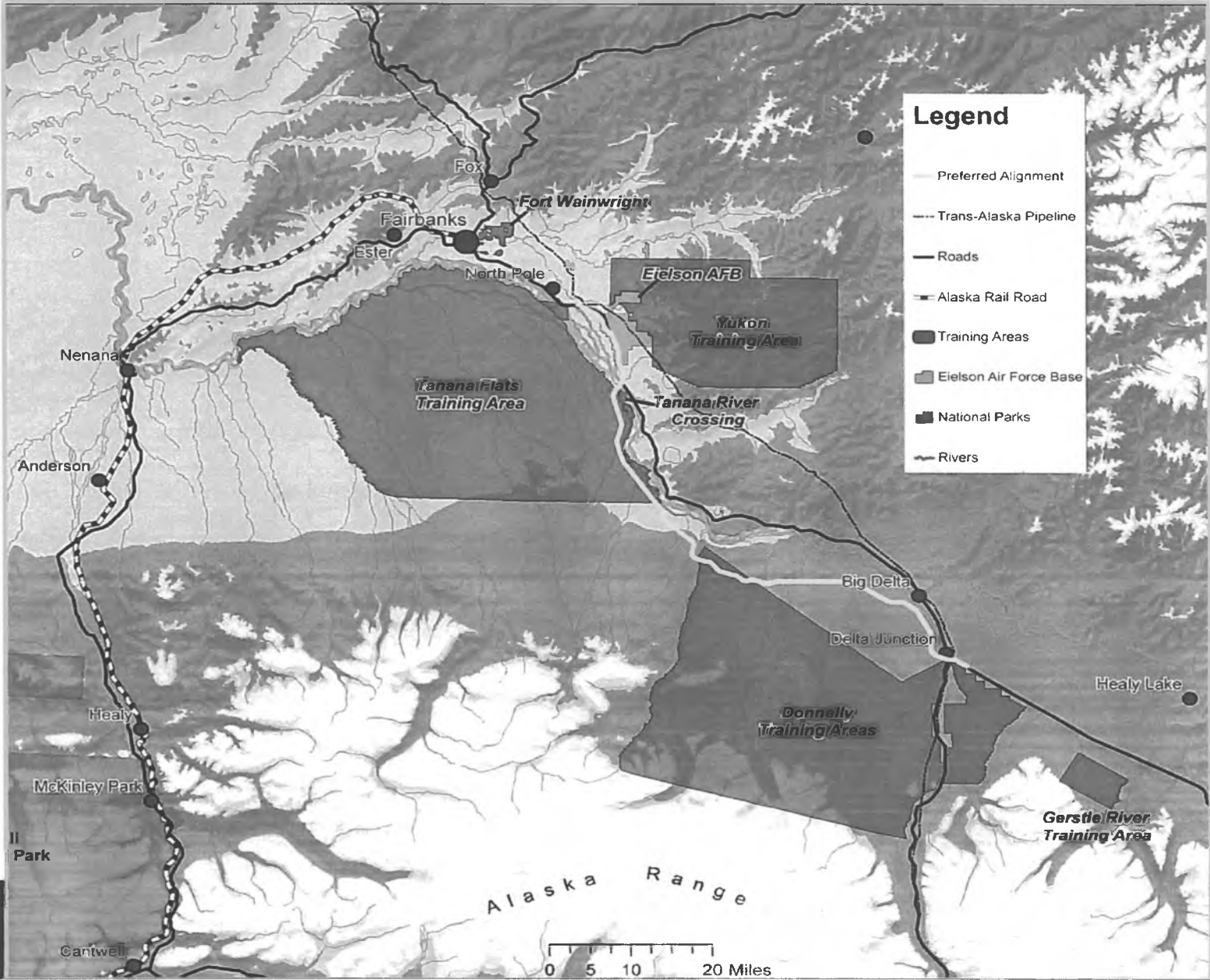
Military and Veterans Affairs Committee
Tanana Access Briefing



AlaskaRailroad.com



Northern Rail Extension



NRE Purpose

Military: Provides year round surface transportation access to training ranges south of the Tanana River

Transportation: Provides a future alternate mode of transportation of freight and eventually passengers between Fairbanks and Delta Junction

Secondary Benefit: Will improve flooding situation and retard erosion in Salcha area

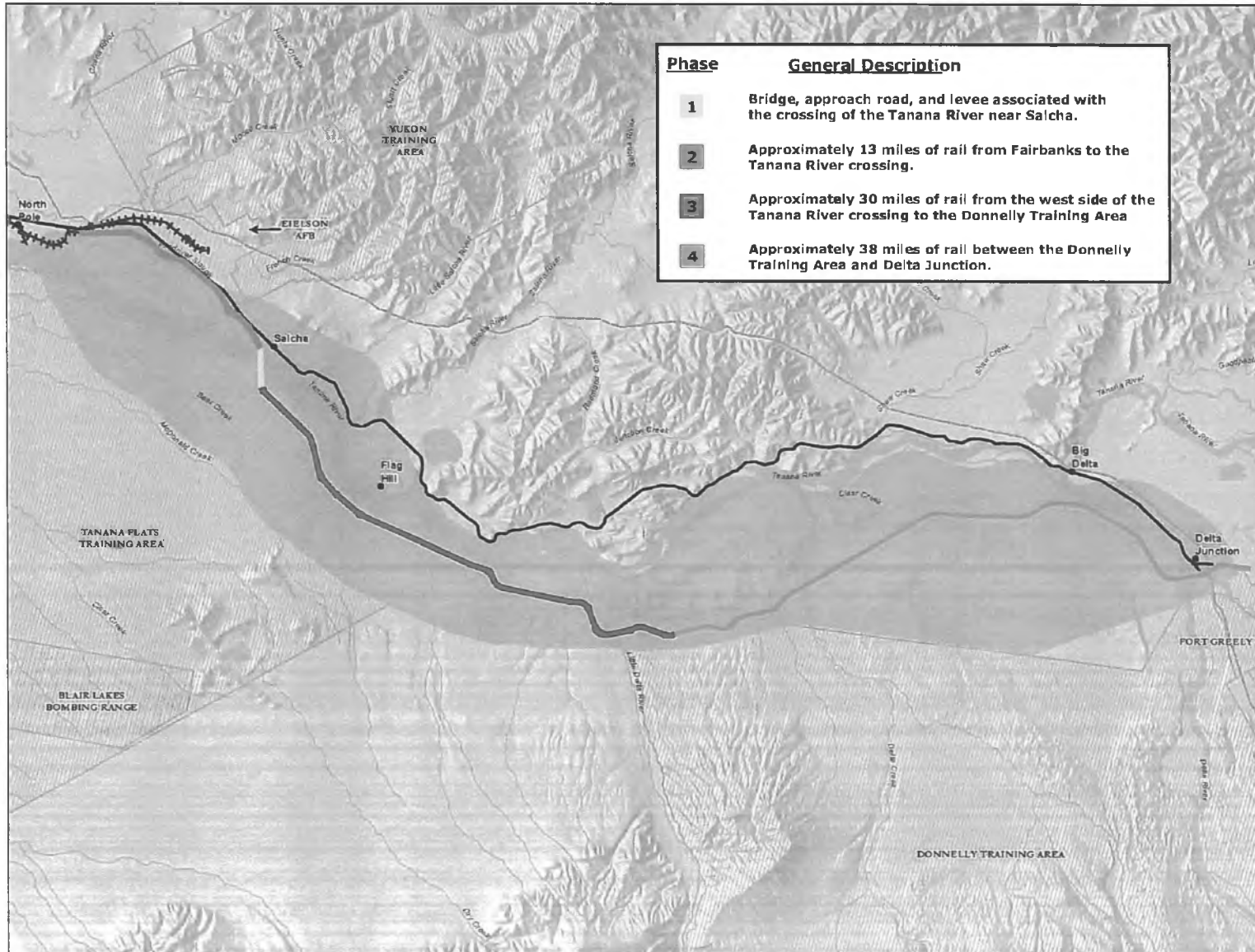


Project Timeline

- Notice of Intent Filed November 2005
- Draft EIS published December 2008
- Public hearings held January 2009
- Final EIS published September 2009
- EIS Approval (ROD) January 2010
- Kiewit selected as CM/GC April 2010
- Construction Permits submitted June 2010



Project Phases



Phase 1-4

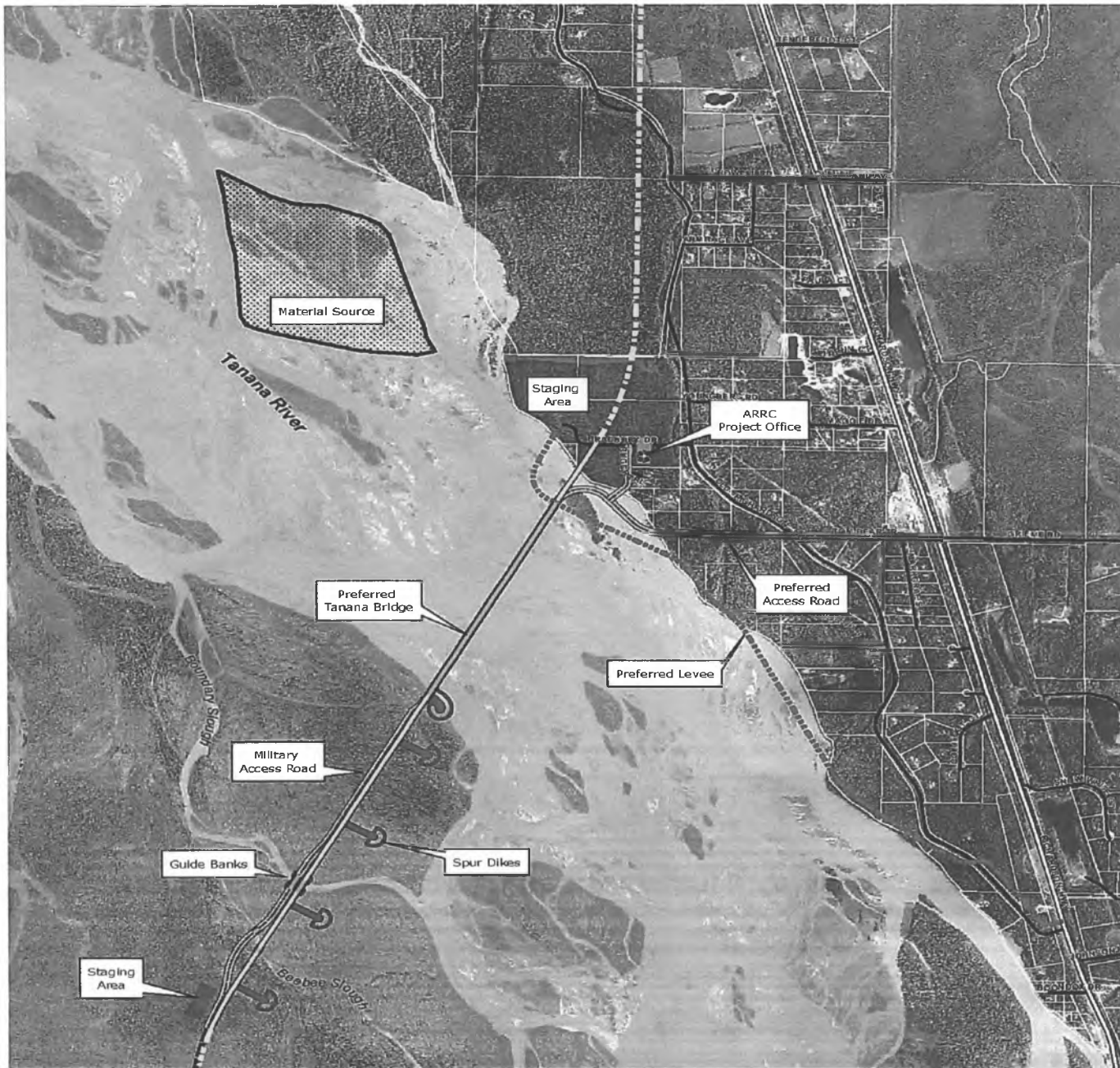
Figure 2.2.2-2

- Legend**
- Corridor Area
 - Military Boundary
 - Existing Railroad
 - Trans-Alaska Pipeline
 - Richardson Highway
 - Rivers and Streams



Map Projection: NAD 83 ADP 2 feet
 Date Printed: 4/26/2009
 Author: HDR Alaska, Inc.
 Date: 25 February 2009

The information displayed here is for planning and review purposes only.

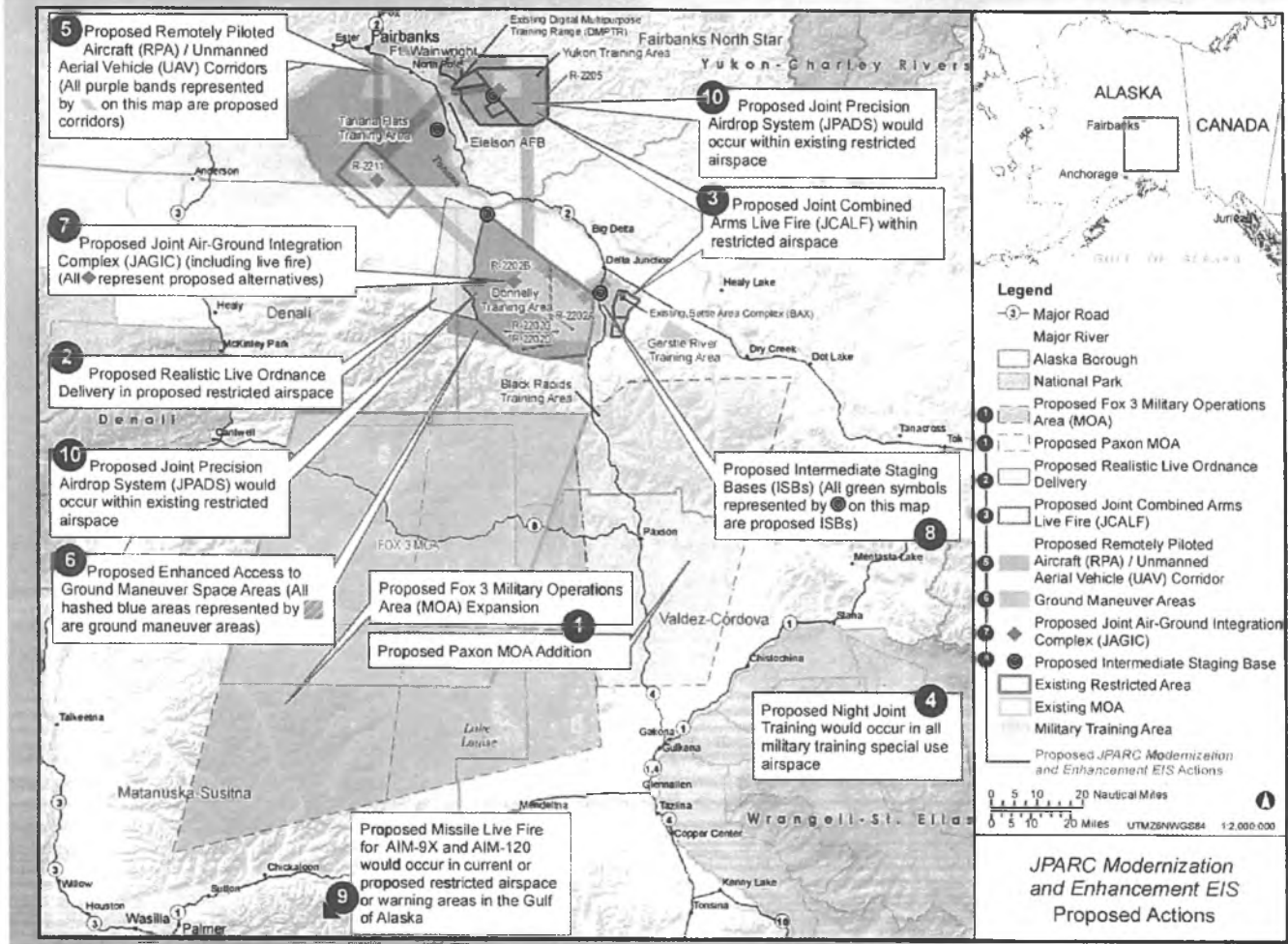


Phase 1:
Tanana
Crossing at
Salcha

JPARC

Joint Pacific Alaska Range Complex

Modernization and Enhancement Environmental Impact Statement



2008 Flood Event

- Largest recorded discharge since 1967 record flood event
- Significant overland flow through Salcha area resulting in disruption of service, loss of property from erosion, and cutting access along the Richardson Highway, the only overland access to Donnelly Training Areas and Ft. Greely military complex



Project Funding

Available Funding:

<i>DOD/FRA</i>	<i>\$ 44.2 Million</i>	<i>(expires 2013)</i>
<i>DOD/FRA</i>	<i>\$ 60.0 Million</i>	<i>(expires 2014)</i>
<i>State of Alaska</i>	<i><u>\$ 40.0 Million</u></i>	<i>(expires 2015)</i>
<i>Total</i>	<i>\$144.2 Million</i>	

In 2010, the project funding anticipated moving a railroad related \$12 million earmark on Fort Wainwright to this project. Changes at the Federal level prevented that from happening



2011 Cost Estimate

Construction	\$149,630,000
Engineering/Permitting/Right-of-Way	\$ 16,500,000
Construction Management	\$ 11,222,000
Contingency	\$ 10,377,000
<hr/>	
Total Phase 1A Cost Estimate	\$ 187,729,000



Cost Escalations

April 2010 Cost Estimate	\$158 Million
River Erosion	\$3 Million
Military and Permit Requirements	\$13 Million
Hydraulic Design Requirements	\$15 Million
	\$ 188 Million



River Erosion



Tanana Crossing Cost Summary

Re-sequenced Cost Estimate **\$ 188 million**

Funding:

2008 Military/FRA Grant (exp. 2013) **\$ 44 million**

2009 Military/FRA Grant (exp. 2014) **\$ 60 million**

2011 State of Alaska Grant **\$ 40 million**

Total Available Funding **\$ 144 million**

Budget Gap/Legislative Request **\$ 44 million**



Getting to Construction

- Additional \$44.0 million funding secured
- Obtain the Permits:
 - Currently a struggle with EPA/USACE
 - Timely issuance
- Federal Funding Agencies Approval:
 - Military: approve final plans
 - Federal Railroad Administration (FRA):
 - Final project plan as approved by military
 - Project financing plan



Thank You





Northern Rail Extension

Phase 1: Tanana Crossing at Salcha

Purpose:

- Provide year-round surface transportation to vast military training ranges on the south side of the Tanana River
- First critical step in the overall 80-mile Northern Line Extension project between North Pole and Delta Junction, providing freight and passenger transportation alternatives to the Richardson Highway

Statistics:

- 3300-foot bridge (20-165 foot steel spans) will be the longest bridge in the state of Alaska
- 2-mile levee will significantly attenuate frequent flooding in the community of Salcha
- Largest transportation infrastructure project in the Alaska interior in nearly 30 years

Funding:

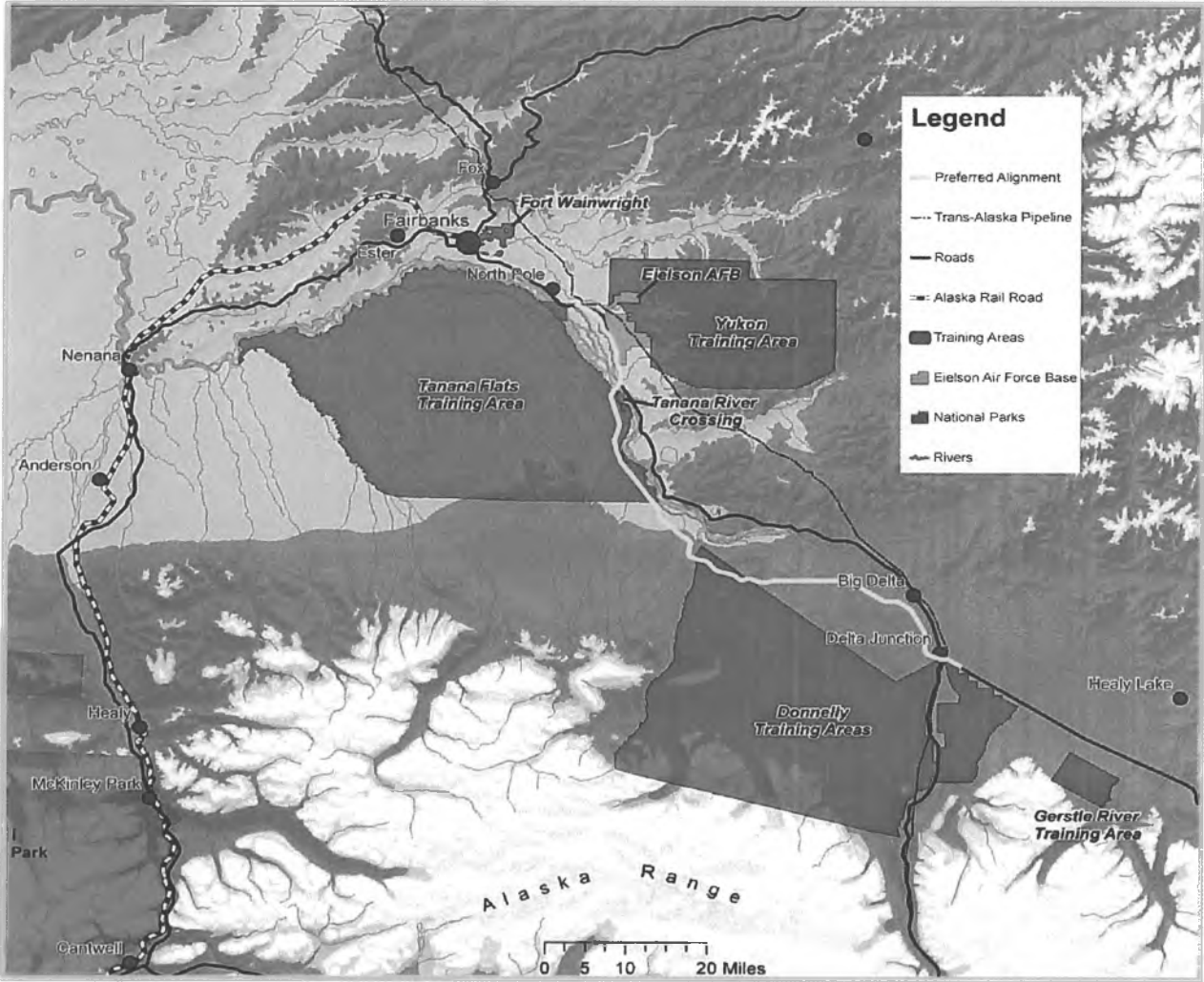
2008 Military/FRA Grant (exp. 2013)	\$ 44 million
2009 Military/FRA Grant (exp. 2014)	\$ 60 million
2011 State of Alaska Grant	\$ 40 million
Total Available Funding	\$ 144 million
Re-sequenced Cost Estimate	\$ 188 million
<i>Budget Gap/Legislative Request</i>	<i>\$ 44 million</i>

- **Construction MUST start this summer or federal funding will be in jeopardy**

Next steps before ARRC can proceed:

- Additional \$44.0 million funding secured
- Obtain the Permits
- Federal Funding Agencies Approval:
 - Military: approve final plans
 - Federal Railroad Administration (FRA)







Public Scoping Meetings - Please Attend

At present, the JPARC consists of all land, air, and sea training areas used by the Army, Navy, and Air Force in Alaska. The military currently uses the JPARC to conduct testing, training, and to support joint exercises and mission rehearsals. The Army and Air Force, through Alaskan Command, are proposing to modernize and enhance the JPARC to enable realistic joint training for the Army, Navy, Marine Corps, and Air Force.

Pursuant to the National Environmental Policy Act (NEPA), the Army and Air Force are preparing the *Environmental Impact Statement (EIS) for the Modernization and Enhancement of Ranges, Airspace, and Training Areas in the Joint Pacific Alaska Range Complex in Alaska (JPARC Modernization and Enhancement EIS)*. The EIS will analyze potential environmental consequences associated with the JPARC enhancements. Descriptions of the EIS proposed actions and alternatives to be discussed at the scoping meetings are shown below.

Please direct any written comments or requests for information to:

ALCOM Public Affairs
 9480 Pease Avenue, Suite 120
 JBER, AK 99506

Phone: 907-552-2341, fax: 907-552-5411, or www.jpargc.com

You may also request handicap assistance or translation services for the public scoping meetings in advance through ALCOM Public Affairs Office.

You are invited to attend a scoping meeting to:

- Learn about the proposal and the EIS process
- Identify community-specific issues
- Make sure you are included on our mailing list

Scoping Meetings

Meetings are from 6:30 p.m. - 8:30 p.m. with a presentation beginning at 7:00 p.m. except where noted*

Thursday, January 13
 The Millennium Alaskan Hotel
 Turnagain Room
 4800 Spenard Road
 Anchorage, Alaska 99517-3238

Tuesday, January 18
 Caribu Hotel
 Mile 186.5 Glenn Highway
 Glennallen, Alaska 99588

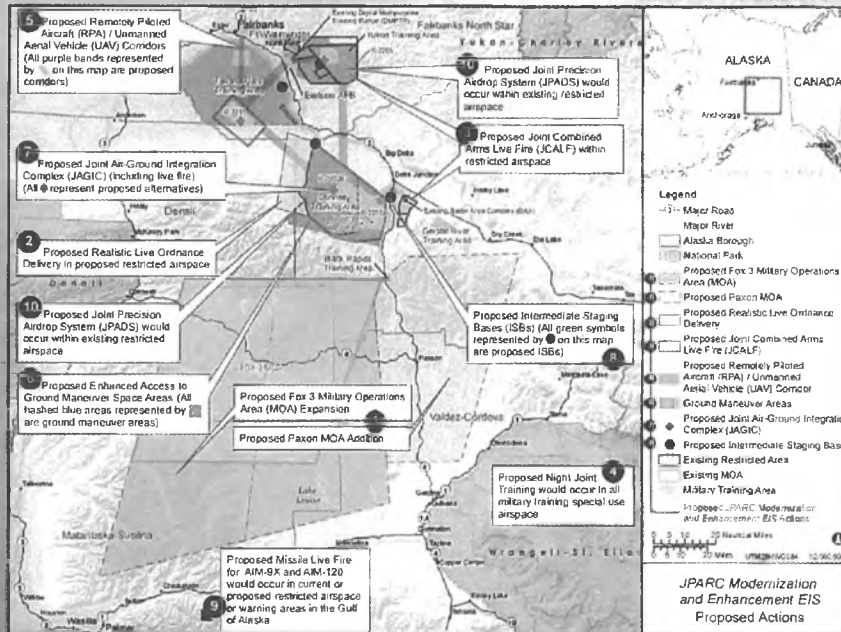
Wednesday, January 19
 Alaska Steakhouse and Motel
 Mile 265 Richardson Highway
 Delta Junction, Alaska 99731

Thursday, January 20
 *12:00 - 2:00 p.m. & 4:00 - 8:00 p.m.
 With presentations at 12:30 and 4:30 p.m.
 Princess Fairbanks Hotel
 4477 Pike 6, Landing
 Fairbanks, Alaska 99709

Monday, January 24
 Motel Nord Haven
 245 George Parks Highway
 Healy, Alaska 99743

Tuesday, January 25
 Swiss Alaska Inn
 2205B South F Street
 Talkeetna, Alaska 99676

Wednesday, January 26
 McInard Memorial Sports Center
 1001 S. Mack Drive
 Wasilla, Alaska 99654



The JPARC modernizations and enhancements would provide adequate resources to enable the Services to train realistically and jointly for military personnel to succeed in their mutually supportive combat roles when exposed to situations faced in actual combat.

FNSB Base Economy: Economic Drivers –



AMFAST

Military

Exit

To use Presentation:

1. Click on **boxes** to navigate to desired category
2. Use "Home" Button to return to this menu page
3. Use "Exit" Button to close the slide show
4. Click on "EBM"-Logo, as well as **notebook** icons to get brief data descriptions.



Military FBKs Total

Labor Income Impacts

Employment Impacts

Employment & Avg. Income

Military in Alaska

Current Stats

\$ Impacts

Employment Impacts

Labor Income Impacts

Eielson – Ft. WWR

\$ Impacts

Employment Impacts

Labor Income Impacts

Housing Price Scenario



FNSB Base Economy: Economic Drivers –



AMFAST

Military

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Exit

Economic Base Model:
The economic base model was constructed based on the developed Social Accounting Matrix (SAM) model to determine the drivers of our economy. Economic base theory states that the economic base (export base) determines a region's total level of economic activity (Seung, Waters et al. 2002). The development of a base model requires the definition of endogenous (internal) and exogenous (external) industries, and their demands on the FNSB economy. Parts of government spending (Defense), tourism, investments and exports are exogenous money flows and are used to construct an impact (exogenous shock) matrix of the regional economy. The resulting multipliers reflect features considered in our SAM such as: property type income, intermediate outlay leakages, the permanent fund dividend, military, and government or household transfer payments unique to Alaska and the FNSB.

[Close Info Box](#)

Military FBKs Total

Time Impacts

ment Impacts

& Avg. Income

Ft. WWR

Impacts

\$ Impacts

Employment Impacts

Labor Income Impacts

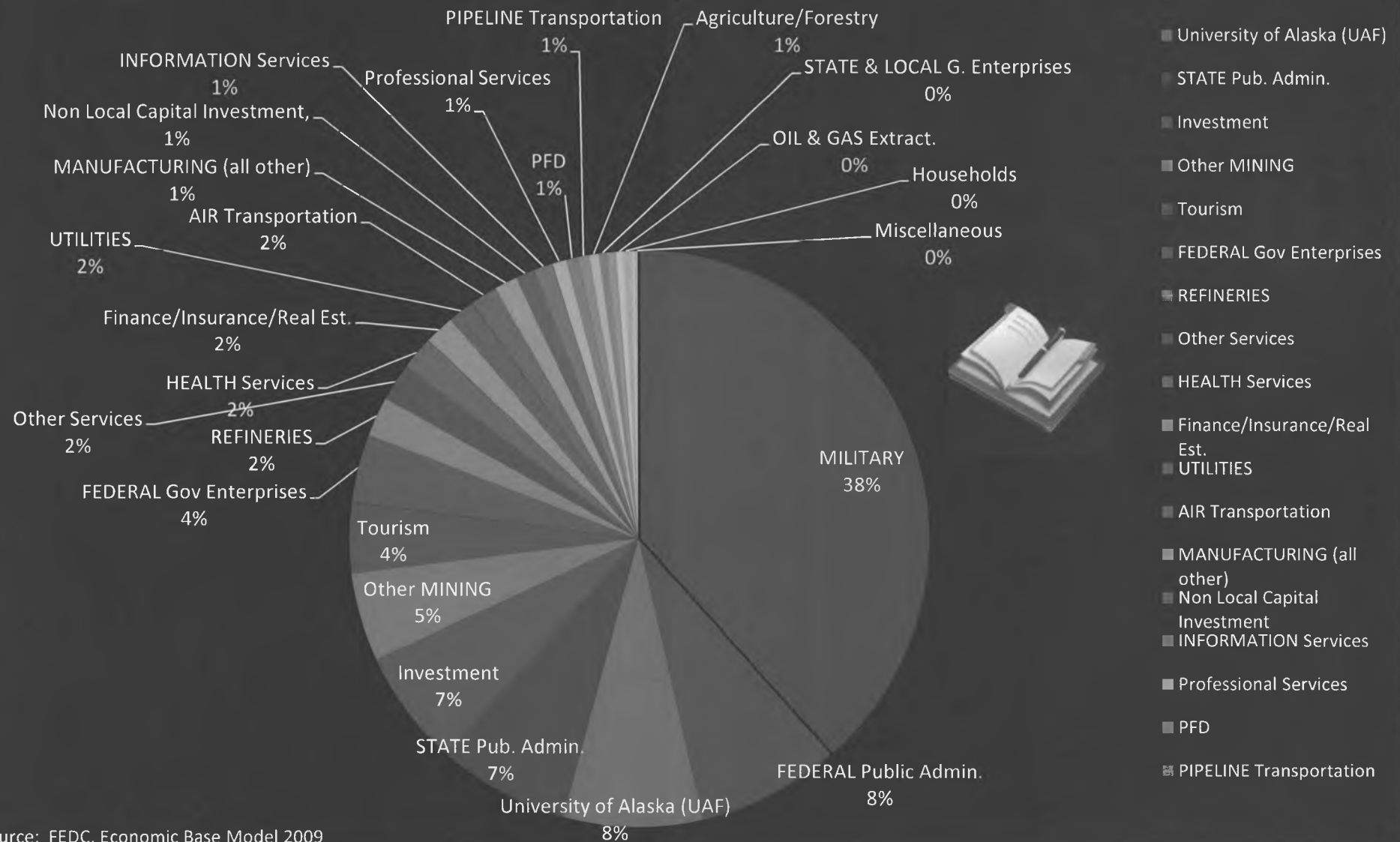
Employment Impacts

Labor Income Impacts

Housing Price Scenario



% of Total Labor Income (direct + indirect + induced) generated by each Industries' and Institutions' Dollars (US) brought into the FNSB Economy

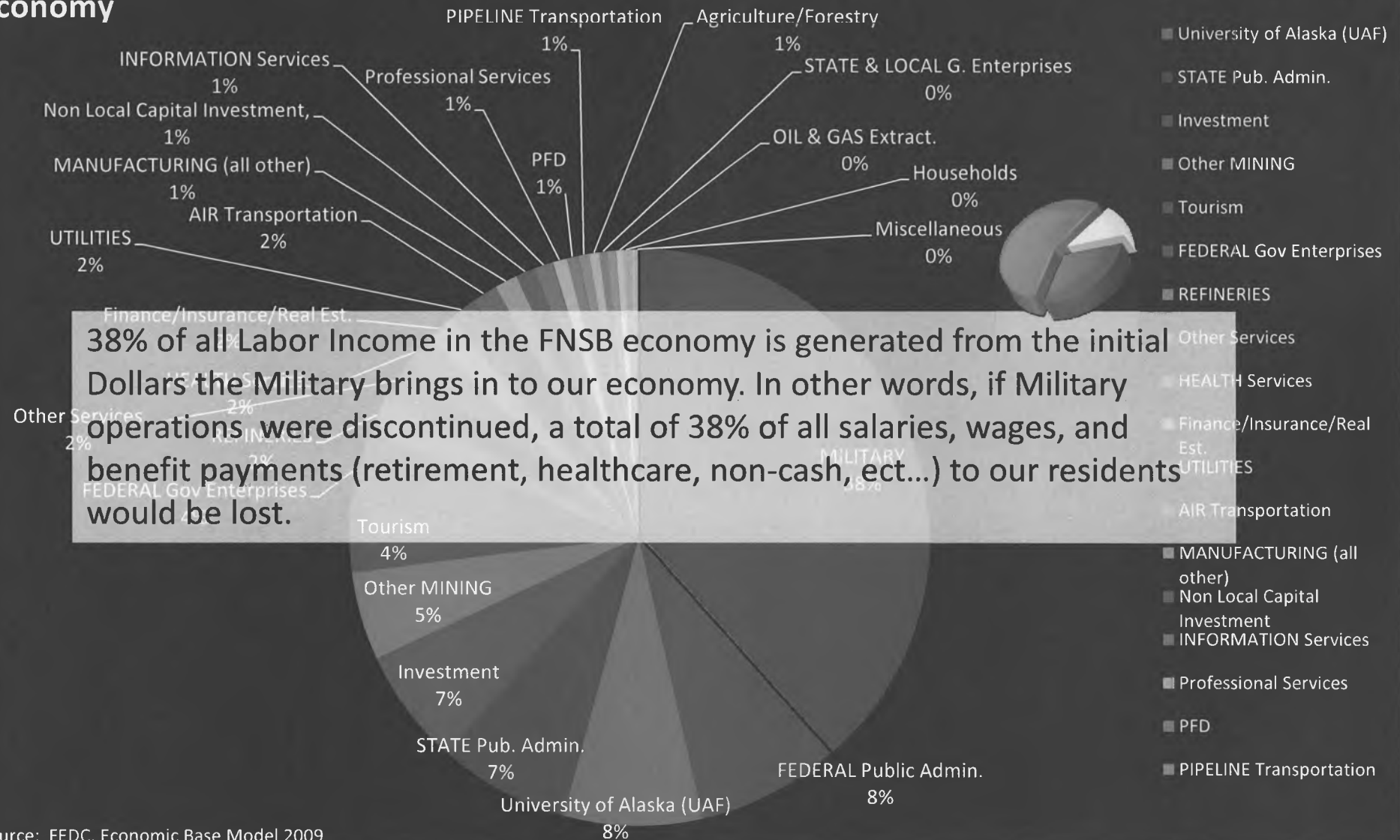


Source: FEDC, Economic Base Model 2009

Home

Exit

% of Total Labor Income (direct + indirect + induced) generated by each Industries' and Institutions' Dollars (US) brought into the FNSB Economy

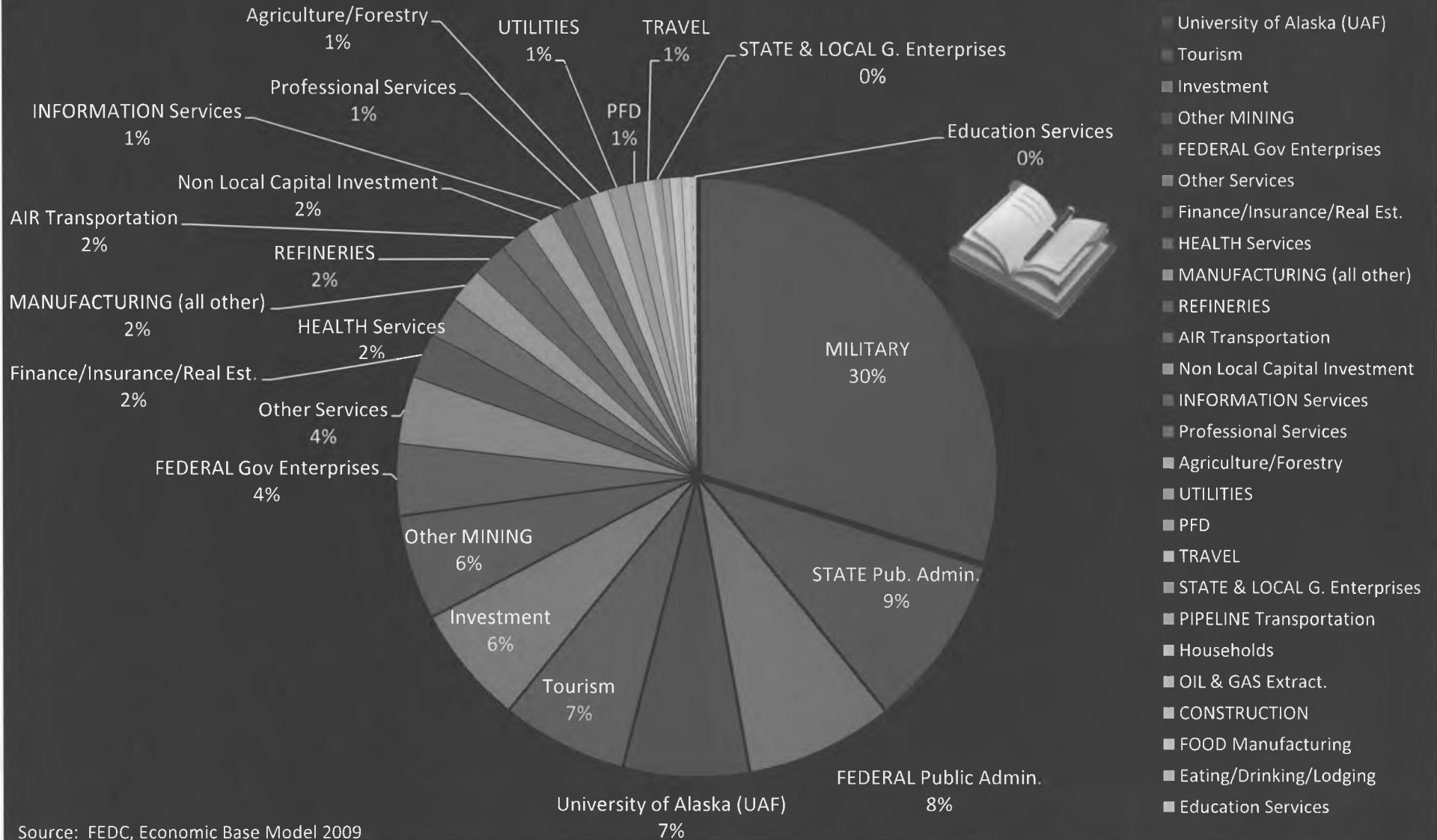


38% of all Labor Income in the FNSB economy is generated from the initial Dollars the Military brings in to our economy. In other words, if Military operations were discontinued, a total of 38% of all salaries, wages, and benefit payments (retirement, healthcare, non-cash, ect...) to our residents would be lost.

Source: FEDC, Economic Base Model 2009



Total Employment Impacts (direct + indirect + induced) from Industries' and Institutions ' Dollars (US) brought into the FNSB



Home

Exit

Total Employment Impacts (direct + indirect + induced) from Industries' and Institutions' Dollars (US) brought into the FNSB



- MILITARY
- STATE Pub. Admin.
- FEDERAL Public Admin.
- University of Alaska (UAF)
- Tourism
- Investment
- Other MINING
- FEDERAL Gov Enterprises
- Other Services
- Finance/Insurance/Real Est.
- HEALTH Services
- MANUFACTURING (all other)
- SERVICES
- AIR Transportation
- Non Local Capital Investment
- INFORMATION Services
- Professional Services
- Agriculture/Forestry
- UTILITIES
- PFD
- TRAVEL
- STATE & LOCAL G. Enterprises
- PIPELINE Transportation
- Households
- OIL & GAS Extract.
- CONSTRUCTION
- FOOD Manufacturing
- Eating/Drinking/Lodging
- Education Services

Military:

The public sector, in total, impacts our economy by generating 60% of all jobs in the Fairbanks North Star Borough. In other words, 6 out of 10 jobs in Fairbanks are directly and indirectly created by State and Federal Dollars spent in Fairbanks.

The Military is the dominant driver within the public sector. Our two base operations bring \$1.2 billion into our economy and therefore generate 30% of all jobs in Fairbanks. This means, half of all jobs generated by the public sector are based on the Dollars the Military spends in our community.

Interpreting this data also reveals the potentially devastating impacts a base closure would have; 3 out of 10 jobs in Fairbanks would not exist without the presence of the Military.

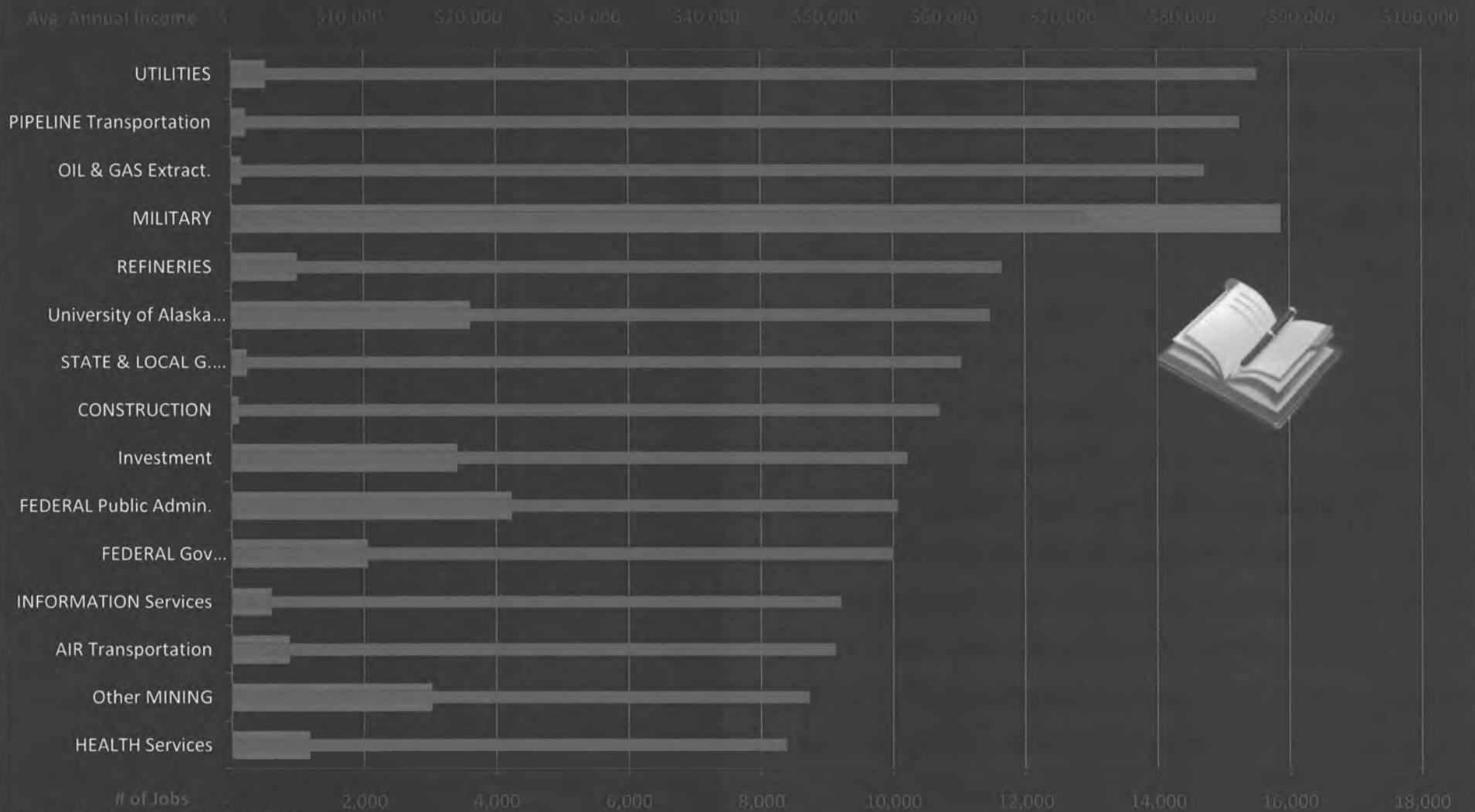
We can clearly see how important the Military bases are to our job creation in Fairbanks.



Source: FEDC, Economic Base Model 2009



Total Employment & Avg. Annual Income per Job (direct + indirect + induced) by Top 15 highest paying Industries in Fairbanks – These Jobs and Income are generated from Dollars (US) brought into the FNSB Economy



Source: FEDC, Economic Base Model 2009

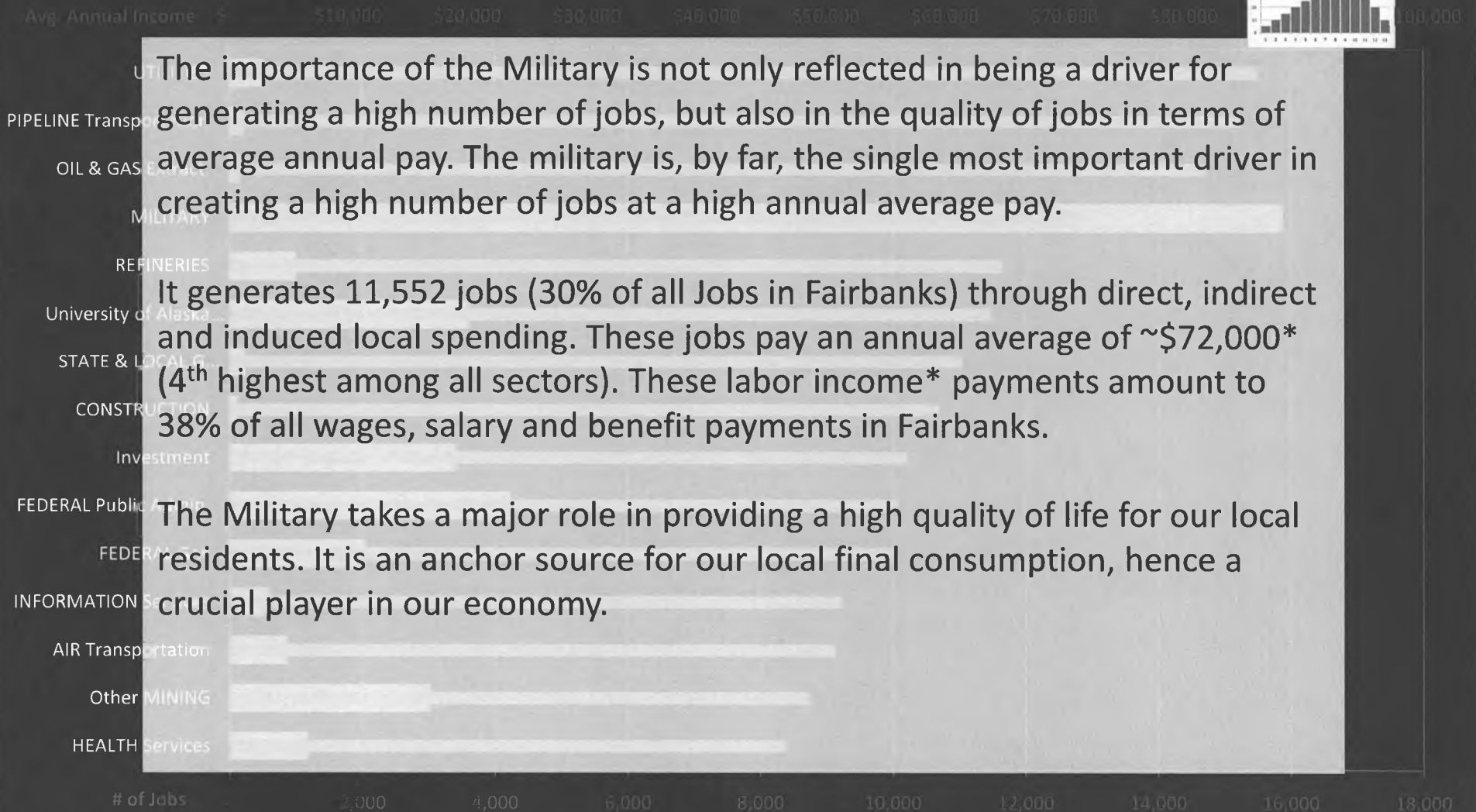
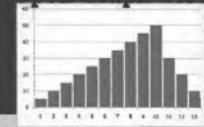
*Payroll plus Proprietors Income

**Institution; including expenses for contractors', transfer payments, and other final (institutions') demand.

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Total Employment & Avg. Annual Income per Job (direct + indirect + induced) by Top 15 highest paying Industries in Fairbanks – These Jobs and Income are generated from Dollars (US) brought into the FNSB Economy



The importance of the Military is not only reflected in being a driver for generating a high number of jobs, but also in the quality of jobs in terms of average annual pay. The military is, by far, the single most important driver in creating a high number of jobs at a high annual average pay.

It generates 11,552 jobs (30% of all Jobs in Fairbanks) through direct, indirect and induced local spending. These jobs pay an annual average of ~\$72,000* (4th highest among all sectors). These labor income* payments amount to 38% of all wages, salary and benefit payments in Fairbanks.

The Military takes a major role in providing a high quality of life for our local residents. It is an anchor source for our local final consumption, hence a crucial player in our economy.

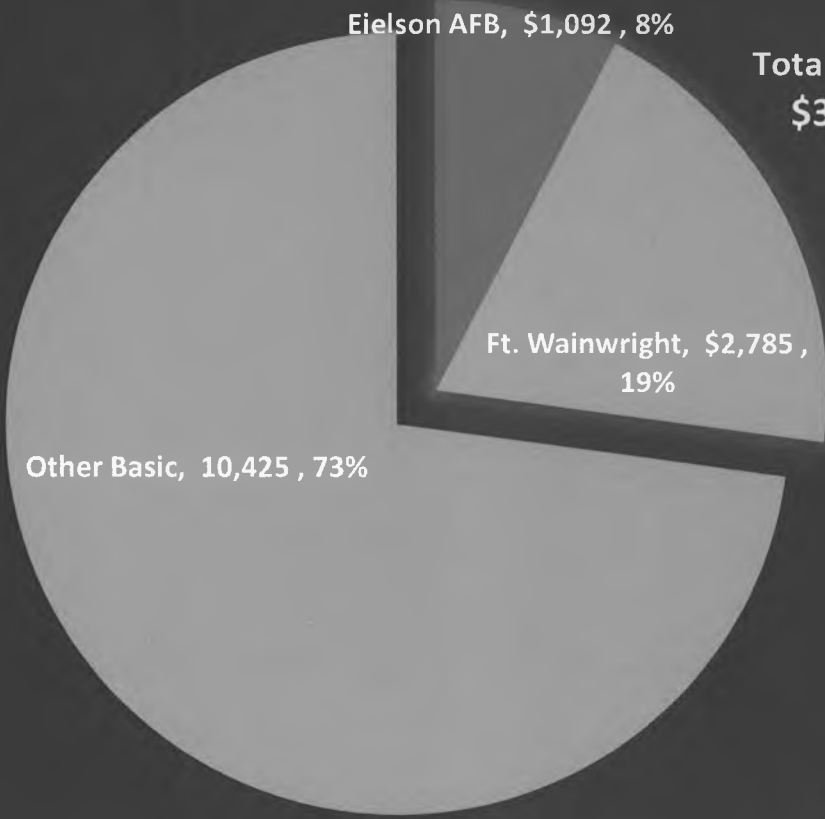
Source: FEDC, Economic Base Model 2009

*Payroll plus Proprietors Income

**Institution; including expenses for contractors', transfer payments, and other final (institutions') demand.



Dollar Impacts: Total revenue generated by Military Dollars (\$1.2 bill.) in Fairbanks



Total Military Impact: \$3,9 bill. (27%)



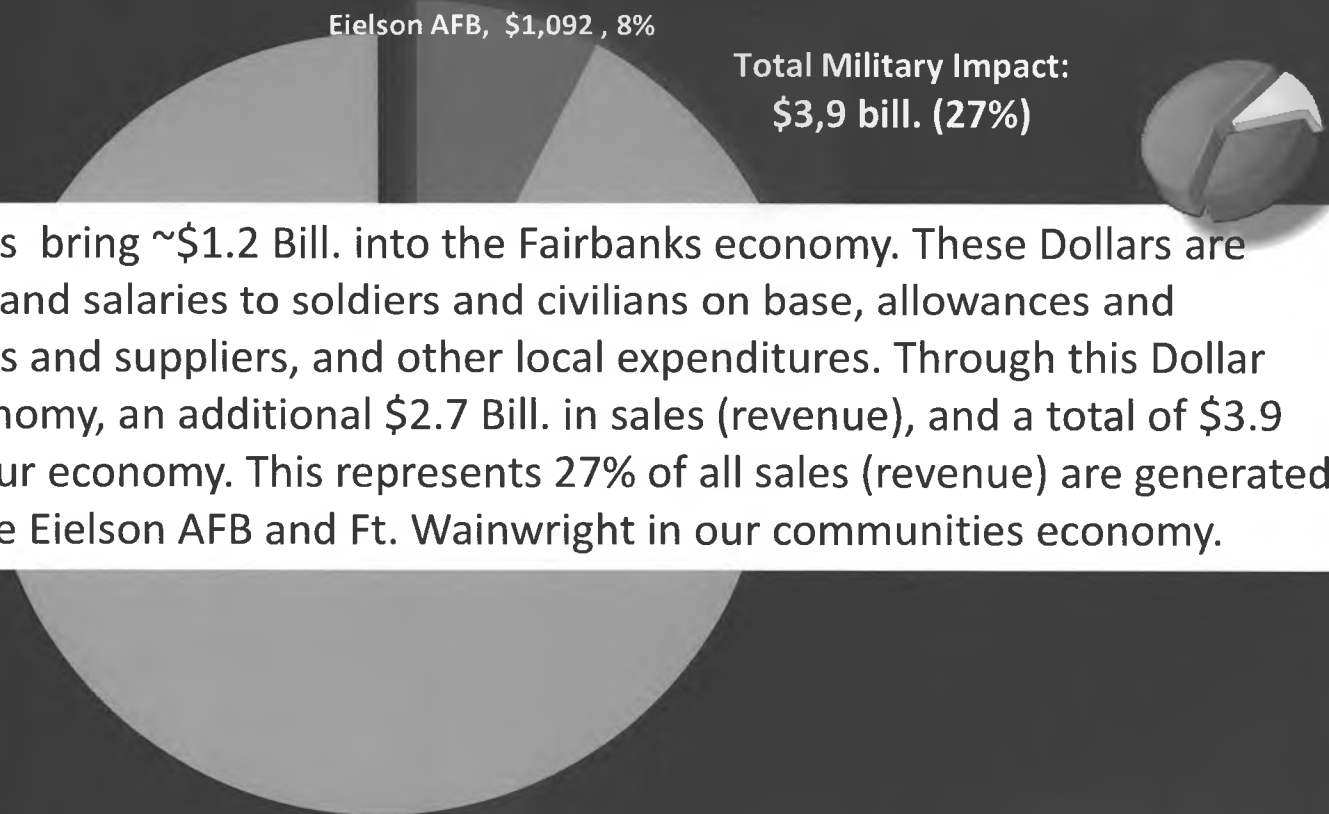
- Eielson AFB
- Ft. Wainwright
- Other Basic

Source: FEDC, Economic Base Model 2009; Values in \$ Million

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Dollar Impacts: Total revenue generated by Military Dollars (\$1.2 bill.) in Fairbanks



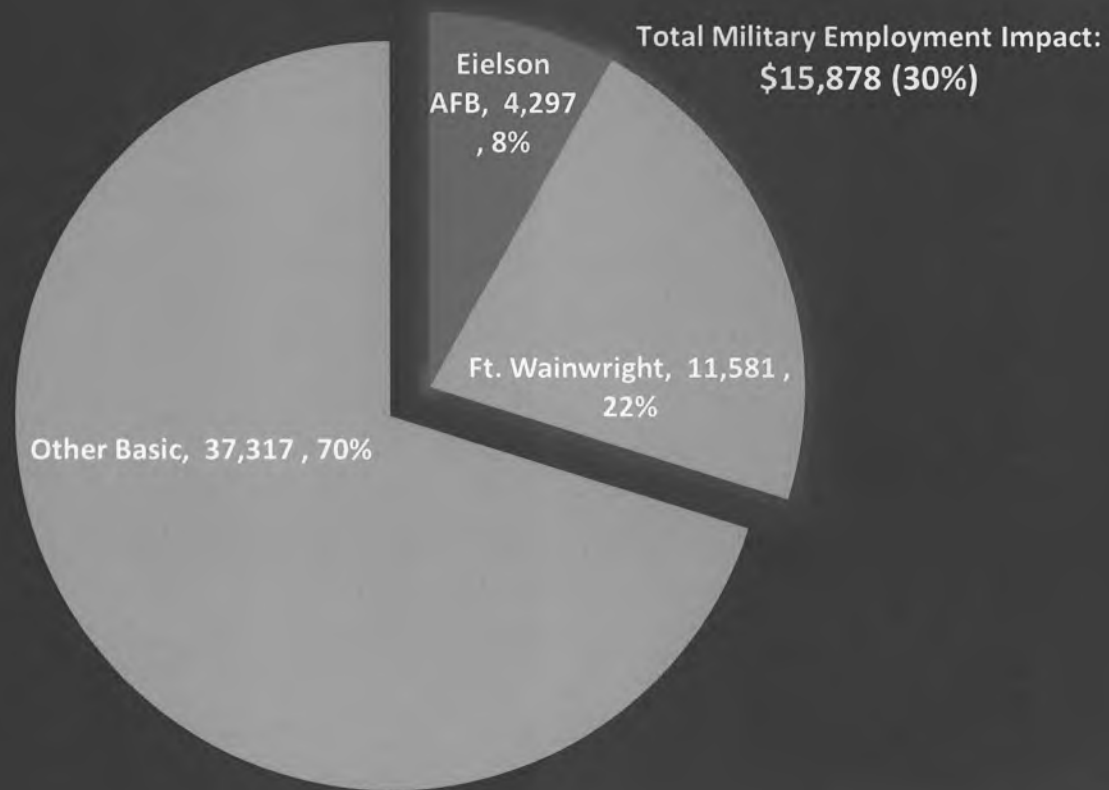
The Defense operations bring ~\$1.2 Bill. into the Fairbanks economy. These Dollars are used for paying wages and salaries to soldiers and civilians on base, allowances and benefits, local contracts and suppliers, and other local expenditures. Through this Dollar inflow to our local economy, an additional \$2.7 Bill. in sales (revenue), and a total of \$3.9 Bill. are generated in our economy. This represents 27% of all sales (revenue) are generated from the impacts of the Eielson AFB and Ft. Wainwright in our communities economy.

Source: FEDC, Economic Base Model 2009;
Values in \$ Million

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Employment Impacts: Jobs generated by Military Dollars (\$1.2 bill.) in Fairbanks



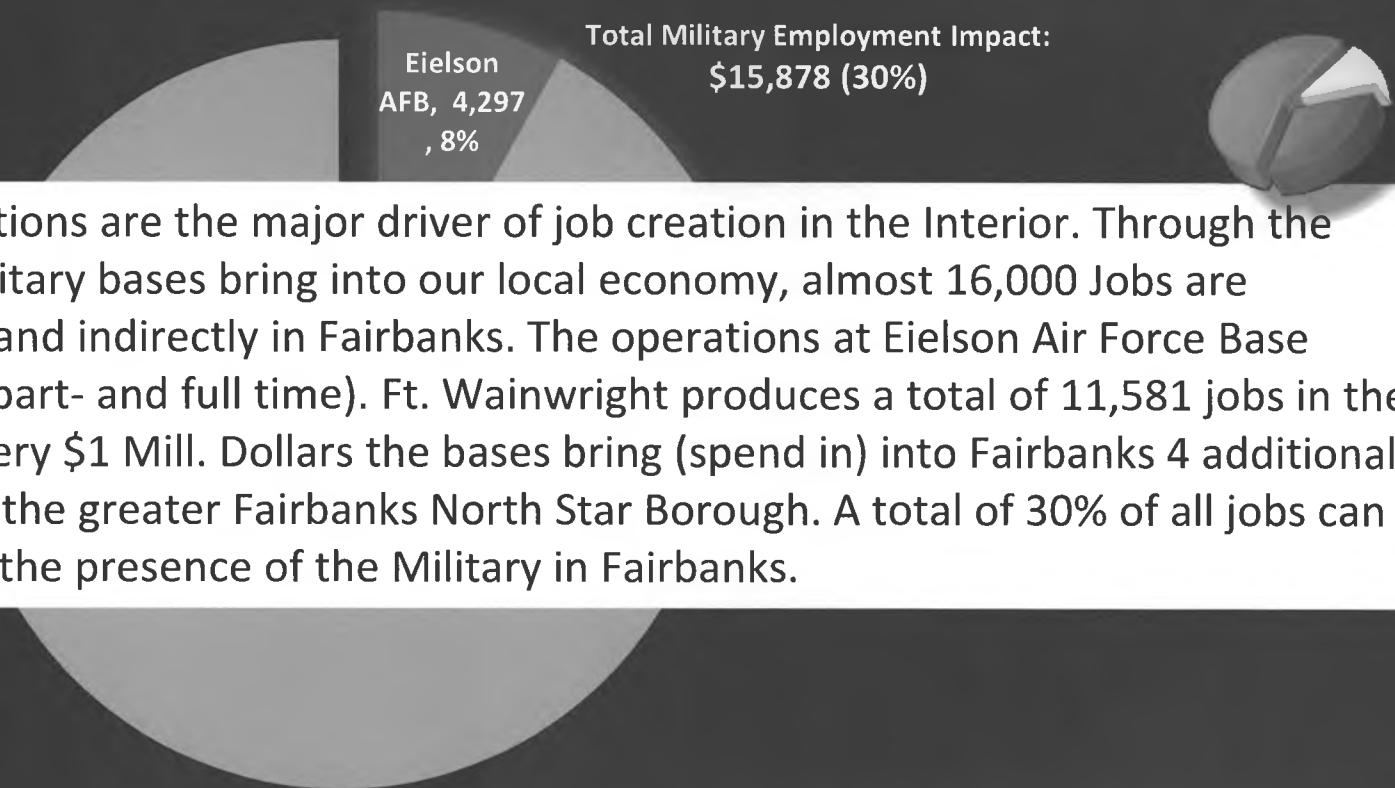
- Eielson AFB
- Ft. Wainwright
- Other Basic

Source: FEDC, Economic Base Model 2009;

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Employment Impacts: Jobs generated by Military Dollars (\$1.2 bill.) in Fairbanks



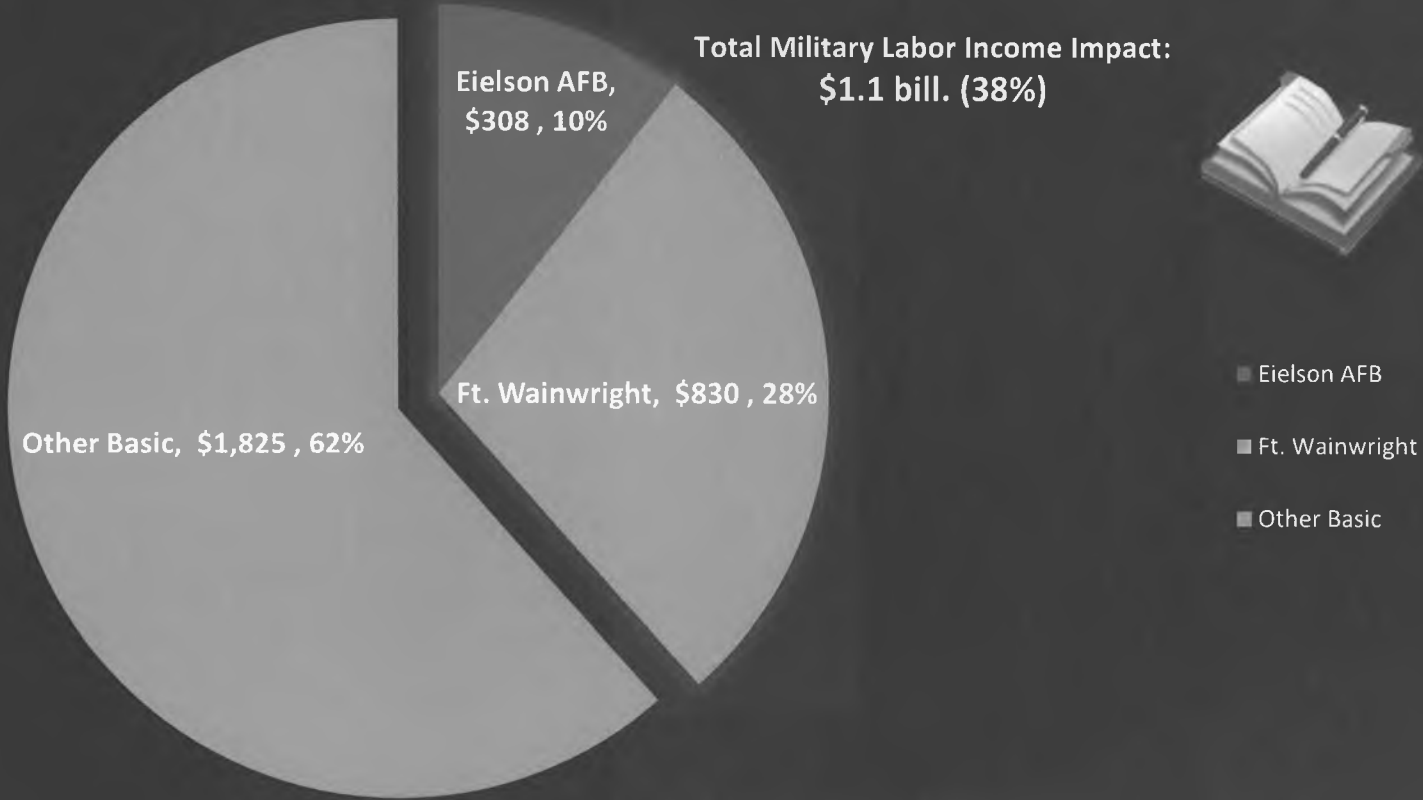
The Defense operations are the major driver of job creation in the Interior. Through the Dollars our two Military bases bring into our local economy, almost 16,000 Jobs are generated directly and indirectly in Fairbanks. The operations at Eielson Air Force Base create 4,300 Jobs (part- and full time). Ft. Wainwright produces a total of 11,581 jobs in the community. For every \$1 Mill. Dollars the bases bring (spend in) into Fairbanks 4 additional Jobs are created in the greater Fairbanks North Star Borough. A total of 30% of all jobs can be associated with the presence of the Military in Fairbanks.

Source: FEDC, Economic Base Model 2009;

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Labor Income Impacts: Total Labor Income generated by Military Dollars (\$1.2 bill) in Fairbanks



Source: FEDC, Economic Base Model 2009; Values in \$ Million, including wage and salary payments, proprietors' income, benefit payments, allowances, non-cash compensations...

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Labor Income Impacts: Total Labor Income generated by Military Dollars (\$1.2 bill) in Fairbanks

Total Military Labor Income Impact:

Eielson AFB, \$308 Mill. (10%), and Ft. Wainwright, \$830 Mill. (28%), are two major drivers for generating labor income paid to Fairbanks residents. The Dollars our Military bases, together bring into our local economy have spin off effects that create \$1.1 billion in wages, salaries, income to proprietors, and benefit payments for 16,000 part and full time jobs. The quality of these jobs is reflected in their above average pay. The resulting average annual pay for a job created through the presence of the Military in Fairbanks is ~72,000* (4th among all industries). A total of 38% of the value of labor income paid to employees and proprietors in our community is produced by the impacts of defense operations at Eielson and Ft.

*Includes: Salaries to employees, wages to proprietors, benefit payments (retirement, health care, allowances, non-cash payments, ect...)

Source: FEDC, Economic Base Model 2009;
Values in \$ Million, including wage and salary payments, proprietors' income, benefit payments, allowances, non-cash compensations...

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DOD – Military in Alaska

Military in Alaska 2010 (March):	Total Active/Civilian Forces
Active Duty Personnel	22,796
Active Duty Family Members	36,894
DOD Civilians	5,315
Non-Appropriated Fund Employees	2,076
Total	67,081

Locations	Active Duty Personnel
EIELSON AFB	1,886
ELMENDORF AFB	5,891
FORT GREELY	39
FORT JONATHAN WAINWRIGHT	4,317
FORT RICHARDSON	8,308
OTHER LOCATIONS	316
USCG ANCHORAGE	189
USCG JUNEAU	219
USCG KETCHIKAN	256
USCG KODIAK	1,067
USCG SITKA	205
USCG VALDEZ	103
Total Active/Civilian Forces	22,796

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DOD – Military in Alaska

Military in Alaska 2010 (March):	Total Active/Civilian Forces						
Active Duty Personnel	22,796						
Active Duty Family Members	36,894						
DOD Civilians	5,315						
Non-Appropriated Fund Employees	2,076						
Total	67,081						
		Location	Active Duty Personnel	Active Duty Family Members	DOD Civilians	Non-Appropriated Fund Employees	Total
		EIELSON AFB	1,886	3,036	636	236	5,794
		ELMENDORF AFB	5,891	9,379	1,682	885	17,837
		FORT GREELY	39	113	48	0	200
		FORT JONATHAN WAINWRIGHT	4,317	7,710	1,239	560	13,826
		FORT RICHARDSON	8,308	13,031	1,310	336	22,985
		OTHER LOCATIONS	316	508	400	59	1,283
		USCG ANCHORAGE	189	330	0	0	519
		USCG JUNEAU	219	397	0	0	616
		USCG KETCHIKAN	256	300	0	0	556
		USCG KODIAK	1,067	1,642	0	0	2,709
		USCG SITKA	205	291	0	0	496
		USCG VALDEZ	103	157	0	0	260
		Total Active/Civilian Forces	22,796	36,894	5,315	2,076	67,081

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Dollar Impacts: Total revenue generated by Military Dollars (\$4.1 bill.) in Alaska

Military Impacts in Alaska:

Dollar Impacts:	\$8.7 Bill
Employment Impacts:	69,400
Labor Income Impacts:	\$4.5 Bill



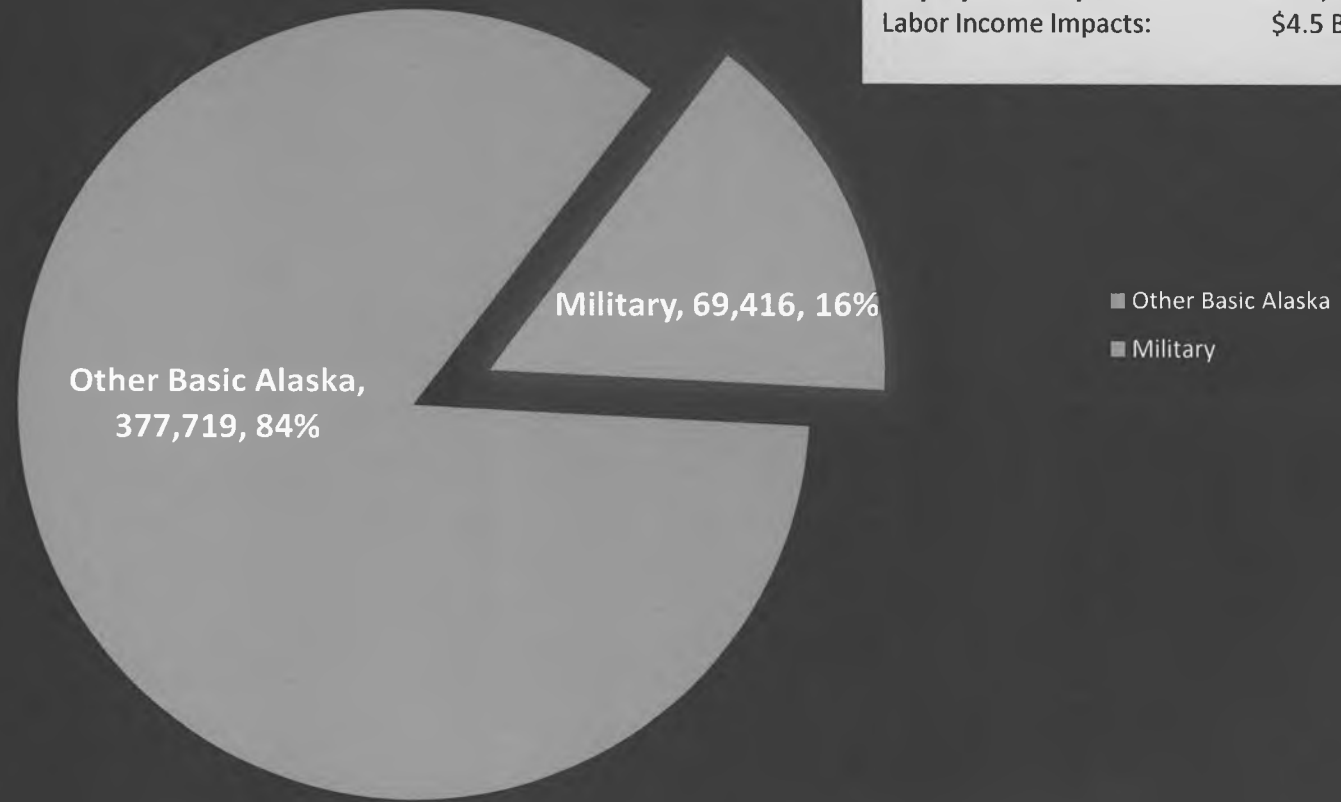
Sources: MIG Inc, IMPLAN data base Alaska 2006; ADOL Anchorage CPI; ADOL, Industry Employment Estimates 2006-2008; Values in \$ Million

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Employment Impacts: Total Employment generated by Military Dollars (\$4.1 bill.) in Alaska

Military Impacts in Alaska:	
Dollar Impacts:	\$8.7 Bill
Employment Impacts:	69,400
Labor Income Impacts:	\$4.5 Bill



Sources: MIG Inc, IMPLAN data base Alaska 2006; ADOL Anchorage CPI; ADOL, Industry Employment Estimates 2006-2008

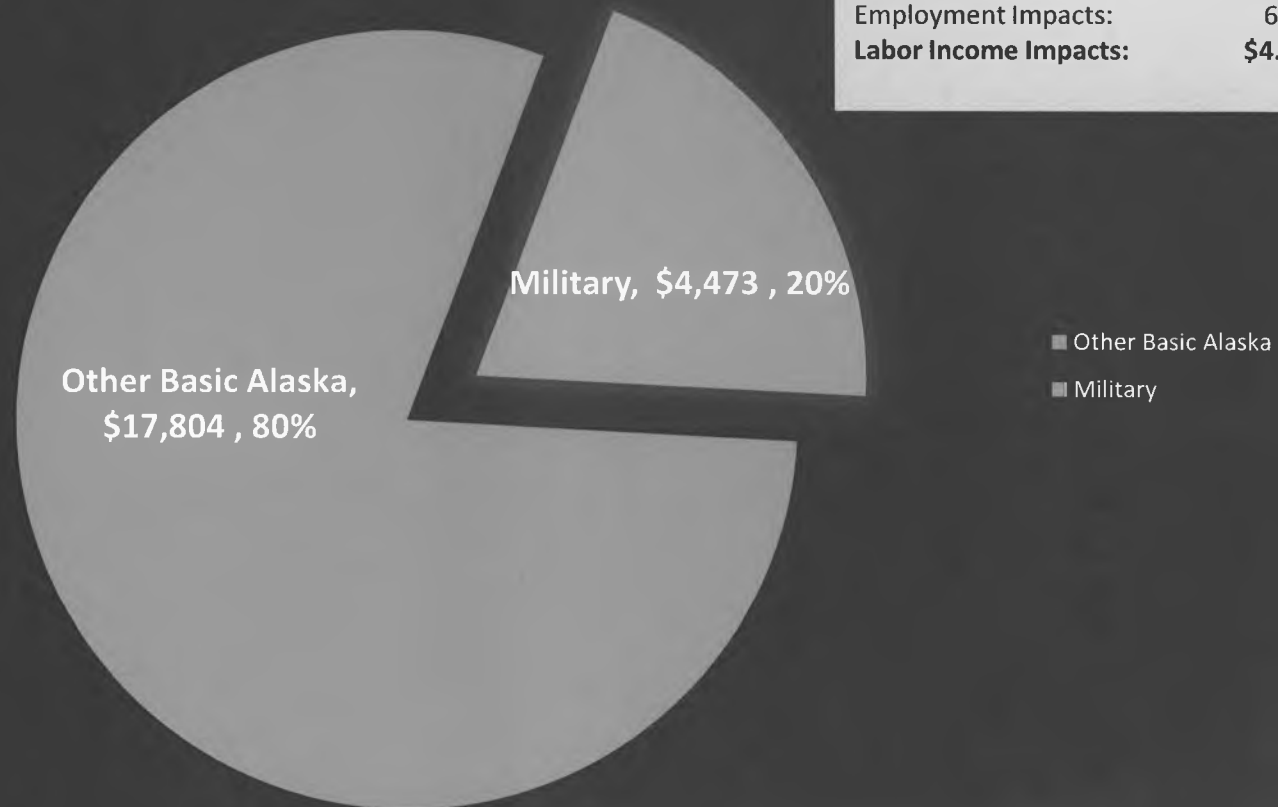
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Labor Income Impacts: Total Labor Income generated by Military Dollars (\$4.1 bill.) in Alaska

Military Impacts in Alaska:

Dollar Impacts:	\$8.7 Bill
Employment Impacts:	69,400
Labor Income Impacts:	\$4.5 Bill

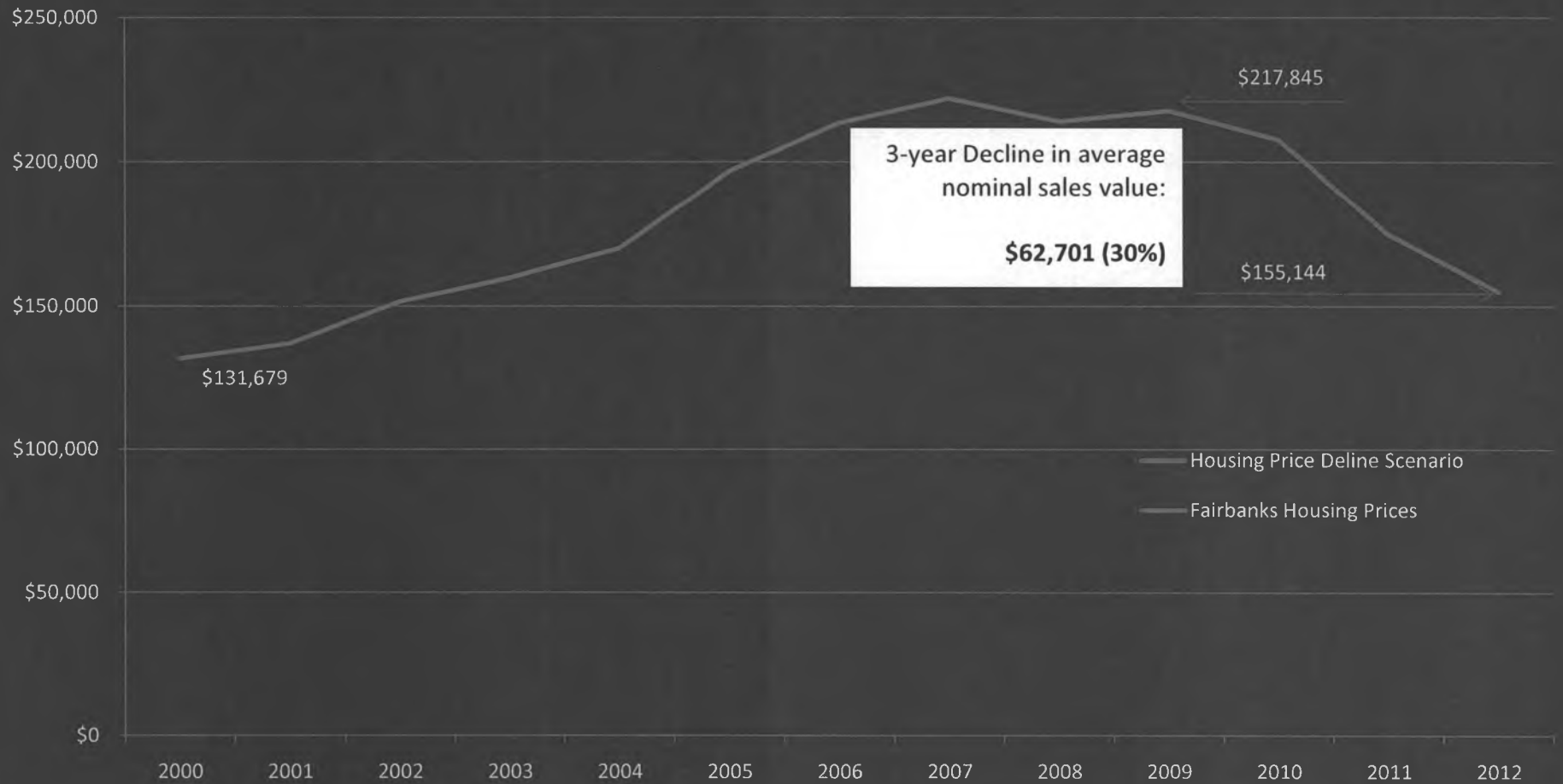


Sources: MIG Inc, IMPLAN data base Alaska 2006; ADOL Anchorage CPI; ADOL, Industry Employment Estimates 2006-2008; Values in \$ Million; including wage and salary payments, proprietors' income, benefit payments, allowances, non-cash compensations...

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Housing Prices Decline Scenario



SOURCE: Greater Fairbanks Board of Realtors and Alaska/Multiple Listing Service, Inc., personal and computer printout communications 2000-2009. Fairbanks Area MLS District data maintained by the Board or its MLS may not reflect all real estate activity in the market, and neither the Board nor its MLS guarantees or is in any way responsible for accuracy of the data.
US Home Price Index. <http://housingbubble.jparsons.net>

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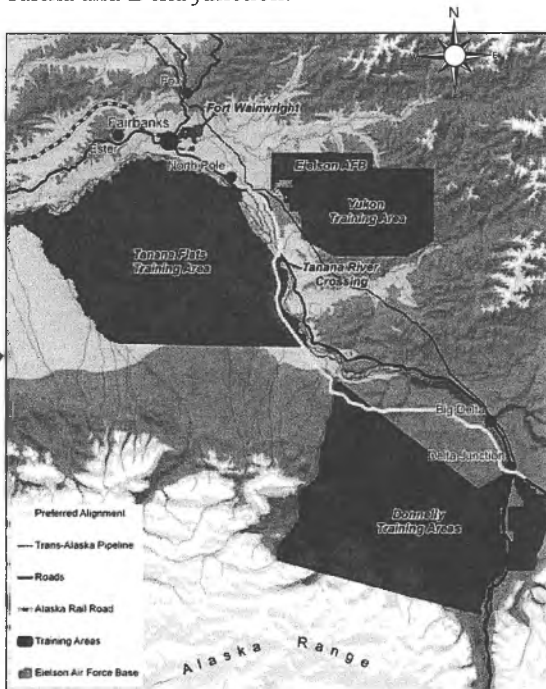
Northern Rail Extension

PROJECT FACTS

Project Scope & Description

The Alaska Railroad Corporation (ARRC) proposes to construct and operate a new rail line in the area between North Pole and Delta Junction. The project would involve approximately 80 miles of new rail line connecting the existing Eielson Branch rail line at the Chena River Overflow Structure to a point near Delta Junction. The proposed rail line would provide freight and potentially passenger rail services serving commercial interests and communities in or near the project corridor.

The new rail line would be operated as part of the Alaska Railroad system. As a common carrier, the line would be available to the general public, commercial, and military shippers including agricultural and resource development businesses. With a top design speed of 79 miles per hour for passenger trains, the track could support public transit operations between Fairbanks, North Pole, Salcha and Delta Junction.



Area map showing the military training areas south and west of the Tanana River.

The project includes development of an Environmental Impact Statement (EIS) as required by the National Environmental Policy Act (NEPA). This work consists of identifying and analyzing feasible alignment alternatives, completing engineering design on alternatives selected for review in the EIS, and estimating anticipated construction costs.

In order to fulfill transport needs and avoid mountainous terrain along the northeast bank of the Tanana River, the project requires a Tanana River crossing. The new rail line may also cross the Salcha, Little Delta and Delta Rivers, as well as Delta Creek.

The Department of Defense (DOD) has large training areas south of the Tanana River between Fairbanks and Delta Junction. Access to the Joint Tanana Training Complex is currently limited to ice roads during a short period of the year. The project scope would develop access from the Richardson Highway to the Tanana River, construct a crossing of the Tanana River, and place a staging area for military use immediately south of the river. Subsequent rail development would also use this crossing. Preliminary conceptual design includes a single traffic lane combined with rail located somewhere south of Salcha.

Purpose and Need

The Northern Rail Extension project would provide essential freight and passenger service to support transportation and mobility needs of the region. The project may provide the following:

- **Commercial freight service supporting communities** and commerce in or near the rail corridor, including existing agricultural, mining, and petrochemical industries, thus reducing reliance and wear and tear on the Richardson Highway. Currently, both the agricultural community located near Delta Junction and mineral resource industries in the area receive materials that are initially shipped by rail. Materials must be off-loaded in or near

Fairbanks, and then transported by truck via the Richardson Highway.

- **Transportation alternative** to the Richardson Highway for passenger transportation, with scheduled station stops proposed between Fairbanks and Delta Junction by way of North Pole and other communities. Passenger rail service would be available for citizens, military personnel, contractors, and dependent families who wish to travel for work, shopping, medical, educational, or other reasons.
- **Military support.** Access to the Joint Tanana Training Complex would accommodate year-round access to large military training areas. The Army and Air Force both use the million-acre complex, and their presence is expanding. The Complex provides unique opportunities for large scale, combined training of military units. The Army, in particular, is interested in rail to mobilize military units in and out of the training areas.
- **Support regional tourism.** Tourism is a major industry in Alaska and the rail line would provide further opportunities for visitors to enjoy the Alaska environment.

Benefits

- Common carrier rail service would provide bulk transport of goods to and from existing agricultural developments, mineral resource developments and other business enterprises. Area freight and transit services would enhance opportunities for economic expansion in a relatively isolated area of Alaska. The Alaska Railroad's tourism support to other parts of the system could potentially be expanded to Delta Junction and provide additional opportunities to see Alaska by rail.
- Additional communities within Interior Alaska would be connected by rail to three ports, including the Port of Anchorage, recently designated as one of 15 strategic ports in the nation.
- Public transit would facilitate additional choices for families and individuals seeking safe, reliable, year-round transportation opportunities between the Delta Junction and Fairbanks areas. Rail transit offers an alternative to driving the Richardson Highway, which presents hazardous driving conditions during long, dark, icy winter months.

- Military units would benefit from year-round multi-modal access to joint training areas south of the Tanana River.
- Rail access would avoid use of military vehicle convoys along the Richardson Highway, thereby reducing congestion, saving fuel and minimizing wear-and-tear.

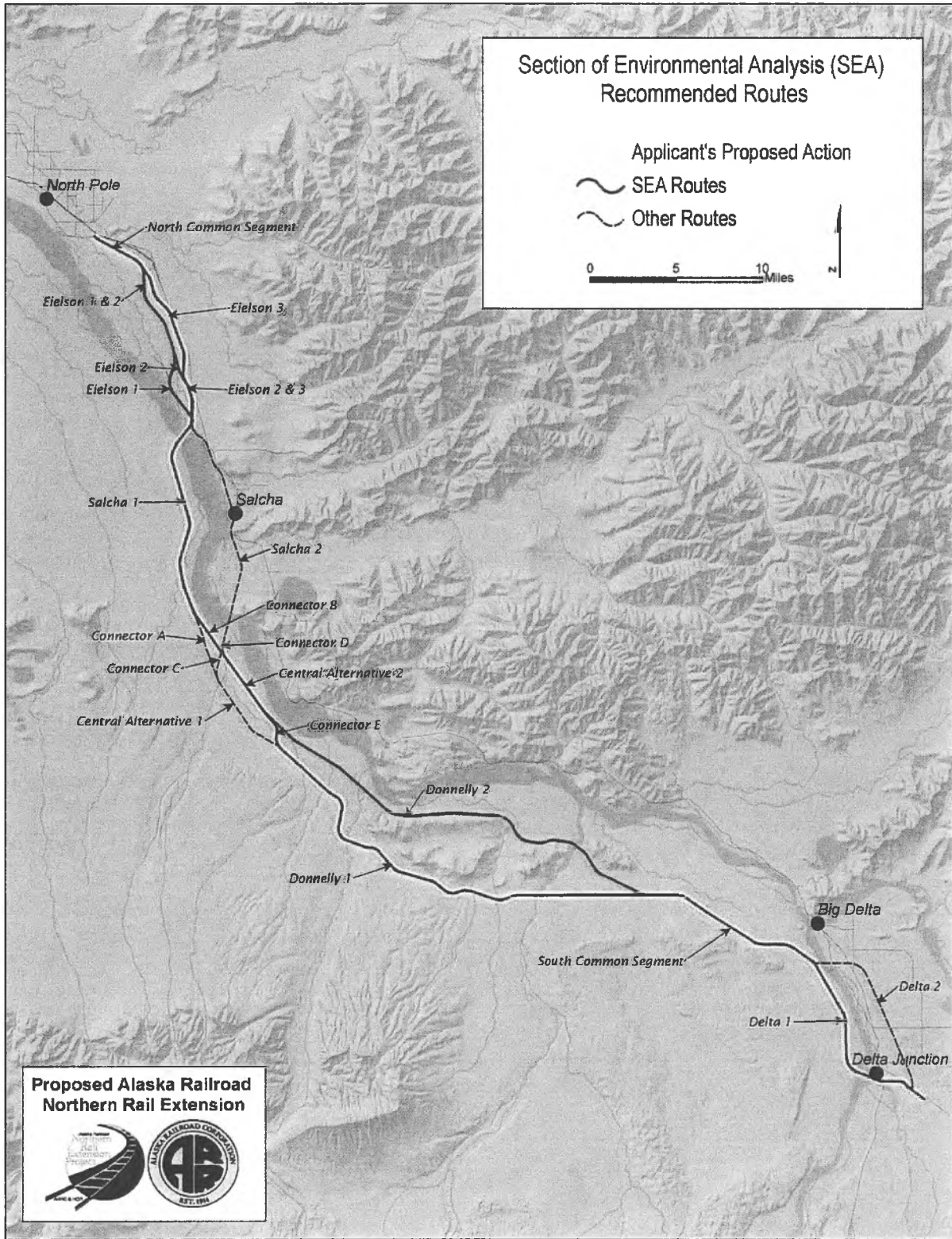
Status/Timeline

- Late 2004, ARRC initiated project conceptual development.
- April 2005, the Surface Transportation Board (STB), the lead federal agency, selected ICF Consulting as the independent third party contractor to prepare the EIS under the STB's direction.
- November 2005, STB published a "Notice of Intent" in the Federal Register.
- December 2005, STB held public and agency scoping meetings.
- December 2008, Draft EIS is released for public review. Public meetings held mid-January in Fairbanks, North Pole, Salcha and Delta Junction. Public comment period ended February 2, 2009.
- STB posts Final EIS September 18, 2009. FEIS is available for review on the STB web site at http://www.stb.dot.gov/stb/environment/key_cases_alaska.html. Scroll down to the links for both the Final EIS and Draft EIS.
- The STB Record of Decision on January 5, 2010, granted authority to construct and operate the rail extension.

Next Steps

- Once the STB's final decision is made, ARRC can move forward with final design and construction. The project will likely progress in four phases, as funding allows:
 - **Phase One** – Tanana River crossing at Salcha
 - **Phase Two** – Rail construction from Moose Creek near North Pole to the Salcha crossing
 - **Phase Three** – Rail construction from the Salcha crossing to the Donnelly Military Training Area
 - **Phase Four** – Donnelly to Delta Junction

Project Area Map: Proposed and Recommended Routes





Cost and Funding

- Preliminary engineering and design and NEPA-mandated environmental assessments and documentation were included in a \$12.5 million budget from an initial Department of Defense (DOD) appropriation in 2005 that was administered as a grant through the Federal Railroad Administration (FRA). DOD appropriations announced in 2006 included \$4 million for NEPA and preliminary engineering work.
- DOD appropriated \$44.2 in 2007 and another \$60 million in 2008, primarily to pursue Phase One, Tanana River access. Funds are being used for planning, environmental work, engineering, final design, permitting, acquiring right-of-way, preparing the construction area and procuring materials.
- Construction costs for the rail line is estimated to be between \$650 and \$850 million, Funding sources may include federal appropriations and financing via the sale of revenue bonds that are secured by advance shipping contracts.

trating agency for the federal grant funding the EIS development. The FRA provides technical oversight for the project.

- **Cooperating Federal Agencies.** In addition to the FRA the following federal agencies will be cooperating on the EIS; The Federal Transit Administration (FTA), The Bureau of Land Management (BLM), The Alaska Command (ALCOM), The U.S. Air Force (USAF) 354th Fighter Wing (Stationed at Eielson Air Force Base), The U. S. Army Corps of Engineers (USACE), and the U. S. Coast Guard (USCG). These agencies provided review and comment on various aspects of the project throughout development of the EIS.

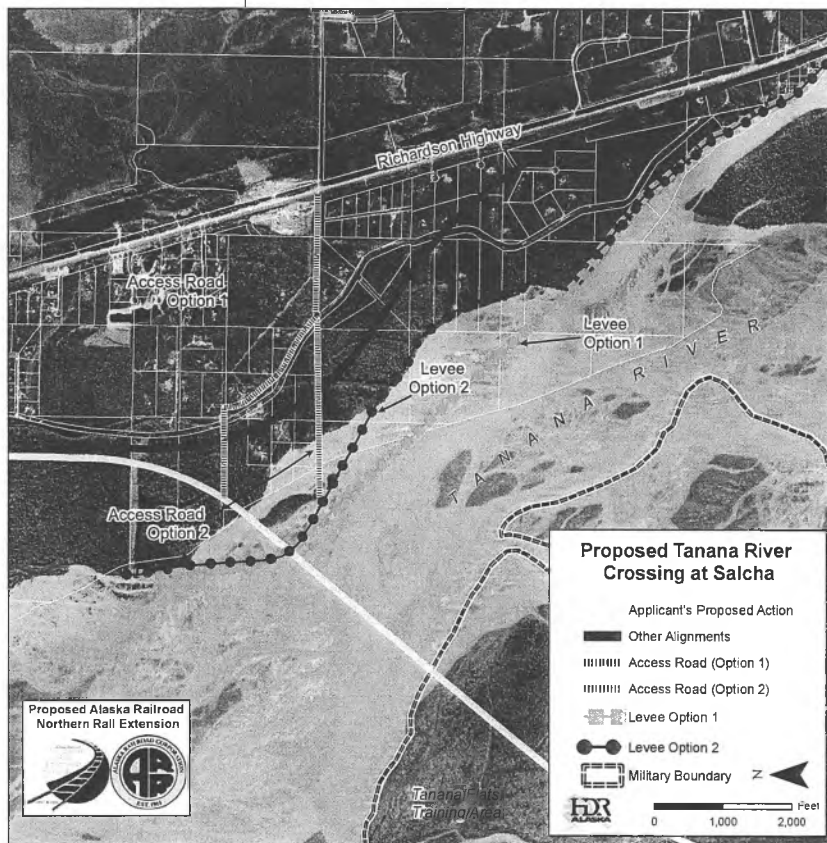
For more information

- E-mail to public_comment@akrr.com
- visit www.northernrailextension.com
- Contact ARRC Corporate Communications Officer Stephenie Wheeler at (907) 265-2671.

Project Participants

A number of players are involved with the project:

- **The Surface Transportation Board (STB)** is the approval authority for all new rail line construction in the United States. As such, the STB is the lead federal agency on the project and oversaw the EIS process.
- **The Alaska Railroad Corporation (ARRC)** is a self sustaining corporation owned by the State of Alaska. ARRC is the project sponsor of the Northern Rail Extension project.
- **The Federal Railroad Administration (FRA)** is a cooperating agency with the STB and the adminis-



Preliminary design concept for the Tanana River crossing at Salcha.

EPA, others balk at Tanana rail bridge

by Christopher Eshleman / ceshleman@newsminer.com

Dec 15, 2010 | 5650 views | 33 | 13 | |

FAIRBANKS — Federal environmental regulators said Friday a bridge proposed to span the Tanana River represents too big of an environmental risk.

The concern may not stop the project, which has attracted strong advocacy from public officials in the Interior, but it represents at least a crimp in the plan. Managers hope to start construction next year on a bridge-and-levée project that could last four years.

The U.S. Environmental Protection Agency wrote its letter of objection Friday to the U.S. Army Corps of Engineers. It follows a similar letter sent in November and arrives alongside similar concerns from several other public agencies.

The Corps is processing a permit application for the project's sponsor, the Alaska Railroad Corp. The railroad, with funding from the Department of Defense and the state Legislature, wants the bridge to help the military, a major client, get year-round access to huge military training grounds south of the river.

The 3,300-foot bridge would be the longest in the state.

Rick Parkin, a Seattle-based associate director for the EPA's Office of Ecosystems, Tribal and Public Affairs, said the agency isn't trying to block construction of a bridge or sink its parent project, a proposed railroad extension to Delta Junction.

"We think the location of this bridge is in a problematic location," he said, and will push for justification of the spot versus alternatives. "... We just want it to be done in the least environmentally damaging manner practicable."

The location — the bridge would start near Salcha — emerged as the best option during extended environmental reviews preceding the railroad's permit application. Tom Brooks, a vice president for the railroad, said the long-discussed project has already weathered significant scrutiny and that managers believe the Salcha option is the best spot to build.

"We think we've done what we need to do to mitigate" potential problems, he said. He said the railroad is "doing our best to address" the agencies' concerns.

Pat Richardson, a spokeswoman for the Corps in Alaska, said the state Departments of Natural Resources and Fish and Game also submitted concerns about the project. So did the National Marine Fisheries Service and the federal Fish and Wildlife Service, she said.

"We have forwarded those comments to the Alaska Railroad, and they are currently preparing responses," Richardson said.

Richardson said it will ultimately fall to the Corps to either issue permits, under both the Clean Water Act and the Rivers and Harbors Act, for the project or reject the railroad's application.

The railroad is updating its cost estimate for the bridge, which would accompany construction of a huge levee on the river's northern bank, Brooks said. Past estimates pegged the combined price tag at roughly \$160 million.

Marcia Combes, a state director for the EPA, wrote that the bridge and levee could foul salmon and whitefish habitat. She wrote it could also compound flooding problems in Salcha — although advocates have said the levee could help solve that problem.

Combes said there could be safer options.

"EPA believes there may be practical alternatives — such as crossing at Flag Hill or the Little Delta River — that would not substantially constrict the flood zone, would not require construction of a levee, and would have less adverse effect on the aquatic environment," she said.

The letter indicates EPA began expressing warnings about the project as early as February 2009.

The project is possibly fully financed, given a series of defense grants and a \$40 million contribution this spring from the Legislature. The railroad's updated cost estimate, when complete, will tell.

Brian Lindamood, another manager for the railroad, told a chamber of commerce committee last month that the regulatory review surrounding the bridge project was proving to be a challenge,

with federal agencies pressing to know more about how the work could affect the environment.

Combes wrote that the river is the second-biggest tributary to the larger Yukon River and supports 18 species of fish, including three that travel upriver from salt water to spawn. She said the river produces one-quarter of the Yukon's chinook salmon runs, "a stock of international importance for commercial, subsistence and sport fisheries in Alaska and Canada." She said a study by the University of Alaska Fairbanks cites the river as a major spawning area for whitefish, which in turn represent subsistence food for Alaska Natives and rural residents.

Local governments and the Legislature's Interior lawmakers have lobbied hard for the project, citing the economic benefits of encouraging long-term investment by the military.

Combes said the EPA believed almost two years ago that the railroad's proposed environmental impact statement for the project contained "insufficient information" as her agency tried to gauge the potential impact on water quality, habitats, wetlands and the river's side channels. Almost a year later it wrote another letter saying its concerns had gone unaddressed and last month noted the project includes conflicting accounts of how much of the waterway would be impacted permanently and temporarily during what would amount to a huge construction project in an area with little development.

"The importance of having sufficient data to support all identified project purposes and needs cannot be overemphasized," she said.

Contact staff writer Christopher Eshleman at 459-7582.

Alaska Railroad calls out EPA on Tanana River bridge decision

by Christopher Eshleman/ceshleman@newsminer.com

Jan 24, 2011 | 2286 views | 11  | 6  |  | 

FAIRBANKS — The Alaska Railroad has asked federal engineers to reject a last-minute environmental objection to its plan for a bridge across the Tanana River.

The U.S. Environmental Protection Agency balked late last year at the plan, which has been in the works for more than half a decade.

But the Alaska Railroad Corp., which has lined up more than \$140 million for the project in military and state funding, this week accused the EPA of a flip-flop that could sink the project.

“To say we are disappointed in the EPA’s recent actions would be an understatement,” said Tom Brooks, a top engineer and vice president for the railroad.

He said by statement that the EPA’s “eleventh hour” attempt to bypass years of environmental review with new objections “puts this project in serious jeopardy.”

The plans call for building the 3,300-foot bridge — it would be the state’s longest — from Salcha toward vast military training grounds. It’s also viewed as the first step in an extension project between the North Pole area and Delta Junction, host to Fort Greely Army post.

The EPA in November and December said the project represents too big of an environmental risk, telling the U.S. Army Corps of Engineers it would push for stronger justification of the bridge’s proposed location. But the railroad noted in its release Monday that four years of review preceded a federal transportation panel’s early 2010 approval of the project. The railroad corporation said the EPA had approved of the choice of site as recently as 2009 and its “sudden” reversal essentially challenges findings from a huge environmental impact statement.

“If the EPA has concerns of this magnitude relating to the bridge size, or location, they had ample opportunity to voice those concerns directly to the (Surface Transportation Board) during the EIS process,” Brian Lindamood, a project manager for the railroad, said in the statement. “To our knowledge, they either did not, or failed to make a credible argument as is evident in the STB’s record of decision. We believe as a function of process, and a matter of law, that train has left the station.”

Alaska Railroad now pegs Tanana River bridge at \$185 million

by Dermot Cole / cole@newsminer.com

Jan 27, 2011 | 561 views | 0  | 4  |  | 

FAIRBANKS — The Alaska Railroad figures the half-mile Tanana River bridge at Salcha will cost “plus or minus” \$185 million, more than earlier estimates of \$160 million, the railroad told the Legislature on Thursday.

The railroad has most of the money but still has to come up with anywhere from \$20 million to \$60 million to cover the total before the summer, Railroad President Christopher Aadnesen said.

The federal government has supplied about \$104 million, while the state has chipped in \$40 million for what would be the longest bridge in Alaska, designed to give the military access to lands south of the river.

But the Army Corps of Engineers has yet to issue permits to the railroad to proceed with the project. And the Environmental Protection Agency has raised several objections to the railroad plan.

The railroad said EPA is trying to “subvert” the environmental impact statement process by debating issues that were already settled, such as the justification for the 80-mile railroad extension to Delta. The bridge is a first step in that larger effort.

Aadnesen told the transportation committees in Juneau that unless the railroad gets the permit and straightens out the funding soon, the railroad board may be forced to make a “no go” decision at its meeting in May.

One reason the cost of the bridge has risen is the Tanana River continues to shift in its riverbed, which is increasing the proposed cost of the levee to be built to hold the river within its banks.

Railroad vice president Tom Brooks said the original design was that the bridge would span the main channel, while culverts would be installed at side channels. With comments from the Department of Fish and Game and other agencies, the railroad is proposing some of the culverts be replaced with bridges, which are more expensive.

The planners are considering the idea of having the side channel bridges be built by the military, which would lower the cost of the main bridge.

The big reason for the summer deadline on a financing plan is the authority for the federal funding will expire before the project is finished.

“The funding is needed by early summer in 2011. The reason it’s critical is if we don’t solve the EPA thing and don’t close the funding gap and we have to delay the beginning of the construction of the bridge then we will not have time to spend the federal money by the time it expires and we’ll lose the money up front,” Aadnesen said.

3/01/12

**Presentation:
Overview of
the Alaska VA
Healthcare
System**

<TARGET><BILL></BILL><SUBJECT>3-01-12 Presentation
Overview of the Alaska VA Healthcare
System</SUBJECT><COMM>HMLV27</COMM></TARGET>

**Script for House Military and Veterans' Affairs Committee
Thursday, March 1, 2012**

(GAVEL IN)

Let's call this meeting of the House Military and Veterans' Affairs Committee to order.

Let the record reflect that it is ____ p.m. on Thursday, March 1, 2012.

Present today are:

Representative Thompson, Co-Chair

Representative Gatto, Vice-Chair (excused)

Representative Austerman

Representative Lynn

Representative Cissna *NO*

Representative Miller

and Myself, Representative Saddler

Before we start, please turn off your cell phones.

Just turning them to vibrate will interfere with the recording system.

Thank you.

In today's meeting we will be hearing from
Mr. Alex Spector, Director of Veterans Affairs Healthcare.

Alex will give us an overview of the Alaska VA healthcare system and will cover a wide range of topics in his power point presentation.

This meeting is being teleconferenced; however it is a "Listen Only" presentation.

With that.....

Please come up to the table, state your name on the record, and proceed.

*(Dan: you could ask Alex if would prefer questions at the end
or just ask as he goes along.....)*

End of presentation.....

Any more questions?

Thank Alex for coming, etc etc.

There will be NO Military and Veterans Affairs Committee meeting next week due to Energy Council break and Legislators going back to their districts for town hall meetings

At _____ p.m., I adjourn today's meeting of the House Military and Veterans' Affairs Committee

(GAVEL OUT).



Alaska VA Healthcare System Military & Veterans Affairs Commitee Update

Mr. Alex Spector, VHA Director
Vic Rosenbaum, Acting VHA Associate Director
Dr. Cynthia Joe, Chief of Staff
Linda Boyle, R.N., Associate Director
for Nursing and Patient Services

March 1, 2012

GAPS - travel budget is always stretched in AK.

TOPICS

- **Demographics**
- **Basic Eligibility**
- **Alaska VA – Scope of Clinical Services**
- **Sites of Care**
- **Joint Venture Relationship with 673d Medical Grp**
- **Alaska Federal Healthcare Partnership**
- **OEF/OIF/OND**
- **Eliminating Homelessness**
- **Rural Health**
- **Care Closer to Home**
- **Health Information Exchange**



VHA Demographics

- **FY11 Veteran Population**
(Source www.va.gov/vetdata) **77,351**
- **Projected 2015 Veteran Population**
(Source www.va.gov/vetdata) **77,012**
- **FY11**
- **Overall Enrollees** **30,022**
- **Total Unique Patients** **16,595**
- **VA Outpatient Clinic Visits** **170,281**

38.8% Veteran Population enrolled – Market Penetration

*highest %
enrollment*

enrolled in VA

90

Alaska Veteran Population Distribution

By Area of the State	FY11 Veteran Population	% of Vet Pop	FY11 Enrollees for Alaska VA Healthcare	% of Vet Pop in Area Enrolled
Anchorage	31,190	40.3%	13,922	45%
Fairbanks	13,034	17%	4,534	35%
Mat-Su	10,532	13.6%	4,433	42%
Southeast	7,987	10.3%	1,158	14.5%
Kenai	6,580	8.5%	2,421	37%
West/SW Alaska	2,846	3.7%	526	18.5%
Northern Alaska	2,576	3.3%	375	14.5%
Kodiak	1,304	1.7%	329	25%
Valdez/Cordova	1,302	1.7%	383	29%



Basic Eligibility for VA Medical Care

- **8 Priority Groups** - Veterans upon VA's receipt of application are assigned to one of the groups with Group 1 being the highest priority and Group 8 the lowest.
- Dependent on level of income and service-connected disability, some Veterans are required to pay a co-payment for medications, outpatient care, and inpatient care. VA bills the Veteran's third party insurance for care that is not related to service-connected disabilities.
- For detailed information, Health Care Benefits Overview dated September 2010, is in the briefing folder.

******MOST IMPORTANT: Veterans should apply to find out if they are eligible. ******

Who signs up? - those w/out private insurance
- returning veterans, many staying in AK



Alaska VA Healthcare System Scope of Clinical Services

- Primary Care to include Home Based Primary Care
- Lab/Radiology/Pharmacy/Dental
- Social and Behavioral Health Service - *shovel doubled, housed in primary care offices.*
- Homeless Veterans Programs
- Limited Specialty Care - *within 20 mile radius of Anchorage*
- Ambulatory Surgery
- Coordinated Care Home Telehealth
- Rehabilitation Services
- Prosthetics (Durable Medical Equipment/Home Oxygen)

*
limited
dental
service



Sites of VA Care

Anchorage
Muldoon Clinic



VA/DOD Joint Venture Hospital
Joint Base Elmendorf-Richardson



Domiciliary Residential Rehabilitation
Treatment Program

Benson & C Street



VA Sites of Care, cont.

Mat-Su VA Community Based Outpatient Clinic



Fairbanks VA Community Based Outpatient Clinic



Homer VA Outreach Clinic

In SPH



Juneau VA Outreach Clinic

federal building

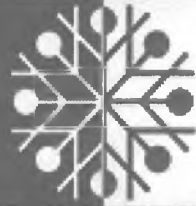


VA/DOD Joint Venture Teamwork

673 MDG Elmendorf AF Base



- Designated VA Hospital for Alaska (60 total inpatient beds)
- Preferred Emergency Room for Anchorage Bowl
- Over 70 VA staff embedded into facility
- Joint Incentive Fund Projects
- Increased use of specialty services such as Orthopedics, ENT, Ophthalmology, and GU when capacity exists
- Best Hospital in the Air Force 2008 – 2nd Year in a Row!
- 2009 Installation Excellence Award
- 2009 Best Hospital in DoD



Alaska Federal Health Care Partnership



Advancing Healthcare





AFHCP - Initiatives

- **Home Telehealth Monitoring**
- **Federal Education Sharing Group – 4 offerings a year**
- **Medical Oncology**
- **Pain Management**
- **Emergency Planning**
- **GME – AK Psychiatry Residency Program**
- **Behavioral Health Assessment/Outreach for returning military members & families**

Alaska 
Healthcare System
& Regional Office 



Serving America's Veterans
... Our most treasured resource

OEF/OIF/OND



OEF/OIF/OND Veterans Access VA Care

(September 11, 2001 – January 2012)

- Registered- 6,357
- Empanelled to Primary Care – 2,696 (42%)
 - Anchorage- 1,767
 - Fairbanks- 615
 - Kenai- 79
 - Juneau - 36
 - Mat-Su- 199
- New Mental Health (MH) 1071 (39.7%) of empanelled
 - New Substance Abuse - 103 (9.6%) of MH patients
 - Combined PTSD/Substance Abuse - 638 (59.5%)
- Traumatic Brain Injury
 - Approximately 360 (13.3%) of Veterans empanelled in Primary Care screened positive.

OEF/OIF/OND Veterans Services

- Patient Aligned Care Team (PACT) assignment
- 1st Primary Care visit - Post-Deployment Screening by Social Worker
 - Alcohol use
 - Depression
 - Suicide Prevention
 - PTSD/TBI
- Based on screening referred to specialty mental health servers, alcohol treatment, and/or Vet Center Services
- Social Worker on PACT provide case mgt serices based on severity of issues



Eliminating Homelessness

NATIONAL CALL CENTER
for Homeless Veterans



1-877-4AID-VET
1-877-424-3838

Scope of Homeless Services

- **Compensated Work Therapy (CWT):** 60 Veterans served during FY11. 21 have gained independent employment, 2 are pursuing education full time, and 2 retired/disability. 25 are currently working in the program.
- **Incentive Therapy (IT):** 39 Veterans served in FY11.
- **Funds distributed to Veterans in the CWT/IT programs:** \$301,364.33
- **Compensated Work Therapy/Transitional Residence:** 50 Veterans served during FY11. 14 are currently housed in the program; 34 discharged to improved housing; 1 chose to return to living with family shortly following intake, and one was discharged to detoxification.



Scope of Homeless Services, cont'd

- **Grant & Per Diem Program** provided 10,197 bed-days of care to 91 individual Veterans. 29 qualified for and received dental care through the Homeless Dental Initiative for Veterans.
- **Housing & Urban Development/VA Supported Housing (HUD/VASH):** Increase from 95 to 120 vouchers in FY2011. Cumulative utilization rate exceeds 130%. 42 new Veterans housed during FY2011.
- **Domiciliary Care for Homeless Veterans (DCMV)** patients completing the program: 47 of 80 Veterans discharged in the DCHV program completed the program with a planned discharge. Representing 59% of discharges having a planned successful outcome.

Anchor receives \$1



Scope of Homeless Services, cont'd

- **Supportive Services for Veteran Families Program**
 - \$350,000 Grant awarded to Catholic Social Services
 - Provide supportive services to very low-income Veteran families residing in or transitioning to permanent housing.
- **Homeless Veterans Supported Employment Program (goal is rapid job placement). Positions in Anchorage and Fairbanks.**
 - As of January 2012, , 24 Veterans placed; 9 in process



Eliminate Homelessness

- **Current HUD Point-In-Time count of Chronic Homeless Veterans in Alaska, (as of January 27, 2012) is 265, down 49.9% over the past two years.**





RURAL HEALTH CARE



Rural Initiatives

VA/IHS MOU: Implemented Alaska 13th Workgroup

Tactic #1 – Increase Access

- **Tribal Veteran Representative(TVR) program – Train 100 by end FY 2012.**
- **Office of Rural Health funding received-System Redesign for Veteran registration/enrollment at tribal health programs.**

Tactic #2 – Improve Coordination of Care

- **MOUs with Native Organizations to co-manage eligible Native Veterans (Ketchikan Indian Community and Metlakatla)**

Tactic #3 – Increase availability of Services

- **Establish Sharing Agreement Template to be utilized by VA and Alaska Native Tribal Healthcare Organizations**

Alaska
VA
Healthcare System
& Regional Office *



Serving America's Veterans
... Our most treasured resource

CARE CLOSER TO HOME



Care Closer to Home

- **Inception:**
 - Congressional Interest
 - Veterans' Concerns
 - Alaska VA leadership advocacy
- **Dep Under Secretary for Operations & Mgt – May 2010**
 - Oncology Care Closer to Home
 - AK prepared – Purchased Care Prgm “Best Practice”
- **Sec VA Visit – May 2011**
 - AK Congressional invitations “work”
 - Sec VA requested expansion of program

Care Closer to Home Initiative

- In May 2010, AVAHS began keeping Oncology care local
 - 221 oncology patients stay in AK thru Jan 2012
- Expanded to other specialty care in July 2011
- # of Veterans offered care out of state:
 - 2009: 591
 - 2010: 545
 - 2011: 336 (43% reduction)
 - 2012: 219 (October 2011 - January 2012)

Care Closer to Home Initiative

Continue to Refer:

- **Surgery**
 - Post-surgical cases
 - Highly-Complex surgeries
- **Continuity of Care**
- **Care Not available in AK**
- **Special**
 - Spinal Cord Injury
 - Transplants
- **Support VA Education Mission**
 - Cardio-Thoracic Surgery
- **Conversation occurs with Veteran**
 - Do they wish to remain local or be referred to tertiary facility in “lower-48”

Care Referred to Community

Service	Jan	FY12 Total
Cardiology	7	18
Cardiothoracic Surgery	2	8
General Surgery	1	9
GI	1	
Gynecology	6	27
Hyperbaric	1	
Neurology		10
Neurosurgery	33	95
Orthopedics	26	152
Pain Management		2
Plastic Surgery	1	4
Pulmonology	1	2
Urology		6
Vascular surgery	13	51
Grand Total	92	386



HEALTH INFORMATION EXCHANGE





Health Information Exchange

- **Alaska e-Health Network (AeHN):** Member, Board of Directors, representing DoD & VA
- **PURPOSE:** Electronically share patient information with all participating healthcare providers & organizations in AK
- **GOALS:**
 - Improved patient safety through reduction in medial errors & unnecessary testing
 - Reduced costs associated with unnecessary testing & procedures
 - Improved patient access to care
 - Reduced administrative costs in the healthcare industry
 - Rapid response to public health emergencies



QUESTIONS?

www.va.gov

or

www.alaska.va.gov

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**EXECU-
TIVE
ORDER
NO. 115**

<TARGET><BILL></BILL><SUBJECT>EXECUTIVE ORDER NO.
115</SUBJECT><COMM>HMLV27</COMM></TARGET>

COMMITTEE REPORT

Date: 2-8-2011

Mr. Speaker:

The House Special Committee on Military and Veterans' Affairs considered:

EXECUTIVE ORDER NO. 115

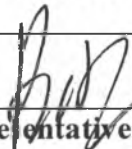
Realigning the oversight authority of the Alaska Aerospace Corporation from the Department of Commerce, Community, and Economic Development to the Department of Military and Veterans' Affairs.

and recommends

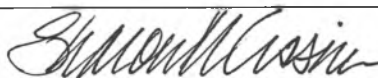
- Approval
- Disapproval
- Attach a House Special Concurrent Resolution



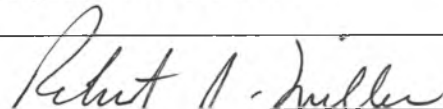
Representative Austerman



Representative Lynn



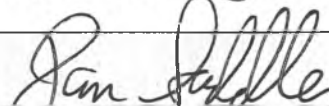
Representative Cissna



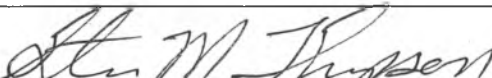
Representative Miller



Representative Gatto, Vice-Chair



Representative Saddler, Co-Chair



Representative Thompson, Co-Chair

Received in the House: 1/18/11; Introduced: 1/21/11
 Referred: House Special Committee on Military and Veterans' Affairs, Community and
 Regional Affairs

Received in the Senate: 1/18/11; Introduced: 1/19/11
 Referred: State Affairs, Labor and Commerce

EXECUTIVE ORDER NO. 115

1 Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance
 2 with AS 24.08.210, I order the following:

3 * **Section 1. FINDINGS.** As governor, I find that it would be in the best interests of
 4 efficient administration to move the Alaska Aerospace Corporation from the Department of
 5 Commerce, Community, and Economic Development to the Department of Military and
 6 Veterans' Affairs to integrate the state's military missions and capabilities within the state
 7 agency responsible for the military affairs of the State of Alaska.

8 * **Sec. 2.** AS 26 is amended by adding a new chapter to read:

9 **Chapter 27. Alaska Aerospace Corporation.**

10 **Sec. 26.27.010. Creation and termination of corporation.** (a) The Alaska
 11 Aerospace Corporation is created as a public corporation of the state. The corporation
 12 is a body corporate and politic located for administrative purposes within the
 13 Department of Military and Veterans' Affairs and affiliated with the University of
 14 Alaska but with a separate and independent legal existence.

15 (b) The corporation may not be terminated as long as it has bonds, notes, or
 16 other obligations outstanding. If the corporation is terminated, it shall be terminated in
 17 a manner that permits the University of Alaska and Poker Flat Research Range to
 18 continue their research and educational missions uninterrupted.

19 **Sec. 26.27.020. Board of directors.** (a) The powers and responsibilities of the
 20 corporation are vested in the board of directors. The board of directors of the
 21 corporation consists of nine members appointed by the governor as follows:

22 (1) three state residents who have a significant high level of experience
 23 in the private business sector, specializing in financing or economic development or
 24 marketing; two of the state residents appointed under this paragraph shall be residents

1 of the borough where the launch activities of the corporation occur if qualified
2 candidates residing in the borough are available;

3 (2) the president or the designee of the president of the University of
4 Alaska;

5 (3) the director or designee of the Geophysical Institute of the
6 University of Alaska;

7 (4) the adjutant general of the Department of Military and Veterans'
8 Affairs or the adjutant general's designee;

9 (5) two members who have held or currently hold positions in the
10 aerospace or commercial space industry, have special experience regarding federal
11 regulatory procedures and policies involving space, or have operational experience;
12 members with aerospace experience may not exceed one; and

13 (6) a public school educator or a public member.

14 (b) The members of the board of directors of the corporation described in
15 (a)(5) of this section may be nonresidents of the state. The term of the members
16 described in (a)(1), (5) and (6) of this section is four years and those terms shall be
17 staggered.

18 (c) Members of the board of directors of the corporation described in (a)(1),
19 (5) and (6) of this section receive \$100 compensation for each day spent on official
20 business of the corporation.

21 (d) In addition to the members of the board of directors described in (a) of this
22 section, two members of the legislature shall serve as ex officio nonvoting members of
23 the board of directors. The two ex officio nonvoting members shall include one
24 member of the senate appointed by the president of the senate and one member of the
25 house appointed by the speaker of the house.

26 (e) The voting and nonvoting members of the board of directors of the
27 corporation are entitled to per diem and travel expenses authorized under
28 AS 39.20.180.

29 **Sec. 26.27.030. Chair and vice-chair.** The board of directors of the
30 corporation shall select a chair and vice-chair from among the members of the board
31 of directors of the corporation who are state residents. The vice-chair presides over all

1 meetings in the absence of the chair and has other duties the board of directors of the
2 corporation may direct.

3 **Sec. 26.27.040. Meetings; staff.** (a) A majority of the members of the
4 corporation constitutes a quorum for the transaction of business or the exercise of a
5 power or function at a meeting of the corporation. The corporation shall meet at least
6 every three months. The corporation may meet and transact business by electronic
7 media if (1) public notice of the time and locations where the meeting will be held by
8 electronic media has been given in the same manner as if the meeting were held in a
9 single location; (2) participants and members of the public in attendance can hear and
10 have the same right to participate in the meeting as if the meeting were conducted in
11 person; and (3) copies of pertinent reference materials, statutes, regulations, and
12 audio-visual materials are reasonably available to participants and the public. A
13 meeting by electronic media as provided in this subsection has the same legal effect as
14 a meeting in person.

15 (b) The corporation may employ persons as staff it considers advisable,
16 including an executive director, and may employ professional advisors, technical
17 experts, agents, and other employees it considers advisable. The executive director and
18 employees of the corporation are in the exempt service under AS 39.25.

19 (c) The corporation may hire legal counsel to represent the corporation.

20 (d) The corporation shall keep minutes of each meeting and send a certified
21 copy of the minutes to the governor and to the Legislative Budget and Audit
22 Committee.

23 **Sec. 26.27.050. Alaska Aerospace Corporation fund.** (a) The Alaska
24 Aerospace Corporation fund is established in the corporation. The fund consists of
25 appropriations made to the fund by the legislature, and rents, fees, or other money or
26 assets transferred to the fund by the corporation. Amounts deposited in the fund may
27 be pledged to the payment of bonds of the corporation or expended for the purposes of
28 the corporation under this chapter.

29 (b) The corporation shall have custody of the fund and shall be responsible for
30 its management. The corporation is the fiduciary of the fund under AS 37.10.071 and
31 may invest amounts in the fund in accordance with an investment policy adopted by

1 the corporation. Notwithstanding AS 37.10.010 - 37.10.050, the corporation may
2 make disbursements from the fund in accordance with AS 37.25.050. Notwithstanding
3 AS 37.05.130 and 37.05.140, the corporation shall report disbursements from the fund
4 annually in accordance with AS 26.27.100(b)(1). An appropriation made to the fund
5 by the legislature shall be transferred from the state treasury to the corporation for
6 deposit in the fund.

7 **Sec. 26.27.060. Insurance coverage; safety program.** (a) The corporation
8 may engage actuarial experts and shall develop probability models to indicate the
9 degree of potential harm to the public and private enterprise from the corporation's
10 activities.

11 (b) The corporation shall, to the extent available and consistent with federal
12 requirements, secure insurance coverage within reasonable limits for liability that may
13 arise as a consequence of its activities and the activities of its officers and employees
14 and to insure its buildings, structures, and other facilities against loss.

15 (c) The corporation shall establish a safety program that includes

16 (1) the development and implementation of a loss prevention program
17 consisting of a comprehensive corporation wide safety program, including a statement
18 by the board, of safety policy and responsibility and regulations implementing it;

19 (2) provision for regular and periodic facility and equipment
20 inspections;

21 (3) investigation of job-related accidents and other accidents occurring
22 on the premises of the corporation or within areas of its jurisdiction;

23 (4) the establishment of a program to promote increased safety
24 awareness among employees, agents, and subcontractors of the corporation;

25 (5) the study of safety operations at other space-related facilities in the
26 United States;

27 (6) all federal and state safety and emergency facility requirements for
28 commercial space facilities.

29 **Sec. 26.27.070. Space activities location.** To the extent that the University of
30 Alaska agrees to lease the Poker Flat Research Range to the corporation, the Poker
31 Flat Research Range constitutes the location and launch site for the corporation. The

1 corporation may not pledge or encumber the Poker Flat Research Range, nor is it an
2 asset of the corporation. Other sites may be developed and utilized if determined by
3 the board to be necessary.

4 **Sec. 26.27.080. Licenses and permits.** The corporation shall obtain all federal
5 and state licenses and permits necessary to fulfill the purposes, to perform the duties,
6 and exercise the powers of the corporation.

7 **Sec. 26.27.090. Purpose of the corporation.** The purpose of the corporation is
8 to allow the state to take a lead role in the exploration and development of space, to
9 enhance human and economic development, and to provide a unified direction

10 (1) for space-related economic growth thereby ensuring a stable and
11 dynamic research and business climate by attracting space-related businesses to locate
12 within and utilize the opportunities provided in the state;

13 (2) for space-related educational and research development by
14 encouraging and assisting the University of Alaska in developing space-related
15 programs, research, and courses of instruction and to assist the University of Alaska as
16 a member of the Space Grant State Consortia under 42 U.S.C. 2486 (National Space
17 Grant College and Fellowship Program);

18 (3) to promote the continued utilization of the Poker Flat Research
19 Range as a launch site for launch vehicles and for scientific research both from ground
20 based and rocket or balloon based instrumentation;

21 (4) to recognize the importance and benefits of and to promote and
22 encourage the continued utilization of Poker Flat Research Range for the University of
23 Alaska's polar research efforts;

24 (5) for promotion of space-related tourism activities at Poker Flat
25 Research Range and other space-related facilities or centers that may be utilized or
26 established by the corporation; and

27 (6) for development of a state strategy for and to implement the
28 acceleration of space-related economic growth and educational and research
29 development in the state by the use of innovative development methods designed to
30 stimulate space-related business and educational and research development and
31 improve the entrepreneurial atmosphere in the state.

1 **Sec. 26.27.100. Powers and duties of the corporation.** (a) In furtherance of
2 its corporate purposes, in addition to its other powers the corporation may

3 (1) sue and be sued;

4 (2) adopt a seal;

5 (3) have perpetual succession;

6 (4) adopt, amend, and repeal bylaws and regulations;

7 (5) make and execute contracts and other instruments;

8 (6) in its own name acquire property, lease, rent, convey, or acquire
9 real and personal property, except that a project site or part of a project site may not be
10 acquired by eminent domain;

11 (7) issue bonds and otherwise incur indebtedness, in accordance with
12 AS 26.27.150, in order to pay the cost of a project or projects to construct or improve
13 launch facilities or other space and aerospace projects or in order to provide money for
14 the corporation's purposes under this chapter; the corporation may also secure
15 payment of the bonds or other indebtedness as provided in this chapter;

16 (8) accept gifts, grants, or loans from, and enter into contracts or other
17 transactions regarding them with, a federal agency or an agency or instrumentality of
18 the state, a municipality, private organization, or other source;

19 (9) enter into contracts or agreements with a federal agency, agency or
20 instrumentality of the state, municipality, or public or private individual or entity, with
21 respect to the exercise of its powers, and do all things necessary or convenient to carry
22 out its corporate purposes and exercise the powers granted in this chapter;

23 (10) own, acquire, construct, develop, create, reconstruct, equip,
24 operate, maintain, extend, and improve launch sites, launch pads, landing areas,
25 ranges, payload facilities, laboratories, space business incubators, facilities for the
26 construction of rockets and other launch vehicles, and other space facilities and space-
27 related systems, including educational, cultural, tourism, and parking facilities, and
28 space-related initiatives;

29 (11) undertake a program of advertising to the public and space-related
30 businesses promoting the space-related projects of the corporation and space-related
31 businesses;

1 (12) construct, improve, and operate by itself or in cooperation with
2 the University of Alaska or the Department of Transportation and Public Facilities
3 transportation facilities appropriate to meet the transportation requirements of a
4 facility operated by the corporation;

5 (13) construct, improve, and operate water, sewage, and utility service
6 to a facility operated by the corporation;

7 (14) construct, provide, or improve public safety facilities for a facility
8 operated by the corporation;

9 (15) charge fees, rents, or other charges for the use of a facility,
10 structure, or service developed, operated, or provided by the corporation including
11 fees, rents, and other charges in excess of the actual operating cost of the use of the
12 facility, structure, or service;

13 (16) pledge rents, fees, charges, or other revenue from the use of its
14 services or facilities as security for bonds of the corporation;

15 (17) undertake to finance or develop a space-related project with any
16 agency or authority of the state, its political subdivisions, agencies or authorities of
17 other states, the federal government, foreign governments, or private entities;

18 (18) apply to the federal government for a grant allowing the
19 designation of corporation territory as a foreign trade zone under AS 45.77.010;

20 (19) negotiate agreements for the overflight or recovery of a space
21 vehicle, rocket, missile, payload, booster, scientific experiments or other space-related
22 material, debris, or parts with any person or entity, including but not limited to
23 adjacent landowners;

24 (20) lease the Poker Flat Research Range or portions of it from the
25 University of Alaska and to lease to the University space-related facilities that the
26 corporation may construct or acquire;

27 (21) apply for and hold in the name of the corporation patents,
28 copyrights, and other intellectual property.

29 (b) The corporation shall

30 (1) prepare an annual report of its operations to include a balance
31 sheet, an income statement, a statement of changes in financial position, a

1 reconciliation of changes in equity accounts, a summary of significant accounting
2 principles, an auditor's report, comments regarding the year's business, and prospects
3 from the next year; the report shall be completed by the third day of each regular
4 session of the legislature, and the corporation shall notify the governor, the presiding
5 officers of each house of the legislature, the University of Alaska, and the Legislative
6 Budget and Audit Committee that the report is available;

7 (2) submit its annual budget to the legislature through the governor as
8 provided for state agencies by AS 37.07;

9 (3) establish a personnel management system for hiring employees and
10 setting employee-benefit packages;

11 (4) establish procedures, rules, and rates governing per diem and travel
12 expenses of the employees of the corporation in substantial conformity to statutes,
13 procedures, rules, and rates governing state employees;

14 (5) fulfill its purposes, perform its duties, and exercise its power in a
15 manner that does not interfere or restrict the educational and research functions of
16 Poker Flat Research Range and the University of Alaska.

17 **Sec. 26.27.110. Regulations.** (a) The corporation shall adopt regulations to
18 carry out the purposes of this chapter.

19 (b) Except for AS 44.62.310 - 44.62.319 (Open Meetings Act), the provisions
20 of AS 44.62 (Administrative Procedure Act) regarding the adoption of regulations do
21 not apply to the corporation. The corporation shall make available to members of the
22 public copies of the regulations adopted under this section. Within 45 days after
23 adoption of a regulation under this section, the chair of the corporation shall submit
24 the regulation adopted to the chair of the Administrative Regulation Review
25 Committee under AS 24.20.400 - 24.20.460.

26 (c) The corporation may adopt regulations by motion or by resolution or in
27 another manner permitted by its bylaws.

28 (d) Except as provided in (e) of this section, at least 15 days before the
29 adoption of a regulation, the corporation shall give public notice of the proposed
30 action by publishing the notice in at least three newspapers of general circulation in
31 the state and by mailing a copy of the notice to every person who has filed a request

1 for notice of proposed regulations with the corporation. The public notice must include
2 a statement of the time, place, and nature of the proceedings for the adoption of the
3 regulation and must include an informative summary of the subject of the proposed
4 action. On the date and at the time and place designated in the notice, the corporation
5 shall give each interested person or an authorized representative of the person, or both,
6 the opportunity to present statements, arguments, or contentions orally or in writing
7 and shall give members of the public an opportunity to present oral statements,
8 arguments, or contentions for a total period of at least one hour. The corporation shall
9 consider all relevant matter presented to it before taking the proposed action on the
10 regulation. At a hearing under this subsection, the corporation may continue or
11 postpone the hearing to a time and place determined by the corporation and announced
12 at the hearing before taking the action to continue or postpone the hearing. A
13 regulation adopted by the corporation may vary from the informative summary
14 specified in this subsection if the subject matter of the action taken on the regulation
15 remains the same and if the original notice of the proposed action was written so as to
16 assure that members of the public are reasonably notified of the subject matter of the
17 proposed action in order for them to determine whether their interests could be
18 affected by the corporation's proposed action on that subject.

19 (e) The adoption of a regulation may be made as an emergency regulation if,
20 in the order of adoption, the corporation states the facts constituting the emergency
21 and makes a finding that the adoption of the regulation is necessary for the immediate
22 preservation of the orderly operation of the corporation's programs. The requirements
23 of (d) of this section do not apply to the initial adoption of an emergency regulation;
24 however, upon adoption of an emergency regulation under this subsection, the
25 corporation shall, within 10 days after that adoption, publish notice of the adoption in
26 accordance with the notice procedures specified in (d) of this section. An emergency
27 regulation adopted under this subsection may not remain in effect for more than 120
28 days unless, before the expiration of that period, the corporation adopts that regulation
29 as a permanent regulation in accordance with the procedures specified in (d) of this
30 section.

31 (f) A regulation adopted under this section takes effect immediately upon its

1 adoption by the corporation or at another time specified by the corporation in its order
2 of adoption.

3 **Sec. 26.27.120. Exercise by corporation of powers within municipalities.**

4 The corporation may exercise any of its powers in all portions of a space-related
5 facility or territory lying within the boundaries of a municipality to the same extent
6 and in the same manner as in areas of the space-related facility or territory not within
7 the boundaries of a municipality.

8 **Sec. 26.27.130. Trade secrets confidential.** The corporation shall maintain the
9 confidentiality of a trade secret, or other proprietary technical information, supplied
10 for purposes related to this chapter unless the owner of the trade secret authorizes its
11 release or a court orders its release. Information covered by this section is not a public
12 record for purposes of AS 40.25.110 - 40.25.140. The corporation shall adopt
13 regulations implementing this section.

14 **Sec. 26.27.140. Approval of projects by legislature.** Notwithstanding any
15 other provision of this chapter, a proposed construction project of \$1,000,000 or more
16 shall be submitted by the corporation to the legislature for approval at a regular
17 session of the legislature.

18 **Sec. 26.27.150. Issuance of bonds, notes, and refunding bonds.** (a) Except
19 as provided in (b) of this section, the corporation may issue bonds in its discretion for
20 any of its corporate purposes and may issue refunding bonds for the purpose of paying
21 or retiring bonds previously issued by it.

22 (b) The corporation may not, without prior legislative approval, issue bonds,
23 other than refunding bonds,

24 (1) in a total amount in excess of \$1,000,000 each calendar year; or

25 (2) if the annual debt service on all outstanding bonds issued and
26 proposed to be issued exceeds \$1,000,000 in a fiscal year.

27 **Sec. 26.27.160. Security for bonds.** The corporation may issue bonds
28 including but not limited to bonds on which the principal and interest are payable (1)
29 exclusively from the income and revenue of the space-related project financed with
30 the proceeds of the bonds, (2) exclusively from the income and revenue of designated
31 space-related projects whether or not they are financed in whole or in part with the

1 proceeds of the bonds, (3) from its revenue or other assets generally, or (4) exclusively
2 from rents, fees, charges, or other revenue collected or received by the corporation.
3 Bonds may be additionally secured by a pledge of a grant or contribution from the
4 federal government or from another source, or by a pledge of income or revenue of the
5 corporation, or by a mortgage of a space-related project or other property of the
6 corporation.

7 **Sec. 26.27.170. Limitation of liability on bonds.** The members of the
8 corporation and a person executing the bonds are not liable personally on the bonds by
9 reason of their issuance. The bonds of the corporation are not a debt of the state or a
10 political or municipal corporation or other subdivision of the state, including the
11 University of Alaska, and each bond must so state on its face. Neither the state nor a
12 political or municipal corporation or other subdivision of the state, including the
13 University of Alaska, other than the corporation is liable on the bonds, nor are the
14 bonds payable out of funds or properties other than those of the corporation. The
15 corporation may not pledge the faith of the people of the state for a loan or obligation.
16 Bonds of the corporation are not a debt, indebtedness, or the borrowing of money
17 within the meaning of a limitation or restriction on the issuance of bonds contained in
18 the constitution or laws of the state.

19 **Sec. 26.27.180. Issuance and sale of bonds and notes.** Bonds and notes of the
20 corporation are authorized by adoption of a resolution prescribing the date of issuance
21 and maturity, interest rate, denomination, form, conversion privilege, rank or priority,
22 execution, terms of redemption, medium, and place of payment. Bonds and notes may
23 be sold in the manner, on the terms, and at the price the corporation determines. Each
24 bond and note is negotiable. The signature of a member or an officer upon a bond or
25 note or coupon is not invalidated by that person's ceasing to hold office before the
26 delivery of the bond or note. The recitation of a bond or note that it has been issued in
27 the financing of a space-related project or purpose under this chapter is conclusive as
28 to the issuance of the bond or note and the character of the project in a challenge of the
29 validity of the bond or note or the security for it.

30 **Sec. 26.27.190. Bonds exempt from taxes.** Bonds and other obligations of the
31 corporation are issued for an essential public and governmental purpose and are public

1 instrumentality and, together with interest on them and income from them, are
2 exempt from taxes.

3 **Sec. 26.27.200. Independent financial advisor.** In negotiating the private sale
4 of bonds or bond anticipation notes to an underwriter, the corporation shall retain a
5 financial advisor who is independent from the underwriter. The financial advisor may
6 not bid on the bonds or notes if offered at public sale or negotiate for their purchase if
7 sold at private sale.

8 **Sec. 26.27.210. Additional powers to secure bonds or obligations under**
9 **leases.** In connection with the issuance of bonds or the incurring of obligations under
10 leases and in order to secure the payment of bonds or lease obligations, the
11 corporation, in addition to its other powers, may

12 (1) pledge all or a part of its gross or net rents, fees, or revenues to
13 which its right exists or may exist;

14 (2) mortgage or encumber all or a part of its real or personal property,
15 owned or later acquired;

16 (3) covenant against pledging all or a part of its rents, fees, and
17 revenue, or against mortgaging all or a part of its real or personal property, to which
18 its right or title exists or may come into existence or against permitting or suffering
19 any lien on the revenues or property;

20 (4) covenant with respect to limitations on its right to sell, lease, or
21 otherwise dispose of a space-related project or a part of a space-related project;

22 (5) covenant as to what other, or additional debts or obligations may be
23 incurred by it;

24 (6) covenant as to the bonds to be issued and as to the issuance of the
25 bonds in escrow or otherwise, and as to the use and disposition of the proceeds of
26 bonds;

27 (7) provide for the replacement of lost, destroyed, or mutilated bonds;

28 (8) covenant against extending the time for the payment of its bonds or
29 interest on the bonds;

30 (9) redeem the bonds, and covenant for their redemption and to
31 provide the terms and conditions of redemption;

1 (10) covenant as to the rents and fees to be charged in the operation of
2 a space-related project, the amount to be raised each year or other period of time by
3 rents, fees, and other revenue, and as to the use and disposition of this revenue;

4 (11) create or authorize the creation of special funds for money held
5 for construction or operating costs, debt service, reserves, or other purposes, and
6 covenant as to the use and disposition of this money;

7 (12) prescribe the procedure by which the terms of a contract with
8 bondholders may be amended or abrogated, the amount of bonds the holders of which
9 must consent thereto and the manner in which the consent may be given;

10 (13) covenant as to the rights, liabilities, powers, and duties arising
11 upon the breach by it of a covenant, condition, or obligation, and covenant and
12 prescribe as to events of default and terms and conditions upon which any or all of its
13 bonds or obligations shall become or may be declared due before maturity, and
14 covenant as to the terms and conditions upon which this declaration and its
15 consequences may be waived;

16 (14) vest in a trustee or trustees or the holders of bonds or a specified
17 proportion of them, the right to enforce the payment of the bonds or covenants
18 securing or relating to the bonds;

19 (15) vest in one or more trustees the right, in the event of a default by
20 the corporation, to take possession of a space-related project or a part of the project,
21 and so long as the corporation continues in default to retain possession and to use,
22 operate, and manage the project, and to collect the rent and revenue from the project,
23 and to dispose of the money according to the agreement between the corporation and
24 the trustees;

25 (16) provide for the powers and duties of the trustees, and limit the
26 liability of the trustees; and

27 (17) provide the terms and conditions upon which the trustee or
28 trustees or the holders of bonds, or portions of bonds, may enforce a covenant or right
29 securing or relating to the bonds.

30 **Sec. 26.27.220. Right of obligee of corporation to bring injunction.** An
31 obligee of the corporation may, in addition to all other rights that may be conferred

1 and subject only to contractual restriction binding upon the obligee, seek an injunction
2 or an action in nature of an action for mandamus against the members, the corporation,
3 its officers, agents, or employees.

4 **Sec. 26.27.230. Power of corporation to confer upon obligee right to bring**
5 **action or proceeding.** The corporation may by resolution, trust indenture, mortgage,
6 lease, or other contract confer upon an obligee holding or representing a specified
7 amount in bonds, or holding a lease, the right upon a default as defined in the
8 resolution or instrument by suit, action, or proceeding

9 (1) to have possession of a space-related project or part of one
10 surrendered to the obligee, with possession retained by the obligee as long as the
11 corporation continues in default;

12 (2) to obtain the appointment of a receiver of a space-related project or
13 part of one and its rents and profits, who may enter, take possession, and for the
14 duration of the default operate and maintain it, collect and receive all fees, rents,
15 revenues, or other charges thereafter arising, and keep the money in a separate account
16 or accounts to be applied in accordance with the obligations of the corporation as the
17 court directs;

18 (3) to require the corporation and its members to account as if they
19 were the trustees of an express trust.

20 **Sec. 26.27.240. Exemption of real property of corporation from execution**
21 **or other process.** All real property of the corporation is exempt from levy and sale by
22 execution, and an execution or other judicial process may not issue against it. A
23 judgment against the corporation may not be a charge or lien upon its real property.
24 However, this section does not limit the right of an obligee to foreclose or otherwise
25 enforce a mortgage of the corporation or to pursue any remedy for the enforcement of
26 a pledge or lien given by the corporation on its rents, fees, or revenues.

27 **Sec. 26.27.250. Power of corporation to obtain federal aid and**
28 **cooperation.** The corporation may borrow, accept contributions, grants, or other
29 financial assistance from the federal government in aid of a space-related project and
30 for this purpose may comply with conditions and enter into the mortgages, trust
31 indentures, leases, or agreements that are necessary, convenient, or desirable in order

1 to obtain financial aid or cooperation from the federal government in the undertaking,
2 construction, maintenance, or operation of a space-related project.

3 **Sec. 26.27.260. Exemption from taxes and assessments.** The property of the
4 corporation is public property used for essential public and governmental purposes and
5 this property and the corporation are exempt from all taxes and special assessments of
6 a municipality, the state, or a political subdivision of the state. However, instead of
7 taxes, the corporation may make payments to the municipality or political subdivision
8 for improvements, services, and facilities furnished by it for the benefit of a space-
9 related project.

10 **Sec. 26.27.270. Disposal of surplus property.** (a) The corporation may
11 convey real or personal property that it determines is in excess of its needs. Except as
12 provided in (b) of this section, the sale shall be by public auction or by sealed bids.
13 Public notice shall be given by publishing notice of the sale at least once a week for
14 two consecutive weeks in a newspaper of general circulation within the area in which
15 the property to be sold is located and by posting notice of sale in at least two public
16 places in the area. In no event may the auction be held less than 30 days after the last
17 day of publication. If an acceptable bid is not received, the corporation may sell the
18 property at negotiated sale within six months after the date of the auction. A
19 negotiated sale may not be made on an appraisal made more than nine months before
20 the date of sale. The price at a negotiated sale may not be less than the appraised
21 value.

22 (b) Real or personal property of the corporation may be conveyed to a state or
23 federal agency or political subdivision or the University of Alaska for less than the
24 appraised value without competitive bidding, upon a determination by the board that
25 the terms are fair and proper and in the best interests of the state. The board shall
26 consider both the nature of the agency's or political subdivision's public services or
27 functions and the terms under which the property was acquired by the corporation.

28 **Sec. 26.27.280. Public loans or donations to or cooperation with**
29 **corporation.** (a) A public body or agency of the state may

30 (1) lend or donate money or property to the corporation;

31 (2) cooperate with it in the planning, construction, or operation of a

1 project;

2 (3) transfer to it an interest in property, grant an easement, undertake
3 otherwise authorized construction of facilities adjacent to a project;

4 (4) furnish or improve otherwise authorized roads, streets, alleys, and
5 sidewalks;

6 (5) purchase bonds of the corporation;

7 (6) incur the entire expense of improvements made under this chapter;

8 (7) agree with the corporation that a certain sum or that no sum shall
9 be paid by the corporation to it instead of taxes;

10 (8) enter into agreements respecting exercise of the powers granted in
11 this chapter that shall be approved and executed by the public body or municipality in
12 or adjacent to the project before the project may be constructed; and

13 (9) in general do all things necessary or convenient to cooperate in the
14 planning, construction, or operation of a project.

15 (b) Except as required under AS 44.62.310 - 44.62.319 (Open Meetings Act),
16 a sale, conveyance, lease, or agreement under this section may be made without
17 appraisal, public notice or advertisement, or bidding. A public body may exercise the
18 powers granted in this section by resolution or ordinance by a majority of the members
19 of the governing body present at the meeting at which it is introduced, and the
20 resolution or ordinance takes effect immediately without publishing or posting.

21 **Sec. 26.27.290. Reserve fund.** (a) The corporation shall establish and maintain
22 a special fund called the Alaska Aerospace Corporation reserve fund in which there
23 shall be deposited or transferred

24 (1) all money appropriated by the legislature for the purpose of the
25 fund in accordance with the provisions of (g) of this section;

26 (2) all proceeds of bonds required to be deposited in the fund by terms
27 of a contract between the corporation and its bondholders or a resolution of the
28 corporation with respect to the proceeds of bonds;

29 (3) all other money appropriated by the legislature to the reserve fund;
30 and

31 (4) any other money or funds of the corporation that it decides to

1 deposit in the fund.

2 (b) Subject to the provisions of (h) of this section, money in the reserve fund
3 shall be held and applied solely to the payment of the interest on and principal of
4 bonds of the corporation as the interest and principal become due and payable and for
5 the retirement of bonds; and the money may not be withdrawn if a withdrawal would
6 reduce the amount in the reserve fund to an amount less than the required debt service
7 reserve except for payment of interest then due and payable on bonds and the principal
8 of bonds then maturing and payable and for the retirement of bonds in accordance
9 with the terms of a contract between the corporation and its bondholders and for which
10 payments of other money of the corporation is not then available. In this subsection,
11 "required debt service reserve" means, as of the date of computation, the amount
12 required to be on deposit in the reserve fund as provided by resolution of the
13 corporation.

14 (c) Money in the reserve fund in excess of the required debt service reserve as
15 defined in (b) of this section, whether by reason of investment or otherwise, may be
16 withdrawn at any time by the corporation and transferred to another fund or account of
17 the corporation subject to the provision of (h) of this section.

18 (d) Money in the reserve fund may be invested in the same manner and on the
19 same conditions as permitted for investment of funds belonging to the state or held in
20 the treasury under AS 37.10.070; however, the corporation may agree with the
21 bondholders to further limit these investments.

22 (e) For purposes of valuation, investments in the reserve fund shall be valued
23 at par or if purchased at less than par, at cost unless otherwise provided by resolution
24 of the corporation. Valuation on a particular date shall include the amount of interest
25 then earned or accrued to that date on the money or investments in the reserve fund.

26 (f) Notwithstanding any other provision of this chapter, bonds may not be
27 issued by the corporation unless there is in the reserve fund the required debt service
28 reserve for all bonds then issued and outstanding and for the bonds to be issued;
29 however, the corporation may satisfy this requirement by depositing as much of the
30 proceeds of the bonds to be issued, upon their issuance, as is needed to meet the
31 required debt service reserve. The corporation may at any time issue its bonds or notes

1 for the purpose of increasing the amount in the reserve fund to the required debt
2 service reserve, or to meet whatever higher or additional reserve that may be fixed by
3 the corporation with respect to the fund.

4 (g) In order to assure the maintenance of the required debt service reserve in
5 the reserve fund, the legislature may appropriate annually to the corporation for
6 deposit in the fund the sum, certified by the chair of the corporation to the governor
7 and to the legislature, that is necessary to restore the fund to an amount equal to the
8 required debt service reserve. The chair annually, before January 30, shall make and
9 deliver to the governor and to the legislature a certificate stating the sum required to
10 restore the fund to that amount, and the certified sum may be appropriated and paid to
11 the corporation during the then current state fiscal year. Nothing in this subsection
12 creates a debt or liability of the state.

13 (h) All amounts received on account of money appropriated to the reserve
14 fund referred to in (a)(3) of this section shall be held and applied in accordance with
15 (b) of this section; however, at the end of each fiscal year, if the amount in the reserve
16 fund is in excess of the required debt service reserve, any amount representing
17 earnings or income received on account of money appropriated to the reserve fund that
18 exceeds the operating expenses of the corporation for that fiscal year shall be
19 transferred to the general fund of the state.

20 (i) All references to the reserve fund in this section include special accounts
21 within the reserve fund that may be created by the corporation to secure the payment
22 of particular bonds. The commissioner of revenue may lend surplus money in the
23 general fund to the corporation for deposit to any account in the reserve fund in an
24 amount equal to the required debt service reserve. The loans shall be made on the
25 terms and conditions that may be agreed upon by the commissioner of revenue and the
26 corporation, including, without limitation, terms and conditions providing that the
27 loans need not be repaid until the obligations of the corporation secured and to be
28 secured by the account in the reserve fund are no longer outstanding.

29 **Sec. 26.27.300. Cooperation with other authorities.** In issuing a bond, the
30 corporation may request the assistance of and work with the Alaska Industrial
31 Development and Export Authority and the Alaska Municipal Bond Bank Authority.

1 The Alaska Industrial Development and Export Authority may invest in and issue
 2 bonds for space-related projects of the Alaska Aerospace Corporation. The Alaska
 3 Industrial Development and Export Authority and the Alaska Municipal Bond Bank
 4 Authority may purchase and market bonds of the Alaska Aerospace Corporation.

5 **Sec. 26.27.310. Investment of revenue.** The revenue and receipts of the
 6 corporation, to the extent they are not needed to pay bonds or other obligations of the
 7 corporation, shall be invested by the commissioner of revenue in cooperation with the
 8 corporation.

9 **Sec. 26.27.320. Legality of corporation bonds as investments.** Bonds of the
 10 corporation are legal and proper investments and security for public and private
 11 banking, insurance, and trust funds.

12 **Sec. 26.27.900. Definitions.** In this chapter,

13 (1) "board" means the board of directors of the Alaska Aerospace
 14 Corporation;

15 (2) "corporation" means the Alaska Aerospace Corporation;

16 (3) "landing site" means a site or facility designed, intended, or used
 17 for the landing or recovery of space vehicles, aircraft, or balloons;

18 (4) "launch site" means a site or facility designed, intended, or used for
 19 the launching of space vehicles, sounding rockets, aircraft, or balloons;

20 (5) "payload" means property or cargo, including people or animals, to
 21 be transported aboard a vehicle launched by the corporation;

22 (6) "recovery" means the retrieval and recovery of space vehicles,
 23 payloads, and parts that have been launched from the corporation's facilities;

24 (7) "space vehicle" means a rocket, missile, booster, or other vehicle
 25 designed, intended, or used to reach high altitude.

26 * **Sec. 3.** AS 39.50.200(a)(53) is amended to read:

27 (53) the board of directors and the executive director of the Alaska
 28 Aerospace Corporation (AS 26.27.010) [(AS 14.40.821)];

29 * **Sec. 4.** AS 14.40.821, 14.40.826, 14.40.831, 14.40.836, 14.40.841, 14.40.846, 14.40.851,
 30 14.40.856, 14.40.861, 14.40.866, 14.40.871, 14.40.876, 14.40.881, 14.40.886, 14.40.891,
 31 14.40.896, 14.40.899, 14.40.902, 14.40.906, 14.40.908, 14.40.912, 14.40.916, 14.40.921,

1 14.40.926, 14.40.931, 14.40.936, 14.40.941, 14.40.946, 14.40.951, 14.40.956, 14.40.961,
2 14.40.966, and 14.40.990 are repealed.

3 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
4 read:

5 REVISOR'S INSTRUCTIONS. The revisor of statutes shall change the heading of
6 AS 14.40 from "The University of Alaska, the Community Colleges, and the Alaska
7 Aerospace Corporation" to "The University of Alaska and the Community Colleges."

8 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
9 read:

10 TRANSITION. (a) Litigation, hearings, investigations, and other proceedings pending
11 under a law repealed by this Order, or in connection with functions transferred by this Order,
12 continue in effect and may be continued and completed notwithstanding a transfer or repeal
13 provided in this Order.

14 (b) Regulations adopted to implement former AS 14.40.821 - 14.40.900 and in effect
15 on July 1, 2011, remain in effect and may continue to be implemented and enforced,
16 consistent with the changes made by this Order, until amended or repealed.

17 (c) Contracts, rights, liabilities, and obligations created by or under a law repealed by
18 this Order, and in effect on June 30, 2011, remain in effect notwithstanding this Order's taking
19 effect. Records, equipment, appropriations, and other property of an agency of the state whose
20 functions are transferred under this Order shall be transferred to implement the provisions of
21 this Order.

22 * **Sec. 7.** This Order takes effect July 1, 2011.

DATED: _____

Sean Parnell
Governor

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number 1
Bill Version EO 115
(H) Publish Date 1/21/11

Identifier (file name) 00013-MVA-CO-1-1-11 Dept. Affected Military & Veterans' Affairs
Title Transfer of Alaska Aerospace Corporation Appropriation Office of the Commissioner
Allocation _____
Sponsor Rules Committee
Requester By request of the Governor OMB Component Number 9

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
		FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
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 (FY2011) cost _____

POSITIONS

Full-time							
Part-time							
Temporary							

Why this fiscal note differs from previous version

Prepared by Susan Colligan, Director
Division Division of Administrative Services, DMVA
Approved by McHugh Pierre, Deputy Commissioner

Phone (907)428-6881
Date/Time 1/11/11 12:00 PM
Date 1/11/2011

FISCAL NOTE #1

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. EO 115

Analysis

There is no fiscal impact.

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number 2
 Bill Version EO 115
 (H) Publish Date 1/21/11

Identifier (file name) 0013-CCED-EXO-1-11-11 Dept. Affected DCCED
 Title Executive order transferring the AK Aerospace Corp. to DMVA Appropriation Alaska Aerospace Corporation
 Allocation Alaska Aerospace Corporation
 Sponsor Rule Committee
 Requester Governor OMB Component Number 1424

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
		FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES							
Personal Services	0.0						
Travel	0.0						
Contractual	0.0						
Supplies	0.0						
Equipment	0.0						
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							
1061 Capital (CIP) Receipts							
1101 AERO Receipts							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost _____

POSITIONS

Full-time							
Part-time							
Temporary							

Why this fiscal note differs from previous version

Prepared by Crystal Koeneman
 Division DCCED
 Approved by Susan K. Bell, Commissioner
Commerce, Community & Economic Development

Phone 465-2503
 Date/Time 1/17/11 11:17 AM
 Date 1/17/2011

FISCAL NOTE #2

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. EO 115

Analysis

This Executive Order moves the Alaska Aerospace Corporation from DCCED to DMVA.

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number 3
 Bill Version EO 115
 (H) Publish Date 1/21/11

Identifier (file name) 0013-CCED-EXO-1-11-11 Dept. Affected DCCED
 Title Executive order transferring the AK Aerospace Corp. to DMVA Appropriation Alaska Aerospace Corporation
 Allocation Facilities Maintenance
 Sponsor Rule Committee
 Requester Governor OMB Component Number 2362

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
		FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES							
Personal Services	0.0						
Travel	0.0						
Contractual	0.0						
Supplies	0.0						
Equipment	0.0						
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							
1061 Capital (CIP) Receipts							
1101 AERO Receipts							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost _____

POSITIONS

Full-time							
Part-time							
Temporary							

Why this fiscal note differs from previous version

Prepared by Crystal Koeneman
 Division DCCED
 Approved by Susan K. Bell, Commissioner
Commerce, Community & Economic Development

Phone 465-2503
 Date/Time 1/17/11 11:18 AM
 Date 1/17/2011

Analysis

This Executive Order moves the Alaska Aerospace Corporation from DCCED to DMVA.

STATE CAPITOL
PO Box 110001
Juneau, Alaska 99811-0001
907-465-3500
fax: 907-465-3532



550 West 7th Avenue #1700
Anchorage, Alaska 99501
907-269-7450
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www.Gov.Alaska.Gov
Governor@Alaska.Gov

Governor Sean Parnell
STATE OF ALASKA

January 18, 2011

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 Article III, Section 23, of the Alaska Constitution, and in accordance with AS 24.08.020, I am transmitting Executive Order 115 to realign the oversight authority of the Alaska Aerospace Corporation from the Department of Commerce, Community, and Economic Development to the Department of Military and Veterans Affairs.

The Alaska Aerospace Corporation is an entity that works closely with federal military programs and commercial aerospace companies to build capacity to launch test rockets and satellites into space. By changing oversight authority to the Department of Military and Veterans Affairs (DMVA) from the Department of Commerce, Community, and Economic Development (DCCED), the Alaska Aerospace Corporation (AAC) would have better access to federal military command structure and better opportunity to attract military contracts. The focus for AAC has expanded and is no longer primarily commercial business development, but rather development of a unique niche market driven by government and military customers. As AAC expands into other aerospace associated operations, such as missile defense, alignment under DMVA provides increased security assurances to the Department of Defense. By strengthening military ties, this move will ultimately help grow related private sector opportunities.

This Executive Order is designed to better build a strong and dependable aerospace industry in Alaska.

Sincerely,

A handwritten signature in cursive script that reads "Sean Parnell".

Sean Parnell
Governor

Enclosure

Executive Order No. 115



Official Business

Alaska State Legislature

House of Representatives

Office of the Chief Clerk

Thomas B. Stewart Legislative
Office Building, Room 202
Juneau, AK 99801-1182
Phone: (907) 465-3725
Fax: (907) 465-5334

January 21, 2011

MEMORANDUM

TO: House Special Committee on Military and Veterans' Affairs Committee

FROM: Suzi Lowell, Chief Clerk *SL*

SUBJECT: Executive Order No. 115

The Speaker referred Executive Order No. 115 to the House Special Committee on Military and Veterans' Affairs Committee. Executive Orders are pursuant to Art III, Section 23, of the Alaska Constitution and AS 24.08.210.

HB

27

<TARGET><BILL>HB 27</BILL><SUBJECT>HB
27</SUBJECT><COMM>HMLV27</COMM></TARGET>

CS FOR HOUSE BILL NO. 27(MLV)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

Offered:
Referred:

Sponsor(s): REPRESENTATIVES THOMAS, HERRON, FEIGE, AND SADDLER, Millett, Thompson

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the disposition of remains of a member of the armed forces if the**
2 **member dies while in a duty status."**

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

4 * **Section 1.** AS 26.05 is amended by adding a new section to read:

5 **Sec. 26.05.262. Disposition of remains of members of organized militia on**
6 **duty status under Military Record of Emergency Data Form (DD Form 93).** If a
7 member of the organized militia who is in active state service has executed the United
8 States Department of Defense Military Record of Emergency Data Form (DD Form
9 93), or its successor form, to serve as a record of emergency data and, on that form,
10 has designated a person who is authorized to direct the disposition of the member's
11 remains if the member dies while in a duty status as described in 10 U.S.C. 1481,
12 notwithstanding any other provision of law, the person authorized to direct the
13 disposition of remains on the executed form has the right to make the decisions
14 concerning the disposition of the member's remains.

1 * **Sec. 2.** AS 26.10 is amended by adding a new section to read:

2 **Sec. 26.10.065. Disposition of remains of state resident armed forces**
3 **personnel on duty status.** (a) Except as provided in (b) of this section, if a state
4 resident who is a member of the armed forces has executed the United States
5 Department of Defense Military Record of Emergency Data Form (DD Form 93), or
6 its successor form, to serve as a record of emergency data and, on that form, has
7 designated a person who is authorized to direct the disposition of the member's
8 remains if the member dies while in a duty status as described in 10 U.S.C. 1481,
9 notwithstanding any other provision of law, the person authorized to direct the
10 disposition of remains on the executed form has the right to make the decisions
11 concerning the disposition of the member's remains.

12 (b) If a state resident who is a member of the United States Coast Guard has
13 executed the United States Coast Guard Designation of Beneficiaries and Record of
14 Emergency Data Form (CG-2020D), or its successor form, to serve as a record of
15 emergency data and, on that form, has designated a person who is authorized to direct
16 the disposition of the member's remains if the member dies while in a duty status as
17 described in 10 U.S.C. 1481, notwithstanding any other provision of law, the person
18 authorized to direct the disposition of remains on the executed form has the right to
19 make the decisions concerning the disposition of the member's remains.



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

Sponsor Statement for HB 27

“An Act Relating to the Disposition of Remains of a Member of the Military if the Member Dies While in a Duty Status.”

The Department of Defense requires all active duty service members, reservists, and guard members to fill out a DD Form 93. This form has crucial information that is used by the Department of Defense in the event of an emergency and to direct service members remains to their proper resting place. The DD Form 93 is updated every year and before each deployment so that the most current information is available.

Unfortunately, there have been occasions where the disposition of a service member's remains have been delayed due to conflicts between the DD Form 93 and state statute. This results in even more distress in an already sorrowful situation.

Currently, Alaska's statutes do not specifically recognize the DD Form 93. HB 27 remedies this problem by aligning our state statutes with current military procedure which will avoid potential and unnecessary conflicts should a service member die in the line of duty.

I strongly urge your support of HB 27.

27-LS0191VB
Bannister
1/26/11

CS FOR HOUSE BILL NO. 27()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES THOMAS, HERRON, FEIGE, AND SADDLER, Millett, Thompson

A BILL
FOR AN ACT ENTITLED

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2 **member dies while in a duty status."**

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7 member of the organized militia who is in active state service has executed the United
8 States Department of Defense Military Record of Emergency Data Form (DD Form
9 93), or its successor form, to serve as a record of emergency data and, on that form,
10 has designated a person who is authorized to direct the disposition of the member's
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4 resident who is a member of the armed forces has executed the United States
5 Department of Defense Military Record of Emergency Data Form (DD Form 93), or
6 its successor form, to serve as a record of emergency data and, on that form, has
7 designated a person who is authorized to direct the disposition of the member's
8 remains if the member dies while in a duty status as described in 10 U.S.C. 1481,
9 notwithstanding any other provision of law, the person authorized to direct the
10 disposition of remains on the executed form has the right to make the decisions
11 concerning the disposition of the member's remains.

12 (b) If a state resident who is a member of the United States Coast Guard has
13 executed the United States Coast Guard Designation of Beneficiaries and Record of
14 Emergency Data Form (CG-2020D), or its successor form, to serve as a record of
15 emergency data and, on that form, has designated a person who is authorized to direct
16 the disposition of the member's remains if the member dies while in a duty status as
17 described in 10 U.S.C. 1481, notwithstanding any other provision of law, the person
18 authorized to direct the disposition of remains on the executed form has the right to
19 make the decisions concerning the disposition of the member's remains.



REPRESENTATIVE BILL THOMAS

ALASKA STATE LEGISLATURE DISTRICT 5

State Capitol
Juneau, AK 99801-1182
(907) 465-3732
(888) 461-3732
FAX (907) 465-2652

Changes in CSHB 27

“An Act Relating to the Disposition of a Member of the Military if the Member Dies while in a Duty Status”

It was brought to our attention that there was question as to whether United States Coast Guard (USCG) service members would be covered under this provision.

Due to its unique status, the USCG is only considered “military personnel” during times of war but otherwise operate under Homeland Security, hence the need to specifically recognize them and their form (which mirrors the DD Form 93) in a new section, 2 (b).

Additionally, in Section 2, “military personnel” was changed to “armed forces” to encompass the USCG.

HB27 Testifier List

MARK B. SAN SOUCI

Regional Liaison Northwest (WA, AK, ID, OR) Defense State Liaison
Office Office of the Deputy Assistant Secretary of Defense DUSD
(Military Community and Family Policy)

253-273-2214

sansouci01@comcast.net

Verdie Bowen, Administrator, Office of Veterans Affairs

428-6016,

Verdie.bowen@alaska.gov

Rick Davidge, Vietnam Veterans of America

762-7575

ricdavidge.ak@gci.net

rdavidge@cyalaska.com

See item 13a. on page 2 and instructions for same item number at the bottom of page 4 for required actions to be taken by Service members to designate a person authorized to direct disposition (PADD).

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	b. RELATIONSHIP	c. DATE OF BIRTH	d. ADDRESS
(Last, First, Middle Initial)		(YYYYMMDD)	(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)

SECTION 2 - BENEFITS RELATED INFORMATION

11a. BENEFICIARY(IES) FOR DEATH GRATUITY <i>(Military only)</i>	b. RELATIONSHIP	c. ADDRESS (Include ZIP Code) AND TELEPHONE NUMBER	d. PERCENTAGE
12a. BENEFICIARY(IES) FOR UNPAID PAY/ALLOWANCES <i>(Military only) NAME AND RELATIONSHIP</i>		b. ADDRESS (Include ZIP Code) AND TELEPHONE NUMBER	c. PERCENTAGE
13a. PERSON AUTHORIZED TO DIRECT DISPOSITION (PADD) <i>(Military only) NAME AND RELATIONSHIP</i>		b. ADDRESS (Include ZIP Code) AND TELEPHONE NUMBER	
14. CONTINUATION/REMARKS			
15. SIGNATURE OF SERVICE MEMBER/CIVILIAN <i>(Include rank, rate, or grade if applicable)</i>	16. SIGNATURE OF WITNESS <i>(Include rank, rate, or grade as appropriate)</i>		17. DATE SIGNED <i>(YYYYMMDD)</i>

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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Issue 9: During its first year of consideration (2010 legislative session), 21 states aligned state with Federal policies regarding the disposition of military members who die on active duty.

Comport State Laws with DoD Rules on Disposition

Issue: State laws on the disposition of human remains do not currently provide for the accommodation of the expressed, written wishes of service members through execution of the federally prescribed "Record of Emergency Data"

According to [Section 564 of Public Law 109-163](#), effective January 2006, service members [as defined in [Title 10, United States Code, Section 1481\(a\)\(1\) – \(8\)](#)] must designate a person authorized to direct disposition of human remains (PADD). The law, [Title 10, United States Code, Section 1482\(c\)](#), specifies a list of possible designees, but does not stipulate any specific order.

States may not recognize the PADD as the legal designee because the state does not recognize the [DD Form 93 \(Record of Emergency Data\)](#) completed by service members to designate a PADD. The DD Form 93 restricts a services member to designating his or her "surviving spouse, blood relative of legal age, or adoptive relatives of the decedent. If neither of these three can be found, a person in loco parentis may be named."

Without a recognized agent, state statutes normally have a prescribed order of who is recognized as the next-of-kin designated to direct disposition, starting with a spouse, followed by adult children and parents. Because some state laws do not currently recognize the federal form as an acceptable one for service members, there have been several instances of civil actions between family members over the ultimate disposition of a fallen service member's remains.

Desired Outcome: Eliminate potential conflict with federal law, which may reduce the potential for family conflict at a time of bereavement, by states amending their laws on disposition of human remains to recognize the DD Form 93 as the authoritative written instrument for service members.

Progress: Ten states currently recognizes the DD 93 as the authoritative document for use by service members; however, we estimate nine states have statutes with sufficient latitude to allow for its use. The remaining states either do not provide for the designation of an agent, require use of a state specific form, or require a certain type of witnessing that might preclude the recognition of the DD Form 93. In order to add clarity for both family members and funeral directors, we believe statutes in all 50 states should include a statement recognizing the authority of the DD Form 93. The map below provides our current estimation of state flexibility for considering designations made on the DD Form 93.

- [DD Form 93 \(Record of Emergency Data\)](#)
- [Public Law 109-163 Sec. 564](#)
- [Title 10 USC, Sec. 1481\(a\)\(1-8\)](#)
- [Title 10 USC, Sec. 1482\(c\)](#)

Best Practice Examples:

The following are bills that were enacted in 2010 that provide for recognition of the DD Form 93:

[Arizona HB 2400](#)
[Mississippi SB 2418](#)
[Maryland SB 408](#)

Lists of states that have adopted similar legislation.

IDAHO

WYOMING

UTAH

COLORADO

WISCONSIN

IOWA

MISSOURI

INDIANA

OHIO

VIRGINIA

TENNESSEE

N CAROLINA

S CAROLINA

GEORGIA

ALABAMA

FLORIDA

MISSISSIPPI

DELAWARE

MARYLAND

States with similar legislation pending.

PENNSYLVANIA

MICHIGAN

NEW YORK

This list was last updated in August 27, 2010

Information from:

<http://cs.mhf.dod.mil/content/dav/mhf/QOL-Library/Project%20Documents/USA4%20Military%20Families/PADD.pdf>



February 7, 2011

Representative Dan Saddler
Representative Bill Thomas
Co-Chairman
House Special Committee on Military and Veterans Affairs

REF: HR27/SB 33

One of the most frustrating and difficult problems we often face as the state's only statewide Veterans Foundation (501c3) representing about 80,000 veterans and their families, is when a veteran or service member dies or is killed in action and we can not find their family.

This happens more then you would think. It's really part of our culture now that many elderly veterans, as a result of divorce or estrangement, die without an ability to notify their next of kin. Just in December of last year we had a two tour decorated Marine, Vietnam Veteran die at home alone and our best efforts and those of the US Department of Veterans Affairs as well as the Department of Defense were unable to find his ex-wife nor his son so that they could be involved in his internment at our National Cemetery.

We strongly support this bill, introduced by you on behalf of our active duty, guard, and reserves that makes it clear that the State of Alaska is in line with most other states in a process that provides for the disposition of service members remains.

We hope this bill becomes law this session, so that this year we can have a process recognized by the State to address this tragedy.

Paul Sheehan
Executive Director



Chapter 904 - Anchorage, Alaska "An Agenda of Service"

February 7, 2011

Co-Chairman
Representative Bill Thomas
Representative Dan Saddler
House Special Committee on Military and Veterans Affairs

REF: HR27

Mr. Chairman,

Just wanted to send you a note to show our support of HB27, which you have shown leadership on.

We work with the Alaska Veterans Foundation, Inc. and our local hospitals to ensure that no veteran dies alone. It happens.

Although your bill will not directly address this challenge it does help clarify the process we in Alaska will follow when faced with the remains of a service member and/or in some cases veteran with no next of kin available.

Unfortunately this is a growing problem due to the number of our citizens who are estranged from their immediate family.

Again, thanks for being there in support of our military and veterans.

It is an honor,

Ric Davidge
President, VVA 904

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number _____
 Bill Version HB 027
 () Publish Date _____

Identifier (file name): HB027-DMVA-VS-2-7-11
 Title Disposition of Service Members' Remains
 Sponsor Thomas, Herron, Feige, Saddler, Millett, Thompson
 Requester Military & Veterans Affairs Special Committee
 Dept. Affected Military & Veterans Affairs
 Appropriation Military & Veterans Affairs
 Allocation Veterans' Services
 OMB Component Number 9

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants								
Miscellaneous								
TOTAL OPERATING		0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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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 (please identify)								
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost 0.0

POSITIONS

Full-time								
Part-time								
Temporary								

Why this fiscal note differs from previous version (if initial version, please note as such)

Initial fiscal note.

Prepared by Verdie Bowen, Veterans Affairs Administrator
 Division Veterans' Services, Dept of Military and Veterans Affairs
 Approved by McHugh Pierre, Deputy Commissioner, Dept of Military and Veterans Affairs

Phone (907) 428-6881
 Date/Time 2/7/11 10:00 AM
 Date 2/7/2011

FISCAL NOTE

**STATE OF ALASKA
2011 LEGISLATIVE SESSION**

BILL NO. HB 027

Analysis

There is no fiscal impact.

HB

129

<TARGET><BILL>HB 129</BILL><SUBJECT>HB
129</SUBJECT><COMM>HMLV27</COMM></TARGET>

ALASKA STATE LEGISLATURE

Session:

State Capitol Building,
Room 428
Juneau, Alaska 99801-2186
Phone (907) 465-3004
Fax: (907) 465-2070
Toll Free: (877) 465-3004



Interim:

1292 Sadler Way, Ste. 324
Fairbanks, Alaska 99701
Phone: (907) 452-1088
Fax: (907) 452-1146
Toll Free: (877) 465-3004

REPRESENTATIVE STEVE THOMPSON DISTRICT 10

FAX COVERSHEET

To: Leg. Legal

Fax Number: 465-2029

From: Jane Pierson

Date: 2.22.2011 **Number of pages including cover:**

Re: Please go final on the CS for HB129 version \M

Today, the House Military and Veterans' Affairs Committee heard HB 129 (27-LS0450\M) and passed it out of Committee. Please go final on the bill.

Thank you,

CS FOR HOUSE BILL NO. 129(MLV)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

Offered:

Referred:

Sponsor(s): REPRESENTATIVES GRUENBERG, Lynn

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to providing a death certificate for a deceased veteran without**
2 **charge."**

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**

27 **(i) the deceased veteran's surviving spouse or other**
 28 **relative;**

29 **(ii) the deceased veteran's heir or devisee; or**

30 **(iii) the administrator, executor, personal**
 31 **representative, foreign personal representative, beneficiary,**

1 conservator, fiduciary, special administrator, successor personal
2 administrator, or trustee of the deceased veteran's estate;

3 (B) "veteran" means an individual who was

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

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

27-LS0450\M
Bullard
2/17/11

CS FOR HOUSE BILL NO. 129()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES GRUENBERG, Lynn

A BILL
FOR AN ACT ENTITLED

1 **"An Act relating to providing a death certificate for a deceased veteran without**
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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

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

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

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

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

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

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

(A) "eligible recipient" means

(i) the deceased veteran's surviving spouse or other relative;

(ii) the deceased veteran's heir or devisee; or

(iii) the administrator, executor, personal representative, foreign personal representative, beneficiary,

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conservator, fiduciary, special administrator, successor personal administrator, or trustee of the deceased veteran's estate;

(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 National Guard, a reserve unit of the United States armed services, the Alaska Scouts, the Alaska Territorial Guard, or the Alaska Naval Militia; and

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

Member

Standing Committees:

Judiciary
State Affairs
Transportation
Rules

Finance Subcommittees:

Corrections
Courts
Law

Alaska State Legislature

House of Representatives



Representative Max F. Gruenberg, Jr.

House District 20

Anchorage (Mountain View, Russian Jack, East Anchorage)
House Minority Floor Leader

Interim:

716 W 4th Avenue, Rm 350
Anchorage, Alaska 99501-2133
Phone: (907) 269-0123
Fax: (907) 269-0124

Session:

Alaska State Capitol, Rm 110
Juneau, Alaska 99801-1182
Phone: (907) 465-4940
Toll Free: (866) 465-4940
Fax: (907) 465-3766

Email:

Rep.Max.Gruenberg@legis.state.ak.us

HB 129

DEATH CERTIFICATES FOR DECEASED VETERANS

Explanation of Changes

Changes between HB 129 (27-LS0450\A) and CSHB 129 () (27-LS0450\M):

Paragraph (i) on page 3, lines 4-10 of HB 129 was restructured, incorporating the following changes:

- 1) References to the Coast Guard and Coast Guard Reserves were omitted in the CS because they are a branch of the "armed services," which is already included in the paragraph.
- 2) References in HB 129 to "Alaska Army National Guard" and "Alaska Air National Guard" were eliminated in the CS, and "National Guard" was substituted as an umbrella term.

These are stylistic changes and are in no way intended to exclude any service members covered in the original bill.

CERTIFICATION OF VITAL RECORD

STATE OF ARIZONA

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

DEATH NO.
D 102-

ORIGINAL
STATE
COPY

1 NAME OF DECEASED SIMON		AKA A FIRST SEYMOUR		B MIDDLE		C LAST EPSTEIN		SEX 2 MALE		DATE OF DEATH 3 JANUARY 31 2004	
4A RACE (e.g., white, black, American Indian (specify tribe) etc.) WHITE		B WAS DECEASED OF HISPANIC ORIGIN (SPECIFY YES OR NO) NO		C IF YES, INDICATE MEXICAN, SPANISH, PUERTO RICAN, CUBAN, ETC.		5 WAS DECEASED EVER IN U.S. ARMED FORCES? (SPECIFY YES OR NO) YES		D DOA OF EMER IN PATIENT			
6 PLACE OF DEATH YAVAPAI		A COUNTY		B TOWN OR CITY PRESCOTT VALLEY		C HOSPITAL OR INSTITUTION PRESCOTT VALLEY SAMARITAN CENTER		D (IF RESIDENCE, GIVE STREET ADDRESS)			
7 DATE OF BIRTH NOVEMBER 7 1920		AGE (YEARS LAST BIRTHDAY) 8A 83		IF UNDER 1 YEAR MOS DAYS B		IF UNDER 1 DAY HRS MIN C		9 MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (SPECIFY) WIDOWED		10 SURVIVING SPOUSE (IF WIFE, GIVE MAIDEN NAME)	
11 STATE AND CITY OF BIRTH ILLINOIS CHICAGO		CITIZEN OF WHAT COUNTRY? U.S.A.		SOCIAL SECURITY NO 322 14 1666		14A USUAL OCCUPATION (Give kind of work done most of working life, even if retired) SHEET METAL WORKER		B KIND OF BUSINESS OR INDUSTRY SHEET METAL			
15 USUAL RESIDENCE ARIZONA YAVAPAI		C TOWN OR CITY PRESCOTT VALLEY		D ZIP CODE 86314		16 HOW LONG IN ARIZONA? 28 YEARS		17 EDUCATION HIGHEST GRADE COMPLETED			
15E STREET ADDRESS OF R.F.D. 3380 NORTH WINDSONG		INSIDE CITY LIMITS? (SPECIFY YES OR NO) 15F YES		ON RESERVATION (SPECIFY YES OR NO) 15G NO		18 PREVIOUS STATE OF RESIDENCE CALIFORNIA		A ELEMENTARY SECONDARY (0-12)		B COLLEGE (1-4 or 5+) 2	
19 FATHER'S NAME MAX EPSTEIN		A FIRST		B MIDDLE		C LAST		20 MOTHER'S MAIDEN NAME ANNIE RABKIN		A FIRST B MIDDLE C LAST	
21 INFORMANT'S SIGNATURE <i>Kayla Epstein</i>		RELATIONSHIP TO DECEASED RELATIVE		23 ADDRESS 4801 KENAI AVENUE ANCHORAGE, ALASKA		CITY AND STATE		ZIP CODE 99508			
24 BURIAL, CREMATION, REMOVAL, OTHER (Specify) REMOVAL/BURIAL		DATE FEBRUARY 6, 2004		CEMETERY OR CREMATORY - NAME, LOCATION NATIONAL MEMORIAL CEMETERY OF ARIZONA PHOENIX, ARIZONA		27A EMBALMER'S SIGNATURE <i>GARY...</i>		B CERT NO			
24 FUNERAL HOME ARIZONA WAKELIN BRADSHAW, 8480 EAST VALLEY ROAD, PRESCOTT VALLEY, AZ		NAME		STREET ADDRESS		CITY AND STATE		86314		27B FUNERAL DIRECTOR'S SIGNATURE <i>GARY...</i>	
30 SIGNATURE AND TITLE <i>Sam W. Downing</i>		DATE SIGNED (Mo, Day, Year) FEBRUARY 2, 2004		HOUR OF DEATH 0635		36 TIME OF DEATH 0939		37		38 AT	
33 NAME AND ADDRESS OF CERTIFIER, PHYSICIAN, MEDICAL EXAMINER OR TRIBAL LAW ENFORCEMENT AGENCY SAM W. DOWNING, MD, 215 NORTH MCCOY...		REG FILE NO 171		REG DISTRICT 135		DATE REC'D IN STATE OFFICE					
47 PART I		A IMMEDIATE CAUSE OF DEATH		B INTERMEDIATE CAUSE OF DEATH		C UNDERLYING CAUSE OF DEATH		45		46	
49		50		51		52		53		54	
55		56		57		58		59		60	

FOR GOVERNMENT USE ONLY
 Pursuant to A.R.S. 29-122.A this copy has been issued free of charge for the purpose of applying for and obtaining Veteran's Social Security Benefits and 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. 26-311 and by direction of

Marcia M. Jacobson
MARCIA MORAN JACOBSON
YAVAPAI COUNTY REGISTRAR
YAVAPAI COUNTY HEALTH DEPARTMENT



This copy not valid unless prepared on engraved border displaying county seal in color and raised seal of issuing agency.

152164

ANY ALTERATION OR ERASURE WILL VOID THIS CERTIFICATE

Member

Standing Committees:

Judiciary
State Affairs
Transportation
Rules

Finance Subcommittees:

Corrections
Courts
Law

Alaska State Legislature

House of Representatives



Representative Max F. Gruenberg, Jr.

House District 20

Anchorage (Mountain View, Russian Jack, East Anchorage)
House Minority Floor Leader

Interim:

716 W 4th Avenue, Rm 350
Anchorage, Alaska 99501-2133
Phone: (907) 269-0123
Fax: (907) 269-0124

Session:

Alaska State Capitol, Rm 110
Juneau, Alaska 99801-1182
Phone: (907) 465-4940
Toll Free: (866) 465-4940
Fax: (907) 465-3766

Email:

Rep.Max.Gruenberg@legis.state.ak.us

HB 129

DEATH CERTIFICATES FOR DECEASED VETERANS

Sponsor Statement

House Bill 129 provides a death certificate, without cost, to a surviving spouse, next of kin, or other relative of a deceased veteran. The bill is modeled after an Arizona statute and will provide one copy to the eligible recipient. HB 129 demonstrates the state's respect for Alaska's veterans and their families and will provide a valuable service to military families in their time of bereavement.

If you have any questions about the bill, please contact my legislative aide, Gretchen Staff, at 465-4940.

Thank you for your consideration of House Bill 129.

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: HB129
() Publish Date: _____

Identifier (file name): HB129-DHSS-BVS-2-21-2011 Dept. Affected: Health and Social Services
Title: Deceased Veteran Death Certificate Appropriation: Public Health
Allocation: Bureau of Vital Statistics
Sponsor: Rep. Max Gruenberg
Requester: House MLV Committee OMB Component Number: 961

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
		FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES							
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

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

CHANGE IN REVENUES	(75.0)	(80.0)	(85.0)	(90.0)	(95.0)	(100.0)
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	75.0	0.0	80.0	85.0	90.0	95.0	100.0
1005 GF/Program Receipts	(75.0)	0.0	(80.0)	(85.0)	(90.0)	(95.0)	(100.0)
1037 GF/Mental Health							
Other (please identify)							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost: 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable. Initial version.

Prepared by: Ward Hurlburt, M.D. MPH - Chief Medical Officer / Director
Division: Public Health
Approved by: Alison Elgee, Assistant Commissioner
DHSS Finance & Management Services

Phone 269-6680
Date/Time 2/21/11 12:00 PM
Date 2/21/2011

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. HB129

Analysis:

Under this bill family members or representatives (executors, etc.) of deceased veterans may each request one free certified copy of the veteran's death certificate. This bill would allow many members or representatives of the veteran's family to separately request a free death certificate.

This bill will reduce the Bureau of Vital Statistics (BVS) program receipts/fees by an estimated \$75.0 in the first year, increasing each year to a projected loss of \$100.0 by Year 5. Because BVS relies substantially on fees to support its operating costs, any loss of these program receipts will have an immediate impact on staffing and quality of service to the public if not replaced by general funds. About 3% of the FY11 budget for BVS is GF (\$91.1). In contrast, 80% of the BVS budget for FY11 comes from program receipts (GF/Pgm).

The Bureau estimates that initially 75% of veteran's families will be aware of the bill, increasing to nearly 100% over five years. About 30 percent (approximately 1000 deaths) of total deaths in Alaska per year indicate the decedent was a veteran. It is estimated that between three to five family members (or executors) will qualify for a death certificate at no charge (families have been known to request as many as 40 copies of a death certificate). Assuming 3 to 4 certificates per death, the impact to the Bureau is projected to be between 3,000 to 4,000 certificates issued at no charge annually. The fee for a death certificate is \$25. It is anticipated the impact would be comparatively less for the first few years and then increase as more families become aware of the new law.

The fiscal impact will be approximately \$75.0 for the first year the legislation is in effect (\$25 x 3,000 certified copies, assuming just 750 families will request on average four certificates each in the first year), increasing to \$100.0 by Year 5 (\$25 x 4,000 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 four requests per death, or if the number of decedents who are veterans exceeds 1000 in a year. If the current level of staffing and service to the public is to be maintained, these lost program receipts will have to be replaced with GF.

Gretchen Staff

From: Dan McCrummen [dan.mccrummen@gmail.com]
Sent: Monday, February 07, 2011 12:46 PM
To: Rep. Max Gruenberg
Cc: Rep. Bob Lynn
Subject: HB 129 - DECEASED VETERAN DEATH CERTIFICATE

The Honorable Max Gruenberg,

I fully support HB 129; however, I ask that the wording of paragraph (7)(B)(i) of the bill be amended to remove specific reference to the Coast Guard and Coast Guard Reserves. The United States Coast Guard, and its reserve component, is a branch of the armed forces and therefore is inclusive in the earlier language of that same paragraph, namely "armed services."

In support of my request I provide the following references:

The five uniformed services that make up the Armed Forces are defined in 10 U.S.C. § 101(a)(4):

The term "armed forces" means the Army, Navy, Air Force, Marine Corps, and Coast Guard.

The Coast Guard is further defined by 14 U.S.C. § 1:

The Coast Guard as established 28 January 1915, shall be a military service and a branch of the armed forces of the United States at all times. The Coast Guard shall be a service in the Department of Homeland Security, except when operating as a service in the Navy.

Thank you for your consideration of my request.

H. D. "Dan" McCrummen
MCPO, USCG (Retired)
907-321-2313

HB

180

<TARGET><BILL>HB 180</BILL><SUBJECT>HB
180</SUBJECT><COMM>HMLV27</COMM></TARGET>

CS FOR HOUSE BILL NO. 180(MLV)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

Offered:

Referred:

Sponsor(s): REPRESENTATIVES SADDLER, Feige, Herron, Fairclough

A BILL

FOR AN ACT ENTITLED

1 **"An Act authorizing the Department of Administration to note a person's status as a**
2 **retired veteran or a veteran discharged under honorable conditions on the person's**
3 **driver's license or identification card and to provide certain information to the**
4 **Department of Military and Veterans' Affairs; and providing for an effective date."**

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

6 *** Section 1.** AS 18.65.310 is amended by adding a new subsection to read:

7 *(l)* The department shall provide a designation on an identification card
8 identifying the person as a retired veteran or a veteran of the armed forces of the
9 United States discharged under honorable conditions. The department may not charge
10 a fee solely for the designation. To receive a veteran designation, the person shall
11 provide a United States Department of Defense form DD-214 or DD-215 or a National
12 Guard Bureau form NGB-22 to the department as proof of veteran status that shows
13 the person is retired or discharged under honorable conditions. The department shall
14 provide the name and address of a person receiving a veteran designation under this

1 subsection to the Department of Military and Veterans' Affairs.

2 * **Sec. 2.** AS 28.15.111 is amended by adding a new subsection to read:

3 (c) The department shall provide a designation on a license identifying the
4 driver as a retired veteran or a veteran of the armed forces of the United States
5 discharged under honorable conditions. The department may not charge a fee solely
6 for the designation. To receive a veteran designation, the driver shall provide a United
7 States Department of Defense form DD-214 or DD-215 or a National Guard Bureau
8 form NGB-22 to the department as proof of veteran status that shows that the person is
9 retired or discharged under honorable conditions. The department shall provide the
10 name and address of a driver receiving a veteran designation under this subsection to
11 the Department of Military and Veterans' Affairs.

12 * **Sec. 3.** This Act takes effect March 1, 2012.

27-LS0589\B
Luckhaupt
3/15/11

CS FOR HOUSE BILL NO. 180()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES SADDLER, Feige, Herron, Fairclough

A BILL

FOR AN ACT ENTITLED

1 **"An Act authorizing the Department of Administration to note a person's status as a**
2 **retired veteran or a veteran discharged under honorable conditions on the person's**
3 **driver's license or identification card and to provide certain information to the**
4 **Department of Military and Veterans' Affairs; and providing for an effective date."**

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13 the person is retired or discharged under honorable conditions. The department shall
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subsection to the Department of Military and Veterans' Affairs.

* **Sec. 2.** AS 28.15.111 is amended by adding a new subsection to read:

(c) The department shall provide a designation on a license identifying the driver as a retired veteran or a veteran of the armed forces of the United States discharged under honorable conditions. The department may not charge a fee solely for the designation. To receive a veteran designation, the driver shall provide a United States Department of Defense form DD-214 or DD-215 or a National Guard Bureau form NGB-22 to the department as proof of veteran status that shows that the person is retired or discharged under honorable conditions. The department shall provide the name and address of a driver receiving a veteran designation under this subsection to the Department of Military and Veterans' Affairs.

* **Sec. 3.** This Act takes effect March 1, 2012.

ALASKA STATE LEGISLATURE

Session:
State Capitol, Room 409
Juneau, AK 99801-1182
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REPRESENTATIVE DAN SADDLER

Explanation of Changes in CSHB 180

“An Act authorizing the Department of Administration to note a person’s status as a veteran on the person’s driver’s license and to provide certain information to the Department of Military and Veterans’ Affairs.”

We want to expand the bill to apply to address issuance of driver’s licenses or state identification cards, to accommodate veterans who may not drive. Identification cards are addressed in Section 1 (l); driver’s licenses are addressed in Section 2 (c).

We have clarified that veterans seeking to obtain the veteran-designated driver’s licenses or identification cards would have to be retired or discharged under honorable conditions.

We want to emphasize that there would be no fee for the veteran designation; however, the standard fees for a renewal or duplicate license or identification card would still apply.

We have expanded the references to military Certificates of Release or Discharge to include the National Guard form NGB-22, its version of the DD-214 or DD-215.

At the request of the Division of Motor Vehicles, we have included an effective date of March 1, 2012 to accommodate the division’s scheduled workload.

ALASKA STATE LEGISLATURE

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REPRESENTATIVE DAN SADDLER

Sponsor Statement HB 180

House Bill 180 seeks to help Alaska veterans receive more of the benefits they have earned through their sacrifice and service in uniform, and to which they are entitled by law and custom. It would allow the Division of Motor Vehicles (DMV) to add information to state drivers' licenses or identification cards signifying the holder's status as a veteran, and would allow DMV to share that information with the state's veterans benefit office.

Alaska is among the most veteran-friendly states in the Union. Many businesses and organizations demonstrate their appreciation by offering various discounts, preferences and other benefits to *bona fide* veterans. However, veterans must usually prove they qualify by presenting certified copies of their discharge documents – the DD-214, DD-215, or NGB-22 forms, exposing these critical documents to wear, damage or loss.

By giving veterans a way to carry reliable and convenient proof of their status on state-issued cards, this bill would help them more easily enjoy the full range of personal, business and social benefits offered to them by a grateful state.

HB 180 could also help relieve the situation in which tens of thousands of Alaska veterans may be missing out on significant government benefits, because they have no contact with the state's Office of Veterans Affairs. The bill would allow the DMV to provide the names and addresses of those who are issued veteran-designated driver's licenses or ID cards to the state veterans' office. That office could then reach out to make more veterans aware of programs available to them, and to help them receive any benefits owed to them.

I respectfully request your support for House Bill 180.

Thank you.

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number _____
Bill Version HB 180A
() Publish Date _____

Identifier (file name) HB180-DOA-DMV-03-11-11 Dept. Affected Administration
Title Veteran Designation on Driver's License Appropriation Motor Vehicles
Allocation Motor Vehicles
Sponsor Rep. Saddler, Feige, Herron, Fairclough
Requester House Military & Veterans Affairs OMB Component Number 2348

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services	57.2		0.0	0.0	0.0	0.0	0.0	0.0
Commodities	39.3		0.0	0.0	0.0	0.0	0.0	0.0
Capital Outlay								
Grants								
Miscellaneous								
TOTAL OPERATING	96.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0

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

CHANGE IN REVENUES	1005 GF/PR	693.0	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								
1005 GF/Program Receipts	96.5		0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health								
Other (please identify)								
TOTAL	96.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost 0.0

POSITIONS

Full-time								
Part-time								
Temporary								

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable; initial version

Prepared by Whitney Brewster, Director
Division Motor Vehicles
Approved by John Cramer, Deputy Commissioner
Department of Administration

Phone 907-269-5574
Date/Time 3/11/11 3:00 PM
Date 3/11/2011

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. HB 180A

Analysis

This bill would require the Division of Motor Vehicles (DMV) to print a designator on a driver's license identifying the driver as a veteran. This bill would also require DMV to provide the name and address of the license holder to the Department of Military and Veterans' Affairs (DMVA).

Expenditures

- 1) Programming will be required to:
 - a) add a 'veteran' field to DMV's database;
 - b) redesign the driver's license to accommodate a designation; and
 - c) produce a reporting feature for notification to DMVA.

Estimated hours: 400

Cost per hour: \$143

Total programming cost: $400 \times \$143 = \$57,200$

- 2) Cost to produce duplicate licenses for existing population of Alaska veterans. If the designator will provide benefits to the veteran, such as store discounts, DMV anticipates that 75% of qualified drivers will opt for the designator within the first year. Of those, approximately one-fifth will have licenses that expire in FY12.

77,000 Quantity of veterans in Alaska as of 09/30/10 per U.S. Dept. of Veterans Affairs

x 75% Estimated percentage of veterans opting for the designator

57,750 Quantity of veterans opting for the designation

x 80% Percentage of veterans who will obtain duplicate licenses (the designation will be added on the license of 20% when the veteran comes in for renewal during FY12)

46,200 Quantity of veterans obtaining duplicate licenses in FY12

x \$.85 Cost for license (printer ribbon, laminate, and card)

\$39,270 Total Estimated cost to produce duplicate driver's licenses in FY12

Revenue

The bill states, "The department may not charge a fee for the designation." It is unclear from this statement whether or not DMV may collect the standard fee for a driver's license per AS 28.15.271. DMV is making the assumption that the standard fees do apply.

46,200 Quantity of veterans obtaining duplicate licenses in FY12

x \$15 Cost of a duplicate license

\$ 693,000 Estimate additional revenue collected in FY12

Performance Measures

DMV currently produces about 270,000 driver's licenses and identification cards each year. The anticipated additional 46,200 customers in FY12 will impact DMV's ability to meet the performance measure of serving customers in an average of 20 minutes or less.

HOUSE BILL NO. 180

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE SADDLER

Introduced: 3/9/11

Referred:

A BILL

FOR AN ACT ENTITLED

1 "An Act authorizing the Department of Administration to note a person's status as a
2 veteran on the person's driver's license and to provide certain information to the
3 Department of Military and Veterans' Affairs."

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

5 * **Section 1.** AS 28.15.111 is amended by adding a new subsection to read:

6 (c) The department shall provide a designation on a license identifying the
7 driver as a veteran of the armed forces of the United States. The department may not
8 charge a fee for the designation. To receive a veteran designation, the driver shall
9 provide a United States Department of Defense form DD-214 or DD-215 to the
10 department as proof of veteran status. The department shall provide the name and
11 address of a driver receiving a veteran designation under this subsection to the
12 Department of Military and Veterans' Affairs.

HB

210

<TARGET><BILL>HB 210</BILL><SUBJECT>HB
210</SUBJECT><COMM>HMLV27</COMM></TARGET>

HOUSE BILL NO. 210

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE LYNN

Introduced: 3/28/11
Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the drinking age for a person who is an active member of the armed**
2 **forces of the United States or an active member of the Alaska National Guard; and**
3 **relating to the age to possess tobacco for a person who is an active member of the armed**
4 **forces of the United States or an active member of the Alaska National Guard."**

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

6 * **Section 1.** AS 04.16.049 is amended by adding a new subsection to read:

7 (g) A person does not violate this section if the person enters or remains on
8 premises licensed under this title, and the person is an active member of the armed
9 forces of the United States or an active member of the Alaska National Guard, and, at
10 the time the person is on a licensed premises, the person possesses a valid armed
11 forces identification card issued by the United States Department of Defense or an
12 Alaska National Guard identification card.

13 * **Sec. 2.** AS 04.16.050 is amended by adding a new subsection to read:

14 (m) A person does not violate this section if the person consumes, possesses,

1 or is in control of an alcoholic beverage, and the person is an active member of the
2 armed forces of the United States or an active member of the Alaska National Guard,
3 and, at the time the person consumes, possesses, or is in control of an alcoholic
4 beverage, the person possesses a valid armed forces identification card issued by the
5 United States Department of Defense or an Alaska National Guard identification card.

6 * **Sec. 3.** AS 04.16.052 is amended by adding a new subsection to read:

7 (b) A licensee or an agent or employee of the licensee does not violate this
8 section if the person is an active member of the armed forces of the United States or an
9 active member of the Alaska National Guard, and, at the time of an act described in
10 (a)(1) - (5) of this section, the person possesses a valid armed forces identification card
11 issued by the United States Department of Defense or an Alaska National Guard
12 identification card.

13 * **Sec. 4.** AS 04.16.055 is amended by adding a new subsection to read:

14 (b) A person does not violate this section if the person is an active member of
15 the armed forces of the United States or an active member of the Alaska National
16 Guard, and at the time the person rented a room in a hotel, motel, resort, or similar
17 business, the person possessed a valid armed forces identification card issued by the
18 United States Department of Defense or an Alaska National Guard identification card.

19 * **Sec. 5.** AS 04.16.057 is amended by adding a new subsection to read:

20 (c) A person who is physically in possession and exercising dominion and
21 control over a dwelling does not violate this section if the other person is an active
22 member of the armed forces of the United States or an active member of the Alaska
23 National Guard, and, at the time the other person possesses an alcoholic beverage in
24 the dwelling, the other person also possesses a valid armed forces identification card
25 issued by the United States Department of Defense or an Alaska National Guard
26 identification card.

27 * **Sec. 6.** AS 11.76.100 is amended by adding a new subsection to read:

28 (g) A person does not violate this section if the other person is an active
29 member of the armed forces of the United States or an active member of the Alaska
30 National Guard, and the other person possesses a valid armed forces identification
31 card issued by the United States Department of Defense or an Alaska National Guard

1 identification card.

2 * **Sec. 7.** AS 11.76.105 is amended by adding a new subsection to read:

3 (c) A person does not violate this section if the other person is an active
4 member of the armed forces of the United States or an active member of the Alaska
5 National Guard, and the other person possesses a valid armed forces identification
6 card issued by the United States Department of Defense or an Alaska National Guard
7 identification card.

8 * **Sec. 8.** AS 11.76.106 is amended by adding a new subsection to read:

9 (d) A person does not violate this section if the other person is an active
10 member of the armed forces of the United States or an active member of the Alaska
11 National Guard, and the other person possesses a valid armed forces identification
12 card issued by the United States Department of Defense or an Alaska National Guard
13 identification card.

14 * **Sec. 9.** AS 43.50.105 is amended by adding a new subsection to read:

15 (j) A person who is licensed under this chapter does not violate this section if
16 the person establishes, before shipping cigarettes, that the person to whom the
17 cigarettes are shipped is an active member of the armed forces of the United States or
18 an active member of the Alaska National Guard, and the other person provides a valid
19 armed forces identification card issued by the United States Department of Defense or
20 an Alaska National Guard identification card.

Alaska State Legislature



Chairman
State Affairs Committee

Member
Judiciary Committee
Energy Special Committee
Joint Armed Services Special Committee
Military and Veterans' Affairs Committee

Finance Subcommittees
Administration
Corrections
Military and Veterans' Affairs

A Communication From
REPRESENTATIVE BOB LYNN
District 31 Anchorage

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

Session:
Alaska State Capitol #108
Juneau, AK 99801-1182

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Sponsor Statement

HB 210

"An Act relating the drinking age...and relating to the age to possess tobacco for a person who is an active member of the U.S. Armed Forces or the Alaska National Guard."

HB 210 would enable all active duty warriors in our U.S. Armed Forces to be treated as adults. HB 210 permits active duty service members under age 21 to consume alcoholic beverages and use tobacco products in Alaska.

"It's outrageous that a member of our military can be subjected to the horrors of war, but can't legally have a beer or smoke a cigarette," Lynn said.

According to Rep. Lynn, "any soldier who braves military combat and risks their life for this country should be treated like an adult—in every sense of the word."

HB 210 does not advocate smoking or drinking as a general practice, nor does the sponsor, but *does* advocate equal treatment for adults and the de facto adults in America's military.

Alaska State Legislature



Chairman
State Affairs Committee

Member
Judiciary Committee
Energy Special Committee
Joint Armed Services Special Committee
Military and Veterans' Affairs Committee

Finance Subcommittees
Administration
Corrections
Military and Veterans' Affairs

A Communication From
REPRESENTATIVE BOB LYNN
District 31 Anchorage

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

Session:
Alaska State Capitol #108
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March 29, 2011

To: Representative Dan Saddler, Co-Chairman
Representative Steve Thompson, Co-Chairman
House Military and Veterans' Affairs Committee

Fr: Representative Bob Lynn

HB 210 Sectional Analysis

Sec. 1: This section relates to *Access of Persons Under Age 21 to Licensed Premises*

Sec. 2: This section relates to *Possession, Control, or Consumption (of Alcohol) by Persons Under Age 21*

Sec. 3: This section relates to *Furnishing of Alcoholic Beverages to Persons Under the Age of 21 by Licensees*

Sec. 4: This section relates to *Room Rental for Purposes of Consuming Alcoholic Beverages*

Sec. 5: This section relates to *Permitting Minor to Illegally Possess Liquor in a Dwelling*

Sec. 6: This section relates to *Selling or Giving Tobacco to a Minor*

Sec. 7: This section relates to *Possession of Tobacco by a Minor*

Sec. 8: This section relates to *Selling Tobacco Outside Controlled Access*

Sec. 9: This section relates to *Restrictions on Shipping or Transporting Cigarettes*

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number _____
 Bill Version HB 210
 () Publish Date _____

HB210-DOT-AS-4-4-11
 Title ALCOHOL/TOBACCO FOR UNDERAGE MILITARY
 Sponsor Representative Bob Lynn
 Requester Military and Veterans Affairs
 Dept. Affected Trans & Public Fac
 Appropriation Administration & Support
 Allocation Commissioner's Office
 OMB Component Number 530

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
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		(16,856.9)	(16,856.9)	(16,856.9)	(16,856.9)	(16,856.9)	(16,856.9)
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CHANGE IN REVENUES		(15,465.0)	(15,465.0)	(15,462.0)	(15,465.0)	(15,465.0)	(15,465.0)
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts		(15,465.0)	(15,465.0)	(15,465.0)	(15,465.0)	(15,465.0)	(15,465.0)
1003 GF Match		(1,391.9)	(1,391.9)	(1,391.9)	(1,391.9)	(1,391.9)	(1,391.9)
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	0.0	(16,856.9)	(16,856.9)	(16,856.9)	(16,856.9)	(16,856.9)	(16,856.9)

Estimate of any current year (FY2011) cost 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

Why this fiscal note differs from previous version

Prepared by Jeff Ottesen, Director
 Division Program Development Division
 Approved by Marc Luiken
Commissioner

Phone (907) 465-6971
 Date/Time 4/2/11 11:00 AM
 Date 4/4/2011

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. HB 210

Analysis

This fiscal note represents a loss in federal revenues as a result of the proposed legislation, which would place the State of Alaska in noncompliance with federal regulations.

Federal regulation (23 CFR 1208.4 Adoption of National Minimum Drinking Age) requires a withholding by 10% of certain categories of federal-aid highway funding apportioned to the state each year. Three categories of federal-aid funding are targeted for the reduction: National Highway System (NHS), Congestion Mitigation/Air Quality (CMAQ) and Highway Safety Improvement Program (HSIP). As well, two sub-categories that are sub-allocated from these major categories would also be reduced: Planning and Research.

The language of 23 CFR 1208.4 reads: *The Secretary shall withhold ten percent of the amount required to be apportioned to any State under each of §§ 104(b)(1), 104(b)(2), 104(b)(5) and 104(b)(6) of Title 23 U.S.C. on the first day of each fiscal year in which the purchase or public possession in such State of any alcoholic beverage by a person who is less than twenty-one years of age is lawful.*

Based on projected Federal Fiscal Year 2011 funding levels (pro-rated through April 8, 2011), the state overall would lose \$15,465,000 per year beginning in FFY 2012 (October 1, 2011). This would reduce the state's overall funding level by about 3% since not all categories are subject to this 10% reduction. The reduction would be felt statewide, since the NHS program funds 2,100 miles of the state's most important highways as well as the ferries and terminals of the Alaska Marine Highway System. The CMAQ program is predominantly used in the state's designated air quality non-compliance areas that are found in Fairbanks, Anchorage and Juneau. The HSIP program is targeted to locations with significant numbers of high-risk crashes and is meant to reduce fatalities and major injuries.

Both FMATS (Fairbanks transportation planning board) and AMATS (Anchorage transportation planning board) would also see a reduction, since the state formula used to allocate funds is based on total funding received by the state. Their likely reduction would be greater than 3% since they get almost all of the CMAQ funding now and the greatest share of the HSIP funding due to the high number of crashes in major urban areas.

Planning funds would be reduced by \$232,000 and Research funding would be reduced by \$80,000. Planning and research needs have both increased dramatically in recent years due to new demands concerning the condition of the highway system and also research needs to increase efficiency of a limited number of dollars.

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number _____
 Bill Version HB210
 () Publish Date _____

Identifier (file name) HB210-DPS-ABC-04-05-11 Dept. Affected Public Safety
 Title "An Act relating to the drinking age for a person who is an active member of the armed forces...Alaska National Guard;..." Appropriation Statewide Support
 Allocation Alcoholic Beverage Control Board
 Sponsor House Labor & Commerce
 Requester House Military and Veterans Affairs OMB Component Number 2690

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES								
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other (please identify)								
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost _____

POSITIONS

Full-time								
Part-time								
Temporary								

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable, initial version.

Prepared by Shirley Gifford, Director
 Division Alcoholic Beverage Control Board
 Approved by Joseph Masters
Commissioner

Phone 269-0351
 Date/Time 4/5/11 8:30 AM
 Date 4/5/2011

FISCAL NOTE

**STATE OF ALASKA
2011 LEGISLATIVE SESSION**

BILL NO. HB 210

Analysis

HB 210 propose to make it legal for active members of the armed services of the United States and active members of the Alaska National Guard to purchase, possess, and consume tobacco products and alcohol.

It is anticipated that this legislation will have zero fiscal impact.

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number _____
 Bill Version HB210 1M
 () Publish Date _____

Identifier (file name): HB210-LAW-CRIM-04-1-11
 Title An Act relating to alcohol/tobacco for underage military.

Dept. Affected Law
 Appropriation Criminal
 Allocation Criminal Justice Litigation

Sponsor REPRESENTATIVE(S) LYNN
 Requester (H) Military & Veterans' Affairs

OMB Component Number 2202

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants								
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 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other (please identify)							
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost 0.0

POSITIONS

	FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
Full-time							
Part-time							
Temporary							

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable, initial version.

Prepared by Eileen Donahue, Division Operations Manager
 Division Administrative Services
 Approved by John J. Burns, Attorney General
Department of Law

Phone 465-5427
 Date/Time 4/1/11 2:00 PM
 Date 4/1/2011

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. HB210 \M

Analysis

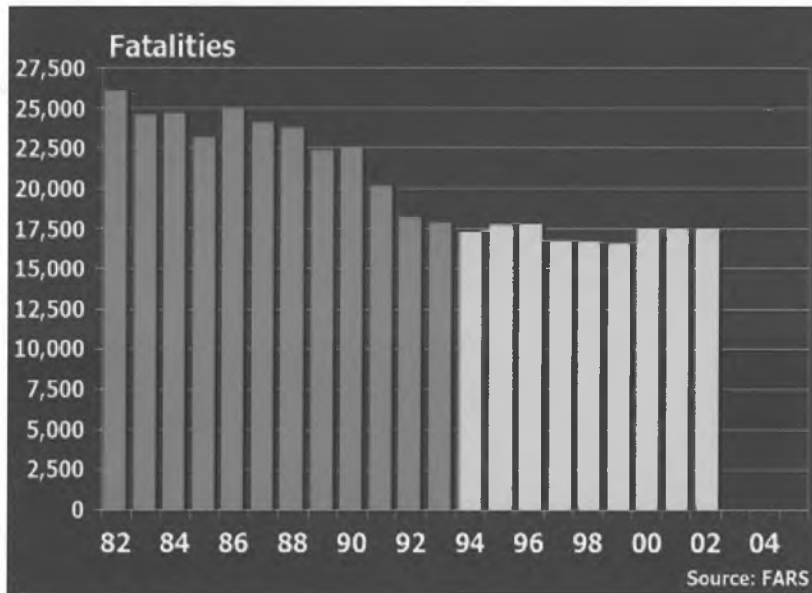
HB 210 in its current form proposes amending existing statutes to make it legal for active members of the armed services of the United States and active members of the Alaska National Guard to purchase, possess, and consume tobacco products and alcohol. There will be no fiscal impact on the Department of Law.

Safety Concerns Related to a Lower Drinking Age for Active Duty Military

Drunken Driving Fatalities

The National Highway Traffic Safety Administration (NHTSA) defines a fatal crash as alcohol-related if either a driver or a non-motorist had a measurable or estimated blood alcohol concentration (BAC) of 0.01 or above.¹ Alcohol-related traffic fatalities, better known as drunken driving fatalities, were the key factor behind the National Minimum Drinking Age Act of 1984.² As the graph shows alcohol-related traffic fatalities have decreased over the years.³ Advocates of the 21 year-old drinking age have long argued that the decrease in fatalities was a result of the higher drinking age.⁴

Number of alcohol-related fatalities from 1982-2002



There is little disputing that this statistical decline represents the cumulative effect of a great many changes not limited to the 21 year-old drinking age. Motor vehicles are in general much safer now than they were in 1982, when, for example, air bags were rare and crash-worthiness was an unknown term.⁵ Drivers are in general better protected, owing not only to these safety features but also to mandatory seatbelt laws.⁶ Law enforcement is much more vigorous now than in 1982, with advances in radar and breathalyzer technology, airbag and anti-lock brake requirements, the increased use of sobriety checkpoints, advent of zero tolerance laws in all 50 states, growth in use of ignition interlock devices, and a lower minimum BAC.⁷ Finally, the “designated driver,” a term virtually unknown in 1982, has now become commonplace. Indeed, research showing a 25% reduction in the tendency to drink and drive would seem to suggest designated driving is the norm and not the exception.⁸

1 National Highway Traffic Safety Administration (2002). *Traffic safety facts 2001: A compilation of motor vehicle crash data from the Fatality Analysis Reporting System and the General Estimates System* (DOT HS 809 484). Washington, DC: U.S. Department of Transportation.

2 Presidential Commission Recommendations. Retrieved January 20, 2005, from: http://www.ncadd.com/pc_recommendations.cfm

3 Runge, J.W. (2003, October 21). *Impaired driving in the US: Progress and research needs*. Washington DC: U.S. Department of Transportation, National Highway Transportation Safety Administration. Retrieved May 1, 2006, from: http://www.nhtsa.dot.gov/nhtsa/announce/speeches/0310211Runge/ABMRF_Present.pdf

4 Mothers Against Drunk Driving (MADD). *Why 21?* Retrieved November 8, 2005, from: <http://madd.com/under21/4847>

5 Kindelberger, J. (2005). Calculating lives saved due to minimum drinking age law. *Research Note*, March, 1-4.

6 Glassbrenner, D. (2005). Safety Belt Use in 2005 – Use Rates in the States and Territories. *NHTSA Research Note*.

7 National Highway Traffic Safety Administration (2004). *Traffic safety facts: Laws*. Washington, DC: U.S. Department of Transportation. Retrieved July 17, 2006, from: <http://www.nhtsa.dot.gov/people/injury/new-fact-sheet03/VehicleLicensePlate.pdf>

8 Levitt, S.D. & Porter, J. (2001). How Dangerous are Drinking Drivers? *Journal of Political Economy*, 109(6), 1198-1237.

Washington DC: U.S. Department of Transportation, National Highway Traffic Safety Administration.

- [Drunk Driving Fatalities](#)
- [Drunk Driving Fatalities and Population Change](#)

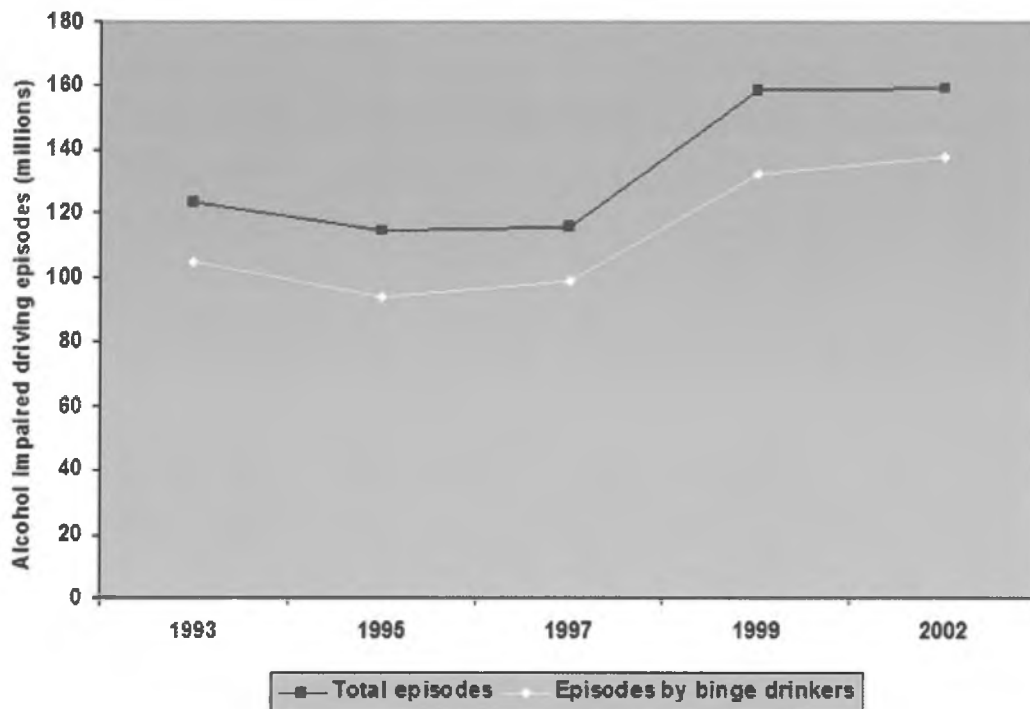
Binge Drinking

We are facing a growing public health crisis with binge drinking. The roots of this problem are deeper than any one cause or policy—they are cultural. In order to address binge drinking, we need to consider both our laws and our societal attitudes about alcohol use. Drinking to get drunk, for anyone at any age, is unacceptable.

Over the last 25 years, some drinking laws were intended to help alleviate alcohol-related problems among young people, but may have had the unintended effect of increasing reckless drinking behavior. Under Legal Age 21, for example, we have seen a movement away from moderate consumption and towards drinking to get drunk. While there is little in the research to indicate that moderate consumption represents harm to young people, abusive consumption – binge drinking – spells trouble for our nation’s youth and for the public at large.

Binge Drinking and Drunken Driving (citations)

While binge drinking itself is cause for concern, a new study conducted by the Center for Disease Control (CDC) suggests that a rise in drunken driving in the 18-34 age group is traceable to the growth of binge drinking in that population. ¹ “The increase in alcohol-impaired driving episodes,” the lead author Kyran Quinlan concludes, “is probably due, at least in part, to the substantial increase in binge drinking episodes.... Indeed, prevention efforts in the United States are likely to be of limited success unless they are coupled with efforts to also reduce the prevalence of binge drinking.” ² Despite increased prevention efforts the number of alcohol-impaired driving episodes is greater than before.



The conclusion drawn is that the recent spike in drunken driving, after years of declining fatalities may be the result of increased binge drinking. It logically follows that the tendency to drive after drinking remains high in the 18-34 age group because binge drinking is disproportionately common amongst that population.

1 Quinlan, K.P., Brewer, R.D., Siegel, P., Sleet, D.A., Mokdad, A.H., Shults, R.A. & Flower, N. (2005). Alcohol-impaired driving among U.S. adults, 1993-2002. *American Journal of Preventive Medicine*, 28(4), 346-350.

2 *ibid.*

Binge Drinking by the Numbers

Despite the 21 year-old drinking age law, large numbers of young people under 21 are drinking, and often they are drinking heavily.

- 18-20 year olds experienced a 56% increase in binge drinking between 1993 and 2001.¹
- More than 90% of all alcohol consumed by underage drinkers is consumed during binge drinking.²
- College students experienced a nearly 10% increase in the rate of drinking to get drunk between 1993 and 2001, which corresponded to an increase in consequences like injuries and assaults, and treatment for alcohol overdose.³

These alarming rates have serious and even life-threatening implications for young people and the rest of society

- Over 1,000 lives of 18-24 year-olds are lost annually to alcohol **off the highways**, a figure that has been increasing since 1998.⁴
- Approximately one in six teenagers has experienced 'black out' spells where they could not remember what happened the previous evening as a result of heavy alcohol use.⁵
- Among college students specifically, alcohol annually contributes to some 1,700 deaths, 599,000 injuries, and 97,000 cases of sexual assault.⁶
- Sixty percent of the deaths that occur as a result of underage drinking happen off the highways.⁷

All of this is happening in the face of a law that says until you're 21, you may not drink. The 21 year-old drinking age has been in place for nearly 25 years, and we are still facing an environment where drinking by people under 21 is the norm. These disturbing rates of law breaking and binge drinking should serve as a call to action for parents, educators, and lawmakers. We must work together to revisit this law and all the issues that have created this destructive culture.

1 Naimi, T.S., Brewer, R.D., Mokdad, A., Denny, C., Serdula, M., & Marks, J.S. (2003). Binge drinking among U.S. Adults. *Journal of the American Medical Association*, 289(1), 70-75.

2 Institutes of Medicine. (2003). *Reducing Underage Drinking: A Collective Responsibility*. Washington: National Academies Press.

3 Wechsler, H., Lee, J.E., Kuo, M., Seibring, M., Nelson, T.F. & Lee, H. (2002). Trends in college binge drinking during a period of increased prevention efforts: Findings from 4 Harvard School of Public Health College Alcohol Study surveys 1993-2001. *Journal of American College Health*, 50(5), 203-217.

4 Hingson, R., Hereen, T., Winter, M., Weschler, H. (2005). Magnitude of alcohol related mortality and morbidity among US college students ages 18-24: Changes from 1998 to 2001. *Annual Review of Public Health*, (26), 259-279.

5 American Academy of Pediatrics, AAP Releases New Findings on Teens and Underage Drinking, Washington, D.C., 1998.

6 Hingson, R., Hereen, T., Winter, M., Weschler, H. (2005). Magnitude of alcohol related mortality and morbidity among US college students ages 18-24: Changes from 1998 to 2001. *Annual Review of Public Health*, (26), 259-279.

7 National Institute on Alcohol Abuse and Alcoholism. (2006). Alcohol Alert #67: Why do adolescents drink, what are the risks, and how can underage drinking be prevented . Rockville, MD: U.S. Department of Health and Human Services, National Institute on Alcohol Abuse and Alcoholism.

Drinking and Culture: International Comparisons (citations)

Because the United States is among an extremely small minority of countries with a drinking age of 21 (Mongolia, Indonesia and Palau are the others), drinking by 18-20 year-old adults is not as intensely scrutinized in other parts of the world as it is in America. Drinking by younger adolescents, especially when excessive or risky in nature, however, is a concern widely shared by parents, public health officials, and governments throughout the world.

Recent research published by the World Health Organization found that in many European countries where the drinking age is 18 or younger (and often not enforced), 15 and 16 year-old teens have more drinking occasions per month, but fewer occasions of dangerous intoxication than their American counterparts. In many southern European countries roughly one in ten of all drinking occasions results in intoxication, while in the United States almost half of all drinking occasions result in intoxication. In these countries the introduction of alcohol typically comes from parents. In the United States, where the drinking age is 21, parents are not legally afforded that opportunity, and as a result initiation to alcohol consumption is not responsibly controlled.¹

¹ Babor, T., Caetano, R., Casswell, S., Edwards, G., Giesbrecht, N., Graham, K., Grube, J., Gruenewald, P., Hill, L., Holder, H., Homel, R., Osterberg, E., Rehm, J., Room, R. & Rossow, I. (2003). *Alcohol: No Ordinary Commodity*. Oxford: Oxford University Press.

Repeal of National Prohibition

2008 marked an important milestone: the 75th Anniversary of the repeal of Prohibition. Enacted by a Constitutional amendment in 1919, Prohibition was the law of the land for thirteen years. After only a few years, it was clear to many Americans that Prohibition was a failed law. Liquor smuggling was rampant, illicit alcohol production became a serious health problem, and in many cases, alcohol consumption became more secretive and excessive than ever before. It was hardly a surprise, then, when an overwhelming majority of the American public—including many former dry advocates—pushed for repeal of Prohibition and successfully overturned the flawed amendment in 1933.

Parallels between Legal Age 21 and Prohibition

In many ways, Legal Age 21 can be considered latter-day prohibition. It denies legal alcohol purchase and consumption to a specific group of adults who are allowed all other rights of citizenship.

· ***Excessive, reckless use of alcohol becomes norm as a law forces drinking underground and out of public settings.*** In much the same way that Prohibition removed alcohol from public settings, Legal Age 21 has forced drinking underground, behind closed doors, and far away from supervised public settings. While the Anti-Saloon League sought to shutter saloons, speakeasies sprung up in their wake, serving illegal liquor and operating outside of the law. The lessons of Prohibition hold firm today: banishing drinking from one location does not eliminate it, and may even increase the amount consumed per occasion. Drinking that is not out in the open, and drinking that requires one to find a dark corner or travel to a remote location, is drinking that puts not only the drinker, but the innocent citizen at greater risk.

· ***Disrespect for law:*** Both enactments created a situation where ordinary behavior was criminalized, where ordinary citizens were placed at odds with the law of the land. Anti-Prohibition organizations cited disrespect for law as their primary argument against the 18th Amendment. Prohibition criminalized normative adult behavior and in so doing, turned many upstanding citizens into lawbreakers. Further frustration came from the fact that Prohibition was not a mere statute; instead it was a Constitutional Amendment and therefore ensconced in the law of the land. By banning an entire group of young adults from engaging in a behavior that is universally understood as a symbol of adulthood, Legal Age 21 also fosters rampant violation of and disrespect for law.

· ***Enacted on a moralistic impulse to change behavior, but frustrated ultimately by failure of law to bring about the desired change.*** Inherent in both enactments was a desire to not only change individual behavior, but to legislate morality. While the campaign for prohibition in the early decades of the twentieth century was arguably more emotionally charged and laden with hyperbolic statements about the evils of drink, supporters of both movements operated on a basic assumption that alcohol has only negative effects on the body and mind.

· ***Impossibility of enforcement.*** Soon after Prohibition was enacted, it became clear that the resources and manpower initially allocated would come far short of eradicating, or even making much of a dent in, alcohol manufacture, purchase and consumption. Even after a doubling of funding, violations and arrests were more numerous in each passing year, leading to increasing dissatisfaction among the general public. Under Legal Age 21, only two out of every 1,000 violations results in arrest or citation. Those who call for increased enforcement of the policy need to be reminded of the embarrassingly low rate of enforcement and also to consider the costs necessary to merely double the rate. Prohibition and Legal Age 21 are both out of step with the social reality of alcohol in American society, which history has shown that no amount of enforcement can eliminate.

· ***Creative lawbreaking.*** The images of Prohibition, of men and women descending into speakeasies, of inventing cocktails so as to mask the taste of homemade spirits with fruit juice and soda, of sleek wooden rum runners unloading their contraband cargo in beaches and coves are echoed clearly today in the images of binge drinking. Binge drinking is defined today by a clear set of images and a vocabulary that recalls that of Prohibition: of young people suspended above a keg, tap in mouth, feet in the air, chugging beer amidst the cheers of fellow partygoers; of games with names like Beer Pong, Kings, Flip Cup, and Beirut whose foremost purpose is to get contestants drunk as quickly as possible. In both cases, a subculture defined by creative law breaking has sprung up around a policy out of step with general societal attitudes about alcohol use.

Facts and Figures furnished by:

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info@chooseresponsibility.org

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POLICIES & RESOURCES

Geneva Conventions ID Card

The information below provides an in-depth look at the distinctions between the next-generation Geneva Conventions Identification Card and the first generation Geneva Conventions Identification Card.

Next-Generation

ID RECIPIENTS*

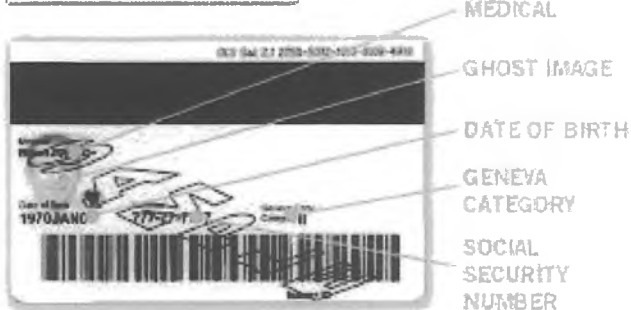
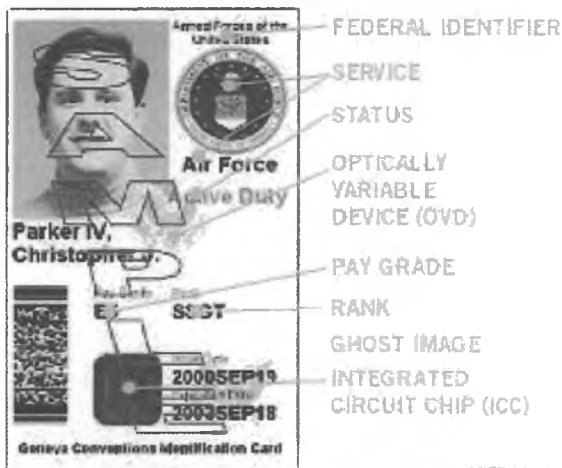
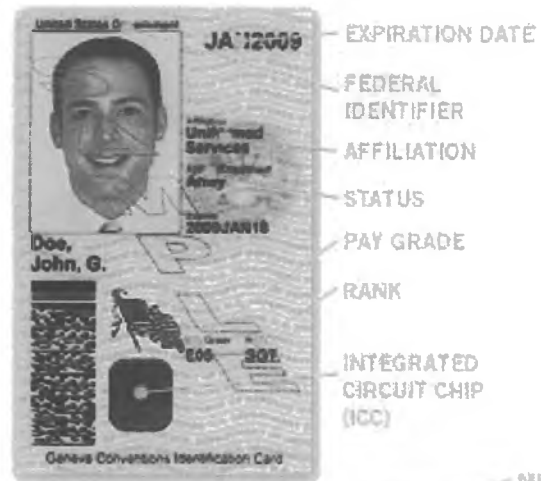
- Active Duty Armed Forces
- Selected Reserves
- National Guard
- National Oceanic and Atmospheric Administration (NOAA)
- U.S. Public Health Services
- U.S. Coast Guard

AFFILIATION*

- Prior February 2005 (Active Duty, Reserve National Guard)
- After February 2005, will display branch of Service (Army, Air Force, etc.)

*No Change

CAC: Geneva Conventions Card



Where would you like to go from here?

- Find out how to get the card

TESLIN FORM FAMILY



DD FORM 2 (RESERVE RETIRED) ARMED FORCES OF THE UNITED STATES GENEVA CONVENTIONS IDENTIFICATION CARD

RECIPIENTS: Retired members of the Reserves under the age of 60.



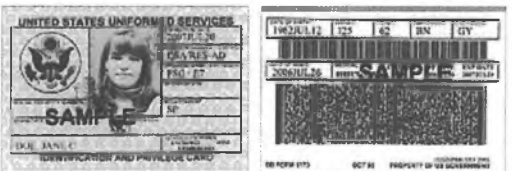
DD FORM 2 (INDIVIDUAL READY RESERVE) ARMED FORCES OF THE UNITED STATES GENEVA CONVENTIONS IDENTIFICATION CARD

RECIPIENTS: Members of the Individual Ready Reserves and Inactive National Guard.



DD FORM 2 (RETIRED) U.S. UNIFORMED SERVICES GENEVA CONVENTIONS IDENTIFICATION CARD

RECIPIENTS: Members entitled to retired pay, members on the Temporary Disability Retired List (TDRL), members on the Permanent Disability Retired List (PDRL).



DD FORM 1173 UNIFORMED SERVICES IDENTIFICATION AND PRIVILEGE CARD

RECIPIENTS: Surviving dependents (spouse, child under 21, incapacitated child 21 years of age or older, full-time student between 21 and 23, stepchild) of Active Duty members or Reservists on Active Duty in excess of 30 days, dependents of the following: members entitled to retired pay, DoD civilians, Disabled Veterans (DAV), DoD contractors, Medal of Honor recipients, other government civilians, eligible non-government personnel, Transitional Assistance and Management Program (TAMP) personnel, dependents of retirees, foreign Military, DoD beneficiaries, Reserve component members not on active duty in excess of 30 days, Ready Reserve and Standby members and Gray Area retirees as part of the Guard and/or Reserve DEERS enrollment program, former members when the former member is eligible for retired pay at age 60 but not yet age 60.



DD FORM 1173-1 DEPARTMENT OF DEFENSE GUARD AND RESERVE FAMILY MEMBER IDENTIFICATION AND PRIVILEGE CARD

RECIPIENTS: Designated beneficiaries including eligible, remarried, former spouses, other eligible dependents, non-DoD/other government employees, dependents of Guard/Reserve/RESRET, dependents of former members, dependents (spouse, child under 21, incapacitated child 21 years of age or older, full-time student between 21 and 23, stepchild) of Reserve component members not on Active Duty in excess of 30 days, dependents of Ready Reserve and Standby members and Gray Area retirees as part of the Guard and/or Reserve DEERS enrollment program, dependents of former members when the former member is eligible for retired pay at age 60 but not yet age 60.



DD FORM 2765 DEPARTMENT OF DEFENSE/UNIFORMED SERVICES IDENTIFICATION AND PRIVILEGE CARD

RECIPIENTS: TAMP personnel, DAV, former members, DoD beneficiaries, Medal of Honor recipients, non-government personnel, National Oceanic and Atmospheric Administration (NOAA) Civilian Shipboard Officers, other government civil service personnel living in quarters in Guam or Puerto Rico, contractors on MSC-owned and operated vessels.



Rep. Bob Lynn, State Affairs Chair

R-Anchorage

Email: rep.bob.lynn@legis.state.ak.us • Ph: 465-4931

housemajority.org/lynn

twitter.com/houmaj



FOR IMMEDIATE RELEASE

PRESS RELEASE

LYNN INTRO'S MILITARY ADULT CONSUMPTION BILL

HB 210 would allow under-21 active duty members adult privileges off-post

Monday, March 28, 2011, Juneau, Alaska – House State Affairs Committee Chair, and Vietnam Veteran, Rep. Bob Lynn, R-Anchorage, today introduced a bill that would enable all active duty warriors in our U.S. Armed Forces to be treated as adults, regardless of age. House Bill 210 proposes permitting active duty service members under age 21 to consume alcoholic beverages and use tobacco products in Alaska.

"It's outrageous that a member of our military can be subjected to the horrors of war, but can't legally have a beer or smoke a cigarette," Lynn said. "Any soldier who braves military combat and risks their life for this country should be treated like an adult—in every sense of the word."

HB 210 does not advocate smoking or drinking as a general practice, nor does the sponsor, but *does* advocate equal treatment for adults and the de facto adults in America's military.

HB 210 was referred to the House Special Committee on Military & Veterans Affairs and the House Judiciary Committee.

#

NOTE: A copy of the bill and the sponsor statement are attached.



HEADQUARTERS
ALASKAN COMMAND (ALCOM)
JOINT BASE ELMENDORF-RICHARDSON, ALASKA 99506

The Honorable Dan Saddler
State Capitol Room 409
Juneau AK 99801

APR 1 2011

Representative Saddler

We appreciate the support you have given to our men and women in uniform who have volunteered to make sacrifices beyond their contemporaries. They truly have acted to accept adult responsibilities. That said, we are concerned about Representative Lynn's HR 210 proposal to lower the military drinking age to 18 and the unintended consequences it may bring.

First, if this proposal is adopted, we will still be legally mandated to enforce the federal drinking age of 21 on military installations. We expect our young Service members will likely exercise the available legal opportunities to enjoy alcohol and suspect this proposal would encourage them to imbibe solely off-base. This off-base only environment would then lead them to find a method to return to their on-base residences. We anticipate this would trigger a spike in driving under the influence incidents.

Second, alcohol-related misconduct is already a serious issue on military installations. Our statistics show it often accounts for about a third of our total misconduct, whether the act of irresponsibility originates on or off base.

While consumption of alcohol is often regarded as a "privilege of adulthood," when our Service men and women deploy, they understand even those of drinking age may not be allowed to consume alcohol while deployed. It is just part of the sacrifice military members make.

The military has also been moving to a more tobacco-free culture in recognition of the many harmful health effects of tobacco. As part of our wellness programs, our medical community and commanders do what we can to discourage tobacco use and the resulting drain on military medical care, funded by the taxpayers of the United States. We hope you will join us in encouraging our military members to make healthy choices.

Please consider our invitation to discuss these matters in more depth. We would welcome the opportunity to give a military perspective on any proposed legislation that may impact our young men and women in uniform.

Lieutenant General Dana T. Atkins
Commander, Alaskan Command
9480 Pease Avenue, Suite 110
JBER AK 99506

Major General Raymond P. Palumbo
Commanding General, U.S. Army Alaska
724 Postal Service Loop #5000
JBER AK 99505

Defense secretary, MADD oppose lower drinking age for troops

(04/01/11 13:55:19)

Mothers Against Drunk Driving is opposing Alaska state [Rep. Bob Lynn's bill](#) that would make it legal for military members under age 21 to drink and smoke. And Defense Secretary Robert Gates told a U.S. House committee in March that he doesn't support lowering the drinking age for people in the services either, [reports Fox News](#). The National Highway Safety Administration also chimed in, telling Fox News that if the bill were passed into law, Alaska would risk losing 10 percent of its annual federal highway funds.

In other countries, the minimum drinking age for U.S. troops is 18 unless an international treaty, agreement or a local situation determined by a commander sets it higher, according to a Pentagon directive issued in 2009.

... The feds haven't always had a say in setting the drinking age. During and after the Vietnam war, 29 states lowered their drinking ages below 21 in the face of baby boomers protesting that they should be allowed to drink if they can be forced to risk their lives abroad.

But after the debate shifted to drunken driving, the federal government intervened. In 1984, Congress passed the National Minimum Drinking Age Act that required all states to raise their legal drinking age to 21 by 1988 or face a 10 percent reduction in federal highway funding.

For Alaska, that means the state would risk losing nearly \$50 million of the state's \$495.3 million in 2010 federal highway funds if Lynn's bill passes, the National Highway Traffic Safety Administration told [FoxNews.com](#), noting that it doesn't make a difference whether the law is applied to military members only or the general public.

Gates told a House committee he would be worried about the effect of a lower drinking age on the mental health of troops already under duress.

"One of the things we're seeing as a result of repeated tours is not just an increase in suicides but an increase in risky behaviors, particularly by young men. And so that would be a concern of mine," Gates said.

Lynn, an Anchorage Republican, says [on his blog](#) he isn't advocating drinking or smoking, but ...

It's outrageous that a member of our military can be subjected to the horrors of war, but can't legally have a beer or smoke a cigarette. Any soldier who braves military combat and risks their life for our country should be treated like an adult -- in every sense of the word.

[Read more at Fox News.](#)

State & Local

Alaska to Consider Lowering Drinking Age for U.S. Troops

By Stephen Clark

Published March 31, 2011

| FoxNews.com



In this photo taken Wednesday, March 16, 2011, an Iraqi Army soldier, right, lights a cigarette for U.S. Army Sgt. Brett Lester, center, of Riverside, Calif., from D Co., 1st Battalion, 18th Infantry Regiment, 2nd Brigade, 1st Infantry Division, during training on M1A1 Abrams tanks at Camp Taji, north of Baghdad, Iraq. (AP)

Defense Secretary Robert Gates doesn't support lowering the drinking age for U.S. troops, but that hasn't deterred one Alaska lawmaker from renewing the debate over whether military members old enough to fight and die for their country are responsible enough to drink and smoke.

The argument dates back decades to the Vietnam War, and now Alaska state Republican Rep. Bob Lynn is proposing a bill that would allow military members in his state under 21 to legally drink and smoke there. Alaska residents can't legally drinking until they're 21 and legally smoke until they're 19.

Lynn has been careful to note that neither he nor his bill promotes drinking or smoking as a habit. But, he says, the bill would "enable all active duty warriors in our U.S. Armed Forces to be treated as adults, regardless of age."

"It's outrageous that a member of our military can be subjected to the horrors of war but can't legally have a beer or smoke a cigarette," Lynn wrote in his blog Monday. "Any soldier who braves military combat and risks their life for our country should be treated like an adult -- in every sense of the word."

In other countries, the minimum drinking age for U.S. troops is 18 unless an international treaty, agreement or a local situation determined by a commander sets it higher, according to a Pentagon directive issued in 2009.

Two state House committees are considering Lynn's bill now. Mothers Against Drunk Driving, or MADD, opposes it.

"MADD fully supports the courageous work of our men and women in uniform," a MADD spokeswoman said in an email to FoxNews.com. "However, we believe that all Americans -- including members of the military -- should adhere to the federal 21 minimum drinking age law, which saves lives and protects still-developing young minds."

The Feds haven't always had a say in setting the drinking age. During and after the Vietnam war, 29 states lowered their drinking ages below 21 in the face of baby boomers protesting that they should be allowed to drink if they can be forced to risk their lives abroad.

But after the debate shifted to drunken driving, the federal government intervened. In 1984, Congress passed the National Minimum Drinking Age Act that required all states to raise their legal drinking age to 21 by 1988 or face a 10 percent reduction in federal highway funding.

For Alaska, that means the state would risk losing nearly \$50 million of the state's \$495.3 million in 2010 federal highway funds if Lynn's bill passes, the National Highway Traffic Safety Administration told FoxNews.com, noting that it doesn't make a difference whether the law is applied to military members only or the general public.

"NHTSA estimates that the 21-year-old minimum-drinking-age laws have reduced alcohol traffic fatalities by 13 percent and have saved an estimated 27,677 lives since 1975," the agency said in email. "In 2009, an estimated 623 lives were saved by minimum-drinking-age laws."

Some statehouses have considered bills lowering the limit since 1988 and a few – Kentucky, South Carolina and Wisconsin -- have targeted members of the military, according to the National Conference of State Legislatures. But none of them have succeeded.

U.S. lawmakers have also tried to lower the drinking age. Most recently, Rep. Jack Kingston, R-Ga., proposed a bill last year that would have allowed U.S. troops who are at least 18 to drink beer and wine on military bases. The bill died, but Kingston is planning to re-introduce it in the current session now that Republicans control the House, his spokesman told FoxNews.com.

But Gates, a former president of Texas A&M University, said he doesn't want to encourage drinking among the troops.

"One of the things we're seeing as a result of repeated tours is not just an increase in suicides but an increase in risky behaviors, particularly by young men. And so that would be a concern of mine," Gates said at a House committee hearing this month under questioning from Kingston.

To: Members of the Alaska House of Representatives

From: Barrett Seaman, president, Choose Responsibility

Re: HB 210, as submitted by Rep. Bob Lynn (R-Anchorage)

I represent Choose Responsibility, a five-year-old non-profit organization dedicated to re-opening the debate in the U.S. over what our minimum drinking age policy should be. We believe that MLDA 21, as mandated by the National Minimum Legal Drinking Age Act of 1984, is part of the problem—not the solution to the abusive drinking behaviors common among younger Americans.

I invite members of the Alaska legislature to view our web site (www.chooseresponsibility.org) for a more complete statement of our position.

We fully support Rep. Lynn's proposal to allow American servicemen and women under the age of 21 to consume alcohol—legally. I'm confident that the vast majority of Americans agree with us when we say that there is something very wrong when a 19- or 20-year-old soldier with a chest full of battle ribbons and maybe even a prosthetic arm or a leg can't walk into a bar or restaurant and order a beer.

Our view is that drinking is a learned responsibility and that MLDA 21 simply prolongs the learning process while at the same time it fosters a general disrespect for the law. MLDA 21 has not stopped "underage" drinking. It has merely pushed it underground, behind closed doors where young people learn to drink—not from other responsible adults but from each other at a time in their lives when they are going to experiment with alcohol whether it's legal for them to do so or not.

We believe that all American citizens, defined by every other measure as those 18 and older, should be allowed to drink. But our soldiers and sailors are a good starting point, for they have already demonstrated by their commitment to country and their military discipline that they have the wherewithal to serve as good examples.

I recognize, as Rep. Lynn does, that passage of this act would put Alaska in jeopardy of forfeiting ten percent of its federal highway funds by being in violation of the 1984 federal act. But if Alaska is willing to stand up to this clever bit of federal blackmail, then I'm convinced other states will follow.

There is already legislation proposed, by Rep. Jack Kingston of Georgia, to allow military personnel to consume alcohol within the confines of their bases. Your efforts in Alaska will provide vital political support for Congressman Kingston's efforts.

We stand ready to do what we can to provide support for your efforts.

Charlene Ditton

From: Kim Greer [kag@sphosp.org]
Sent: Monday, April 04, 2011 9:50 AM
To: LIO Homer
Subject: House Bill 210

To whom it may concern,

I am unable to attend the hearing at the Homer LIO and would like to submit my comment for public record re: House Bill 210 in the House Special Committee of Military and Veteran Affairs.

I think it absurd to consciously slip back into time and knowingly impeded progress. Please do not even consider lowering the age for drinking or smoking for military "kids". This is a health related issue. This is not a perk! We need to move forward on the prevention of illness, REGARDLESS of the path young people decide to take for work, i.e., the military. It seems to me that the government would not and should not endorse this. In the end it will cost millions of dollars more in health care for these kids. We should continue to move toward prevention of alcoholism, liver disease and early death, COPD, lung cancers, heart disease, and early death! This would only come across as another "perk" to join the military. Further more, maybe we should consider making the minimum military age to be 21 instead of 18. These young people are not even done growing, mentally or physically, when they are shipped off to kill others, and experience horrendous events.

Just say NO!

In Health,
Kim A. Greer RN
235-4310

Susan Wallen

From: Hewitt, Brenda L (DOT) [brenda.hewitt@alaska.gov]
Sent: Tuesday, April 05, 2011 10:47 AM
To: Rep. Steve Thompson; Rep. Dan Saddler; Rep. Peggy Wilson
Subject: HB 210, Drinking Age of Military Personnel

FYI:

From: John.Moffat@dot.gov [mailto:John.Moffat@dot.gov]
Sent: Tuesday, April 05, 2011 10:36 AM
To: Edgmon, Bryce E (LAA)
Cc: Cashen, Cindy L (DOT); Shirley.Wise@dot.gov; Tom.Louizou@dot.gov; Heidi.Coleman@dot.gov
Subject: HB 210, Drinking Age of Military Personnel

The Honorable Bryce Edgmon, Chairman
House Finance Subcommittee on Transportation and Public Facilities
Alaska State Legislature

Dear Mr. Chairman:

I note that another committee of your body is reviewing HB210 (Drinking age for Military Personnel) today. I am concerned with the impact that actions on this bill may have on Alaska's transportation finances.

I invite your attention to the provisions of federal law (23 USC § 158) and to the federal regulations (23 CFR § 1208) that implement that code:

<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=437845be569c3673bd64eec845a52dc6&rgn=div5&view=text&node=23:1.0.2.14.5&idno=23>

As you can see, the law and regulations do not permit a military exception to the 21 year old drinking age. I address this communication to you since your committee oversees this area of finance.

Respectfully submitted,

John M. Moffat

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HB

234

<TARGET><BILL>HB 234</BILL><SUBJECT>HB
234</SUBJECT><COMM>HMLV27</COMM></TARGET>



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Sponsor Statement HB 234

"An Act relating to picketing or protests at a funeral."

The death of a loved one is one of life's most tragic events. More than 46 states across the country have enacted laws protecting families at funerals during their time of grief. These laws establish standards of conduct which respect the family's need for respect and privacy during this difficult time while also allowing others to express their viewpoints.

HB 234 brings Alaska in line with the majority of states and adopts the guidelines which govern conduct during a funeral. HB 234 is modeled after the guidelines used by our national cemeteries and requires that:

- Picketing not take place within 150 feet of the boundary of the cemetery, church, or other facility where the funeral services are occurring, and
- Picketing not take place one hour before or one hour after the service.

This bill asks anyone within the area of a funeral service to conduct themselves in a respectful manner for the duration of the service. HB 234 looks out for the interests of the grieving families while preserving the rights of others to voice their opinions.

I strongly urge your support of HB 234.

High Court Rules For Anti-Gay Protesters At Funerals

by NINA TOTENBERG



Nicholas Kamm/AFP/Getty Images

Members of the Westboro Baptist Church of Topeka, Kan., staged a protest across the street from a high school in Hyattsville, Md., a day before the Supreme Court ruling.

March 2, 2011

text size **A A A**

The U.S. Supreme Court has ruled that protesters at military funerals cannot be sued for inflicting emotional distress on the family of a dead soldier. The vote was 8 to 1.

When Marine Lance Cpl. Matthew Snyder was killed in Iraq, his funeral in Westminster, Md., drew thousands to pay their respects. But it also drew a protest from the Rev. Fred Phelps and six other members of the Westboro Baptist Church, based in Topeka, Kan.

Phelps and other church members have traveled the country for years, picketing hundreds of military funerals to communicate their belief that "God hates the USA" for its tolerance of homosexuality, particularly in the military.

The picketers did not contend that Snyder was gay. Rather, their message, as Phelps puts it, was that "the whole country is given over to sodomy and to sodomite enablers."

The picketers followed their usual practice at the Snyder funeral. They alerted police in advance and followed instructions to set up their protest on public property, at a site 1,000 feet away from the church, near the vehicle entrance.

Speech is powerful. It can stir people to action, move them to tears of both joy and sorrow, and ... inflict great pain. On the facts before us, we cannot react to that pain by punishing the speaker.

Though the protest was peaceful and ended before the funeral began, the picketers carried signs with messages offensive to many, including "Thank God for Dead Soldiers," "Fags Doom Nations" and "America Is Doomed."

- Chief Justice John Roberts, in the majority opinion

Albert Snyder, the father of the dead Marine, did not see the signs until later when he viewed TV coverage. He says the picketers turned his son's funeral into a circus, taking away his "last moment" with his son.

"This was a funeral. This wasn't a parade going down the street. I shouldn't have to look away from anything at my own child's funeral," Snyder says. "That's absurd."

Snyder sued Phelps and his church for intentional infliction of emotional distress.

"These people targeted me and my family, and they have done this to over 200 other military men and women's families," Snyder says, his voice rising. "I want to know how you would feel if somebody stood 30 feet away from the main vehicle entrance of a church where you're trying to bury your mother, with a sign that says, 'Thank God for dead sluts.' You tell me that shouldn't be illegal. Is 'fag' any worse than 'slut'?"

A jury agreed with Snyder and awarded him \$5 million in damages. But the Supreme Court set aside that verdict Wednesday.

Writing for the court majority, Chief Justice John Roberts said that as repugnant as many of the signs were, they were still plainly related to public, rather than private, matters. They focused on "the political and moral conduct of the United States and its citizens," he said, and speech of such public concern is protected by the First Amendment.

Although Westboro may have chosen to protest the funeral to gain publicity for its views, said the chief justice, and although those views may be particularly hurtful to the dead soldier's father, that does not mean the church members' right of free speech can be curtailed or punished. And a jury award amounts to punishment, Roberts contended, by imposing a penalty for expressing an unpopular viewpoint.

"Speech is powerful," Roberts said in conclusion. "It can stir people to action, move them to tears of both joy and sorrow, and — as it did here — inflict great pain. On the facts before us, we cannot react to that pain by punishing the speaker. As a nation we have chosen a different course — to protect even hurtful speech on public issues to ensure that we do not stifle public debate."


Reaction to the decision was markedly muted, given the outrage voiced by veterans groups and politicians at the time the case was argued in the Supreme Court.

Our profound national commitment to free and open debate is not a license for the vicious verbal assault that occurred in this case.

- Justice Samuel Alito, who cast the lone dissenting vote

The Democratic and Republican leaders of the Senate, along with 40 other members of Congress, filed a brief on Snyder's side. But on Wednesday, reaction on Capitol Hill was nowhere to be found, except in a couple of written statements.

Lawyer Gene Schaerr, who filed a brief in the case for the American Legion, said he was heartened by the fact that the court specifically mentioned that 43 states have enacted laws that put a buffer zone of 100 feet or more around funeral sites. Such laws would not have affected the protest in this case, since protesters were 1,000 feet away.

 Nonetheless, says Schaerr, the decision "sends a clear signal to the lower courts that they should not interpret anything in this opinion as casting any doubt about those statutes." The court, however, specifically left open that question, noting that restrictions on the time, place and manner of protests are appropriate in some circumstances.

Wednesday's 8-to-1 ruling came as no surprise to First Amendment scholars, both right and left. They note that the decision is in line with many court decisions protecting the rights of fringe groups — from Nazis marching in Skokie, Ill., to flag burners at a Republican convention in Texas.

University of Chicago law professor Geoffrey Stone notes that Wednesday's ruling fits neatly into that tradition, calling it a "classic case." The only surprise, maintained Stone, was that anyone dissented.

Justice Samuel Alito was the lone dissenter. He viewed the protesters' speech as targeting a private person — the father of the dead soldier — and said that the First Amendment does not give license to such outrageous conduct.

"In order to have a society in which public issues can be openly and vigorously debated," wrote Alito, "it is not necessary to allow the brutalization of innocent victims."

Related NPR Stories

• A Peek Inside The Westboro Baptist Church March 2, 2011

LEGISLATIVE RESEARCH REPORT

DECEMBER 9, 2011



REPORT NUMBER 12.113

FUNERAL PROTEST LAWS IN OTHER STATES

PREPARED FOR REPRESENTATIVE BILL THOMAS, JR.

BY ROGER WITHINGTON, LEGISLATIVE ANALYST

SUMMARY1

STATE LAWS PERTAINING TO FUNERAL PROTESTS2

Table 1: Summary of State Funeral Protest Laws, May 2011.....3

CHALLENGED AND UNCONSTITUTIONAL STATE FUNERAL PROTEST LAWS3

LIST OF ATTACHMENTS.....5

You asked for information on funeral protest laws. Specifically, you wished to know how many states currently have a law regulating funeral protests and what each state law stipulates. You also wanted to know for each state that currently has a funeral protest law if violating the restriction is considered a felony or misdemeanor offense. In addition, you asked if any of the state laws have been challenged and if any have been found unconstitutional.

SUMMARY

As you may know, for a number of years the Westboro Baptist Church of Topeka, Kansas has been protesting, among other events, military funerals. These protests have garnered the Church a great deal of national attention.¹ The Church’s primary message at these protests is that God hates the United

¹ Summary information was extracted from Kathleen Ann Ruane, *Funeral Protests: Selected Federal Laws and Constitutional Issues*, Congressional Research Service, March 22, 2011, and the Westboro Baptist Church’s website.

States for its tolerance of homosexuality. As punishment for its tolerance, God is killing soldiers “in righteous judgment against an evil nation.”

As a result of these protests, state and local governments have adopted measures that create “buffer zones” that ban protests of funerals within a certain distance of the services and that establish time restrictions as to when protests can occur in relation to a funeral service. Additionally, the federal government has passed similar bans on protests at military funerals in federally controlled cemeteries.

STATE LAWS PERTAINING TO FUNERAL PROTESTS

According to the National Conference of State Legislatures (NCSL), 46 states currently have some form of a funeral protest law. In Table 1, we provide a summary of these state laws; we include a more detailed summary of each state’s law in Attachment A.

Of the 31 states identified in Table 1 that impose a restriction on the time in which a protest may take place in relation to the funeral service, 22 specify that a protest may not occur any time one hour prior to, during, or one hour after the conclusion of the funeral or memorial service. The remaining nine states specify a time restriction range from 30 minutes to 120 minutes before and after the service.

As you can see from Table 1, 39 states create a “buffer zone” that restricts protests of funerals within a certain distance of the service. These buffer zones range from 150 feet to 1,500 feet. The most typical distance, used by 15 states, is 500 feet.

Seven states—California, Florida, Idaho, Louisiana, Maine, Rhode Island, and Virginia—chose not to create time or distance buffer zones but instead appear to have amended their disorderly conduct or disturbing the peace statutes to include protests at funeral or memorial services.

Thirty-six states classify the first violation of these funeral protest laws as misdemeanors. Although several states classify the second offense as a felony, two states—Indiana and Michigan—classify the first offense as a felony.

TABLE 1: SUMMARY OF STATE FUNERAL PROTEST LAWS, MAY 2011	
Regulation	States
Time Requirement	Alabama, Arizona, Arkansas, Connecticut, Delaware, Georgia, Illinois, Iowa, Kansas, Kentucky, Michigan ⁽¹⁾ , Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Texas, Utah, Vermont, West Virginia, Wisconsin, Wyoming
Distance Requirement	Alabama, Arizona, Arkansas, Colorado, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, West Virginia, Wisconsin, Wyoming
First Offense Classified as a Misdemeanor	Alabama, Arizona, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Iowa, Kansas, Kentucky, Maryland, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin, Wyoming
<p>Source: <i>Funeral Protest Regulation Statutory Provisions</i>, National Conference of State Legislatures, May 18, 2011, Jon Griffin, Policy Associate, Fiscal Affairs Program, National Conference of State Legislatures, 303-364-7700 ext. 1529.</p> <p>Notes: (1) Michigan law authorizes local governments to create laws that restrict funeral protests from one hour immediately before, or during, or two hours immediately following a service.</p>	

In Attachment B, we provide a sample of funeral protest laws from ten states—Alabama, Colorado, Connecticut, Idaho, Minnesota, Montana, New Mexico, Oklahoma, Rhode Island, and Washington.

According to the NCSL, all four of the states that do not currently have a funeral protest law—Alaska, Hawaii, Nevada, and Oregon—considered such a measure during the last legislative session. Measures in Alaska and Hawaii are still active, while the measures in Nevada and Oregon have failed. Additionally, many states sought to amend their existing laws. We include, as Attachment C, a NCSL summary of all state legislation considered during the last legislative session that pertains to funeral protests.

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version HB 234
 Fiscal Note Number _____
 () Publish Date _____

Identifier (file name) HB234-LAW-CRIM-02-03-12 Dept. Affected Law
 Title An Act relating to picketing or protests at a funeral. Appropriation Criminal
 Allocation Criminal Justice Litigation
 Sponsor Representative Thomas
 Requester (H) Military & Veterans' Affairs OMB Component Number 2202

Expenditures/Revenues (Thousands of Dollars)

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES	FY13	FY13	FY14	FY15	FY16	FY17	FY18
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	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						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS							
Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES							
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Estimated **SUPPLEMENTAL (FY12) operating costs** _____ (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated **CAPITAL (FY13) costs** _____ (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable, initial version.

Prepared by Eileen Donahue, Division Operations Manager
 Division Administrative Services
 Approved by Michael C. Geraghty, Attorney General
Department of Law

Phone 465-5427
 Date/Time 2/3/12 5:10PM
 Date 2/3/2012

FISCAL NOTE

**STATE OF ALASKA
2012 LEGISLATIVE SESSION**

BILL NO. HB 234

Analysis

HB 234 amends the crime of disorderly conduct by adding the prohibition of engaging in picketing within 150 feet of a cemetery, church, and so on and within 60 minutes of the beginning or end of the funeral.

Disorderly conduct is a class B misdemeanor with a maximum term of imprisonment of 10 days.

The estimated fiscal impact of the bill is zero. The estimate does not include costs related to any legal challenges to the legislation, if it is enacted into law.



February 8, 2012

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Re: HB 234: Funeral Picketing and Protests
ACLU Review of Constitutional Issues

Dear Co-Chairs Saddler & Thompson:

Thank you for the opportunity to provide written testimony with respect to House Bill 234.

The American Civil Liberties Union of Alaska represents thousands of members and activists throughout Alaska who seek to preserve and expand the individual freedoms and civil liberties guaranteed by the United States and Alaska Constitutions. From that perspective, we wish to advise the Committee of our concern that the proposed bill, if enacted, would violate the rights of free speech and free assembly under the Alaska Constitution and the United States Constitution.

Bill Overview

The current draft of HB 234 proposes to amend the existing disorderly conduct statute, to criminalize the act of “knowingly engag[ing] in picketing with reckless disregard” that the picketing occurs within 150 feet of the boundaries of a “cemetery, mortuary, church, or other facility” and either during a funeral at that location or within an hour of the start or end of the funeral.

The bill goes on to define the term “funeral,” excluding a funeral procession from that definition. The bill also defines “picketing” as “protest activities . . . that disrupt or are undertaken to disturb a funeral.”

Freedom of Speech

Under the First Amendment to the United States Constitution, people have the freedom to speak without government interference. The freedom of speech is not absolute, *but government regulation of speech imposes a heavy burden on the government to justify the nature of its regulation and to show that alternative means of vindicating the government interests were inadequate.*

A. The Bill Would Regulate Speech on Sidewalks, a Traditional Public Forum

The present bill directly regulates speech on its face. “[P]rotest activities” are expressive activity, by the very basic meaning of the word “protest.” “Picketing” has long been recognized as expressive activity. *See, e.g., Carey v. Brown*, 447 U.S. 455 (1980).

Based on the broad scope of the bill and the real world context of the activities regulated, the bill would criminalize certain expressive activity both on one’s own private property – assuming the private property lay within 150 feet of a cemetery or church – as well as on a sidewalk or public park, which are recognized as “traditional public forums” for public speech. *Hill v. Colorado*, 530 U.S. 703, 716 (2000).

Given that the bill directly regulates speech **on one’s own property and in traditional public forums**, the bill will be subject to the most careful scrutiny by a court, demanding that the restriction be “necessary to serve a compelling state interest and that it is narrowly drawn to achieve that end.” *Frisby v. Schultz*, 487 U.S. 474, 481 (1988) (citation omitted).

B. The Bill is Not Content-Neutral, But Only Regulates Protest Activities

“The right to free speech . . . may not be curtailed simply because the speaker’s message may be offensive to his audience.” *Hill*, 530 U.S. at 716. For that reason, most restrictions on speech must be content-neutral, meaning that the regulation of speech may not refer to the content of the speech. *Madsen v. Women’s Health Center, Inc.*, 512 U.S. 753, 763 (1994). By contrast, content-neutral restrictions on speech in a public forum describe the time, place, and manner in which speech may be made, and must be narrowly tailored to serve a substantial government interest. *Ward v. Rock Against Racism*, 491 U.S. 781, 799 (1989). Examples of a content-neutral regulation would include an ordinance against using a loudspeaker over a particular volume or after a certain hour.

In the recent funeral picketing case, the United States Supreme Court did admit that some state laws establishing a buffer zone would be analyzed differently (which does not necessarily mean that they would be *constitutional*), but only to “the extent [such state] laws are content neutral.” *Snyder v. Phelps*, 131 S. Ct. 1207, 1218 (2011).

HB 234 appears to refer to the content of speech, and is thus not content-neutral. The term “protest activities” suggests that only the speech of those presenting a negative viewpoint would be affected by the regulation. Under the bill, a person loudly stating that the US military is contributing to the decline of moral values would presumably be engaged in “protest activities,” while a person loudly stating that we must honor our veterans would not be engaged in “protest activities.”¹ *Frisby*, 487 U.S. at 482. Therefore, the conduct prohibited is not merely traditional picketing, but protesting, oppositional speech. *Snyder*, 131 S. Ct. at 1219 (noting that the claims of the offended plaintiffs “turned on the content and viewpoint of the message conveyed, rather than any interference with the funeral itself”).

Heightening the inference that the bill is intended to discriminate between those presenting supporting views and those presenting opposing views at a funeral, the bill also prohibits activities that “disrupt or are undertaken to disturb a funeral.” But in the context of the bill’s language, activities that “disrupt” or “disturb” would likely be viewed in light of their content, rather than a neutral standard. “Disrupting” or “disturbing” entails that the activities run contrary to the purpose or plan of the funeral. Loud noises, such as amplified speech or, as has become more common at funerals, the loud revving of motorcycle engines may be viewed as non-disruptive when the expressive conduct accords with the purpose of the funeral, but disruptive when it is not. **Favoring certain expressive activity over another in regulating picketing violates the First Amendment.** *Carey*, 447 U.S. at 470. Notably, in one of the only cases upholding such a law, the parties *stipulated* that the law was content-neutral, rather than contesting the law’s neutrality. *Phelps-Roper v. Strickland*, 539 F.3d 356, 361 (6th Cir. 2008).

C. The Legislative History Suggests Lack of Content-Neutrality

Finally, the legislative history suggests that the bill was not intended to be content-neutral. The Sponsor Statement indicates that the bill “asks anyone within the area of a funeral service to conduct themselves in a respectful manner.” Sponsor Statement, HB 234. While most – if not indeed nearly all – of us, can agree that permitting funerals to proceed in a peaceful, quiet environment is a laudable goal, nonetheless the state may not legislate “respectful” behavior on the streets and sidewalks of Alaska, nor in the front yards of its citizens. *Olmer v. City of Lincoln*, 192 F.3d 1176, 1180-81 (8th Cir. 1999) (holding that an ordinance prohibiting sign-holding outside churches was unconstitutional because it went “beyond the church building and

1. A protest is defined by the Merriam-Webster dictionary as an “act of objecting or a gesture of disapproval.” By contrast, the general definition of “picketing” is merely “posting at a particular place.”

church property, and seeks to forbid peaceful communication on property belonging to the public, even though the communication may be completely truthful, and even though there is absolutely no physical interference with access to the church"). If "protest activities" that "disrupt" or "disturb" are any activities that are "disrespectful," the law clearly discriminates based on the content of the speech and cannot stand.

D. No Compelling Governmental Interest in Restricting Speech at Funerals

Given that the bill is not content-neutral, the question is then whether "protecting families at funerals during their time of grief" is a compelling state interest justifying a restriction on free speech. **The Constitution requires that "to shut off discourse solely to protect others from hearing it is . . . dependent upon a showing that substantial privacy interests are being invaded in an essentially intolerable manner."** *Snyder*, 131 S. Ct. at 1220 (emphasis added). The only cases in which the U.S. Supreme Court has upheld such laws have been content-neutral laws relating to the privacy of one's home. *Frisby*, 487 U.S. at 487-88 (upholding content-neutral ordinance banning picketing of a single home which made the resident a "prisoner" in his own home); *Rowan v. Post Office Dept.*, 397 U.S. 728, 738 (1970) (upholding statute permitting mail recipient to halt offensive mailings to his residence).

We emphasize that a funeral is a solemn occasion and that families in grief should be accorded the respect that such an occasion deserves. However, funerals are also traditionally public events, frequently held in places of worship or funeral homes that are open to the public. In Anchorage, for instance, numerous cathedrals and churches occupy the downtown area, as does a large cemetery. In Juneau, a Catholic cathedral and a Russian Orthodox church sit three blocks from the State Capitol. Expecting that one will neither see nor hear anything offensive in a heavily-trafficked public space is not reasonably comparable to an expectation that one can retire to one's private home without running a gantlet of protestors.

While the members of the Westboro Baptist Church espouse an abhorrent ideology and express it in the most repulsive terms, this bill would affect all funerals and all protestors. Protesting a funeral, especially that of a public figure, may express an important view opposing an ideology or history of bad acts committed by the person being buried. Funerals are frequently centered around a eulogy, an opportunity to say complimentary things about the deceased. A protest outside a funeral may be an opportunity to present an alternative viewpoint about the deceased and to communicate it to passers-by.

Alternatively, when the death of an individual occurs under circumstances giving rise to matters of public concern, the funeral may be the locus of public debate. Famously, the lynching death of Emmett Till resulted in a dramatic funeral in Chicago which thousands of people attended; a dramatic moment that galvanized the civil rights movement. **A municipality could use the bill, for instance, to characterize angry or upset attendees at a funeral for a victim of a police shooting as "protestors" and arrest the attendees for disorderly conduct. A bill that restricts the freedom of speech on the basis of content is available for all kinds of mischief.**

E. The Bill Is Not Narrowly Tailored and Does Not Leave Adequate Avenues for Expression

Because the bill extends to 150 feet in every direction from a church, mortuary, funeral home, or cemetery where a funeral may take place, and extends from an hour before to an hour after a funeral, HB 234 unconstitutionally restricts speech in that it is neither narrowly tailored nor does it leave adequate avenues for expression. The only recognized constitutional interest at stake is the right of a listener in a private place to avoid being a captive audience to a message the listener has no desire to hear. *Phelps-Roper v. Strickland*, 539 F.3d at 364.

Funeral attendees are not a captive audience to a quiet protest, provided the protest does not enter the church or block the entrance to the church. *Olmer*, 192 F.3d at 1180-81. Funeral attendees may have to walk or drive past protestors holding signs that offend them, and might wish to avert their eyes for the period they would otherwise be exposed to the offensive messages. Clearly, protestors can be excluded from the funeral home, mortuary, cemetery, or church where the service takes place. **Thus, the statute is not narrowly tailored to the government interest in avoiding making funeral attendees a captive audience to the protest.**

Further, a primary function of a mortuary or funeral home is to serve as a space for funeral services. *Some funeral homes may hold more than one funeral in a day.* Given the length of services and the one hour window before and after the service when a protest may not take place, **HB 234 – as currently drafted – could prohibit even unrelated protests near a funeral home, for potentially many hours out of any given day.**

Since some important public buildings – likely sites for protests – are close to funeral homes, this would impose a serious burden. For instance, there is a funeral home across the street from the Atwood Building in Anchorage. An Episcopal church lies across the street from the Dena'ina Convention Center. A labor demonstration against a particular employer lacks the same efficacy if performed offsite. Employees at a business located next door to church, mortuary, funeral home, or cemetery would be unable to mount an effective protest about labor conditions if their protests had to start and stop every time a funeral was taking place. As an example, the Sheraton Hotel in Anchorage lies across the street from the municipal cemetery in the middle of downtown. Employees at similarly situated businesses could be seriously chilled from engaging in meaningful protests and could conduct regular, continuing protests only at the risk that someone would define their protests as “disrupt[ing]” the funeral service.

Last, the bill leaves open little alternative for those who actually wish to protest the church, funeral home, or cemetery in question, by mandating that the protestors stay at least 150 feet away from the property within an hour before or after funerals. Someone may seek to picket a church, such as to bring attention to victims of sexual assault. Someone may seek to picket a funeral home or a cemetery, such as in a labor dispute or a dispute about the policies of the business. While such protests may incidentally impact funeral attendees, the alternative would thwart the free expression of employees or those with legitimate concerns about the church, funeral home, or cemetery. Taken as a whole, the law would leave few alternatives open to those

who seek to protest outside public or private buildings that happen to be located near a church, funeral home, or cemetery, as well as those who seek to picket the church, funeral home, or cemetery itself.

The bill is not narrowly tailored to the legitimate state interests because the protestor must engage in picketing with "reckless disregard," rather than knowledge, that the picketing takes place within 150 feet of the site of a funeral and within one hour before or one hour after the funeral. "Recklessness" refers to a criminal law standard that a person consciously disregards a substantial risk of a certain condition being present. AS 11.81.900(a)(3). Presumably, there is a substantial "risk" that a funeral will take place at a church, funeral home, mortuary, or cemetery at any time. This standard unreasonably imposes on a protestor the duty of discovering whether or not a funeral is ongoing, recently took place, or will take place within an hour of a protest. Employees protesting labor conditions at the Sheraton will thus be required to find out if any funerals are taking place in the municipal cemetery on a day when they decide to protest. **Protesters should not be burdened with such a duty to discover whether a funeral is taking place at any given time.** Imposing the burden on protesters to discover when and whether a nearby church, cemetery, or funeral home is conducting a funeral leaves the law unreasonably ill-tailored to legitimate state interests and imposes an unconstitutional "protest at your own risk" policy.

Drafting Considerations

We suggest the Committee may wish to consider:

The protests staged by the Westboro Baptist Church express abhorrent views, for which the ACLU has no sympathy. Further, the manner in which they protest is deeply offensive. **The great maxim of free speech is that for all evil speech, "the remedy to be applied is more speech, not enforced silence."** *Whitney v. California*, 274 U.S. 357, 378 (1927).

Rather than seeking to prohibit fools from saying foolish and hurtful words, we as a community should come together to show our appreciation for our service members and others in our community whose funerals may be subject to these protests. If the protests of a handful of people inspire a thousand people to come out to show their support and respect at a funeral, does that tribute not outweigh the ill words of a few? The true voice of Alaska should come out when a misguided minority threatens their protests, so we may show why their words are folly.

Second, the members of the Westboro Baptist Church thrive on the controversy and attention generated by their activity. They also thrive on the attorneys' fees generated when legislatures and municipal assemblies act hastily to prevent them from protesting. As truly painful as it is to watch such a protest unfold, it will surely be more galling to pay from the state treasury to facilitate more protests and more litigation by a tiny group of hateful individuals whose message has already received too much attention.

Conclusion

We hope that the Military and Veterans' Affairs Special Committee will recognize that these are just some of the constitutional infirmities in House Bill 234.

Thank you again for letting us share our concerns. Please feel free to contact the undersigned if you have any questions or wish additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Mittman", with a long horizontal flourish extending to the right.

Jeffrey Mittman
Executive Director
ACLU of Alaska

cc: The Honorable Carl Gatto, Vice Chair, [Representative Carl Gatto@legis.state.ak.us](mailto:Representative_Carl_Gatto@legis.state.ak.us)
Representative Alan Austerman, [Representative Alan Austerman@legis.state.ak.us](mailto:Representative_Alان_Austerman@legis.state.ak.us)
Representative Bob Lynn, [Representative Bob Lynn@legis.state.ak.us](mailto:Representative_Bob_Lynn@legis.state.ak.us)
Representative Sharon Cissna, [Representative Sharon Cissna@legis.state.ak.us](mailto:Representative_Sharon_Cissna@legis.state.ak.us)
Representative Bob Miller, [Representative Bob Miller@legis.state.ak.us](mailto:Representative_Bob_Miller@legis.state.ak.us).

HB

247

<TARGET><BILL>HB 247</BILL><SUBJECT>HB
247</SUBJECT><COMM>HMLV27</COMM></TARGET>

Alaska State Legislature

Chairman
State Affairs Committee

Member
Judiciary Committee
Energy Committee
Joint Armed Services Committee
Military & Veterans Affairs Committee

Finance Subcommittees
Administration
Corrections
Military and Veterans Affairs



A Communication From
REPRESENTATIVE BOB LYNN
District 31 Anchorage

E-Mail: Representative_Bob_Lynn@legis.state.ak.us

Session:
Alaska State Capitol, #108
Juneau, AK 99801-1182

Phone: (907) 465-4931
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House Bill 247 "Alaska National Guard Day"

"An Act establishing July 30 each year as Alaska National Guard Day"

House Bill 247 establishes Alaska National Guard Day on July 30 each year to honor the men and women of our Alaska National Guard for their tremendous bravery, sacrifice, and commitment to our communities, to our state, and to our nation.

Since its authorization on July 30, 1948, the Alaska National Guard has grown, changed and modernized to help in its role of protecting life and property both at home and abroad.

The Alaska National Guard (AKNG or The Guard) has a unique dual mission with both federal and state responsibilities and is the military arm of the Governor. In times of emergency, the guard stands ready to immediately respond when the Governor calls for help with local or state-wide emergencies. In addition, the President of the United States can activate the Alaska National Guard to participate in Federal missions. For example many of our Alaska Guard units have deployed to support operations in Iraq, Afghanistan and other places. Sadly, many have given their lives as well.

The Alaska National Guard soldiers and airmen always stand ready to protect the citizens of this state and have earned a well-deserved reputation for excellence. It's important to set aside a day each year to honor them.

Thank you for your support of House Bill 247.

Relevant Statutes

HB 247 Alaska National Guard Day

Article 02. DESIGNATED DAYS OF HONOR

Sec. 44.12.030. Wickersham Day.

August 24 is designated Wickersham Day in honor of James Wickersham, and is the occasion for school assemblies with appropriate programs, and other suitable observances and exercises by civic groups and the public in general.

Sec. 44.12.040. Anthony J. Dimond Day.

November 30 is designated Anthony J. Dimond Day in honor of "Tony" Dimond, and shall be observed by appropriate school assemblies and programs, and other suitable observances and exercises by civic groups and the public at large.

Sec. 44.12.045. Martin Luther King Day. [Repealed, Sec. 3 ch 109 SLA 1989].

Repealed or Renumbered

Sec. 44.12.050. Ernest Gruening Day.

Ernest Gruening Day is established on February 6 of each year to honor Ernest Gruening, doctor, editor, and statesman, for a lifetime of service to the territory and state of Alaska and the nation. Ernest Gruening Day may be observed by suitable observances and exercises by civic groups and the public.

Sec. 44.12.055. Bob Bartlett Day.

Bob Bartlett Day is established on April 20 of each year to honor E.L. "Bob" Bartlett, the "architect of Alaska statehood," for a lifetime of public service to Alaska and the nation. Bob Bartlett Day may be observed by suitable observances and exercises by civic groups and the public.

Sec. 44.12.060. William A. Egan Day.

William A. Egan Day is established on October 8 of each year to honor William "Bill" Egan, the first governor of the state of Alaska, for a lifetime of service to the territory and state of Alaska. William A. Egan Day may be observed by suitable observances and exercises by civic groups and the public.

Sec. 44.12.065. Elizabeth Peratrovich Day.

Elizabeth Peratrovich Day is established on February 16 of each year to honor Elizabeth Peratrovich, past Grand President of the Alaska Native Sisterhood, for her courageous, unceasing efforts to eliminate discrimination and bring about equal rights in Alaska. Elizabeth Peratrovich Day may be observed by suitable observances and exercises by civic groups and the public.

Sec. 44.12.066. Susan Butcher Day.

Susan Butcher Day is established on the first Saturday of March of each year, the traditional start date of the Iditarod Trail Sled Dog Race, to honor Susan Butcher, a loving mother, devoted wife, world-class athlete, determined competitor, true Alaskan, and four-time Iditarod Trail Sled Dog Race champion. Susan Butcher Day may be observed by school assemblies, sporting events, and other suitable observances and exercises by civic groups and the public to remember the life of Susan Butcher, an inspiration to Alaskans and to millions around the world.

Sec. 44.12.067. Ted Stevens Day.

Ted Stevens Day is established on the fourth Saturday of July each year to honor Theodore F. "Ted" Stevens, whose long record of public service includes 40 years as a United States senator from Alaska, for his service to the state and the nation. Ted Stevens Day may be observed by suitable observances and exercises by civic groups and the public.

Sec. 44.12.070. Alaska Flag Day.

Alaska Flag Day is established on July 9 of each year to honor the creation of the design of the official flag of the state by Benny Benson and its importance as a symbol of the state. Alaska Flag Day may be observed by suitable observances and exercises by civic groups and the public.

Sec. 44.12.072. Alaska Day of Prayer.

The Alaska Day of Prayer is established on the first Thursday in May each year as an opportunity for residents of all faiths to join in united prayer to give thanks for blessings received, to request healing for wounds endured, to ask divine guidance for our leaders, and to bring wholeness to the citizens of our state and our nation.

Sec. 44.12.075. Family day and family preservation month.

Family Day is established on May 1 of each year to celebrate the institution of the family. The month of May each year is established as Preservation of the

Family Month to encourage the preservation of the institution of the family. Family Day and Preservation of the Family Month may be observed by suitable observances by families, such as a family discussion of the role of families, the rights and responsibilities of children and parents, and appropriate methods for the resolution of violent feelings in family conflict, and by exercises by civic groups and the public. In observance of Family Preservation Month, the Department of Health and Social Services shall encourage the prevention of child abuse and neglect in Alaska families.

Sec. 44.12.076. Prisoners of War and Missing in Action Recognition Days.

(a) Former Prisoners of War Recognition Day is established on April 9 of each year to recognize and honor all former prisoners of war (POWs) from our nation's wars who have returned home. These POWs repeatedly demonstrated their devotion to duty, honor, and country, despite enduring captivity and sometimes brutal treatment by their captors. The governor shall issue a proclamation to commemorate the day, and the POW/MIA flag shall be flown that day at sites identified by the governor. Former POW Recognition Day may be observed by suitable observances and exercises by civic groups and the public.

(b) Prisoners of War and Missing in Action Recognition Day is established on the third Friday of September each year to honor all prisoners of war (POWs) and those missing in action (MIAs), unaccounted for from all our nation's wars or who died in captivity. These POWs and MIAs repeatedly demonstrated their devotion to duty, honor, and country, despite enduring captivity and sometimes brutal treatment by their captors. The fate of those unaccounted for and missing in action from our nation's wars causes considerable uncertainty for their families, friends, fellow soldiers, and veterans. This day is also an occasion for Alaskans to remember our country's enormous responsibility to do everything possible to account for those still missing in action. The governor shall issue a proclamation to commemorate the day, and the POW/MIA flag shall be flown that day at sites identified by the governor. POW and MIA Recognition Day may be observed by suitable observances and exercises by civic groups and the public.

Sec. 44.12.078. Women Veterans Day.

Women Veterans Day is established on November 9 of each year to acknowledge and commemorate the sacrifices endured and valor displayed by American women veterans and to recognize their increasing role in the military. The governor shall issue a proclamation to commemorate Women Veterans Day. The day may be observed by suitable observances and exercises by civic groups and the public.

Sec. 44.12.080. Pearl Harbor Remembrance Day.

Pearl Harbor Remembrance Day is established on December 7 of each year to commemorate the attack on Pearl Harbor on December 7, 1941, and to honor the individuals who died as a result of the attack. The governor shall issue a proclamation to commemorate the day and shall direct that the Alaska flag be flown at half-mast on that day. Pearl Harbor Remembrance Day may be observed by suitable observances and exercises by civic groups and the public.

Sec. 44.12.083. Alaska Territorial Guard Day.

Alaska Territorial Guard Day is established on October 18 of each year to acknowledge and commemorate the service of the members of the Alaska Territorial Guard in defense of Alaska and the United States during World War II. The governor shall issue a proclamation to commemorate Alaska Territorial Guard Day. The day may be observed by suitable observances and exercises by civic groups and the public.

Sec. 44.12.085. Dutch Harbor Remembrance Day.

Dutch Harbor Remembrance Day is established on June 3 of each year to commemorate the attack on Dutch Harbor on June 3, 1942, and to honor the individuals who died as a result of the attack and those inhabitants of Attu and Kiska who fell into enemy hands three days later and were held captive in Japan until the end of World War II. On Dutch Harbor Remembrance Day the many servicemen who died in 1943 while recapturing Attu and Kiska from the Japanese are also honored for their diligent service to the United States and to the state. The governor shall issue a proclamation to commemorate Dutch Harbor Remembrance Day and shall direct that the Alaska flag be flown at half-mast on that day. The day may be observed by suitable observances and exercises by civic groups and the public.

Sec. 44.12.090. Juneteenth Day.

Juneteenth Day is established on the third Saturday in June each year to commemorate the abolition of slavery throughout the United States and its territories in 1865. The governor shall issue a proclamation to commemorate the day. On Juneteenth Day, citizens of the state are urged to reflect on the suffering endured by early African-Americans and to appreciate the unique freedom and equality enjoyed by all state citizens today.

Sec. 44.12.092. Alaska History Week.

The first week of March of each year is established as Alaska History Week to celebrate the contributions and experiences that comprise the past development of The Great Land. Alaska History Week may be observed by

school assemblies, programs, and other suitable observances and exercises by civic groups and the public.

Sec. 44.12.095. Drunk Driving Victims Remembrance Day.

Drunk Driving Victims Remembrance Day is established on July 3 of each year to commemorate the victims of drunk driving. The governor shall issue a proclamation to commemorate the day. The day may be observed by suitable observances and exercises by civic groups and the public.

Sec. 44.12.098. Avalanche Awareness Month.

The month of November each year is established as Avalanche Awareness Month. Avalanche Awareness Month may be observed by schools, community groups, and other public and private agencies and individuals with appropriate activities that increase the public's awareness of avalanche dangers, how to respond to avalanches, and the use of appropriate equipment in avalanche areas.

Sec. 44.12.100. Older Alaskans' Day.

The second Wednesday of September of each year is established as Older Alaskans' Day to honor residents of the state who are 60 years of age or older for the many contributions made by older Alaskans to the state. The day may be celebrated by public ceremonies and by quiet appreciation.

Sec. 44.12.105. Alaska Agriculture Day.

Alaska Agriculture Day is established on the first Tuesday in May each year in order to recognize the many contributions of the agricultural industry in Alaska. Alaska Agriculture Day may be observed by celebratory events, projects, and activities directed at or involving people of all ages to increase their awareness and appreciation of Alaska agriculture and agriculture in general.

Sec. 44.12.110. Marmot Day.

Marmot Day is established on February 2 of each year. The day may be observed by suitable observances and exercises by school programs, the Alaska Zoo, civic groups, and the public.

Sec. 44.12.115. Purple Heart Day.

Purple Heart Day is established on August 7 of each year to honor recipients of the Purple Heart. The day may be observed by suitable observances and exercises by civic groups and the public.

Sec. 44.12.118. Motorcycle and Motor Scooter Awareness Month.

The month of May each year is established as Motorcycle and Motor Scooter Awareness Month. Motorcycle and Motor Scooter Awareness Month may be observed by schools, community groups, and other public and private agencies and individuals with appropriate activities that increase the public's awareness of the presence of motorcycles and motor scooters on roads and highways in the state and that remind motor vehicle drivers to be aware of the presence of motorcycles and motor scooters when driving.

Sec. 44.12.120. Alaska Public Gardens Day.

Alaska Public Gardens Day is established on the Saturday immediately preceding Memorial Day each year to commemorate the state's public gardens and the role the gardens play in promoting environmental stewardship, the economy, a healthy food supply, education, plant conservation, recreation, and research.

Alaska National Guard (extracted from: Annual Report, State of Alaska, Department of Military Affairs, Office of the Adjutant General, 1977)

In 1977 the National Guard celebrated its 341st birthday, dating its history to the citizen's militia that was voluntarily formed at Plymouth, Massachusetts by the colonists for their mutual protection.

This was some 100 years before the Russians first settled in Alaska and approximately 140 years before Alaska became a possession of the United States.

But from these earliest territorial days, residents of Alaska have banded together when regular Army forces were not available in times of unrest. The Alaska National Guard, however, had its real beginning in 1917 when the Governor advised officials in Washington that "a local organization has been formed for home protection in the absence of an organized militia." The Territorial Legislature appropriated funds for home guard units and two months later the War Department formally authorized the formation of a National Guard in Alaska.

After World War I, interest in the Guard units dwindled and by 1923 there were no active National Guard units here.

When threats of a second world war appeared on the horizon in 1929, the National Guard returned to Alaska. The first battalion of the 297th Infantry was allotted to the Territory and later received Federal recognition, a unit at a time. It was short lived, however, as a Territorial militia because two years later its personnel were inducted into federal service. Again, Alaska was without a National Guard.

This remained the case until early 1942 when the colorful and now famous Alaska Territorial Guard was formed as part of the Alaska Defense Command.

The Territorial Guard ultimately became the Scout Battalions of the Alaska National Guard as we know it today. That happened some three years after World War II ended and officials recognized the importance of having teams of Eskimo Scouts within hailing distance of Eskimo villages in the Soviet Union.

Since its authorization on July 30, 1948, the Alaska National Guard has grown, changed and modernized. For example, the snow machine has replaced the sled dog as a means of transportation. An engineer company, maintenance company, and mechanized reconnaissance battalion has been added. A new 207th Arctic Reconnaissance Group has been formed to streamline command, control and communications. Plans are underway for the formation of additional units suited to the skills prevalent in southeastern Alaska.

The Alaska Military Academy graduated its first class in 1977 and with the additional officers, the Army National Guard would be able to place greater emphasis on training its personnel in the skills which place our citizen-soldiers on a par with the regular forces.



Press Release
FOR IMMEDIATE RELEASE
August 1, 2011
By: Lt. Bernie Kale

OFFICE OF PUBLIC AFFAIRS

Alaska Air National Guardsmen Deploy to Iraq

CAMP DENALI, Alaska - More than 30 Guardsmen from the Alaska Air National Guard's 168th Air Refueling Wing, based out of Eielson Air Force Base, will depart the United States today to begin a six-month deployment in Iraq.

The Guard members from the 168th Security Forces Squadron are finishing their pre-deployment training on air bases in Florida and Nevada to prepare them for situations they may face while at Camp Victory in Baghdad, Iraq.

"You always want more training," said Lt. Col. Jeff Elliot, 168th Security Forces Squadron commander. "While it's been strenuous, we are as prepared as can be and are ready to get our boots on the ground."

The primary mission of the deploying members will be to provide air base defense and entry control-point security.

"The security they are providing is vital to the accomplishment of the mission," said Col. Timothy O'Brien, 168th Air Refueling Wing commander, Alaska Air National Guard. "They have been training for this type of environment, and I am confident they will succeed."

The members left Alaska in early July to begin their training at Cheech Air Force Base, Nev., and Eglin Air Force Base, Fla.

Some of the pre-deployment training included battle drills, entry control-point training, weapons systems, land navigation and terrain reading.

"We are extremely proud of our Airmen," O'Brien said. "They are serving our country and representing the state of Alaska with honor."

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For Immediate Release
November 26, 2011
By Maj. Guy Hayes

Alaska Army National Guard unit deploying to Afghanistan

Cutlines:

111126-F-ZH346-001/002/004

A departure ceremony for family and friends to say goodbye to Alaska Army National Guardsmen of B Company, 1st Battalion, 143rd Infantry (Airborne) Regiment was held today at the Alaska National Guard Armory on Joint Base Elmendorf-Richardson. In Afghanistan, the Soldiers of the 1-143rd will provide Security Forces Operations (SECFOR) for Provincial Reconstruction Teams (PRT). The PRT operates in potentially dangerous areas to rebuild infrastructure, assist with agriculture, build wells and provide healthcare. Photo By Maj Guy Hayes, Alaska National Guard Public Affairs

111126-F-ZH346-005

Sen. Mark Begich speaks to Alaska Army National Guardsmen of B Company, 1st Battalion, 143rd Infantry (Airborne) Regiment today at the Alaska National Guard Armory on Joint Base Elmendorf-Richardson. Begich also went around to shake the hand of every Soldier deploying to Afghanistan. Photo By Maj Guy Hayes, Alaska National Guard Public Affairs

111126-F-ZH346-006

Pfc. Coleman Wenke (left) smiles with his father Col. Scott Wenke, Alaska Air National Guard 176th Wing commander, following the deployment ceremony for B Company, 1st Battalion, 143rd Infantry (Airborne) Regiment today at the Alaska National Guard Armory on Joint Base Elmendorf-Richardson. Pfc. Wenke is deploying for a year with the Soldiers of the 1-143rd to provide Security Forces Operations (SECFOR) for Provincial Reconstruction Teams (PRT). The PRT operates in potentially dangerous areas to rebuild infrastructure, assist with agriculture, build wells and provide healthcare. Photo By Maj Guy Hayes, Alaska National Guard Public Affairs



Press Release

OFFICE OF PUBLIC AFFAIRS

FOR IMMEDIATE RELEASE

January 7, 2011

By: Maj. Guy Hayes

Alaska National Guard responding to Alaska community buried in snow

CAMP DENALI, Alaska— The Alaska National Guard is responding to personnel and equipment requests for support in Cordova after weeks of record snowfall have left the city covered in more than 18 feet of snow.

Personnel in the Alaska National Guard's Joint Operation Center are responding to a resource request from the State Emergency Operation Center to send more than 50 Guard members, supplies and equipment to Cordova Sunday, weather permitting, to provide much needed support.

"We have called upon the Alaska National Guard to help the community with emergency snow removal that will protect public buildings and residences," said John Madden, director of the Division of Homeland Security and Emergency Management. "Their ability to rapidly deploy large numbers of Guardsmen anywhere in state is a great resource."

Isolated off the state highway system and having the sea and airport as the only means of transportation in or out of the small Alaskan community, Cordova residents have worked hard to clear snow, including 42 inches in the most recent storm, but conditions continue to worsen, posing a serious safety issue to the citizens.

"Cordova is continuing their outstanding job responding to several weeks of intense snowfall," Madden said. "Cordova utilized all of their snow management resources to maintain emergency access, but now face a new round of storms that will bring heavy snow and perhaps rain."

With more snow and rain expected, avalanche danger remains very high in Cordova and some buildings have collapsed due to heavy snow loads. This makes the Alaska National Guard the right resource to assist the citizens of Alaska during this emergency.

"Alaska has significant challenges and the National Guard has the manpower skill and equipment to meet those demands and quickly respond in support of civilian authorities when called upon," said Maj. Gen. Thomas H. Katkus, adjutant general of the Alaska National Guard. "Our Soldiers and Airmen will move forward and support the people of



Press Release

OFFICE OF PUBLIC AFFAIRS

FOR IMMEDIATE RELEASE

August 26, 2011

By: Maj. Guy Hayes

Alaska Air National Guard to provide rescue support for Hurricane Irene

CAMP DENALI, Alaska- The Alaska Air National Guard is ramping up this afternoon to send crews and equipment to Charleston, W. Va. to provide search and rescue assets in response to Hurricane Irene.

A U.S. Air Force C-17 Globemaster III flown by members of the Alaska Air National Guard's 249th Airlift Squadron are currently scheduled to depart Joint Base Elmendorf-Richardson Saturday with approximately 45 personnel from the 176th Wing for a two week deployment.

"We are sending two Pave Hawk helicopters with four flight crews, eight 'Guardian Angels' and 20 maintenance and support personnel to support the mission," said Lt. Col. Blake Gettys, 176th Wing Operations Group commander, Alaska Air National Guard. "We'll also be working with Guardian Angels from Kentucky and special tactics squadron personnel from Portland."

The C-17 is expected to depart Joint Base Elmendorf-Richardson at 10 a.m. with the goal to be on the ground ready to support rescue operations by Sunday.

"We are prepared and committed to support our fellow Americans in their time of need," said Governor Sean Parnell. "Our Alaska National Guardsmen are unparalleled in their experience in saving lives and they are the perfect choice to assist civilian authorities during this potential national emergency. As Alaskans we understand what it's like to live through disasters, so when called upon, we will be ready to aid communities and Governors of states that need our support."

The Alaska Air National Guard supported relief efforts in 2008 following hurricanes Gustav, Hannah and Ike in the Gulf Coast region saving 16 lives, while flying 22 missions during a 16-day deployment.

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Media: If you are interested in attending the departure, please contact Maj. Guy Hayes at 382-5189.



Press Release

OFFICE OF PUBLIC AFFAIRS

FOR IMMEDIATE RELEASE

December 12, 2011

By: Master Sgt. Shannon Oleson, 176th Wing Public Affairs

Alaska National Guard brings Operation Santa Claus to Wales

WALES, Alaska – Santa, Mrs. Claus and 35 helpers brought Operation Santa Claus and holiday cheer on an Alaska National Guard C-130 to the small, remote Alaska village of Wales Dec. 9.

The Alaska Air National Guard C-130 landed on the village's airstrip and was warmly greeted by community members on snowmachines. The temperature, in the teens, was chilly but not cold by Wales' standards.

Operation Santa Claus volunteers and community members quickly off-loaded boxes from the aircraft and onto sleds tied to the snowmachines for the mile ride to the Wales school.

"It's a great time of year and unique way for us to get out and support Alaska citizens," said Col. Mike Bridges, director of logistics for the Alaska Army National Guard. "I've probably been on at least 20 Operation Santa Claus trips and each one is a special experience."

While boxes were unpacked in the school's gym, members of Alaska Brass, a brass and percussion ensemble from the U.S. Air Force Band of the Pacific, began to play festive holiday tunes while the gym filled with nearly everyone from the village.

Following the festive music, a prayer of thanks was given by Alaska Air National Guard Chaplain Brian Musselman before a warm meal, made and donated by Pentagon North, Inc. of Anchorage, was served.

To the delight of everyone, ice cream sundaes were also provided by Tastee Freez, while village youth performed a dance for the audience and their guests.

And then the moment everyone was waiting for, Santa and Mrs. Claus arrived.

"I enjoy visiting with the elders and veterans of the community, while they see their kids interact with Santa Claus," Bridges said. "It's a great time for everyone involved."

One by one, each child had a chance to visit Santa and receive a gift. They were also given a new backpack filled with a couple of pieces of fresh fruit, books, a toothbrush and other incidentals.

"This event was incredible," said Roxie Quick, the Wales School principal. "It was a great way to show the children a lesson in sharing and about the volunteer spirit."

###

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version HB247
 Fiscal Note Number _____
 () Publish Date _____

Identifier (file name) HB247-MVA-CO-1-20-12 Dept. Affected Dept of Military & Veterans Affairs
 Title Alaska National Guard Day Appropriation Military and Veterans Affairs
 Allocation National Guard Military Headquarters
 Sponsor Rep LYNN, THOMPSON, SADDLER, Fairclough, Costello
 Requester (H) Military and Veterans Affairs Committee OMB Component Number 2135

Expenditures/Revenues (Thousands of Dollars)

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

	FY13	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY13 Request	FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES	FY13	FY13					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	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						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS							
Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES							
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Estimated **SUPPLEMENTAL (FY12) operating costs** _____ (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated **CAPITAL (FY13) costs** _____ (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable, initial version.

Prepared by McHugh Pierre, Deputy Commissioner
 Division Deputy Commissioner, DMVA
 Approved by Maj. Gen. Thomas H. Katkus
Commissioner, DMVA

Phone (907) 428-6003
 Date/Time 1/21/12 12:00 PM
 Date 1/21/2012

FISCAL NOTE

**STATE OF ALASKA
2012 LEGISLATIVE SESSION**

BILL NO. HB247

Analysis

This bill establishes July 30 each year as Alaska National Guard Day.

There is no fiscal impact of this bill.

FISCAL NOTE

STATE OF ALASKA

BILL NO. HB247

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version HB247
 Fiscal Note Number _____
 () Publish Date _____

Identifier (file name) HB247-DOA-FAC-1-21-12 Dept. Affected Administration
 Title Alaska National Guard Day Appropriation General Services
 Allocation Facilities
 Sponsor Representatives Lynn, Thompson, Saddler
 Requester House Military and Veterans Affairs OMB Component Number 2429

Expenditures/Revenues (Thousands of Dollars)

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates					
			FY13	FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants, Benefits								
Miscellaneous								
TOTAL OPERATING	0.0	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							
1005	GF/Prgm (DGF)							
1037	GF/MH (UGF)							
1178	temp code (UGF)							
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS

Full-time								
Part-time								
Temporary								

CHANGE IN REVENUES

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Estimated **SUPPLEMENTAL (FY12) operating costs** _____ (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated **CAPITAL (FY13) costs** _____ (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable, initial version.

Prepared by Vern Jones, Director
 Division Division of General Services
 Approved by John Cramer, Deputy Commissioner
Department of Administration

Phone 465-5684
 Date/Time 1/20/12 10:00 a.m.
 Date 1/21/2012

FISCAL NOTE

**STATE OF ALASKA
2012 LEGISLATIVE SESSION**

BILL NO. HB247

Analysis

The Department of Administration, Division of General Services does not anticipate any fiscal impact from the proposed legislation.

HB 247 TESTIMONY

**To: Alaska House Military and Veterans Affairs Special
Committee**

January 24, 2012

Comments by: Lt Gen (AKNG retired) Craig E. Campbell

I would like to start by thanking Representatives Lynn, Thompson, Saddler, Fairclough, and Costello for co-sponsoring this legislation.

The National Guard is the oldest component of the Armed Forces of the United States and one of the nation's longest-enduring institutions. Recognition of the National Guard by the Alaska Legislature, with a specific date to honor the Alaska National Guard, acknowledges the unique characteristic of the National Guard as being both a federal and state organization, primarily established to be under the control of a State's Governor. Please let me explain.

The National Guard traces its history back to the earliest English colonies in North America. First organized by decree of the Massachusetts Bay Colony General Court on Dec 13, 1636, the militias were responsible for their own defense. The militia, now National Guard, has been in continuous operation since that date, celebrating our 375th anniversary last year.

The National Guard is the only military service in the United States with both a federal and state dual role. Following independence, the authors of the Constitution empowered Congress to "provide for organizing, arming, and disciplining the militia." However, recognizing the militia's state role, the Founding Fathers reserved the appointment of officers and training of the militia to the states, with the Governor being the civilian leader of the militia, except when mobilized by the President for federal service. Today's National Guard remains that dual State-Federal force.

In 1947, Congress formally established the National Guard Bureau and the "National Guard" was recognized in lieu of state militia's formally in 1948.

Today all 54 states, territories, and the District of Columbia have National Guard organizations, divided into both Army and Air National Guard units. The total number of personnel serving in the National Guard of the United States currently exceeds 500,000.

In Alaska, Governor Gruening initiated the formal actions to establish a National Guard for the Territory of Alaska in 1939. By September 1941, with the advent of World War II and the invasion of United States territory in Hawaii and Alaska, the federal government established the 297th Infantry Battalion, Alaska National Guard. Governor Gruening had achieved his goal.

However, in response to the threat of invasion during World War II, Governor Gruening further authorized the establishment of the Alaska Territorial Guard (ATG). Nearly 6,600 individuals, mostly men and mostly Alaska natives, volunteered for the ATG. It is noteworthy to mention that the ATG served without pay or benefits, and in 1947, when the ATG was disbanded, the members were discharged without formal military recognition. In 2000, Senator Ted Stevens introduced a bill recognizing the service of the ATG to the United States and directing federal "Honorable Discharge Certificates" be issued to all who honorably served. In October 2004, the first Honorable Discharge Certificate was issued to former ATG member Sam Herman.

Following World War II, and the establishment of the United States Air Force as a separate branch of the service, replacing the Army Air Corps, the Air National Guard was formed. In 1952, the first Air National Guard unit was formed in Alaska, marking this year as the 60th anniversary for the Alaska Air National Guard.

Today, there are over 4,000 proud men and women serving in the Alaska Army and Air National Guard. These citizen-warriors are predominantly part-time warriors, who also are civilian members of

our communities. They are all volunteers. Since 2003, members of the Alaska National Guard have deployed numerous times in support of Operation Iraqi Freedom and Operation Enduring Freedom to Iraq, Afghanistan, Kuwait, Qatar, Bahrain and many other countries in the Middle East. Additionally, the Alaska National Guard has deployed to Kosovo, the Horn of Africa, Pakistan, Kyrgystan, as well as conducting humanitarian missions to Haiti, Indonesia, Vietnam, Japan, and other countries throughout the world. Most notably, was the 2005 response of the Alaska National Guard to the southeast states in response to Hurricane Katrina, where Alaska Guardsmen and women were on the ground within hours after the storm's destruction. They saved lives and provided essential services to a devastated people.

And here in Alaska, your Alaska National Guard has routinely responded to floods, earthquakes, volcanic eruptions, forest fires, and village freeze-ups, saving lives and preserving property. They conduct Operations Santa Claus, bringing holiday cheer to the children of rural villages, and they conduct Arctic Care missions to villages, offering essential dental care and treatment to Alaskans in need. Serving our state and serving our nation, the core value of the Alaska National Guard.

I will conclude by again thanking members who have co-sponsored this legislation to recognize our valiant heroes serving, both present and past, in the Alaska National Guard. Our state and our nation could not do the wonderful things we do to protect and preserve our states and nation without the unselfish service of our National Guard. Thank you for taking the time to recognize their service by establishing July 30 of each year as "Alaska National Guard Day." Please pass this bill, HB 247.

Thank you

HB

281

<TARGET><BILL>HB 281</BILL><SUBJECT>HB
281</SUBJECT><COMM>HMLV27</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

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Sponsor Statement HB 281

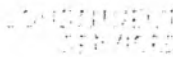
"An Act establishing March 30 of each year as Welcome Home Vietnam Veterans Day."

On March 30, 1973, all U.S. troops withdrew from Vietnam, marking an end of the 10 year United States military involvement. There were no parades honoring the veterans, no triumphant marches or speeches as there had been at the end of each of the World Wars. America's Vietnam veterans returned home to silence, and in some cases, to abuse for having served their country during a controversial war.

Last year the U.S. Senate designated March 30, 2011 as, Welcome Home Vietnam Veterans Day. It marked the 38th anniversary of the withdrawal of U.S. combat and combat-support unit from Vietnam.

HB 281 would dedicate March 30 of each year as, Welcome Home Vietnam Veterans Day in the State of Alaska to commemorate the military service of American men and women in Vietnam. The day may be observed by suitable observances and exercises by civic groups and the public.

I would appreciate your support for House Bill 281.



From solving a problem with the Federal Government to requesting a flag flown over the capitol, we are here to help



Press Office

Press Releases

February 16, 2011 - 12:16 PM

Sen. Burr Introduces "Welcome Home Vietnam Veterans Day" Resolution

Legislation honors service members who fought in Vietnam

[Share This]

Washington D.C – Today, Senator Richard Burr (R-N.C.), Ranking Member of the Senate Committee on Veterans' Affairs, introduced a resolution to honor veterans who served in Vietnam by designating March 30th as "Welcome Home Vietnam Veterans Day." March 30th marks the anniversary of the day that combat and combat support units withdrew completely from South Vietnam.

"Our soldiers served honorably and bravely in Vietnam. Unfortunately, they arrived home to a country in political turmoil, and never received the recognition they deserve," Senator Burr said. "By setting March 30th aside as a day to focus on our Vietnam veterans, we can show our unified gratitude for their service and the sacrifices that these veterans made on our behalf."

Senator Burr today also encouraged communities throughout the country to take measures to commemorate this day by honoring Vietnam veterans in their area. This is the second consecutive year that Senator Burr has introduced a resolution for the establishment of "Welcome Home Vietnam Veterans Day." Senators John Boozman (R-AR), Thad Cochran (R-MS), James Inhofe (R-OK), and Johnny Isakson (R-GA) co-sponsored the legislation.

The United States became involved in Vietnam because policy-makers believed that if South Vietnam fell to a communist government, communism would spread throughout the rest of Southeast Asia. The US Armed Forces began serving in an advisory role to the South Vietnamese in 1961, and in 1965, ground combat troops were sent into Vietnam. After many years of combat, all US troops were withdrawn from Vietnam on March 30, 1973, under the terms of the Treaty of Paris. More than 58,000 members of the United States Armed Forces lost their lives and more than 300,000 were wounded in Vietnam.

February 2011 Press Releases

- [02/01/11 Senator Burr Re-elected as Ranking Member, Senate Committee on Veterans' Affairs](#)
- [02/02/11 Senator Burr to speak at the Tobacco Growers of North Carolina Annual Meeting](#)
- [02/03/11 Burr Bill Would Provide Care for Leleune Vets, Family Members Exposed to Contaminated Water](#)
- [02/09/11 MEDIA ADVISORY: Public Employee Pension Transparency Act Press Conference](#)
- [02/10/11 \[CYM\]: SENATOR BURR RECEIVES THE TEACH FOR AMERICA CONGRESSIONAL CHAMPION AWARD](#)
- [02/10/11 Burr Statement on Kyl Announcement](#)
- [02/14/11 Burr Statement on the President's Budget Proposal](#)
- [02/16/11 Sen. Burr Introduces "Welcome Home Vietnam Veterans Day" Resolution](#)
- [02/17/11 Burr Bill Provides Access to Flexible Spending Accounts to Military Families](#)
- [02/17/11 MEDIA ADVISORY: Senator Burr Announces Events for February 22-25](#)
- [02/24/11 Senator Burr Statement on the President's Announcement on the Defense of Marriage Act](#)
- [02/28/11 Burr Introduces North Korean Refugee Adoption Act](#)

112TH CONGRESS
1ST SESSION

S. RES. 55

Expressing support for designation of a “Welcome Home Vietnam Veterans Day”.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, 2011

Mr. BURR (for himself, Mr. INHOFE, Mr. BOOZMAN, Mr. COCHRAN, Mr. ISAKSON, and Mr. JOHANNIS) submitted the following resolution; which was referred to the Committee on Veterans' Affairs

RESOLUTION

Expressing support for designation of a “Welcome Home Vietnam Veterans Day”.

Whereas the Vietnam War was fought in the Republic of South Vietnam from 1961 to 1975, and involved North Vietnamese regular forces and Viet Cong guerrilla forces in armed conflict with United States Armed Forces and the Army of the Republic of Vietnam;

Whereas the United States Armed Forces became involved in Vietnam because the United States Government wanted to provide direct military support to the Government of South Vietnam to defend itself against the growing Communist threat from North Vietnam;

Whereas members of the United States Armed Forces began serving in an advisory role to the Government of the Republic of South Vietnam in 1961;

Whereas, as a result of the Gulf of Tonkin incidents on August 2 and 4, 1964, Congress overwhelmingly passed the Gulf of Tonkin Resolution (Public Law 88-408), on August 7, 1964, which provided the authority to the President of the United States to prosecute the war against North Vietnam;

Whereas, in 1965, United States Armed Forces ground combat units arrived in Vietnam;

Whereas, by the end of 1965, there were 80,000 United States troops in Vietnam, and by 1969, a peak of approximately 543,000 troops was reached;

Whereas, on January 27, 1973, the Treaty of Paris was signed, which required the release of all United States prisoners-of-war held in North Vietnam and the withdrawal of all United States Armed Forces from South Vietnam;

Whereas, on March 30, 1973, the United States Armed Forces completed the withdrawal of combat units and combat support units from South Vietnam;

Whereas, on April 30, 1975, North Vietnamese regular forces captured Saigon, the capitol of South Vietnam, effectively placing South Vietnam under Communist control;

Whereas more than 58,000 members of the United States Armed Forces lost their lives in Vietnam and more than 300,000 members of the Armed Forces were wounded;

Whereas, in 1982, the Vietnam Veterans Memorial was dedicated in the District of Columbia to commemorate those

members of the United States Armed Forces who died or were declared missing-in-action in Vietnam;

Whereas the Vietnam War was an extremely divisive issue among the people of the United States and a conflict that caused a generation of veterans to wait too long for the United States public to acknowledge and honor the efforts and services of such veterans;

Whereas members of the United States Armed Forces who served bravely and faithfully for the United States during the Vietnam War were often wrongly criticized for the policy decisions made by 4 presidential administrations in the United States;

Whereas the establishment of a “Welcome Home Vietnam Veterans Day” would be an appropriate way to honor those members of the United States Armed Forces who served in South Vietnam and throughout Southeast Asia during the Vietnam War; and

Whereas March 30, 2011, would be an appropriate day to establish as “Welcome Home Vietnam Veterans Day”:
Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) honors and recognizes the contributions of
3 veterans who served in the United States Armed
4 Forces in Vietnam during war and during peace;

5 (2) encourages States and local governments to
6 also establish “Welcome Home Vietnam Veterans
7 Day”; and

1 (3) encourages the people of the United States
2 to observe "Welcome Home Vietnam Veterans Day"
3 with appropriate ceremonies and activities that—

4 (A) provide the appreciation Vietnam War
5 veterans deserve, but did not receive upon re-
6 turning home from the war;

7 (B) demonstrate the resolve that never
8 again shall the Nation disregard and denigrate
9 a generation of veterans;

10 (C) promote awareness of the faithful serv-
11 ice and contributions of such veterans during
12 their military service as well as to their commu-
13 nities since returning home;

14 (D) promote awareness of the importance
15 of entire communities empowering veterans and
16 the families of veterans to readjust to civilian
17 life after military service; and

18 (E) promote opportunities for such vet-
19 erans to assist younger veterans returning from
20 the wars in Iraq and Afghanistan in rehabilita-
21 tion from wounds, both seen and unseen, and to
22 support the reintegration of younger veterans
23 into civilian life.

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SOCIAL MEDIA

Welcome Home Vietnam Veterans Day

Corps Connections, Features // March 29th, 2011 // By Pfc. Chelsea Flowers

On March 30, 1973 all U.S. troops withdrew from Vietnam. Instead of receiving a welcome fitting for the sacrifice they made for this country, the majority of the returning troops were met with criticism and hostility.

Frustration. Anger. Disloyal. Unappreciated. All of these words could describe the possible feelings and thoughts that went through the minds of these individuals. Some of these troops were drafted, yet still fought and died for the lives of the men to their right and left, only to be diminished for their accomplishments upon their return.

Over nine million military personnel served during the Vietnam War. Of that number 58,156 lost their lives, while 303,704 were wounded in action.

Politics played a key role in the lack of respect that was due to these individuals. Back then those who were against the war did not support the troops like many do today. Now, government is taking an opportunity to return that respect to the troops.

The U.S. Senate passed a resolution on March 7, 2011, declaring March 30 "Welcome Home Vietnam Veterans Day." The resolution currently awaits a decision by the House. This day will be recognized across the U.S. as a day of commemoration, a day to pay the proper respect to the veterans who sacrificed so much during the war.

Vietnam Veteran's Day is a chance to repair the wrong done to these troops. The people of the United States can finally pay the respect due them.

Many cities and states have events planned for these veterans. Marines from Marine Corps Logistics Base in Barsow, Calif., have planned a ceremony honoring the Vietnam troops, followed by a parade through Fort Irwin. The base is also hosting a motorcycle ride in their honor.

We should all take this day to give our appreciation to our Vietnam veterans. Taking time out from our busy lives to give thanks for the sacrifices of those who we don't know is a display of kindness and admiration that means so much to those who expect so little.

Thank you all for what you have done. Semper Fidelis.

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December 9th, 2011 // By Sgt. Michael S. Cifuentes

COMMENTS

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Zach Crawford Been on the USS Belleau Wood and USS Germantown with the 31st MEU out of Okinawa. I've always...

From the Sands of Iwo Jima to Life on the Seven Seas • 1 day ago

EXPLORE YOUR CORPS

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Marines Magazine

Sea Monsters (Corps Shorts)

Back in the Day (Knowledge Test)

Battle of Midway (Corps Lore)

2nd Marine Division Making Mehraj Sate (From the Trenches) (Highlights)

Uncle Sam pays for your college (On Liberty)

Marines TV

MARINES CORPS POLL

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version HB281
 Fiscal Note Number _____
 () Publish Date _____

Identifier (file name) HB281-DOA-FAC-2-4-12 Dept. Affected Administration
 Title Welcome Home Vietnam Veterans Day Appropriation General Services
 Allocation Facilities
 Sponsor Representative Thomas
 Requester House Military and Veterans Affairs OMB Component Number 2429

Expenditures/Revenues (Thousands of Dollars)

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES	FY13	FY13	FY14	FY15	FY16	FY17	FY18
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	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						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS							
Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES							

Estimated **SUPPLEMENTAL (FY12) operating costs** _____ (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated **CAPITAL (FY13) costs** _____ (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable, initial version

Prepared by Vern Jones
 Division Division of General Services
 Approved by John Cramer, Deputy Commissioner
Department of Administration

Phone 465-5684
 Date/Time 2/4/12 4:30 PM
 Date 2/4/2012

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

BILL NO. HB281

Analysis

This bill will establish March 30 of each year as a Welcome Home Vietnam Veterans Day.

It is not anticipated that there will be a fiscal impact and we therefore submit a zero fiscal note.

HB

316

<TARGET><BILL>HB 316</BILL><SUBJECT>HB
316</SUBJECT><COMM>HMLV27</COMM></TARGET>

ALASKA STATE LEGISLATURE

Session:

**State Capitol Building
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Juneau, Alaska 99801-2186
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Fax: (907) 465-2070
Toll Free: (877) 465-3004**



Interim:

**1292 Sadler Way, Ste. 308
Fairbanks, Alaska 99701
Phone: (907) 452-1088
Fax: (907) 452-1146
Toll Free: (877) 465-3004**

REPRESENTATIVE STEVE THOMPSON DISTRICT 10

SPONSOR STATEMENT HB 316

"An act relating to military facility zones in the state; relating to the development of housing in military facility zones; relating to the financing of projects in military facility zones; and providing for an effective date."

House Bill 316 gives statutory authority to the Department of Military and Veterans' Affairs to establish "military facility zones" within the State of Alaska. Military facility zones are designated areas in close proximity to a military base (facility) where industrial or economic development will directly enhance the base's ability to fulfill its mission.

Military facility zones are successfully employed in other states as vehicles to obtain and administer funds for business development specifically relating to military activities. Funding for such zones in Alaska may be available from the Alaska Industrial Development and Export Authority (AIDEA) and/or the Alaska Housing Finance Corporation (AHFC), or from federal New Market Tax Credits. Federal, state, or local public or private funding sources, credit, or guarantee programs can be made available directly to municipalities and boroughs that are working on specifically approved projects within a military facility zone.

Military facility zones create opportunities for significant benefits to Alaska and the nation. They will enhance economic activity near military installations and thereby facilitate economic growth and development in the state, especially where local governments are working in close partnership with their military counterparts. The zones promote expansion of infrastructure to benefit both military and civilian objectives, such as civil defense, homeland security and emergency response. They will enhance the nation's military capabilities by helping bases operate more effectively and efficiently.

Finally, military facility zones in Alaska will clearly demonstrate the state's continuing and substantive support for the armed services, and help defend against the negative impacts on Alaska's regional economies and military communities that might occur should Congress choose to implement the federal Base Realignment and Closure Act (BRAC).

E-mail [Representative Steve Thompson@legis.state.ak.us](mailto:Representative_Steve_Thompson@legis.state.ak.us)

ALASKA STATE LEGISLATURE

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REPRESENTATIVE STEVE THOMPSON DISTRICT 10

House Bill 316 - Sectional Analysis

"An Act relating to military facility zones in the state; relating to the development of housing in military facility zones; relating to the financing of projects in military facility zones; and providing for an effective date."

Section 1. This adds a new chapter to AS 26, Chapter 30 Military Facility Zones.

26.30.005. Establishes Military Facility Zones

26.30.010. Establishes application for a Military Facility Zone

26.30.020. Establishes the criteria for designating Military Facility Zones.

26.30.030. Establishes the designation of Military Facility Zone

26.30.040. Establishes for expansion of a Military Facility Zone

26.30.050. Establishes Military Facility Zone authorities.

26.30.060. Establishes benefits in a Military Facility Zone.

26.30.070. Establishes that regulations may be adopted to carry out the provisions of this chapter.

26.30.900. Establishes definitions

Section 2. This amends AS 44.62.175(a) to add an online public notice system maintained on the State's internet site.

E-mail [Representative Steve Thompson@legis.state.ak.us](mailto:Representative_Steve_Thompson@legis.state.ak.us)

Section 3. This amends AS 44.88.909(9) to define the word “project” as used in conjunction with this chapter

Section 4. This adds a new section to the uncodified law of the State of Alaska to include
TRANSITION: REGULATIONS may immediately adopt regulations necessary to implement the changes made by this Act.

Section 5. States Section 4 of this Act takes effect immediately under AS 01.10.070(c).

Section 6. States that the Act takes effect July 1, 2012 except as provided in Section 5 of this Act.

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version HB 316
 Fiscal Note Number _____
 () Publish Date _____

Identifier (file name) HB316-DCCED-AIDEA-02-10-12 Dept. Affected DCCED
 Title Military Facility Zones Appropriation Authority
 Allocation Authority
 Sponsor Rep. Thompson
 Requester House Military & Veterans' Affairs OMB Component Number 1234

Expenditures/Revenues (Thousands of Dollars)

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES	FY13	FY13	FY14	FY15	FY16	FY17	FY18
Personal Services	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
Services	0.0		0.0	0.0	0.0	0.0	0.0
Commodities	0.0		0.0	0.0	0.0	0.0	0.0
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

	FY13	FY13	FY14	FY15	FY16	FY17	FY18
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Prgm (DGF)							
1037 GF/MH (UGF)							
1178 temp code (UGF)							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS

	FY13	FY13	FY14	FY15	FY16	FY17	FY18
Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES

	FY13	FY13	FY14	FY15	FY16	FY17	FY18

Estimated SUPPLEMENTAL (FY12) operating costs _____ (separate supplemental appropriation required;
 (discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY13) costs _____ (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Initial Version

Prepared by Ted Leonard, Executive Director
 Division Alaska Industrial Development & Export Authority
 Approved by JoEllen Hanrahan, Director Administrative Services
Commerce, Community, and Economic Development

Phone 907-771-3000
 Date/Time 02/10/11 10:00am
 Date 2/10/2012

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

BILL NO. HB 316

Analysis

This legislation allows DMVA to designate up to five military effectiveness zones in rural areas in the state. With respect to AIDEA it permits the authority to provide financing in these areas which could be beneficial. AIDEA currently has the authority to invest in federal facilities, which can include military buildings. This legislation would create an incentive for such financing, but would not require the creation of new programs within AIDEA.

There is no foreseeable fiscal impact to AIDEA as a result of this legislation.

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version HB316
Fiscal Note Number _____
() Publish Date _____

Identifier (file name) HB 316-DMVA-MVA-CO-02-13-12 Dept. Affected Dept. of Military & Veterans Affairs
Title Military Facility Zones Appropriation Military and Veterans Affairs
Allocation Office of the Commissioner
Sponsor THOMPSON, Saddler, Feige, Chenault, Herron, T. Wilson, Lynn
Requester (H) Military and Veterans Affairs OMB Component Number 414

Expenditures/Revenues (Thousands of Dollars)

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES	FY13	FY13	FY14	FY15	FY16	FY17	FY18
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	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						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS

Full-time						
Part-time						
Temporary						

CHANGE IN REVENUES

--	--	--	--	--	--	--

Estimated SUPPLEMENTAL (FY12) operating costs _____ (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY13) costs _____ (separate capital appropriation required)
(discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable, initial version.

Prepared by McHugh Pierre, Deputy Commissioner
Division Office of the Commissioner, DMVA
Approved by Major General Thomas H. Katkus
Commissioner, DMVA

Phone (907) 428-6003
Date/Time 2/13/12 3:00 PM
Date 2/13/2012

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

BILL NO. HB316

Analysis

This bill modifies AS 26 to allow the establishment of military zones in the state.

There is no fiscal impact to DMVA for this bill.

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version HB316
 Fiscal Note Number _____
 () Publish Date _____

Identifier (file name) HB316-DOR-AHFC-02-10-2012 Dept. Affected Revenue
 Title Military Facility Zone Appropriation Alaska Housing Finance Corp.
 Allocation AHFC Operations
 Sponsor Representative Thompson
 Requester (H) MLV OMB Component Number 110

Expenditures/Revenues (Thousands of Dollars)

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES	FY13	FY13	FY14	FY15	FY16	FY17	FY18
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	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						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS							
Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0	0.0
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Estimated **SUPPLEMENTAL (FY12) operating costs** _____ (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated **CAPITAL (FY13) costs** _____ (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Initial version.

Prepared by Cary Bolling, Officer Governmental Relations & Public Affairs
 Division Alaska Housing Finance Corporation
 Approved by Dan Fauske, CEO
Alaska Housing Finance Corporation

Phone 907-350-2479
 Date/Time 1:05pm; 2/10/2012
 Date 1:05pm; 2/10/2012

FISCAL NOTE

**STATE OF ALASKA
2012 LEGISLATIVE SESSION**

BILL NO. HB316 _____

Analysis

The bill gives statutory authority to the Alaska Department of Military and Veterans' Affairs to establish "Military Facility Zones" (MFZ) within the State of Alaska which are designated areas in close proximity to a military base (facility) where industrial or economic development will directly enhance the base's ability to fulfill its mission. The MFZ includes zoning for residential use. A municipality in which a military facility zone is located or a military facility zone authority may receive financing for one or more projects from the Alaska Housing Finance Corporation.

The bill does not provide any additional advantage to AHFC's current ability to provide financing to municipalities or the military for housing development. It may prove advantageous to other entities. Zero fiscal note from AHFC for this bill.

ALASKA STATE LEGISLATURE

Session:
State Capitol, Room 409
Juneau, AK 99801-1182
Phone: (907) 465-3783
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Interim:
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Eagle River, AK 99577
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REPRESENTATIVE DAN SADDLER

To Co-Chair Thompson and Members of the MLV Committee:

Though I can't be there today, I wanted to put on record my strong support for HB 316, Military Facilities Zones. I was pleased to work on this legislation during the interim with Representatives Thompson and Feige, and to see it come before our committee. I see HB 316 as an important legislative tool to strengthen the position of military facilities in our state.

Alaska has 32 different military installations that are critical elements in our state economy. There are more than 24,000 active-duty, Guard and Reserve troops serving in Alaska, with an annual payroll of more than \$1.5 billion. About 13 percent of the state economy depends on the military, with the impact being especially significant near the larger installations.

These bases are a significant part of our nation's defense structure. They defend the nation's airspace and outer space; rapidly deploy forces around the world in times of crisis; support global logistics and transportation functions; and provide training opportunities that are unmatched elsewhere in the world.

We've heard recent news that does not bode well for Alaska's military bases. We've heard news of nearly half-trillion dollars in defense budget cuts over the next 10 years. We've heard of the possible loss of F-16s from Eielson Air Force Base, and of HC-130s from Joint Base Elmendorf-Richardson. We've heard that nearly 270 civilian jobs are being cut from these two bases. And we've heard the Secretary of Defense raise the prospect of another round in the Base Realignment and Closure (BRAC) process that could mean the further diminution of the military's presence in Alaska.

HB 316 can provide a number of significant benefits to our state and nation:

- It will provide a mechanism for bringing new federal and state money to bear on the bases.
- It will help develop infrastructure that can improve living conditions and economic prospects for the communities surrounding military facilities.
- It will help Alaska's bases become more efficient and better able to effectively perform their missions, strengthening the case against their realignment or closure.
- It will provide a mechanism to fund expansion of existing facilities to embrace new missions.
- It will help protect private - and public-sector jobs.
- It will provide another positive demonstration of Alaska's support for the military.

I am proud to be a co-sponsor of this legislation; please join me in supporting its passage.

A handwritten signature in cursive script that reads "Dan Saddler".

Rep. Dan Saddler, Co-Chair, Military and Veterans Affairs Committee

B Interior/Alaska

Contact the newsroom at newsroom@newsminer.com or 459-7572

Sunday, February 12, 2012

Thompson proposes economic support for military bases

By **MATT BUXTON**
mbuxton@newsminer.com

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Less than a week after the U.S. Air Force announced plans to move Eielson Air Force Base's F-16 fighter planes to Anchorage to cut costs, Alaska House lawmakers introduced a bill Thursday to create economic incentive zones to support the state's military bases.

The measure, HB 316, would create "Military Facility Zones" to extend state and federal incentives for businesses and communities to better support infrastructure and development around the

bases. The bill's lead sponsor, Fairbanks Republican Rep. Steve Thompson said the measure wasn't prompted directly by the F-16 move, but is aimed at building long-term support around bases to lower operating costs and, therefore, keep bases open.

"We've been considering it since last summer and it has a good possibility of being used anywhere in the state," he said, "but the F-16 move and the possibility of another BRAC process makes it more important."

The idea is low-cost loans or tax credits would spur private companies to do projects that would make it cheaper or easier for the bases to operate. Thompson said that could range from housing development to opening a business specialized in repairing fighter jet engines.

The measure, Thompson said, simply provides an economic framework and leaves it open to private industry



Thompson



to determine what projects make the most sense.

"It's a tool in everybody's box to make the base more efficient and more effective," he said. "Anything

that can be done to expand the mission of the base and something private industry might want to put on could benefit and help keep the bases open."

Many other states and communities have implemented similar programs,

said Jim Dodson, president and chief operating officer of the Fairbanks Economic Development Corporation. And while he said he wasn't familiar with the specifics of Thompson's measure, he said such programs can do a lot to save a base.

"Whatever a community can do and whatever a state can do to lower the cost of the military doing business, it helps secure their place in the community," he said.

That's a particularly important goal in Fairbanks, where Eielson and Fort Wainwright Army Base make up about 35 percent of

the local economy.

The measure specifically would extend low-cost loans or tax credits from the Alaska Industrial Development and Export Authority, the Alaska Housing Finance Corporation or from federal New Market Tax Credits.

Reps. Dan Saddler, Eric Feige, Mike Chenault, Bob Herron, Bob Lynn and Tammie Wilson also have signed onto the bill, which has been referred to the Military and Veterans' Affairs Committee.

For more updates from the legislative session follow staff writer Matt Buxton on twitter at [@FDNMpolitics](https://twitter.com/FDNMpolitics) or contact him at 459-7544.

HB

366

<TARGET><BILL>HB 366</BILL><SUBJECT>HB
366</SUBJECT><COMM>HMLV27</COMM></TARGET>

ALASKA STATE LEGISLATURE
HOUSE COMMUNITY & REGIONAL AFFAIRS



HB 366 DISASTER PLANNING AND SERVICES

"An Act establishing an Alaska intrastate mutual aid system and relating to the duties of the Alaska division of homeland security and emergency management and the duties of the Alaska State Emergency Response Commission."

In 2004 the National Emergency Management Association (NEMA) in conjunction with the Federal Emergency Management Agency (FEMA) and a host of emergency response organizations, began developing and promoting model legislation for an intrastate mutual aid system (IMAS). The goal of IMAS is to provide a framework for all political subdivisions within a state to receive and render aid to other subdivisions within a state in times of need.

HB 366 will implement this model legislation in a manner that will be beneficial for Alaskan communities. The system detailed in HB 366 will provide a framework for mutual assistance among the participating political subdivisions – regions, boroughs, municipalities, and other local jurisdictions - in the prevention of, response to, and recovery from any disaster that results in a formal declaration of local disaster emergency.

The employees and volunteers who serve in emergency services recognize that emergencies transcend political jurisdictional boundaries. They, and the local agencies they serve, understand that intergovernmental coordination is essential for the protection of lives and property and for best use of available assets. Currently, the Alaska Disaster Act does provide for political subdivisions to create mutual aid agreements, which, in practice, works well for neighboring entities or service areas that have an established history of providing mutual aid to one another. These local mutual aid agreements vary widely in their scope and may not all address key issues of liability and compensation. Further, they may not encompass all emergency services. Through HB 366, a statewide agreement would be developed to supplement existing regional or local agreements by establishing a comprehensive, integrated system of mutual aid at a state level that will ensure an efficient and effective response to all hazards and disasters.

HB 366 would allow all political subdivisions to automatically be included in the statewide mutual aid system. A political subdivision may elect to withdraw by enacting an appropriate resolution by its governing body. This legislation would not prevent participating entities from entering into supplementary agreements with other political subdivisions or impact any existing or future agreements. If a participating entity cannot provide assistance to a requesting entity, they are not obligated or bound to provide assistance.

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

March 19, 2012

SUBJECT: Sectional summary of HB 366 (Work Order No. 27-LS1450\A)

TO: Representative Cathy Muñoz
Attn: Terry Harvey

FROM: Alpheus Bullard
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. Requires the Alaska division of homeland security and emergency management ("division") to play an integral part in developing and implementing the Alaska Intrastate Mutual Aid System ("mutual aid system") established by sec. 5 of the bill.

Section 2. Requires the division to coordinate the operation of the mutual aid system and assist in the development of certain guidelines and procedures for the mutual aid system.

Section 3. Provides that the Alaska State Emergency Response Commission ("commission") will facilitate the preparation and implementation of the mutual aid system.

Section 4. Requires the commission to review and make recommendations about the mutual aid system.

Section 5. Establishes the mutual aid system between participating political subdivisions of the state. Provides that every political subdivision is a participating member of the mutual aid system unless the subdivision withdraws. Provides what assistance a political subdivision may request assistance for. Addresses qualifications and employment of, and workers' compensation for, emergency responders. Establishes reimbursement procedures for, and tort liability of, participating political subdivisions. Provides definitions for the provisions establishing the mutual aid system.

TLAB:ljw
12-211.ljw

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version HB 366
 Fiscal Note Number _____
 () Publish Date _____

Identifier (file name) HB366-DMVA-MVA-HSEM-3-25-12 Dept. Affected Dept. of Military & Veterans Affairs
 Title Disaster Planning and Services Appropriation Military and Veterans Affairs
 Allocation Homeland Security and
 Sponsor (H) Community & Regional Affairs Emergency Management
 Requester (H) Military & Veterans Affairs Special Committee OMB Component Number 2657

Expenditures/Revenues (Thousands of Dollars)

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates					
			FY13	FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants, Benefits								
Miscellaneous								
TOTAL OPERATING	0.0	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							
1005	GF/Prgm (DGF)							
1037	GF/MH (UGF)							
1178	temp code (UGF)							
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS

Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES

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Estimated **SUPPLEMENTAL (FY12) operating costs** 0.0 (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated **CAPITAL (FY13) costs** 0.0 (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable, initial version.

Prepared by McHugh Pierre, Deputy Commissioner
 Division Office of the Commissioner, DMVA
 Approved by Major General Thomas H. Katkus, Commissioner
Office of the Commissioner, DMVA

Phone (907) 428-6003
 Date/Time 3/25/12 4:00 PM
 Date 3/25/2012

FISCAL NOTE

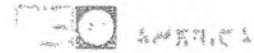
STATE OF ALASKA
2012 LEGISLATIVE SESSION

BILL NO. HB 366

Analysis

This bill establishes the Alaska intrastate mutual aid system. The Division of Homeland Security and Emergency Management will coordinate the operation of the Alaska intrastate mutual aid system among participating political subdivisions of the state and develop, in coordination with the political subdivisions and appropriate state and federal agencies, comprehensive guidelines and procedures for the Alaska intrastate mutual aid system, including record keeping and reimbursement procedures and forms for use by political subdivisions requesting and providing assistance.

There is no fiscal impact to the Department of Military and Veterans Affairs for this bill.



March 19, 2012

The Honorable Cathy Munoz, Chair
House Community & Regional Affairs Committee
Alaska State Capitol, Room 403
Juneau, AK 99801-1182

RE: Support of HB 366

Dear Chair Munoz:

I'm writing on behalf of Food Bank of Alaska and the state-wide anti-hunger network, in support of HB 366.

In times of disaster, access to safe food and water are a critical part of emergency response services. Food Bank of Alaska currently participates in Alaska VOAD (Volunteer Organizations Active in Disaster) and also responded in times of disaster at the Miller's Reach and Hooper Bay fires. HB 366 will create an infrastructure that provides for coordinated, comprehensive, and consistent emergency response throughout Alaska. Based on model legislation for intrastate mutual aid systems (IMAS), HB 366 is promoted by the National Emergency Management Association (NEMA), Federal Emergency Management Agency (FEMA) and other emergency response organizations.

Food Bank of Alaska believes that HB 366 will provide an efficient structure for emergency services that will benefit everyone in Alaska. I encourage members of the House Community and Regional Affairs Committee to vote in favor of this legislation.

Should you have any questions or if I can be of any assistance, please feel free to contact me at 907-222-3111 or smorgan@foodbankofalaska.org.

Thank you for your consideration.

Sincerely,

Susannah Morgan
Executive Director

CC: Vice-Chair Neal Foster
Representative Alan Austerman
Representative Alan Dick
Representative Dan Saddler
Representative Sharon Cissna
Representative Berta Gardner





Capital City Fire / Rescue
820 Glacier Avenue
Juneau, AK. 99801

Representative Cathy Munoz
State Capitol, Room 403
Juneau, AK 99801-1182

March 16, 2012

Reference: House Bill 366 "An act establishing an Alaska interstate mutual aid system and relating to the duties of the Alaska division of homeland security and emergency management and the duties of the Alaska state of emergency response commission."

Dear Representative Cathy Munoz,

On behalf of Capital City Fire Rescue, I would like to thank you for introducing house bill 366. Capital City Fire Rescue fully supports this bill and encourages its adoption. This bill will have a direct impact on our community as well as all other Alaskan communities.

This bill will create the framework and set the expectations for local governments to lend and receive assistance in a time of crisis. This is a formal interstate mutual aid agreement that is not currently provided in statute. Currently Alaska is one of only four states that do not have this type of formal agreement.

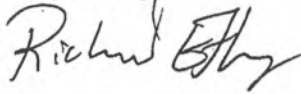
When a disaster occurs and mutual aid is requested, help may be delayed while jurisdictions work out the details of liability coverage and compensation. With the financial struggles of Alaskan communities resources and funding are limited. These struggles may create delays or hesitancy in approving assistance to other communities. This bill creates a statewide program answering all of these details prior to a disaster.

Capital City Fire Rescue has been requested to provide assistance to other communities on an occasional basis. Most recently our Department sent Hazardous Materials Technicians to

Thom Bay to assist with a "white powder incident" in a school. We also sent paramedics to Hoonah as EMS support during the shooting incident of two police officers. Although these requests are not frequent they significantly impact the involved communities.

This bill will clearly spell out the procedures to request assistance and provide municipal administrators the tools they need to quickly evaluate these requests. I strongly urge HB 366 be adopted during this legislative session to give emergency responders the support they need to quickly respond to meet the needs of their communities.

Respectfully

A handwritten signature in black ink, appearing to read "Richard Etheridge". The signature is written in a cursive style with a large initial "R" and a long, sweeping tail.

Richard Etheridge
Fire Chief



ALASKA FIRE CHIEFS ASSOCIATION
2358 Bradway Road, North Pole, Alaska 99705

March 16, 2012

Representative Cathy Munoz
State Capitol, Room 403
Juneau, AK 99801 – 1182

Reference: HB 366 “An act establishing an Alaska intrastate mutual aid system and relating to the duties of the Alaska Division of Homeland Security and Emergency Management and the duties of the Alaska State Emergency Response Commission.”

Dear Representative Munoz,

On behalf of the Alaska fire Chiefs Association, I want to thank you for introducing HB 366. Alaska fire Chiefs Association fully supports this bill and encourages its adoption.

The Alaska Fire Chiefs Association in conjunction with the International Association of Fire Chiefs, the Federal Emergency Management Agency (FEMA), and the Alaska Division of Homeland Security have been working over the last two years to develop and intrastate mutual aid system for the State of Alaska. Currently we are one of only four states who do not have a system in place with the statutory authority that allows communities to come to the aid of other communities in a time of an emergency.

Mutual aid is defined by FEMA as “... agreements between agencies, organizations, and the jurisdictions that provides a mechanism to quickly obtain emergency assistance in the form of personnel, equipment, materials and other associated services. The primary objective is to facilitate rapid, short-term deployment of emergency support to, during, and after an incident.

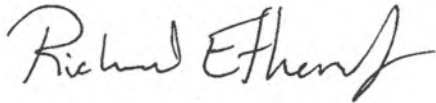
Currently local communities may have mutual aid agreements to provide fire services to their neighboring communities as provided under AS 18.7 0.150 “Adoption of Mutual Fire Aid Agreements”. However these agreements are limited in scope and do not provide for all of the potential needs of communities.

HB 366 gives us the needed framework that will allow us to develop a comprehensive intrastate mutual aid system. HB 366 addresses several key issues including liability and compensation that are not currently addressed and state statute. HB 366 will allow one Alaska community to assist another Alaska community regardless of the location or need however in no way are communities obligated or required to provide assistance.

The Alaska fire Chiefs Association is committed to seeing a comprehensive intrastate mutual aid system work in Alaska. We would also like to see our organization included as one of the participating groups whom the Alaska Division of Homeland Security and Emergency Management would coordinate with in the operation of the Alaska intrastate mutual aid system.

The Alaska fire Chiefs Association supports House Bill 366 and urges its adoption. We look forward to working with the state and local communities in the development of an Alaska intrastate mutual aid system

Sincerely,

A handwritten signature in cursive script that reads "Richard Etheridge". The signature is written in dark ink and is positioned above the typed name.

Richard Etheridge, Fire Chief
AFCA Second Vice President

The Emergency Management Assistance Compact (EMAC), established in 1996, has weathered the storm when tested and stands today as the cornerstone of the nation's mutual aid system.



EMAC is the first national disaster-relief compact since the Civil Defense and Disaster Compact of 1950 to be ratified by Congress. Since ratification and signing into law in 1996 (Public Law 104-321), 50 states, the District of Columbia, Puerto Rico, Guam, and the U.S. Virgin Islands have enacted legislation to become EMAC members.

EMAC offers assistance during governor-declared states of emergency through a responsive, straightforward system that allows states to send personnel, equipment, and commodities to help disaster relief efforts in other states. Through EMAC states can also transfer services, such as shipping newborn blood from a disaster-impacted lab to a lab in another state.

The strength of EMAC and the quality that distinguishes it from other plans and compacts lie in

its governance structure; its relationship with federal organizations, states, counties, territories, and regions; the willingness of states and response and recovery personnel to deploy; and the ability to move any resource one state wishes to utilize to assist another state.

EMAC establishes a firm legal foundation. Once the conditions for providing assistance to a requesting state have been set, the terms constitute a legally binding contractual agreement that makes affected states responsible for reimbursement. The EMAC legislation solves the problems of liability and responsibilities of cost and allows for credentials, licenses, and certifications to be honored across state lines.

Deploying resources through EMAC leverages federal grant dollars (such as HMGP & EMPG) invested in state and local emergency management resource capabilities.

Through EMAC, states are able to join forces and help one another when they need it the most: whenever disaster strikes!

DAP9523.6

DISASTER ASSISTANCE POLICY

I. TITLE: Mutual Aid Agreements for Public Assistance and Fire Management Assistance

II. DATE: AUG 13, 2007

III. PURPOSE:

This policy specifies criteria by which the Federal Emergency Management Agency (FEMA) will recognize the eligibility of costs under the Public Assistance (PA) Program and the Fire Management Assistance Grant (FMAG) Program incurred through mutual aid agreements between applicants and other entities.

IV. SCOPE AND AUDIENCE:

This policy is applicable to all major disasters, emergencies, and fire management assistance declarations declared on or after the date of this policy. This policy is intended for personnel involved in the administration of the PA and the FMAG programs.

V. AUTHORITY:

This policy applies to emergency work authorized under Sections 403, 407, 420, and 502, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), 42 U.S.C. 51215206, and the implementing regulations of 44 CFR § 204 and § 206.

VI. BACKGROUND:

Many State, Tribal, and local governments and private nonprofit organizations enter into mutual aid agreements to provide emergency assistance to each other in the event of disasters or emergencies. These agreements often are written, but occasionally are arranged verbally after a disaster or emergency occurs. This policy addresses both written and verbal mutual aid agreements and the eligibility of costs under the Emergency Management Assistance Compact (EMAC).

The National Incident Management System (NIMS) maintains that states should participate in these agreements and should look to establish intrastate agreements that encompass all local jurisdictions. The Incident Management Systems Division will be responsible for developing a national system of standards and guidelines as described in the NIMS as well as the preparation of guidance to assist agencies in implementing the system. This policy supports the NIMS by

DAP9523.6

DISASTER ASSISTANCE POLICY

establishing standard criteria for determining the eligibility of costs incurred through mutual aid agreements.

VII. POLICY:

A. Terms Used in this Policy:

1. **Backfill.** Replacement personnel who perform the regular duties of other personnel while they are performing eligible emergency work under the PA or FMAG programs.
2. **Declared Emergency or Major Disaster.** An emergency or major disaster as defined at 44 CFR § 206.2 (a)(9) and (17), respectively.
3. **Declared Fire.** An uncontrolled fire or fire complex, threatening such destruction as would constitute a major disaster for which the Disaster Assistance Directorate Assistant Administrator has approved a declaration in accordance with the criteria listed in 44 CFR § 204.21.
4. **Emergency Management Assistance Compact (EMAC).** This type of interstate mutual aid agreement allows states to assist one another in responding to all kinds of natural and man-made disasters. It is administered by the National Emergency Management Association (NEMA).
5. **Incident Commander.** The ranking official responsible for overseeing the management of emergency or fire operations, planning, logistics, and finances of the field response.
6. **Providing Entity.** The entity providing mutual aid assistance to a Requesting Entity pursuant to a local or statewide mutual aid agreement.
7. **Requesting Entity.** An entity that requests mutual aid assistance from a Providing Entity for emergency work resulting from a declared fire, emergency or major disaster within its legal jurisdiction. The requesting entity is eligible to receive FEMA assistance for the eligible mutual aid activities performed by the providing entities.
8. **Intra-state Mutual Aid.** Mutual Aid that supports local and regional mutual aid efforts within a State as well as regional mutual aid agreements and compacts involving local

DAP9523.6

DISASTER ASSISTANCE POLICY

jurisdictions that cross State boundaries, or are adjacent to a neighboring State (i.e. Kansas City, Kansas/Kansas City, Missouri , etc.).

9. Inter-state Mutual Aid. Mutual Aid that supports national mutual aid efforts requested directly between two or more States or territories through established Multi-agency Coordination Systems as directed by approved mutual aid agreements or compacts (i.e. EMAC), etc.

B. General:

1. To be eligible for reimbursement by FEMA, the mutual aid assistance should have been requested by a Requesting Entity or Incident Commander; be directly related to a Presidentially-declared emergency or major disaster, or a declared fire; used in the performance of eligible work; and the costs must be reasonable.
2. FEMA will not reimburse costs incurred by entities that "self-deploy" (deploy without a request for mutual aid assistance by a Requesting Entity) except to the extent those resources are subsequently used in the performance of eligible work at the request of the Requesting Entity or Incident Commander.
3. The reimbursement provisions of a mutual aid agreement must not be contingent on a declaration of an emergency, major disaster, or fire by the Federal government.
4. This policy is applicable to all forms of mutual aid assistance, including agreements between Requesting and Providing Entities, statewide mutual aid agreements, and the mutual aid services provided under the EMAC.

C. Pre-Event Written Mutual Aid Agreements.

FEMA recognizes mutual aid agreements between Requesting and Providing Entities, and statewide mutual aid agreements wherein the State is responsible for administering the claims for reimbursement of Providing Entities. In addition, FEMA recognizes the standard EMAC agreement as a valid form of mutual aid agreement between member states.

1. FEMA encourages parties to have written mutual aid agreements in place prior to a declared fire, emergency, or major disaster.
 - a. When a pre-event written agreement exists between a Requesting Entity and a Providing Entity, the Providing Entity may be reimbursed through the Requesting Entity. In

DAP9523.6

DISASTER ASSISTANCE POLICY

these circumstances, the Requesting Entity should claim the eligible costs of the Providing Entity, pursuant to the terms and conditions of the mutual aid agreement and the requirements of this policy, on its subgrant application, and agree to disburse the Federal share of funds to the Providing Entity.

b. When a statewide pre-event mutual aid agreement exists that designates the State responsible for administering the reimbursement of mutual aid costs, a Providing Entity may apply, with the prior consent of the Requesting Entity, for reimbursement directly to the Grantee, in accordance with applicable State law and procedure. In such cases, the Providing Entity should obtain from the Requesting Entity the certification required in section H. (3) of this policy and provide it to the State as part of its reimbursement request.

2. FEMA encourages parties to address the subject of reimbursement in their written mutual aid agreements. FEMA will honor the reimbursement provisions in a pre-event agreement to the extent they meet the requirements of this policy.

3. When a pre-event agreement provides for reimbursement, but also provides for an initial period of unpaid assistance, FEMA will pay the eligible costs of assistance after such initial unpaid period.

4. When a pre-event agreement specifies that no reimbursement will be provided for mutual aid assistance, FEMA will not pay for the costs of assistance.

D. Post-Event Mutual Aid Agreements.

1. When the parties do not have a pre-event written mutual aid agreement, or where a written pre-event agreement is silent on reimbursement, the Requesting and Providing Entities may verbally agree on the type and extent of mutual aid resources to be provided in the current event, and on the terms, conditions, and costs of such assistance.

2. Post-event verbal agreements must be documented in writing and executed by an official of each entity with authority to request and provide assistance, and provided to FEMA as a condition of receiving reimbursement. The agreement should be consistent with past practices for mutual-aid between the parties. A written post-event agreement should be submitted within 30 days of the Requesting Entity's Applicant's Briefing.

DAP9523.6

DISASTER ASSISTANCE POLICY

E. Force Account Labor Costs.

1. The straight- or regular-time wages or salaries of a Requesting Entity's permanently employed personnel performing or supervising emergency work are not eligible costs, pursuant to 44 CFR § 206.228(a)(4), and § 204.43(c), even when such personnel are reassigned or relocated from their usual work location to provide assistance during an emergency. Overtime costs for such personnel are eligible and may be submitted as part of a subgrant application.
2. The labor force expenses of a Providing Entity will be treated as contract labor, with regular time and overtime wages and certain benefits eligible, provided labor rates are reasonable. The labor force expenses of the Providing Entity will not be treated as contract labor if the labor force is employed by the same local or State government as the Requesting Entity.
3. In circumstances where a Providing Entity is also an eligible applicant in its own right, the determination of eligible and ineligible costs will depend on the capacity in which the entity is incurring costs. As stated in paragraphs E(1) and (2), an applicant's straight-time wages are not eligible costs when the applicant is using its permanently employed personnel for emergency work in its own jurisdiction.
4. Requesting and Providing Entities may not mutually deploy their labor forces to assist each other so as to circumvent the limitations of paragraph E(1) or (2) of this policy.
5. The straight- or regular-time wages or salaries for backfill personnel incurred by Providing Entities are not eligible for reimbursement. However, the overtime portion of the replacement personnel's salary is considered an additional cost of deploying personnel who perform eligible work and is eligible for reimbursement under this policy.

F. Types of Mutual Aid Work

There are two types of mutual aid work eligible for FEMA assistance: Emergency Work and Grant Management Work. Both are subject to the eligibility requirements of the respective PA and FMAG programs:

1. **Emergency Work.** Mutual aid work provided in the performance of emergency work necessary to meet immediate threats to life, public safety, and improved property, including firefighting activities under the FMAG program, is eligible.

DAP9523.6

DISASTER ASSISTANCE POLICY

a. Examples of eligible emergency work include:

- (i) Search and rescue, sandbagging, emergency medical care, debris removal;
- (ii) Reasonable supervision and administration in the receiving State that is directly related to eligible emergency work;
- (iii) The cost of transporting equipment and personnel by the Providing Entity to the incident site, subject to the requirements of paragraphs B(1), (2) and (3) of this policy;
- (iv) Costs incurred in the operation of the Incident Command System (ICS), such as operations, planning, logistics and administration, provided such costs are directly related to the performance of eligible work on the disaster or fire to which such resources are assigned;
- (v) State Emergency Operations Center or Joint Field Office assistance in the receiving State to support emergency assistance;
- (vi) Assistance at the National Response Coordination Center (NRCC), and Regional Response Coordination Center (RRCC), if requested by FEMA (labor, per diem and transportation);
- (vii) Dispatch operations in the receiving State;
- (viii) Donations warehousing and management (eligible only upon approval of the Assistant Administrator of the Disaster Assistance Directorate);
- (ix) Firefighting activities; and,
- (x) Dissemination of public information authorized under Section 403 of the Act.

b. Examples of mutual aid work that are not eligible, include:

- (i) Permanent recovery work;
- (ii) Training, exercises, on-the-job training;

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- (iii) Long-term recovery and mitigation consultation;
- (iv) Costs outside the receiving State that are associated with the operations of the EMAC system (except for FEMA facilities noted in paragraph F.(1)(a)(v) and (vi) above);
- (v) Costs for staff performing work that is not eligible under the PA or the FMAG programs;
- (vi) Costs of preparing to deploy or "standing-by" [except to the extent allowed in the FMAG program pursuant to 44 CFR § 204.42(e)];
- (vii) Dispatch operations outside the receiving State;
- (viii) Tracking of EMAC and U.S. Forest Service Incident Cost Accounting and Reporting System (ICARS) resources; and
- (ix) Situation reporting not associated with ICS operations under VII(F)(iv) of this policy.

2. Grant Management Work. For PA only, work associated with the performance of the Grantee's responsibilities as the grant administrator, as outlined in 44 CFR § 206.202(b). Use of EMAC-provided assistance to perform these tasks is eligible mutual aid work.

G. Eligible Applicants.

1. Only Requesting Entities are eligible applicants for FEMA assistance. With the exception of G.(2), below, a Providing Entity must submit its claim for reimbursement to a Requesting Entity.
2. States may be eligible applicants when statewide mutual aid agreements or compacts authorize the State to administer the costs of mutual aid assistance on behalf of local jurisdictions.

H. Reimbursement of Mutual Aid Costs.

1. Requesting and Providing Entities must keep detailed records of the services requested and received, and provide those records as part of the supporting documentation for a reimbursement request.

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2. A request for reimbursement of mutual aid costs must include a copy of the mutual aid agreement - whether pre- or post-event - between the Requesting and Providing Entities.
3. A request for reimbursement of mutual aid costs should include a written and signed certification by the Requesting Entity certifying:
 - a. The types and extent of mutual aid assistance requested and received in the performance of eligible emergency work; and
 - b. The labor and equipment rates used to determine the mutual aid cost reimbursement request.
4. FEMA will not reimburse the value of volunteer labor or the value of paid labor that is provided at no cost to the applicant. However:
 - a. To the extent the Providing Entity is staffed with volunteer labor, the value of the volunteer labor may be credited to the non-Federal cost share of the Requesting Entity's emergency work in accordance with the provisions of Disaster Assistance Policy #9525.2, Donated Resources.
 - b. If a mutual aid agreement provides for an initial period of unpaid assistance or provides for assistance at no cost to the Requesting Entity, the value of the assistance provided at no cost to the Requesting Entity may be credited to the non-Federal cost share of the Requesting Entity's emergency work under the provisions of Disaster Assistance Policy #9525.2. Donated Resources.
5. Reimbursement for work beyond emergency assistance, such as permanent repairs, is not eligible for mutual aid assistance.
6. For PA only, reimbursement for equipment provided to a Requesting Entity will be based on FEMA equipment rates, approved State rates or, in the absence of such standard rates, on rates deemed reasonable by FEMA.
7. For FMAG only, reimbursement for equipment provided to a Requesting Entity will be based on 44 CFR § 204.42 (b)(3) and (4).

Model Intrastate Mutual Aid Legislation

Developed by the National Emergency Management Association



In partnership with National Public Safety Organizations

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Introduction

Over the past two years, emergency disciplines of all types agree there has been a sea change in the country after the terrorist acts committed on United States' soil September 11, 2001. Excepting that, the everyday concerns of emergency responders do not abate as is demonstrated by recent wildfires, earthquakes, mudslides, hurricanes and floods.

In each of these events, the merit of mutual aid between governments, both intra and interstate, has proven its benefit time and time again. As has been repeatedly demonstrated by the Emergency Management Assistance Compact (EMAC), states can depend on each other to provide manpower and material resources in times of need. EMAC shines as the **states** mutual aid system; and currently has 48 states, 2 Territories and Washington D.C. as signatories to the compact. For over a decade, EMAC has served its members well.

Given recent terrorist fears, the Department of Homeland Security has chosen to focus on mutual aid. It is unquestionable that mutual aid systems are needed for state to state assistance and, particularly, between local jurisdictions. Indeed, in a recent edition of *State Government News*, the author wrote: "Through the *National Strategy on Homeland Security*, the Department of Homeland Security (DHS) placed a new focus on state and **local** (emphasis added) mutual aid as a key to the nation's emergency response capabilities for all hazards, man-made or natural. The National Incident Management System (NIMS), currently under development by DHS, provides an operational framework for the response by federal, state and local agencies. In the NIMS, mutual aid is emphasized as an indispensable tool for the swift and coordinated response to disasters of all kinds."¹

In mid-July 2003, a request was sent to all state Emergency Management Agencies by the National Emergency Management Association (NEMA) asking for copies of existing mutual aid legislation/agreements, enabling legislation and other supporting documents. Preliminary responses were received from 16 states and the District of Columbia confirming that legislation/agreements were or were not in place. Over the summer, additional responses were received, documents were sorted and reviewed, then condensed into a monograph summarizing legislation and agreements; which served as a starting point for development of a model intrastate mutual aid agreement.

¹ State Government News magazine, March 2004, by Amy Hughes Senior Policy Analyst, National Emergency Management Association.

"Many local jurisdictions have agreements in place, but they vary widely across the country. Moreover, many are not formal agreements, and do not address key issues such as liability and compensation; and encompass multi-disciplines. To be able to move assets effectually between local jurisdictions and across state lines, mutual aid agreements should be robust, inclusive, demonstrate an effective relationship to EMAC and address liability and compensation issues in a manner consistent with state law."²

As part of a grant awarded NEMA by FEMA in 2003, NEMA agreed to develop and market model intrastate mutual aid legislation along with several other related tasks.

A multi-discipline review group³ was selected to ensure many voices from across the emergency services and the public safety fields were included. The interest shown by various associations and entities further demonstrates the ardent interest in mutual aid by this diverse body.

On January 9, 2004, the working group met in New Orleans, LA to review all work. Local perspectives were brought to the forefront by those involved with local government emergency response, and incorporated into the model. At the NEMA Mid-Year Conference, held in Washington, D.C., February 9-13, 2004, the membership unanimously approved the proposed model.

One of the most important aspects of the model is that adoption by jurisdictions is entirely voluntary. The model is meant to be a tool and resource for states and jurisdictions to utilize in developing or refining statewide mutual aid agreements. It is anticipated that states and jurisdictions may wish to modify the model to conform to their own state laws and authorities, or to address unique needs and circumstances. Further, the proposed articles and provisions in the model are complementary to the recommended minimum elements to be included in mutual aid agreements that are a part of the draft National Incident Management System Plan.

² "A Proposal to Amend the NEMA/FEMA Cooperative Agreement, Submitted by [NEMA] to [FEMA]", Revised January 29, 2003, page 6

³ Comprehensive contact list included on Page 10.

Model Intrastate Mutual Aid Legislation

Article I Preamble

The purpose of this legislation/agreement is to create a system of intrastate mutual aid between participating political subdivisions in the state. Each participant of this system recognizes that emergencies transcend political jurisdictional boundaries and that intergovernmental coordination is essential for the protection of lives and property and for best use of available assets both public and private. The system shall provide for mutual assistance among the participating political subdivisions in the prevention of, response to, and recovery from, any disaster that results in a formal state of emergency in a participating political subdivision, subject to that participating political subdivisions criteria for declaration. The system shall provide for mutual cooperation among the participating subdivisions in conducting disaster related exercises, testing or other training activities outside actual declared emergency periods. This legislation provides no immunity, rights or privileges for any individual responding to a state of emergency that is not requested and/or authorized to respond by a participating political subdivision. Participating political subdivisions will be ensured, to the fullest extent possible, eligibility for state and federal disaster funding.

Also created in this legislation/agreement is the committee known as the State or Statewide Intrastate Mutual Aid Committee. This committee shall be multidisciplinary and representative of emergency management and response disciplines as well as local government. It shall be the committee's responsibility to hold, at a minimum, annual meetings to review the progress and status of statewide mutual aid, assist in developing methods to track and evaluate activation of the system and to examine issues facing participating political subdivisions regarding the implementation of this legislation. The committee may be chaired by the State Emergency Management Agency. The committee may prepare an annual report on the condition and effectiveness of mutual aid in the state, make recommendations for correcting any deficiencies and submit that report to the appropriate legislative committee or other governing body. Members of the committee shall serve a maximum two year term, with recommendation for appointment coming from each respective association.

All political subdivisions within the state are, upon enactment of this legislation or the execution of an agreement, are automatically a part of the statewide mutual aid system. A political subdivision within the state may elect not to participate or to later withdraw from the system upon enacting an appropriate resolution by its governing body declaring that it elects not to participate in the statewide mutual aid system; and providing a copy of the resolution to the State Emergency Management Agency. This legislation does not preclude participating political subdivisions from entering into supplementary agreements with another political subdivision and does not affect any other agreement to which a political subdivision may currently be a party to, or decide to be a party to.

Article II Emergency Responders Defined

An emergency responder is defined as anyone with special skills, qualifications, training, knowledge and experience in the public or private sectors that would be beneficial to a participating political subdivision in response to a locally declared emergency as defined in any applicable law or ordinance or authorized drill or exercises; and who is requested and/or authorized to respond. Under this definition, an emergency responder may or may not be required to possess a license, certificate, permit or other official recognition for their expertise in a particular field or area of knowledge. An emergency responder could include, but is in no way limited to, the following: law enforcement officers, fire fighters, emergency medical services personnel, physicians, nurses, other public health personnel, emergency management personnel, public works personnel, those persons with specialized equipment operations skills or training or any other skills needed to provide aid in a declared emergency.

Article III Participating Political Subdivisions Responsibilities

It shall be the responsibility of each participating political subdivision with jurisdiction over and responsibility for emergency management within that certain subdivision to do the following:

- i. Identify potential hazards that could affect the participant using an identification system common to all participating jurisdictions.
- ii. Conduct joint planning, intelligence sharing and threat assessment development with contiguous participating political subdivisions, and conduct joint training at least biennially.
- iii. Identify and inventory the current services, equipment, supplies, personnel and other resources related to planning, prevention, mitigation, response and recovery activities of the participating political subdivision.
- iv. Adopt and put into practice the standardized incident management system approved by the State Emergency Management Agency.

Article IV Implementation

A participating political subdivision may request assistance of other participating political subdivisions in preventing, mitigating, responding to and recovering from disasters that result in locally-declared emergencies or in concert with authorized drills or exercises as allowed under this legislation/agreement. Requests for assistance shall be made through the chief executive officer of a participating political subdivision or his designee. Requests may either be verbal or in writing and are not required to go directly to the State Emergency Management Agency but in all cases will be reported to the agency as soon as is practical. Verbal requests will be followed up with a written request as soon as is practical or such number of days as the state in its discretion may dictate.

Article V Limitations

A participating political subdivision's obligation to provide assistance in the prevention of, response to and recovery from a locally-declared emergency or in authorized drills or exercises is subject to the following conditions:

- i. A participating political subdivision requesting assistance must have either declared a state of emergency in the manner outlined in Article I or authorized drills and exercises.
- ii. A responding participating political subdivision may withhold resources to the extent necessary to provide reasonable protection and services for its own jurisdiction.
- iii. Emergency response personnel of a responding participating political subdivision shall continue under the command and control of their responding jurisdiction to include medical protocols, standard operating procedures and other protocols, but shall be under the operational control of the appropriate officials within the incident management system of the participating political subdivision receiving the assistance.
- iv. Assets and equipment of a responding participating political subdivision shall continue under the control of their responding jurisdiction, but shall be under the operational control of the appropriate officials within the incident management system of the participating political subdivision receiving the assistance.

Article VI License, Certificate and Permit Portability

If a person or entity holds a license, certificate or other permit issued by a participating political subdivision or the state evidencing qualification in a professional, mechanical or other skill and the assistance of that person or entity is requested by a participating political subdivision, the person or entity shall be deemed to be licensed, certified or permitted in the political subdivision requesting assistance for the duration of the declared emergency or authorized drills or exercises and subject to any limitations and conditions the chief executive of the participating political subdivision receiving the assistance may prescribe by executive order or otherwise.

Article VII Reimbursement, Disputes Regarding Reimbursement

Any requesting political subdivision shall reimburse the participating political subdivision rendering aid under this system. A participating political subdivision providing assistance may determine to donate assets of any kind to a receiving participating political subdivision. Such requests for reimbursement shall be in accordance with procedures developed by the State Intrastate Mutual Aid Committee.

Should a dispute arise between parties to the system regarding reimbursement, involved parties will make every effort to resolve the dispute within 30 days of written notice of the dispute by the party asserting noncompliance. In the event that the dispute is not resolved within 90 days of the notice of the claim, either party may request the dispute be solved through arbitration. Any arbitration under this provision shall be conducted under the commercial arbitration rules of the American Arbitration Association.

Article VIII Development of Guidelines and Procedures

The State Intrastate Mutual Aid Committee shall develop comprehensive guidelines and procedures that address, including but not limited to, the following: projected or anticipated costs, checklists for requesting and providing assistance, record keeping for all participating political subdivisions, reimbursement procedures and other necessary implementation elements along with the necessary forms for requests and other records documenting deployment and return of assets.

Article IX Workers' Compensation

Personnel of a participating political subdivision responding to or rendering assistance for a request who sustain injury or death in the course of, and arising out of, their employment are entitled to all applicable benefits normally available to personnel while performing their duties for their employer. Responders shall receive any additional state and federal benefits that may be available to them for line of duty deaths.

Article X Immunity

All activities performed under this agreement are deemed hereby to be governmental functions. For the purposes of liability, all persons responding under the operational control of the requesting political subdivision are deemed to be employees of the requesting participating political subdivision. Neither the participating political subdivisions nor their employees, except in cases of willful misconduct, gross negligence or bad faith shall be liable for the death of or injury to persons, or for damage to property when complying or attempting to comply with the statewide mutual aid system.

Article XI Severability

Should a court of competent jurisdiction rule any portion, section or subsection of this legislation invalid or nullified, that fact shall not affect or invalidate any other portion, section or subsection; and all remaining portions, sections or subsections shall remain in full force and effect.

Checklist of Best Practices

- ▶ Closely tie legislation/agreement to EMAC member states' legislation and SOP's for seamless escalation of disaster response and execution of mutual aid.
- ▶ Encourage participation by a broad range of emergency responders. Include other definitions as appropriate. Consider global perspective, e.g., public works, private entities, medical personnel, public transportation and others.
- ▶ Make legislation opt-out. Most states have several hundred municipalities and other jurisdictions within their borders. To attempt to get everyone on board on an opt-in agreement could take years and never achieve a plurality of participation. By making legislation opt-out, everyone is a part of the system the day it becomes law.
- ▶ To the extent permitted by applicable law, include automatic renewal language if agreement instead of legislation.
- ▶ Agreements/legislation should mandate joint planning, training and exercise with liability immunity as if it were an actual emergency.
- ▶ Develop forms to facilitate requests for aid, record-keeping regarding movement of equipment and personnel and reimbursement.
- ▶ Require use of a standardized incident command/management system consistent with that used by the state.
- ▶ In addition to not affecting any existing agreements, should also allow for supplemental agreements between participants.
- ▶ Have a liability/immunity article.
- ▶ Consider arbitration of disputes concerning reimbursement.
- ▶ Be as concise as possible. Guidelines and procedures should be developed separately, but become part of the legislations/agreement when adopted.
- ▶ Establishment of a committee representative of all emergency preparedness and response disciplines and other stakeholders to examine continual changes in emergency preparedness and insure legislation/agreements meet the needs of disciplines/stakeholders. Committee may have standing and authority to refer needs to legislature for rectification. Consider existing committees representative of all stakeholders to determine if they may perform this function.
- ▶ A reimbursement provision. This provision may include an off-set for any insurance proceeds applicable to the costs claimed by the responding political subdivision. The insurance claims process should not delay reimbursement. Reimbursement shall not duplicate any state or federal assistance available for the costs.

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COMPONENT I: PREPAREDNESS

NIMS provides the mechanisms for emergency management/response personnel³ and their affiliated organizations to work collectively by offering the tools to enhance preparedness. Preparedness is achieved and maintained through a continuous cycle of planning, organizing, training, equipping, exercising, evaluating, and taking corrective action. Ongoing preparedness efforts among all those involved in emergency management and incident response activities ensure coordination during times of crisis. Moreover, preparedness facilitates efficient and effective emergency management and incident response activities.

This component describes specific measures and capabilities that emergency management/response personnel and their affiliated organizations should develop and incorporate into their overall preparedness programs to enhance the operational preparedness necessary for all-hazards emergency management and incident response activities. In developing, refining, and expanding preparedness programs and activities within their jurisdictions and/or organizations, emergency management/response personnel should leverage existing preparedness efforts and collaborative relationships to the greatest extent possible. Personal preparedness, while an important element of homeland security, is distinct from the operational preparedness of our Nation's emergency management and incident response capabilities and is beyond the scope of NIMS.

A. CONCEPTS AND PRINCIPLES

Within NIMS, preparedness focuses on the following elements: planning; procedures and protocols; training and exercises; personnel qualifications, licensure, and certification; and equipment certification. Effective adoption, implementation, and training of all NIMS components in advance of an incident or planned event will facilitate collaborative emergency management and incident response activities. Preparedness is a foundational step in emergency management and incident response; therefore, the concepts and principles that form the basis for preparedness are an integration of the concepts and principles of all NIMS components.

1. UNIFIED APPROACH

Preparedness requires a unified approach to emergency management and incident response activities. To achieve this, components of NIMS should be integrated within a jurisdiction's or organization's emergency management and incident response structure. Specifically, preparedness should be integrated into communications and information management, resource management, and command and management to form an effective system. Additionally, the unified-approach concept is at the core of the Command and Management component, as it is based on chain of command, unity of command, unity of effort, and when implemented, Unified Command. These characteristics allow organizations with

³ Emergency management/response personnel include Federal, State, territorial, tribal, substate regional, and local governments, nongovernmental organizations, private-sector organizations, critical infrastructure owners and operators, and all other organizations and individuals who assume an emergency management role.

COMPONENT I: PREPAREDNESS

different jurisdictional, geographical, or functional responsibilities, authorities, and resources to coordinate, plan, and interact effectively in support of a commonly recognized objective.

2. LEVELS OF CAPABILITY

Preparedness involves actions to establish and sustain necessary capabilities to execute a full range of emergency management and incident response activities. For NIMS to function effectively, jurisdictions and organizations should set expectations about the capabilities and resources that will be provided before, during, and after an incident. The inventorying and categorizing of resources available for an incident or planned event is a critical element of preparedness, as it helps to establish and verify the level of capability needed. Additionally, the concept of identifying this level of capability is woven throughout the components of NIMS, including the credentialing system.

B. ACHIEVING PREPAREDNESS

Individual jurisdictions should prepare in advance of an incident, in coordination with and supported by Federal and State partners, nongovernmental organizations (NGOs), and the private sector, as appropriate. In order for successful emergency management and incident response to occur, emergency management/response personnel and their affiliated organizations must have a clear understanding of their roles and responsibilities. This clarity is essential not only for emergency management/response personnel, but also for those acting in a policy, coordination, or support role.

- **Policy Role:** Development, revision, signing, and/or formalization of policies, procedures, mutual aid agreements, and assistance agreements and/or plans relating to emergency management and incident response programs and activities.
- **Coordination Role:** Resource management or any other necessary coordination efforts required for emergency management and incident response programs and activities.
- **Support Role:** Provision of assistance for emergency management and incident response programs and activities.

1. RELATIONSHIP BETWEEN NIMS AND OTHER PREPAREDNESS EFFORTS

To achieve national preparedness and coordinated response, emergency management and incident response activities should be coordinated at all levels of government and should include NGOs and the private sector, where appropriate. Homeland Security Presidential Directive 5 (HSPD-5) established a single, comprehensive approach to incident management, with the objective of ensuring that all levels of government across the Nation have the capability to work together efficiently and effectively. Several other Homeland Security Presidential Directives are inextricably linked with HSPD-5, as they deal directly with national preparedness and the protection of critical infrastructure. These directives are discussed more fully below.

a. Homeland Security Presidential Directive 7, "Critical Infrastructure Identification, Prioritization, and Protection"

HSPD-7 directed the Department of Homeland Security (DHS) to establish a national policy for Federal departments and agencies to identify and prioritize critical infrastructure and key

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resources (CIKR) in order to prevent, deter, and mitigate the effects of deliberate efforts to destroy, incapacitate, or exploit them. Federal departments and agencies are to work with State, tribal, and local governments, NGOs, and the private sector to accomplish this objective. This effort includes the development, implementation, and ongoing management and maintenance of the *National Infrastructure Protection Plan* (NIPP). The NIPP and its complementary Sector-Specific Plans provide the unifying structure for integrating existing and future CIKR protection activities.

b. Homeland Security Presidential Directive 8, "National Preparedness"

HSPD-8 directed DHS to lead a national initiative to develop a National Preparedness System—a common, unified approach to “strengthen the preparedness of the United States to prevent and respond to threatened or actual domestic terrorist attacks, major disasters, and other emergencies.” The requirements of HSPD-8 led to the National Preparedness Guidelines, which were developed to provide the means for the Nation to answer three fundamental questions:

- How prepared do we need to be?
- How prepared are we?
- How do we prioritize efforts to close the gap?

HSPD-8 also required DHS to develop mechanisms for the improved delivery of Federal preparedness assistance to State, tribal, and local governments and to strengthen the Nation’s preparedness capabilities. Annex I to HSPD-8, titled "National Planning," establishes a comprehensive approach to national planning and provides guidance for conducting planning in accordance with the *National Strategy for Homeland Security*. Annex I calls for the development and updating of an Integrated Planning System (IPS). Fifteen National Planning Scenarios were developed to illustrate the range, scope, magnitude, and complexity of incidents for which the Nation should prepare. Using this wide range of possible scenarios, including terrorism, natural disasters, and health emergencies, helps reduce uncertainty in planning.

After identifying the most important performance needs across the scenarios, DHS then developed the Target Capabilities List (TCL), designed to guide efforts to build a national network of capabilities that will be available when and where they are needed. The TCL outlines an all-hazards approach to development of capabilities that will be needed for natural or manmade disasters or other major incidents, and defines the primary roles that all levels of government, NGOs, the private sector, and individuals have in national preparedness. The capabilities provide the means to accomplish a mission and achieve desired outcomes by performing critical tasks, under specified conditions, to target levels of performance. Capabilities are delivered by appropriate combinations of properly planned, organized, equipped, trained, and exercised personnel.

2. NIMS AND ITS RELATIONSHIP TO THE NATIONAL RESPONSE FRAMEWORK

NIMS provides the template for the management of incidents, regardless of cause, size, location, or complexity. This template establishes the structure, concepts, principles, processes, and language for the effective employment of capabilities nationally, whether those capabilities reside with Federal, State, tribal, or local jurisdictions or with the private sector or NGOs.

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The *National Response Framework* (NRF), which superseded the National Response Plan, is an all-hazards framework that builds upon NIMS and describes additional specific Federal roles and structures for incidents in which Federal resources are involved.

The NRF is a guide to how the Nation conducts all-hazards response.

The NRF provides the structure and mechanisms for national-level policy and operational direction for incident management to ensure timely and effective Federal support to State, tribal, and local related activities. The NRF is applicable to all Federal departments and agencies that participate in operations requiring a coordinated Federal response.

NIMS and the NRF are designed to improve the Nation's incident management capabilities and overall efficiency. During incidents requiring coordinated Federal support, the NRF provides the guidelines and procedures to integrate capabilities and resources into a cohesive, coordinated, and seamless national framework for incident management.

NIMS and the NRF are designed to ensure that local jurisdictions retain command, control, and authority over response activities for their jurisdictional areas.

A basic premise of both NIMS and the NRF is that incidents typically be managed at the local level first. In the vast majority of incidents, local resources and local mutual aid agreements and assistance agreements will provide the first line of emergency management and incident response. If additional or specialized resources or capabilities are needed, Governors may request Federal assistance; however, NIMS is based on the concept that local jurisdictions retain command, control, and authority over response activities for their jurisdictional areas. Adhering to NIMS allows local agencies to better utilize incoming resources.

The fundamental role of preparedness in emergency management and incident response is a universal concept incorporated in both NIMS and the NRF. Though the specific elements of preparedness described within each document may vary slightly, the concepts remain complementary. The key elements found within the Preparedness component of NIMS and the NRF are described and organized in a fashion to best assist stakeholders in the development of efficient, effective emergency management and incident response capabilities.

3. PREPAREDNESS ROLES

Preparedness activities should be coordinated among all appropriate agencies and organizations within the jurisdiction, as well as across jurisdictions. NGOs and the private sector should be involved in these efforts, as they often provide incident-related services, and are the owners and operators of critical infrastructure and key resources that may be involved in emergency management and incident response. Though not integrated directly into NIMS, individuals play a critical role in preparedness and are expected to prepare themselves and their families for all types of potential incidents. Jurisdictions should have outreach programs to promote and support individual and community preparedness (e.g., public education, training sessions, demonstrations), including preparedness of those with special needs.

COMPONENT I: PREPAREDNESS

a. Preparedness Organizations

Preparedness organizations provide coordination for emergency management and incident response activities before an incident or planned event. These organizations range from groups of individuals to small committees to large standing organizations that represent a wide variety of committees, planning groups, or other organizations (e.g., Citizen Corps, Community Emergency Response Teams, Local Emergency Planning Committees, Critical Infrastructure Sector Coordinating Councils). Preparedness organizations should meet regularly and coordinate with one another to ensure an appropriate focus on helping jurisdictions and groups of jurisdictions to meet their preparedness needs.

The needs of the jurisdictions involved will dictate how frequently such organizations should conduct their business, as well as how they are structured. When preparedness activities routinely need to be accomplished across jurisdictions, preparedness organizations should be multijurisdictional and/or multiagency and include critical infrastructure owners and operators, NGOs, and the private sector, when relevant. Memorandums or agreements should be established between necessary parties so that each will be aware of the capabilities, expectations, and roles of the others.

Preparedness organizations may take the following actions, among others:

- Establish and coordinate emergency operations plans, protocols, and procedures, including public communications and awareness.
- Integrate and coordinate the activities and functions within their purview.
- Establish the standards, guidelines, and protocols necessary to promote interoperability and consideration for responder safety.
- Adopt standards, guidelines, and procedures for requesting and providing resources.
- Identify resources and other requirements and set priorities for their use.
- Encourage training, exercises, evaluation, and corrective action programs.
- Ensure the establishment and maintenance of necessary mutual aid agreements and assistance agreements and outreach to NGOs and the private sector.
- Use Multiagency Coordination Systems, as needed and where appropriate, for planned events (such as parades or sporting events) or for specific types of incidents (such as pandemic influenza or hurricanes).⁴
- Plan for operational scientific support, which can be done at each level of government, and contribute ideas to ongoing research and development of new technologies.⁵
- Conduct after-action reviews to strengthen future preparedness.

b. Elected and Appointed Officials

Elected and appointed officials should have a clear understanding of their roles and responsibilities for successful emergency management and incident response. These officials include administrative and political personnel, as well as department/agency administrators who have leadership roles in a jurisdiction, including legislators and chief executives, whether elected (e.g., Governors, mayors, sheriffs, tribal leaders, and county executives) or appointed (e.g., county administrators and city managers). Although their roles may require providing direction and guidance to constituents during an incident, their

⁴ See page 64, Component IV: Command and Management, Multiagency Coordination Systems.

⁵ See page 79, Component V: Ongoing Management and Maintenance, Supporting Technologies.

COMPONENT I: PREPAREDNESS

day-to-day activities do not necessarily focus on emergency management and incident response.

To better serve their constituents, elected and appointed officials should do the following:

- Understand, commit to, and receive training on NIMS and participate in exercises.
- Maintain an understanding of basic emergency management, continuity of operations and continuity of government plans, jurisdictional response capabilities, and initiation of disaster declarations.
- Lead and encourage preparedness efforts within the community, agencies of the jurisdiction, NGOs, and the private sector, as appropriate.
- Help to establish relationships (including mutual aid agreements and assistance agreements) with other jurisdictions and, as appropriate, NGOs and the private sector.
- Support and encourage participation in mitigation efforts within the jurisdiction and, as appropriate, with NGOs and the private sector.
- Provide guidance to their jurisdictions, departments, and/or agencies, with clearly stated policies for NIMS implementation.
- Understand laws and regulations in their jurisdictions that pertain to emergency management and incident response.
- Maintain awareness of CIKR within their jurisdictions, potential incident impacts, and restoration priorities.

Elected and appointed officials may also be called upon to help shape and revise laws, policies, and budgets to aid in preparedness efforts and to improve emergency management and incident response activities.

An incident may have a mix of political, economic, social, environmental, public safety, public health, and financial implications with potentially serious long-term effects. Frequently, incidents require a coordinated response (across agencies, jurisdictions, and/or including NGOs and the private sector), during which elected and appointed officials must make difficult decisions under crisis conditions. Elected and appointed officials should be aware of how NIMS can work to ensure cooperative response efforts, thereby minimizing the potential implications of an incident.

(1) Elected and Appointed Officials During an Incident

Generally, elected and appointed officials are not at the scene of the incident, but should have the ability to communicate and meet with the Incident Commander (IC)/Unified Command (UC), as necessary. Depending on the nature of the incident or level of the overall emergency, elected and appointed officials could function from the following locations:

- The agency or jurisdictional offices.
- An Emergency Operations Center.
- A location housing multiagency coordination.

Major Responsibilities of Elected and Appointed Officials

- **Clearly state agency/jurisdiction policy**
- **Evaluate effectiveness and correct deficiencies**
- **Support a multiagency approach**

Elected and appointed officials should provide input on policy, direction, and authority to the IC/UC. Proper coordination between elected and appointed officials and the IC/UC can be crucial to the successful management of an incident. Elected and appointed officials should

COMPONENT I: PREPAREDNESS

clearly communicate views to the IC/UC. As time and agency policy dictate, the following considerations should be clearly communicated, documented, and provided to the IC/UC:

- Safety considerations.
- Environmental issues.
- Legal and policy limitations.
- Issues relating to critical infrastructure services or restoration.
- Economic, political, and social concerns.
- Cost considerations.

In some circumstances, if information is not delineated in policies or laws, it should be defined through a formal delegation of authority or letter of expectation.

c. Nongovernmental Organizations

NGOs, such as community-based, faith-based, or national organizations (e.g., the Salvation Army, National Voluntary Organizations Active in Disaster, American Red Cross), play vital roles in emergency management and incident response activities. NGOs that have the capacity and desire to be involved should be fully integrated into a jurisdiction's preparedness efforts, especially in planning, training, and exercises. Furthermore, memorandums of agreement should be established with NGOs prior to an incident so that each organization is aware of the capabilities, expectations, and roles of others.

It is recommended that key executives and administrators of NGOs use NIMS for planned events or incidents, because its use improves the organizations' ability to integrate into incident management. While compliance with NIMS is not mandated for NGOs, adhering to NIMS procedures and terminology, and requiring staff with disaster-related missions to take appropriate training, will support the continued integration of the NGOs into a jurisdiction's preparedness efforts.

d. Private Sector

The private sector plays a vital role in emergency management and incident response and should be incorporated into all aspects of NIMS. Utilities, industries, corporations, businesses, and professional and trade associations typically are involved in critical aspects of emergency response and incident management. These organizations should prepare for all-hazards incidents that may affect their ability to deliver goods and services. It is essential that private-sector organizations directly involved in emergency management and incident response, or identified as a component of critical infrastructure (e.g., hospitals, public and private utility companies, schools), be included, as appropriate, in a jurisdiction's preparedness efforts. Although private-sector entities cannot be required to be NIMS compliant, it is strongly encouraged that those private-sector organizations that are directly involved in response operations have their response personnel receive NIMS training and that the response elements of their organization be NIMS compliant.

Governments at all levels should work with the private sector to establish a common set of expectations consistent with Federal, State, tribal, and local roles, responsibilities, and methods of operations. These expectations should be widely disseminated and the necessary training and practical exercises conducted so that they are thoroughly understood in advance of an actual incident. These expectations are particularly important with respect to private-sector organizations involved in CIKR areas. In addition, private-sector organizations may wish to consider entering into assistance agreements with governments or other private-sector organizations to clarify the respective capabilities, roles, and

COMPONENT I: PREPAREDNESS

expectations of the parties involved in preparing for and responding to an incident. Finally, the private sector may be a source for best practices in emergency management and incident response.

Academia also plays a significant role in NIMS. Many academic institutions assist in providing NIMS training to responders and community leaders. Additionally, many courses of study include NIMS training and concepts in their curricula. The academic community is also a primary vehicle for the development of new concepts and principles.

4. PREPAREDNESS ELEMENTS

Preparedness efforts should validate and maintain plans, policies, and procedures, describing how they will prioritize, coordinate, manage, and support information and resources. The elements described below build the foundation necessary for efficient and effective response and recovery. Ongoing support is provided by the National Integration Center (NIC) in the following areas: training and exercises; personnel qualifications, licensure, and certification; and equipment certification.⁶

a. Preparedness Planning

Plans should be realistic, scalable, and applicable to all types of incidents, from daily occurrences to incidents requiring the activation of interstate mutual aid to those requiring a coordinated Federal response. Plans should form the basis of training and be exercised periodically to ensure that all individuals involved in response are able to execute their assigned tasks. It is essential that plans address training and exercising and allow for the incorporation of after-action reviews, lessons learned, and corrective actions, with responsibility agreements following any major incident or exercise. Plans should be updated periodically to reflect changes in the emergency management and incident response environment, as well as any institutional or organizational changes.

Plans should describe how personnel, equipment, and other governmental and nongovernmental resources will be used to support emergency management and incident response requirements. Plans are the operational core of preparedness and provide mechanisms for setting priorities, integrating multiple jurisdictions/organizations and functions, establishing collaborative relationships, and ensuring that communications and other systems effectively support the full spectrum of emergency management and incident response activities. Plans should also incorporate strategies for maintaining continuity of government and continuity of operations during and after incidents, provide mechanisms to ensure resiliency of critical infrastructure and economic stability of communities, and incorporate the advance planning associated with responder protection, resource management, and communications and information management.

Plans should integrate all relevant departments, agencies, and organizations (including NGOs and the private sector, where appropriate) to facilitate coordinated emergency management and incident response activities. Where appropriate, plans should incorporate a clearly defined process for seeking and requesting assistance from necessary departments, agencies, or organizations. While it is recognized that jurisdictions and organizations will develop multiple types of plans, such as response, mitigation, and recovery plans, it is essential that these plans be coordinated and complement one another. State, tribal, and local governments are encouraged to comply with the Integrated Planning

⁶ See page 75, Component V: Ongoing Management and Maintenance, National Integration Center.

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System (IPS) by using Comprehensive Preparedness Guide (CPG) 101, "Producing Operations Plans for State, Territorial, Tribal, and Local Governments." CPG 101 meets the Annex I requirement that IPS include a "guide for all-hazards planning . . . that can be used at Federal, State, local, and tribal levels to assist the planning process." IPS is flexible enough to accommodate the many planning formats, styles, and processes used by State, tribal, and local governments. Over time, the use of IPS is expected to facilitate standardization of plans across the United States at all levels of government and enhance preparedness. Together IPS and CPG 101 support national vertical integration by clearly articulating Federal planning procedures to State, tribal, and local governments and by establishing a consistent planning process across all levels of government.

Each jurisdiction, in coordination with appropriate agencies and organizations, should develop plans that define the scope of necessary activities for preparedness, emergency management, and incident response for that jurisdiction. As appropriate, jurisdictions should also develop scenario-specific plans or annexes derived from their threat assessment. These plans should describe organizational structures, roles and responsibilities, policies, and protocols for providing support; should be flexible enough for use in all incidents; and should be comprehensive enough to meet the wide variety of public needs that may arise. While preparedness of the public is generally beyond the scope of NIMS, plans should also include public awareness, education, and communications plans and protocols.

(1) Continuity Capability

Recent natural and manmade disasters have demonstrated the need for a robust continuity capability at the Federal, State, territorial, tribal, and local levels, as well as within the private sector, in order to ensure the preservation of our form of government under the Constitution and the continuation of essential functions under all conditions. Ensuring that the right leadership, support staff, communications, facilities, infrastructure, and other resources with the right continuity planning and program management are available to support a jurisdiction is critical to the success of emergency management and incident response operations.

The goal of a robust continuity capability is to have the resiliency to confront any challenge, threat, or vulnerability. Continuity planning should be instituted within all organizations—to include all levels of government and the private sector—and especially within those organizations that support the National Essential Functions found in National Security Presidential Directive 51/Homeland Security Presidential Directive 20 (NSPD-51/HSPD-20), "National Continuity Policy," dated May 4, 2007. NSPD-51/HSPD-20 and Federal Continuity Directive 1, dated February 4, 2007, outline the continuity requirements for all Federal departments and agencies (with guidance for non-Federal organizations). These requirements include such things as essential functions, orders of succession, delegations of authority, continuity facilities, continuity communications, vital records management, and human capital.

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(2) *Mutual Aid Agreements and Assistance Agreements*

Mutual aid agreements and assistance agreements are agreements between agencies, organizations, and jurisdictions that provide a mechanism to quickly obtain emergency assistance in the form of personnel, equipment, materials, and other associated services. The primary objective is to facilitate rapid, short-term deployment of emergency support prior to, during, and after an incident. A signed agreement does not obligate the provision or receipt of aid, but rather provides a tool for use should the incident dictate a need. There are several types of these kinds of agreements, including but not limited to the following:

- **Automatic Mutual Aid:** Agreements that permit the automatic dispatch and response of requested resources without incident-specific approvals. These agreements are usually basic contracts; some may be informal accords.
- **Local Mutual Aid:** Agreements between neighboring jurisdictions or organizations that involve a formal request for assistance and generally cover a larger geographic area than automatic mutual aid.
- **Regional Mutual Aid:** Substate regional mutual aid agreements between multiple jurisdictions that are often sponsored by a council of governments or a similar regional body.
- **Statewide/Intrastate Mutual Aid:** Agreements, often coordinated through the State, that incorporate both State and local governmental and nongovernmental resources in an attempt to increase preparedness statewide.
- **Interstate Agreements:** Out-of-State assistance through the Emergency Management Assistance Compact (EMAC) or other formal State-to-State agreements that support the response effort.
- **International Agreements:** Agreements between the United States and other nations for the exchange of Federal assets in an emergency.
- **Other Agreements:** Any agreement, whether formal or informal, used to request or provide assistance and/or resources among jurisdictions at any level of government (including foreign), NGOs, or the private sector.

Agreements, preferably written, should include the following elements or provisions:

- Definitions of key terms used in the agreement
- Roles and responsibilities of individual parties
- Procedures for requesting and providing assistance
- Procedures, authorities, and rules for payment, reimbursement, and allocation of costs
- Notification procedures
- Protocols for interoperable communications
- Relationships with other agreements among jurisdictions
- Workers' compensation
- Treatment of liability and immunity
- Recognition of qualifications, licensure, and certifications
- Sharing agreements, as required
- Termination clause

Jurisdictions should be party to agreements with the appropriate jurisdictions and/or organizations (including NGOs and the private sector, where appropriate) from which they expect to receive, or to which they expect to provide, assistance. States should participate in interstate compacts and look to establish intrastate agreements that encompass all local jurisdictions. Authorized officials from each of the participating jurisdictions and/or organizations should collectively approve all mutual aid agreements and assistance agreements.

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Memorandums of understanding and memorandums of agreement are needed with the private sector and NGOs, including community-based, faith-based, and national organizations such as the American Red Cross and the Salvation Army, to facilitate the timely delivery of assistance during incidents.

b. Procedures and Protocols

Procedures and protocols should detail the specific actions to implement a plan or system. All emergency management/response personnel and their affiliated organizations should develop procedures and protocols that translate into specific, action-oriented checklists for use during incident response operations.

Procedures are documented and implemented with checklists; resource listings; maps, charts, and other pertinent data; mechanisms for notifying staff; processes for obtaining and using equipment, supplies, and vehicles; methods of obtaining mutual aid agreements and assistance agreements; mechanisms for reporting information to Department Operations Centers and Emergency Operations Centers; and communications operating instructions, including connectivity among governments, NGOs, and the private sector.

There are four standard levels of procedural documents:

- **Standard Operating Procedure or Operations Manual:** Complete reference document that provides the purpose, authorities, duration, and details for the preferred method of performing a single function or a number of interrelated functions in a uniform manner.
- **Field Operations Guide or Incident Management Handbook:** Durable pocket or desk guide that contains essential information required to perform specific assignments or functions.
- **Mobilization Guide:** Reference document used by agencies/organizations outlining agreements, processes, and procedures used by all participating organizations for activating, assembling, and transporting resources.
- **Job Aid:** Checklist or other visual aid intended to ensure that specific steps for completing a task or assignment are accomplished. Job aids serve as training aids to teach individuals how to complete specific job tasks.

Protocols are sets of established guidelines for actions (which may be designated by individuals, teams, functions, or capabilities) under various specified conditions. Establishing protocols provides for the standing orders, authorizations, and delegations necessary to permit the rapid execution of a task, function, or a number of interrelated functions without having to seek permission. Protocols permit specific personnel—based on training and delegation of authority—to assess a situation, take immediate steps to intervene, and escalate their efforts to a specific level before further guidance or authorizations are required.

c. Training and Exercises

Personnel with roles in emergency management and incident response at all levels of government—including persons with leadership positions, such as elected and appointed officials—should be appropriately trained to improve all-hazards capabilities nationwide. Additionally, NGOs and private-sector entities with direct roles in response operations should be strongly encouraged to participate in NIMS training and exercises. Standardized NIMS training courses focused on the structure and operational coordination processes and

COMPONENT I: PREPAREDNESS

systems, together with courses focused on discipline-specific and agency-specific expertise, help to ensure that emergency management/response personnel can function together effectively during an incident. Training and exercises should be specifically tailored to the responsibilities of the personnel involved in incident management. Mentoring or shadowing opportunities, to allow less experienced personnel to observe those with more experience during an actual incident, should be incorporated to enhance training and exercising. Additionally, exercises should be designed to allow personnel to simulate multiple command, supervisory, or leadership roles whenever possible.

NIMS training levels are dependent on the individual's, jurisdiction's, or organization's level of involvement in emergency management and incident response activities.

Training should allow practitioners to:

- Use the concepts and principles of NIMS in exercises, planned events, and actual incidents.
- Become more comfortable using NIMS, including the Incident Command System.

To improve NIMS performance, emergency management/response personnel should also participate in realistic exercises—including multidisciplinary, multijurisdictional incidents, and NGO and private-sector interaction—to improve coordination and interoperability. Thorough exercising of NIMS components may be done using a single exercise or a series of exercises, each of which evaluates specific aspects of NIMS and its components.

Exercises should contain a mechanism for incorporating corrective actions into the planning process.

Exercises should be conducted with parties identified in strategic and operational plans (e.g., the emergency operations plan), including departments, agencies, partners in mutual aid agreements and assistance agreements, NGOs, and the private sector. Exercises should contain a mechanism for incorporating corrective actions and lessons learned from incidents into the planning process. For guidance on exercise design, methodology, and evaluation, refer to the Homeland Security Exercise and Evaluation Program or other exercise development tools. Exercises should also cover the following:

- All aspects of a plan, particularly the processes and procedures for activating local, intrastate, and/or interstate mutual aid agreements and assistance agreements.
- Knowledge needed to activate those agreements.

d. Personnel Qualifications and Certification

A critical element of NIMS preparedness is the use of national standards that allow for common or compatible structures for the qualification, licensure, and certification of emergency management/response personnel.⁷ Standards will help ensure that these personnel possess the minimum knowledge, skills, and experience necessary to execute incident management and emergency response activities safely and effectively. Standards typically include training, experience, credentialing, validation, and physical and medical fitness. Federal, State, tribal, and local certifying agencies, and professional and private organizations with personnel involved in emergency management and incident response, are encouraged to credential those individuals in their respective disciplines or jurisdictions.

⁷ See page 40, Component III: Resource Management, Credentialing.

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The baseline criteria for this voluntary credentialing will be established by the NIC after consultation with appropriate experts, partners, and/or recognized authoritative bodies, which will detail the standards associated with the minimum thresholds for specific emergency management positions, allowing those credentialed personnel to participate, as needed, in national-level incidents.

e. Equipment Certification

Emergency management/response personnel and their affiliated organizations rely on various types and kinds of equipment to perform essential tasks.⁸ A critical component of preparedness is the acquisition of equipment that will perform to certain standards (as designated by organizations such as the National Fire Protection Association or National Institute of Standards and Technology), including the capability to be interoperable with equipment used by other jurisdictions or participating organizations.⁹ Associated with this is the need to have a common understanding of the abilities of distinct types of equipment, to allow for better planning before an incident and rapid scaling and flexibility in meeting the needs of an incident.

5. MITIGATION

Mitigation is an important element of emergency management and incident response. It provides a critical foundation in the effort to reduce the loss of life and property and to minimize damage to the environment from natural or manmade disasters by avoiding or lessening the impact of a disaster. Mitigation provides value to the public by creating safer communities and impeding the cycle of disaster damage, reconstruction, and repeated damage. Mitigative actions should effectively be coordinated between the IC/UC and the operator of the CIKR facilities. These activities or actions, in most cases, will have a long-term sustained effect. Risk management—the process for measuring or assessing risk and developing strategies to manage it—is an essential aspect of mitigation. Risk management strategies may include avoiding the risk (e.g., removing structures in floodplains), reducing the negative effect of the risk (e.g., hardening buildings by placing barriers around them), or accepting some or all of the consequences of a particular risk.

Examples of mitigation activities include the following:

- Ongoing public education and outreach activities designed to reduce loss of life and destruction of property.
- Complying with or exceeding floodplain management and land-use regulations.
- Enforcing stringent building codes, seismic design standards, and wind-bracing requirements for new construction, or repairing or retrofitting existing buildings.
- Supporting measures to ensure the protection and resilience of CIKR designed to ensure business continuity and the economic stability of communities.
- Acquiring damaged homes or businesses in flood-prone areas, relocating the structures, and returning the property to open space, wetlands, or recreational uses.
- Identifying, utilizing, and refurbishing shelters and safe rooms to help protect people in their homes, public buildings, and schools in hurricane- and tornado-prone areas.
- Implementing a vital records program at all levels of government to prevent loss of crucial documents and records.

⁸ See page 31, Component III: Resource Management for more information on equipment certification.

⁹ See page 75, Component V: Ongoing Management and Maintenance, National Integration Center.

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- Intelligence sharing and linkage leading to other law enforcement activities, such as infiltration of a terrorist cell to prevent an attack.
- Periodic remapping of hazard or potential hazard zones, using geospatial techniques.
- Management of data regarding historical incidents to support strategic planning and analysis.
- Development of hazard-specific evacuation routes.

HCR

7

<TARGET><BILL>HCR 7</BILL><SUBJECT>HCR
7</SUBJECT><COMM>HMLV27</COMM></TARGET>

ALASKA STATE LEGISLATURE

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REPRESENTATIVE DAN SADDLER

SPONSOR STATEMENT HCR 7

This resolution awards the Alaska Decoration of Honor to thirty individuals who were killed in the line of duty while honorably serving our state and country, between January 1, 2009 and February 15, 2011.

Established in 2007 in House Bill 244, the Alaska 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 action.

The Legislature must authorize the award by resolution, so the decoration can be presented to the recipients' survivors. In 2008, the Legislature awarded the medal to 171 individuals dating back to statehood. In 2009, it authorized the award for another six individuals.

Passage of HCR 7 will allow the families of these thirty individuals to receive the decoration in honor of their loved ones' sacrifice. While it is our fervent hope that all those in uniform will return home from their service safely, the reality is that a few will not. It is our obligation, and our privilege, to authorize this decoration in their honor.

I respectfully request favorable support of House Concurrent Resolution 7.

Thank you.

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number _____
 Bill Version HCR 7
 () Publish Date _____

Identifier (file name) HCR7-LEG-COU-03-09-2011 Dept. Affected Legislature
 Title "Relating to Awarding the Alaska Decoration of Honor..." Appropriation Legislative Council
 Allocation Session Expenses
 Sponsor Representative Saddler
 Requester House Special Committee on M&VA OMB Component Number 782

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES								
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FUND SOURCE (Thousands of Dollars)

	FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
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 (FY2011) cost _____

POSITIONS

	FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
Full-time							
Part-time							
Temporary							

Why this fiscal note differs from previous version

Initial Version

Prepared by Shane Miller, Finance Manager
 Division Administrative Services Division
 Approved by Pamela Varni, Executive Director
 Legislative Affairs Agency

Phone 465-6626
 Date/Time 3/9/11 12:24 PM
 Date 3/9/2011

Analysis

This fiscal note has zero impact on the Legislative Affairs Agency.



Alaska Decoration of Honor

The Alaska Decoration of Honor was created to recognize Alaskan service members who have been killed in action or in support of combat. The medal is awarded on behalf of the people of the State of Alaska to show our gratitude to the families of those who gave the ultimate sacrifice in serving our state and nation.

Jon Van Zyle, a local and nationally renowned artist and Vietnam veteran, donated his time and talents in designing the Alaska Decoration of Honor medal. His design (shown on front cover) has many symbolic elements:

Raven - is symbolic of life and is important in all Alaska Native cultures. The raven, which lives in Alaska year round, is shown in the shape of a cross to signify faith.

Northern Lights - represents of the souls of the departed

North Star - represents Alaska

Forget-me-not - is Alaska's state flower and was chosen for the term "forget-me-not"

Circle design - indicates "never ending"

It was Mr. Van Zyle's hope that when the families of these soldiers look up in the sky and see a raven, the Northern Lights, or the North Star, they will be reminded of their loved one.

HJR

18

<TARGET><BILL>HJR 18</BILL><SUBJECT>HJR
18</SUBJECT><COMM>HMLV27</COMM></TARGET>

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MEMORANDUM

March 21, 2011

SUBJECT: Resolution concerning U. S. v. Hasan
(HJR 18, Work Order No. 27-LS0560\M)

TO: Representative Steve Thompson
Co-chair of the House Special Committee on Military and
Veterans' Affairs
Attn: Jane Pietsen

FROM: Doug Gardner
Director



You have supplied me with a letter from Jeffrey Mittman, Executive Director of the ACLU of Alaska, dated March 17, 2011, and asked whether HJR 18 is appropriate and whether this resolution would give an appealable argument to Major Hasan.

Mr. Mittman asserts that "given the legal posture of the Hasan matter, it would be improper for the Alaska Legislature to inject the political process into a legal proceeding." This principle finds support for reasons not identified by the ACLU. Mason's Manual, sec. 111(3) (2000 ed) states:

Any matter awaiting adjudication in a court should not be debated or discussed in a legislative body.

HJR 18 specifically involves a matter that is under consideration by a military court. Therefore, the legislature or a legislative committee cannot discuss, debate or vote on the resolution, and comply with sec. 111(3). I will note, however, that HJR 30, introduced on April 1, 2009 in the 26th Legislature is very similar to HJR 18. HJR 30 did not pass the House, although it does appear to have been heard by the House Judiciary Committee. I would note, that at the time HJR 30 was heard in committee, it appears Mr. Wade was awaiting adjudication for his offense. According to very brief on-line research, Mr. Wade appears to have changed his plea in 2010. Thus, Mason's sec. 111(3) was not followed when HJR 30 was pending before the 26th Legislature.

Mr. Mittman also suggests that adopting and transmitting HJR 18 to the military might "actually give Maj. Hasan an avenue for appeal, should a capital sentence be imposed: that the decision to pursue the death penalty was the product of political influence." It may be possible that HJR 18 could be used as a basis to file an appeal, even though any role it might play in the success of such an appeal is highly speculative and attenuated.

DDG med
11-027.med

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Representative Carl Gatto District 13

Sponsor Statement HJR 18

“Relating to the case of U.S. v. Hasan and to the decision of the Judge Advocate General of the United States Army with respect to that case.”

HJR 18 urges the Judge Advocate General of the United States Army to carefully consider the death penalty as a sentencing option for Major Nidal Malik Hasan, if he is found guilty.

On November 5th, 2009, Nidal Malik Hasan, a psychiatrist and a major in the United States Army, entered the Soldier Readiness Center of Fort Hood in Texas and began shooting unarmed military personnel. By the end of the attack, he had killed 13 people and wounded 29 others.

Mr. Hasan is a citizen of the United States and a member of its armed forces. However, Mr. Hasan has been linked to an Al Qaeda terrorist, Anwar al-Awlaki, and has been known to make remarks sympathetic to an extremist ideology. He is also reported to have yelled “Allahu Akbar” prior to the attack. This behavior suggests that Mr. Hassan was acting as an agent of a terrorist organization bent upon harming American military assets, which would constitute an act of treason against his country.

Mr. Hasan was wounded by military police during the attack and cared for in a military hospital. He now faces a court martial and possibly the death penalty. HJR 18 would add the support of the Alaska Legislature to encouraging the death penalty option.

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number _____
 Bill Version HJR 18
 () Publish Date _____

HJR 18 - MLV-03-16-11
 Title CONSIDER DEATH PENALTY FOR NIDAL HASAN
 Sponsor Representative Carl Gatto
 Requester House Military & Veterans Affairs
 Dept. Affected None
 Appropriation _____
 Allocation _____
 OMB Component Number _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	Appropriation Required	Information					
	FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
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							
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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 (FY2011) cost _____

POSITIONS

Full-time							
Part-time							
Temporary							

Why this fiscal note differs from previous version

Not applicable; initial version

Prepared by Jane Pierson
 Division MLV Committee Aide
 Approved by Representative Steve Thompson, Co-Chair MLV
Representative Dan Saddler, Co-Chair MLV

Phone 907-465-6841
 Date/Time 3/16/11 at 11:50 a.m.
 Date 3/16/2011

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. HJR 18

Analysis

This resolution should not have a fiscal impact on the State of Alaska or any department.



Fort Hood Shooting Victims Had Different Reasons for Enlisting in Army

Published November 07, 2009 | AP

The 13 people killed when an Army psychiatrist allegedly opened fire on fellow soldiers at Fort Hood, Texas, included a pregnant woman who was preparing to return home, a man who quit a furniture company job to join the military about a year ago, a newlywed who had served in Iraq and a woman who had vowed to take on Usama bin Laden after the Sept. 11 terrorist attacks. Here is a look at some of the victims.

Francheska Velez

Velez, 21, of Chicago, was pregnant and preparing to return home. A friend of Velez's, Sasha Ramos, described her as a fun-loving person who wrote poetry and loved dancing.

"She was like my sister," Ramos, 21, said. "She was the most fun and happy person you could know. She never did anything wrong to anybody."

Family members said Velez had recently returned from deployment in Iraq and had sought a lifelong career in the Army.

"She was a very happy girl and sweet," said her father, Juan Guillermo Velez, his eyes red from crying. "She had the spirit of a child."

Ramos, who also served briefly in the military, couldn't reconcile that her friend was killed in this country just after leaving a war zone.

"It makes it a lot harder," she said. "This is not something a soldier expects — to have someone in our uniform go start shooting at us."

Capt. John Gaffaney

Gaffaney, 56, was a psychiatric nurse who worked for San Diego County, Calif., for more than 20 years and had arrived at Fort Hood the day before the shooting to prepare for a deployment to Iraq.

Gaffaney, who was born in Williston, N.D., had served in the Navy and later the California National Guard as a younger man, his family said. After the Sept. 11 terrorist attacks, he tried to sign up again for military service. Although the Army Reserves at first declined, he got the call about two years ago asking him to rejoin, said his close friend and co-worker Stephanie Powell.

"He wanted to help the boys in Iraq and Afghanistan deal with the trauma of what they were seeing," Powell said. "He was an honorable man. He just wanted to serve in any way he can."

His family described him as an avid baseball card collector and fan of the San Diego Padres who liked to read military novels and ride his Harley-Davidson motorcycle.

Gaffaney supervised a team of six social workers, including Powell, at the county's Adult Protective Services department. Ellen Schmeding, assistant deputy director for the county's Health and Human Services Agency, said Gaffaney was a strong leader.

He is survived by a wife and a son.

Pfc. Aaron Thomas Nemelka

Nemelka, 19, of the Salt Lake City suburb of West Jordan, Utah, chose to join the Army instead of going on a mission for The Church of Jesus Christ of Latter-day Saints, his uncle Christopher Nemelka said.

"As a person, Aaron was as soft and kind and as gentle as they come, a sweetheart," his uncle said. "What I loved about the kid was his independence of thought."

Aaron Nemelka, the youngest of four children, was scheduled to be deployed to Afghanistan in January, his family said in a statement. Nemelka had enlisted in the Army in October 2008, Utah National Guard Lt. Col. Lisa Olsen said.

Pfc. Michael Pearson

Pearson, 21, of the Chicago suburb of Bolingbrook, Ill., quit what he figured was a dead-end furniture company job to join the military about a year ago.

Pearson's mother, Sheryll Pearson, said the 2006 Bolingbrook High School graduate joined the military because he was eager to serve his country and broaden his horizons.

"He was the best son in the whole world," she said. "He was my best friend and I miss him."

His cousin, Mike Dostalek, showed reporters a poem Pearson wrote. "I look only to the future for wisdom. To rock back and forth in my wooden chair," the poem says.

At Pearson's family home Friday, a yellow ribbon was tied to a porch light and a sticker stamped with American flags on the front door read, "United we stand."

Neighbor Jessica Koerber, who was with Pearson's parents when they received word Thursday their son had died, described him as a man who clearly loved his family — someone who enjoyed horsing around with his nieces and nephews, and other times playing his guitar.

"That family lost their gem," she told the AP. "He was a great kid, a great guy. ... Mikey was one of a kind."

Sheryll Pearson said she hadn't seen her son for a year because he had been training. She told the Tribune that when she last talked to him on the phone two days ago, they had discussed how he would come home for Christmas.

Spc. Jason Dean Hunt

Hunt, 22, of Frederick, Okla., went into the military after graduating from Tipton High School in 2005 and had gotten married just two months ago, his mother, Gale Hunt, said. He had served 3 1/2 years in the Army, including a stint in Iraq.

Gale Hunt said two uniformed soldiers came to her door late Thursday night to notify her of her son's death.

Hunt, known as J.D., was "just kind of a quiet boy and a good kid, very kind," said Kathy Gray, an administrative assistant at Tipton Schools.

His mother said he was family oriented.

"He didn't go in for hunting or sports," Gale Hunt said. "He was a very quiet boy who enjoyed video games."

He had re-enlisted for six years after serving his initial two-year assignment, she said. Jason Hunt was previously stationed at Fort Stewart in Georgia.

Michael Grant Cahill

Cahill, a 62-year-old physician assistant, suffered a heart attack two weeks ago and returned to work at the base as a civilian employee after taking just one week off for recovery, said his daughter Keely Vanacker.

"He survived that. He was getting back on track, and he gets killed by a gunman," Vanacker said, her words bare with shock and disbelief.

Cahill, of Cameron, Texas, helped treat soldiers returning from tours of duty or preparing for deployment.

Often, Vanacker said, Cahill would walk young soldiers where they needed to go, just to make sure they got the right treatment.

"He loved his patients, and his patients loved him," said Vanacker, 33, the oldest of Cahill's three adult children.

"He just felt his job was important."

Cahill, who was born in Spokane, Wash., had worked as a civilian contractor at Fort Hood for about four years, after jobs in rural health clinics and at Veterans Affairs hospitals. He and his wife, Joleen, had been married 37 years.

Vanacker described her father as a gregarious man and a voracious reader who could talk for hours about any subject.

The family's typical Thanksgiving dinners ended with board games and long conversations over the table, said Vanacker, whose voice often cracked with emotion as she remembered her father. "Now, who I am going to talk to?"

Spc. Frederick Greene

Greene, 29, of Mountain City, Tenn., was assigned to the 16th Signal Company, Fort Hood, Texas.

Staff Sgt. Justin M. DeCrow

DeCrow, 32, was helping train soldiers on how to help new veterans with paperwork and had felt safe on the Army post.

"He was on a base," his wife, Marikay DeCrow, said in a telephone interview from the couple's home at Fort Gordon, Ga., where she hoped to be reunited with her husband once he finished his work at Fort Hood. "They should be safe there. They should be safe."

His wife said she wanted everyone to know what a loving man he was. The couple have a 13-year-old daughter, Kyla.

"He was well loved by everyone," she said through sobs. "He was a loving father and husband and he will be missed by all."

DeCrow's father, Daniel DeCrow, of Fulton, Ind., said his son graduated high school in Plymouth, Ind., and married his high school sweetheart that summer before joining the Army. The couple moved near Fort Gordon about five years ago, he said.

About a year ago, his son was stationed in Korea for a year. When he returned to the U.S., the Army moved him to Fort Hood while he waited for a position to open up in Fort Gordon so he could move back with his wife and daughter, Daniel DeCrow said.

DeCrow said he talked to his son last week to ask him how things were going at Fort Hood.

"As usual, the last words out of my mouth to him were that I was proud of him," he said. "That's what I said to him every time — that I loved him and I was proud of what he was doing. I can carry that around in my heart."

Sgt. Amy Krueger

Krueger, 29, of Kiel, Wis., joined the Army after the 2001 terrorist attacks and had vowed to take on Usama bin Laden, her mother, Jeri Krueger said.

Amy Krueger arrived at Fort Hood on Tuesday and was scheduled to be sent to Afghanistan in December, her mother told the Herald Times Reporter of Manitowoc.

Jeri Krueger recalled telling her daughter that she could not take on bin Laden by herself.

"Watch me," her daughter replied.

Kiel High School Principal Dario Talerico told The Associated Press that Krueger graduated from the school in 1998 and had spoken at least once to local elementary school students about her career.

"I just remember that Amy was a very good kid, who like most kids in a small town are just looking for what their next step in life was going to be and she chose the military," Talerico said. "Once she got into the military, she really connected with that kind of lifestyle and was really proud to serve her country."

Pfc. Kham Xiong

Xiong, 23, of St. Paul, Minn., was a father of three whose family had a history of military service.

Xiong's father, Chor Xiong, is a native of Laos who fought the Viet Cong alongside the CIA in 1972; Chor's father, Kham's grandfather, also fought with the CIA; and Kham's brother, Nelson, is a Marine serving in Afghanistan.

"I very mad," Xiong's father said Friday. Through sniffles and tears, he said his son died for "no reason" and he has a hard time believing Kham is gone.

Kham Xiong was preparing to deploy to Afghanistan, and his sister Mee Xiong said the family would be able to understand if he would have died in battle.

"He didn't get to go overseas and do what he's supposed to do, and he's dead ... killed by our own people," Mee Xiong said.

Xiong was one of 11 siblings and came to the U.S. when he was just a toddler. He grew up in California, then moved to Minnesota with the family about 10 years ago, Chor Xiong said.

He was married and had three children ages 4, 2 and 10 months. He and his wife had moved to Texas in July, Chor Xiong said.

Xiong attended Community of Peace Academy, graduating in 2004, said high school principal Tim McGowan.

"His greatest attribute was his ability to make people smile and make people laugh. Looking back, that's the fondest memory I have — is that smile of his and that smile that he brought to my face," McGowan said.

For his father, the death of the little boy who followed his dad everywhere was hard to take. "I don't think he's dead," Chor Xiong said, then whispered, "I don't think he's dead."

Juanita Warman

Warman, 55, was a military physician assistant with two daughters and six grandchildren.

Her sister, Margaret Yaggie of Roaring Branch in north-central Pennsylvania, told the Pittsburgh Post-Gazette that her sister attended Pittsburgh Langley High School and put herself through school at the University of Pittsburgh. She said her sister spent most of her career in the military.

Major L. Eduardo Caraveo

Caraveo, 52, arrived in the United States in his teens from Ciudad Juarez, Mexico, knowing very little English said his son, also named Eduardo Caraveo.

He earned his doctorate in psychology from the University of Arizona and worked with bilingual special-needs students at Tucson-area schools before entering private practice.

His son told the Arizona Daily Star in Tucson that Caraveo had arrived at Fort Hood on Wednesday and was preparing to deploy to Afghanistan. Eduardo Caraveo spoke to the newspaper from his mother's Tucson home. His father's Web site says he offered marriage seminars with a company based in Woodbridge, Va.

Russell Seager

Russell Seager's uncle said he joined the Army a few years ago because he was a psychiatrist who wanted to help soldiers returning from war adapt to civilian life again. He taught at Bryant & Stratton College in Milwaukee.

Gunman in Fort Hood shooting, Maj. Nidal Malik Hasan, shouted 'Allahu Akbar' before deadly attack

BY MATTHEW LYSIK IN FORT HOOD, TEX., ROBERT F. MOORE AND CORKY SIEMASZKO
DAILY NEWS STAFF WRITERS
Friday, November 06, 2009

The gunman in the Fort Hood massacre hollered "Allahu Akbar!" before embarking on a bloody rampage that left more than a dozen dead, an onlooker told investigators.

"We do have a witness who reported that," Col. John Rossi said Friday morning.

"Allahu Akbar" means "God is great" in Arabic.

At the morning briefing, Rossi also praised Officer Kimberly Munley, a civilian cop who exchanged gunfire with Maj. Nidal Malik Hasan and shot him four times - even after she was hit.

"She did a remarkable job," Rossi said.

Hasan was unconscious but in stable condition, breathing with the aid of a ventilator. Munley was also in stable condition, officials said.

"She walked up and basically engaged him," Lt. Gen. Robert Cone, the base commander at Fort Hood, said on 'Good Morning America' Friday. "I think, certainly, this could've been far worse."

Witnesses described Hasan, who was wearing an Army uniform during the assault, as steely calm. He paused only to reload one of his handguns. After the Thursday shooting, Hasan lay motionless, leading officials to mistakenly assume he was dead.

Battle-hardened Sgt. Howard Appleby of the Bronx said the shooting was over when he arrived, but "it looked like a war zone."

"There was blood everywhere," said Appleby, 31. "It was unbelievable. Guys were screaming and yelling. People were rushing to help. I took my shirt off and began assisting the wounded."

The death toll from the murderous attack rose from 12 to 13 early Friday after a woman died from gunshot wounds. Rossi said 28 people were recovering from their injuries.

While security remained tight on the nation's largest military base, the emergency lockdown was lifted.

President Obama ordered that flags be flown at half staff on all federal buildings until Veteran's Day, which is next Wednesday, as "a modest tribute" to the victims.

"We don't know all the answers yet," Obama said. "What we do know there are families, friends and an entire nation grieving right now."

Hasan, an Army shrink who specialized in combat stress, was about to be deployed to Afghanistan. Sources close to him said he objected to going to battle against other Muslims.

After the shooting, soldiers on the sprawling base scurried to help the wounded. Some tore off pieces of their uniforms to make bandages to treat the injured.

Cone praised the soldiers for their quick reaction.

"God bless these soldiers," Cone said. "As horrible as this was it could have been worse."

San Antonio Express-News

Fort Hood shooting victims

List of the victims in Thursday's Fort Hood shooting rampage that left 13 dead and 30 wounded.

Express-News

Published 01:16 a.m., Saturday, November 7, 2009

The following is a list of the victims in Thursday's Fort Hood shooting rampage that left 13 dead and 38 injured, of which 30 needed to be hospitalized. Authorities released the names of the 13 victims killed Saturday afternoon. The names of those injured are compiled from various news reports across the country.

Killed

Michael Grant Cahill, 62, of Cameron was a physician's assistant and retired CWO who was working on the post as a contracted civilian

Major L. Eduardo Caraveo, 52, of Woodbridge, Va.

Staff Sgt. Justin M. DeCrow, 32, of Plymouth, Ind.

Capt. John P. Gaffaney, 54, of San Diego, Calif.

Spc. Frederick Greene, 29, of Mountain City, Tenn.

Spc. Jason Dean Hunt, 22, of Tillman, Okla.

Sgt. Amv Krueger, 29, of Kiel, Wis.

Pfc. Aaron Thomas Nemelka, 19, of West Jordan, Utah

Pfc. Michael Pearson, 22, of Bolingbrook, Ill.

Capt. Russell Seager, 41, of Racine, Wis.

Pvt. Francheska Velez, 21, of Chicago. She was pregnant.

Lt. Col. Juanita Warman, 55, of Havre de Grace, Md.

Spc. Kham Xiong, 23, of St. Paul, Minn.

Wounded

Sgt. Patrick Blue III, 23, of Belcourt, N.D., was hit in the side by bullet fragments during the attack

Amber Bahr, 19, of Random Lake, Wis., was shot in the stomach.

Keara Bono Torkelson, 21, of Ostego, Mo., was shot in the back left shoulder.

Alan Carroll, 20, of Bridgewater, N.J., was shot three times.

Reservist Dorothy "Dorrie" Carskadon of Rockford, Ill., was critically injured.

Staff Sgt. Joy Clark, 27, of Des Moines suffered a gunshot wound

Spc. Matthew Cook, 30, of Binghamton, N.Y., was shot in the abdomen

Staff Sgt. Chad Davis of Eufaula, Ala., was wounded.

Pvt. Joey Foster, 21, of Ogden, Utah, was shot in the hip

Cpl. Nathan Hewitt, 26, of West Lafayette, Ind.

Pvt. Najee Hull, 21, of Chicago was shot three times, once in the leg and twice in the back.

Staff Sgt. Eric Williams Jackson, 39, of Beaumont, was shot in the forearm.

Justin Johnson, 21, of Punta Gorda, Fla., was shot in the chest and leg.

Staff. Sgt. Alonzo Lunsford, of Richmond County, N.C., was shot multiple times.

Shawn Manning, 33, formerly of Redman, Ore., was shot six times

Army 2nd Lt. Brandy Mason, of Monessen, was wounded.

Reserve Spc. Grant Moxon, 23, of Lodi, Wis., was shot in the leg.

Sgt. Kimberly Munley, 34, of Killeen is the Fort Hood civilian police officer who was shot multiple times by the suspect.

Sgt. John Page, 28, of North Freedom, Wis., who was shot in the arm and chest.

Chief Warrant Officer Chris Royal, 38, of Eclectic, Ala., was shot three times.

Maj. Randy Rover of Dothan, Ala., was shot.

Pvt. Raymondo "Ray" Saucedo, 26, of Greenville, Mich., had a bullet graze his arm.

George Stratton III, 18, of Post Falls, Idaho, was shot in the shoulder.

Patrick Zeigler, 28, of Orange County, Fla., was critically wounded.

Read more: <http://www.mysanantonio.com/default/article/Fort-Hood-shooting-victims-847227.php#ixzz1GDlk34Fo>

The Washington Post

Fort Hood marks massacre anniversary

By *Ann Gerhart*

Washington Post Staff Writer

Saturday, November 6, 2010; 1:02 AM

Until Friday, there was only one outward symbol at Fort Hood of the chaos and carnage that erupted there on Nov. 5, 2009. The wreaths of ribbons and flowers hung on a fence surrounding Building 42003 at the massive Army post in Texas. They were placed there by a wife who became a widow that day.

Now there is a 6-foot-tall granite memorial, unveiled at a ceremony on the one-year anniversary of the massacre, the worst at a U.S. military installation. Inscribed with the names of the 13 slain when a soldier opened fire as they waited to do paperwork before a deployment, the marker has taken its place near the post's memorials to those killed in war - more than 500 in the past five years.

"Our home was attacked . . . not in a distant battlefield but right here . . . and American heroes sacrificed their lives," Gen. William Grimsley, Fort Hood's commanding general, told about 1,000 people gathered Friday morning for the ceremony, according to the Associated Press.

Grimsley and Army Secretary John M. McHugh presented awards to more than 50 soldiers and civilians - some of whom had been shot themselves - who rushed to aid the wounded. Some recently relived the horror, when they testified at a hearing for Maj. Nidal Malik Hasan, who is charged with multiple counts of murder. Some spent much of the past year in Afghanistan and Iraq, returning a few weeks ago.

"It's a chapter in this Army that no matter how many tears may fall, [they] will never, ever be washed away and will be part of our history forever," McHugh said, the wire service reported.

While military officials kept their remarks focused on sacrifice and resilience, others used the shooting anniversary to renew their criticism of a Defense Department they say still is not adequately alert to extremists developing in its ranks.

Hasan, 40, an Army psychiatrist, alarmed colleagues with talk of whether his patients could be prosecuted for war crimes. He sent more than a dozen e-mails in the months before the shooting to radical Muslim cleric Anwar al-Aulaqi, an American citizen now targeted by the United States for assassination.

The department "still refuses to even use the words 'radical Islam' in their report on the attack or recommendations on how to prevent future attacks," said Rep. John Carter, the Texas Republican whose district includes Fort Hood. "That does not instill confidence in Congress that the DoD is taking the necessary steps to protect our troops."

And Sens. Joseph I. Lieberman (I-Conn.) and Susan Collins (R-Maine), who head the Senate Homeland Security Committee, said Thursday in a statement that "the attack could have been prevented if the government acted on information in its possession." The two headed a lengthy probe that included interviews with FBI and military investigators about what was known, or should have been known, about Hasan. They expect to issue a final report as soon as administration and committee officials agree on what portions must remain classified. "Our report will show that our domestic intelligence system must be strengthened in order to counter the threat of homegrown terrorism, and that our military must have zero tolerance for the expression of violent Islamist extremism in its ranks," the senators said.

The military recently began requiring soldiers to report behavior by comrades that might indicate extremist or terrorist sympathies. The Army's head of counterintelligence will maintain a database of those reports.

At Fort Hood, commanders are now directed to ask soldiers about what private weapons they own and to encourage them to register off-post weapons with officials on post. Soldiers who live on the post already are required to register their firearms with the Army. Soldiers are not allowed to carry their personal weapons in garrison or in combat theaters.

And Building 42003, the always bustling center where soldiers went to fill out their forms and check medical records before deploying, remains closed. The fence, adorned with handmade wreaths, keeps it closed off as a crime scene.

Susan Wallen

From: Jeffrey Mittman [JMittman@akclu.org]
Sent: Thursday, March 17, 2011 10:24 AM
To: Rep. Dan Saddler; Rep. Steve Thompson; Rep. Carl Gatto
Cc: Rep. Alan Austerman; Rep. Bob Lynn; Rep. Sharon Cissna; Rep. Bob Miller
Subject: HJR 18 - ACLU Review of Legal Issues and Statement in Opposition
Attachments: image001.jpg; Saddler & Thompson.HJR 18.ACLU Legal Issues.2011.03.17.pdf

Co-Chairs Saddler & Thompson, and Vice-Chair Gatto:

Thank you for the opportunity to submit the attached Statement in Opposition to House Joint Resolution 18, with accompanying review of legal issues.

We have several concerns with the proposed legislation, and urge that it be tabled.

Please feel free to contact the ACLU if you have any issues opening the attachment, or wish further information.

Thank you,

Jeffrey Mittman

Direct dial: (907) 263-2002
Cell: (907) 230-0665



Jeffrey A. Mittman
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ACLU of Alaska
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March 17, 2011

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ZACH FICK, Anchorage
STUDENT ADVISOR

The Honorable Dan Saddler, Co-Chair
The Honorable Steve Thompson, Co-Chair
The Honorable Carl Gatto, Vice-Chair
House Military & Veterans' Affairs Committee
Alaska House of Representatives
Juneau, AK 99801

via email: [Representative Dan Saddler@legis.state.ak.us](mailto:Representative_Dan_Saddler@legis.state.ak.us)
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[Representative Carl Gatto@legis.state.ak.us](mailto:Representative_Carl_Gatto@legis.state.ak.us)

Re: House Joint Resolution 18
ACLU Review of Legal Issues

Co-Chair Saddler, Co-Chair Thompson, Vice-Chair Gatto:

Thank you for the opportunity to submit written testimony with respect to House Joint Resolution 18.

The American Civil Liberties Union of Alaska represents thousands of members and activists throughout the State of Alaska who seek to preserve and expand individual freedoms and civil liberties guaranteed under the United States and Alaska Constitutions.

Fundamentally, as the ultimate denial of civil rights, and as an unfair and arbitrary system, the ACLU opposes capital punishment.

Where capital punishment is at issue, proceedings must be undertaken with seriousness and all appropriate processes. *See, e.g., Furman v. Georgia*, 408 U.S. 238, 286–89 (1972) (Brennan, J., concurring) (“[d]eath is a unique punishment”; “[d]eath . . . is in a class by itself”); *id.* at 306.

We note that the military has instituted proceedings deliberately to protect both the rights of defendants as well as concerns of society. As such, and given the legal posture of the Hasan matter, it would be improper for the Alaska Legislature to inject the political process into a legal proceeding.

Procedural Status of Hasan Military Proceedings

It is our understanding that the matter of Maj. Hasan is *already proceeding* with a recommendation from the officer exercising special court-martial jurisdiction that it be capital, and that the Lieutenant General commanding Third Corps has the discretion to accept or disregard this recommendation. Thus, as a procedural matter, it does not appear that the Resolution's direction to the Judge Advocate General would be procedurally correct.

Unethical Interference in Legal Proceedings

It is vital to our American legal system that proceedings – both civilian and military – have the highest confidence of the American people, and are respected for their fairness. *Injection of political sentiment into jurisprudential matters is unwise and runs counter to the ethics required of lawyers and judges.*

Military lawyers must follow the Army Rules of Professional Conduct for Lawyers, http://www.loc.gov/rr/frd/Military_Law/pdf/AR_27-26_5-1-1992.pdf. Rule 3.5, concerning Impartiality and Decorum of the Tribunal, states that:

A lawyer shall not:

- (a) seek to influence a judge, court member, member of a tribunal, prospective court member or member of a tribunal, or other official by means prohibited by law;

The commentary notes:

Many forms of improper influence upon a tribunal are proscribed by criminal law. Others are specified in the ABA Code of Judicial Conduct, with which an advocate should be familiar. A lawyer is required to avoid contributing to a violation of such provisions.

The advocate's function is to present evidence and argument so that the cause may be decided according to law. (*emphasis added*)

It is difficult to comprehend how a resolution from a political body could be seen as anything other than an attempt to “improperly influence” a proceeding.

Likewise, the ABA Model Code of Judicial Conduct, which we understand to be binding on military tribunals, sets forth two relevant Canons.

Canon 1 - A JUDGE SHALL UPHOLD AND PROMOTE THE INDEPENDENCE, INTEGRITY, AND IMPARTIALITY OF THE JUDICIARY, AND SHALL AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY.

Canon 2 - A JUDGE SHALL PERFORM THE DUTIES OF JUDICIAL OFFICE IMPARTIALLY, COMPETENTLY, AND DILIGENTLY.

<http://www.ajs.org/ethics/pdfs/ABA2007modelcodeasapproved.pdf>

Should the Alaska Legislature pass and transmit to the military HJR 18, it would damage the proceedings and expose the tribunal to questions regarding its independence and impartiality, and raises the specter of the “appearance of impartiality.” Moreover, the injection of a purely political document into the ongoing proceedings might actually give Maj. Hasan an avenue for appeal, should a capital sentence be imposed: that the decision to pursue the death penalty was the product of political influence.

For the above reasons, we urge the Committee not to pass HJR 18 and table any further consideration.

Please feel free to contact the undersigned should you require any additional information. We are happy to reply to any questions which Members of the Committee may have.

Thank you again for the opportunity to share our thoughts.

Sincerely,



Jeffrey Mittman
Executive Director
ACLU of Alaska

cc: Representative Alan Austerman, [Representative Alan Austerman@legis.state.ak.us](mailto:Representative_Alan_Austerman@legis.state.ak.us)
Representative Bob Lynn, [Representative Bob Lynn@legis.state.ak.us](mailto:Representative_Bob_Lynn@legis.state.ak.us)
Representative Sharon Cissna, [Representative Sharon Cissna@legis.state.ak.us](mailto:Representative_Sharon_Cissna@legis.state.ak.us)

Rep Lynn

Death Penalty Script

I want to thank Rep. Ramras for conducting a very fair and even-handed hearing on the death penalty bill before us. There was potential for this hearing to turn into a circus and political grandstanding. It did not happen. This hearing has been a credit to the Chair, to the committee, and to everybody who testified. Thank you.

That said, I suspect they're enough votes to move this bill out of committee, regardless how I vote. But I take no comfort in that. I think I owe everybody some explanation as to why I will help- or not help- vote this bill out of committee, and why I'll mark the transmittal "Do Pass," or "Do Not Pass", or simply "No Recommendation". We've all cast tough votes on controversial bills – and this is a tough vote for me. We're talking about a life or death, not only for a murderer, but also for potential future victims. It should be a tough vote.

Let me offer a few thoughts.

I'm well aware we legislate here without reference to anyone's religion, and that's as it should be. That said, I'm unaware of any churches, or other faith organizations, for whom being for, or against, the death penalty is considered a matter of eternal salvation. Churches, and particular believers within those churches, often come to a very different conclusion on the death penalty, and every other issue. In my own Church, for example, dogma-that which must be believed to remain in full communion with my church – is not in the same category as Church teaching, which is spiritual guidance which deserves prayerful consideration. Some may have thought that, due to my personal religious affiliation, I would automatically vote "No" against this bill. Not so.

During the hearing, one of our committee asked a witness something like, "Didn't God inflict the death penalty on people?" Well, yes, that's true. But, on the occasion of the world's first murder, that of Cain killing Abel, God didn't impose the death penalty on Cain. He spared him. So, God apparently opposes the death penalty. But wait. In about the very next sentence, God tells Cain that anyone who harms him will be killed. So now God apparently supports the death penalty – at least for anyone who kills Cain. In the New Testament, some would also claim that nowhere does Jesus, or any of his apostles speak directly against the death penalty – they merely accepted the status quo. There's more, but I'm not a theologian, and this is a Judiciary hearing, not a theology seminar. The point is, there may be church teaching about the death penalty, but no one has made me aware of any absolutes on the subject.

I'm "Pro-Life." I oppose abortion – one set of reasons being that an infant victim has no choice, receives no trial, and is innocence personified. On the other hand, a murderer did have a choice, and choices have consequences. In contrast to the victim of abortion, the felon did receive a trial, and was found guilty – and the odds are, was actually guilty. So, if a fetus can be aborted and killed without any trial, one could logically ask why then should we prohibit capital punishment for murderers – after the murderer received a trial, a conviction, and appeal after appeal for maybe fifteen years? Doesn't seem sensible. But maybe I'm missing something.

Just because I'm a strong Pro-Life Advocate – always have, am now, always will be – doesn't mean an automatic "no" vote on this bill. I think being Pro-Life also means protecting the lives of citizens from murderers, and many believe capital punishment is the best way to do it.

Then there's the question, "Is capital punishment a deterrent?" I don't know. But most statistics say no, it's not a deterrent. Perhaps not, but quite obviously execution "deters" the person executed.

Whatever, we've heard ample evidence, at this hearing, that many innocent people have been wrongfully convicted, and sentenced to death. The odds are, if we return capital punishment to Alaska, innocent people will be put to death by the state – the state meaning us – like us sitting here around this table.

A person serving a life sentence, later found to be innocent, can be released from prison, and compensated to some degree. An innocent person executed can't be resurrected. Some would argue a life sentence, without possibility of parole, is worse punishment than execution. Perhaps. But families of murder victims suffer their own "life sentence" – a lifetime sentence of sorrow.

The practical matter is, if we execute a bunch of murderers, but no deterrence results, we've still eliminated the murderers. Dead murderers don't murder again. But if we fail to execute murderers, when their execution would have deterred potential murderers, we have – in fact – enabled the murder of a bunch of innocent people. Not good.

Some years ago in California, a monster named Larry Singleton raped a 14 year old girl, and cut off both her arms. He was sent to prison, and later released – and then murdered a mother of three in Florida. What does one have to do to qualify for the death penalty anyway? Because Singleton wasn't executed, a mother of three was later killed, and her children left motherless.

The question is, could life imprisonment, without possibility of parole take the place of capital punishment, and provide for public safety? Sure. But, can we depend on the judicial system to protect us with appropriate sentences. I have my doubts. Maybe if the judicial system did a better job in protecting public safety, there'd be less demand for a death penalty.

As a question in passing, if a judge lets a multiple prior offense violent criminal loose on society, and that person commits additional heinous crimes, should that judge be removed from the bench, suffer civil liability, or be put himself in jail as an enabler? Just something to think about.

I'm disappointed that, during testimony, more than one injected racism into the discussion, on both the pro and the con side of this issue. Several who testified said the death penalty is disproportionately applied to minorities. I think it's more accurate to say the death penalty is disproportionately imposed on poor folks – and leave the racism out of it. Poor folks, whatever their race, don't have money like O.J. Simpson did to defend themselves against murder with a legal "dream team." I don't like that, but its reality.

Being a minority, or being poor, or suffering a horrific home or community environment, is problematic – but no excuse for crime. Unfortunately, we do live in imperfect world, where prejudice too often translates to gross unfairness, and bigots still do exist. Again, that's reality. And reality is the world we should live in – while we try to make the world a better place for all of us.

There's also a bean counters question of which is more expensive, paying for a life sentence – including old age health care in prison, or the expense of lengthy death sentence appeals – or capital punishment? Frankly, I don't care.

Whether the cost is ten dollars or ten billion, cost should not be the determining factor for establishing, or not establishing, capital punishment. Life shouldn't have a price tag. Also, what sense does it make to impose a death penalty, but then not carry it out before 10, 15, or even 20 years. To be any kind of deterrent, punishment should come shortly after the sentence.

When I ran for Congress in California in 1992, I supported capital punishment. It was all over my campaign literature. But even then, I demanded that any capital punishment law be applied fairly, and limited to only the most egregious and most heinous of crimes. That's my position today. My sympathy for victims, and sympathy for victim families, is without bounds. Imprisonment, without possibility of parole, sounds good. But in today's tolerant judicial system, where penumbras of what isn't in the constitution constantly appear, how many judges can we trust to put murderers in prison and throw away the key? Probably not enough.

There are so many questions to this issue, at least to me. For example, the bill before us excludes execution of the mentally retarded. Good. I agree with that. The bill defines mental retardation as 70 or below. So, when the time comes for sentencing, if your IQ is 70 you're dead. But if your IQ is 71 you live. I made a big thing during this hearing about who picks which IQ test from the battery of many different IQ tests available? And, if any IQ score of 70 comes on the Stanford-Binet, will it also come out 70 on the Wechsler test, and 70 on all the other different IQ tests? I never got an answer in this hearing to question that made sense to me. But someone better figure it out before we put people to death.

Then there's the question of our "multiple intelligences." Which one of our multiple intelligences do we test to determine if someone is executed? These little parts of the bill, and the complex questions surrounding them, is another illustration of practical difficulties of writing fair capital punishment legislation, even if we – and only if – we conclude the death penalty is moral.

So here's my bottom line, and I'm going to express it without waiting for a vote in this Committee, or on the House floor. I worry about the effectiveness of lifelong imprisonment, as compared to capital punishment. I think, under some circumstances, capital punishment may in fact be legitimate. My own Church teaches that. But I'm not convinced – not convinced – any legislature in the world is capable of the level of fairness that one should demand of capital punishment. I have many, many doubts about the whole capital punishment thing, from every direction I come at it.

When I went Air Force Aviation Cadet flying school, my flying instructors drummed one thing into my head, "If in doubt, bail out!" And that's what I'm doing. I'll be voting "No" on this bill.

HJR

34

<TARGET><BILL>HJR 34</BILL><SUBJECT>HJR
34</SUBJECT><COMM>HMLV27</COMM></TARGET>

CS FOR HOUSE JOINT RESOLUTION NO. 34(MLV)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

**Offered:
Referred:**

**Sponsor(s): REPRESENTATIVES HERRON, Joule, Foster, Edgmon, Austerman, Thompson, Saddler,
Peggy Wilson, Pruitt, Lynn**

A RESOLUTION

1 **Urging the United States Congress to fund all the facilities and vessels necessary for the**
2 **United States Coast Guard to fulfill its Arctic missions, including icebreakers and an**
3 **Arctic Coast Guard base.**

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

5 **WHEREAS** the purchase of Alaska in 1867 made America an Arctic nation; and

6 **WHEREAS** Alaska was admitted to statehood in 1959, on equal footing with the
7 previously admitted states; and

8 **WHEREAS** Alaska deserves full recognition and assistance from the federal
9 government like any other state; and

10 **WHEREAS** Art. IV, sec. 4, of the Constitution of the United States, requires the
11 United States to protect each of the states against invasion and does not specify a preference
12 for protection of one state over any other; and

13 **WHEREAS** the United States Arctic Region Policy revised in 2009 calls for the
14 protection of commerce, the protection of the environment, and improved safety, security, and
15 reliability of transportation in the Arctic region; and

1 **WHEREAS** ice cover in the Arctic is at historic lows, and multiyear ice is decreasing;
2 and

3 **WHEREAS** the entire Arctic region, including the Arctic region of the United States,
4 is experiencing increased human activity related to shipping, oil and gas development,
5 commercial fishing, and tourism; and

6 **WHEREAS** the increased activity in the Arctic underscores a commensurate need for
7 immediate investment in the Arctic region of the United States to enable the responsible
8 development of resources, foster maritime commerce, safeguard the well-being of Arctic
9 residents and ecosystems, facilitate emergency and disaster preparedness and response, and
10 protect United States sovereignty; and

11 **WHEREAS** the Alaska Northern Waters Task Force, established in 2010,
12 recommends that the Alaska State Legislature encourage the federal government to establish a
13 United States Coast Guard base in the Arctic and to fund the construction of additional
14 icebreakers and ice-capable vessels for the United States fleet; and

15 **WHEREAS**, as Northern sea routes open and foreign shippers set their sights on
16 Asian markets, international shipping of oil and gas and other potentially hazardous cargo
17 through the Bering Strait is rapidly increasing; and

18 **WHEREAS** the United States and its trading partners could reap economic benefits
19 from accessing Northern sea routes with the help of modern, fully equipped icebreakers; and

20 **WHEREAS** the United States Coast Guard has 11 statutory missions, including
21 search and rescue, marine safety, ports, waterways, and coastal security, drug interdiction,
22 migrant interdiction, defense readiness, living marine resources, marine environmental
23 protection, aids to navigation, ice operations, and other law enforcement; and

24 **WHEREAS** the United States Coast Guard's missions relate to protecting the public,
25 the environment, and United States economic interests in the nation's ports and waterways,
26 along the coast, on international waters, and in any maritime region, as required for national
27 security; and

28 **WHEREAS** the National Contingency Plan further requires the United States Coast
29 Guard to oversee oil spill planning and preparedness in coastal waters and to supervise oil
30 spill response; and

31 **WHEREAS** the United States Congress and the Administration are mandated by

1 numerous laws and policies to maintain icebreaking operations; and

2 **WHEREAS** those mandates include President Franklin D. Roosevelt's 1936
3 Executive Order 7521, which requires the United States Coast Guard to keep channels and
4 harbors open to navigation by means of icebreaking operations; the Arctic Research Policy
5 Act of 1984, which directs the United States Office of Management and Budget to build and
6 deploy icebreakers and allocate funds necessary to support icebreaking operations; the Coast
7 Guard Authorization Act of 2010, which requires the United States Coast Guard to promote
8 safe maritime navigation by means of icebreaking where necessary, feasible, and effective;
9 and the 2011 Unified Command Plan, which sets new boundaries and responsibilities for the
10 United States combatant commands, and directed the United States Northern Command to
11 take the lead in advocating for new resources in the Arctic; and

12 **WHEREAS** the binding Arctic Search and Rescue Agreement signed by the eight
13 Arctic nations at the Arctic Council in May 2011 commits the United States to search and
14 rescue response within the Arctic sector of the United States, including waters north of
15 Alaska, Bristol Bay, and the Bering Sea; and

16 **WHEREAS** the promise to provide search and rescue operations in the Arctic sector
17 of the United States is compromised without sufficient icebreakers and other United States
18 Coast Guard assets; and

19 **WHEREAS** the January 2012 delivery of fuel to Nome, Alaska, by the Russian fuel
20 tanker Renda, escorted by the United States Coast Guard's only polar class icebreaker, Healy,
21 emphasized the need for increased United States icebreaker presence in the Arctic; and

22 **WHEREAS**, at present, the United States has only one polar class icebreaker in
23 service, the United States Coast Guard Cutter Healy, a vessel designed for scientific research
24 and response operations; and

25 **WHEREAS** a second polar class icebreaker, the United States Coast Guard Cutter
26 Polar Star, is undergoing extensive repairs in Seattle, Washington, and is scheduled to return
27 to service in 2013, at which time it is predicted it should function effectively for only another
28 seven to 10 years; and

29 **WHEREAS** the United States Coast Guard Cutter Polar Star's sister ship, the United
30 States Coast Guard Cutter Polar Sea, was taken out of service in 2011; and

31 **WHEREAS** Russia has a fleet of eight nuclear-powered icebreakers; China has one

1 large icebreaking research ship supporting science in both polar regions and is building a
2 second, smaller but more powerful icebreaking research ship that is scheduled to be ready in
3 2013; Canada has committed \$38,000,000,000 to a 30-year plan to build additional
4 icebreakers and other ice-strengthened ships; and Sweden, Finland, South Korea, and Japan
5 have added icebreakers to their fleets; and

6 **WHEREAS** the United States Coast Guard estimates that designing and constructing
7 a new polar class ice breaker will take seven to 10 years; and

8 **WHEREAS** having a sufficient number of ice-capable vessels, including shallow-
9 draft vessels with icebreaking capability, is vital for the United States Coast Guard to fulfill
10 its expanding mission in the Arctic; and

11 **WHEREAS** the United States Coast Guard has very limited Arctic emergency
12 response capabilities and no permanent bases near the Bering Strait chokepoint or on Alaska's
13 North Slope to support the United States Coast Guard operations; and

14 **WHEREAS** the most northern United States Coast Guard base in the United States in
15 Kodiak, Alaska, is more than 1,000 miles from possible Chukchi Sea drilling sites and nearly
16 as far from existing Arctic shipping lanes in the Bering Strait, and that distance causes
17 untenable logistical problems that negatively affect response times and capabilities; and

18 **WHEREAS** the United States Coast Guard should have a greater overall presence in
19 the Arctic, with the ability to stage assets closer to future shipping, oil and gas drilling, and
20 commercial fishing activities;

21 **BE IT RESOLVED** that the Alaska State Legislature urges the United States
22 Congress and the Administration to fund all facilities and vessels necessary to enable the
23 United States Coast Guard to fulfill its Arctic missions, including icebreakers and an Arctic
24 Coast Guard base; and be it

25 **FURTHER RESOLVED** that the Alaska State Legislature urges the United States
26 Congress and the Administration to consider all options to finance icebreakers, including
27 charging for icebreaker escorts, the option to lease rather than own the icebreakers needed in
28 the Arctic, and selling our aging icebreakers to the private sector for refurbishment.

29 **COPIES** of this resolution shall be sent to the Honorable Barack Obama, President of
30 the United States; the Honorable Hillary Rodham Clinton, United States Secretary of State;
31 the Honorable Sergey Viktorovich Lavrov, Minister of Foreign Affairs of the Russian

1 Federation; the Honorable Erkki Tuomioja, Minister for Foreign Affairs of Finland; the
2 Honorable Carl Bildt, Minister for Foreign Affairs of Sweden; the Honorable Jonas Gahr
3 Støre, Minister of Foreign Affairs of Norway; the Honorable John Baird, Minister of Foreign
4 Affairs of Canada; the Honorable Össur Skarphéðinsson, Minister for Foreign Affairs and
5 External Trade of Iceland; the Honorable Villy Søvndal, Minister for Foreign Affairs of
6 Denmark; the Honorable Admiral Robert J. Papp, Commandant, United States Coast Guard;
7 Ambassador David A. Balton, Deputy Assistant Secretary for Oceans and Fisheries, United
8 States Department of State; Rear Admiral Thomas F. Ostebo, Commander, United States
9 Seventeenth Coast Guard District; the Honorable Sean Parnell, Governor of Alaska; the
10 Honorable Mead Treadwell, Lieutenant Governor of Alaska; the Honorable Lisa Murkowski
11 and the Honorable Mark Begich, U.S. Senators, and the Honorable Don Young, U.S.
12 Representative, members of the Alaska delegation in Congress; and all other members of the
13 112th United States Congress.

adopted

27-LS1303A.1
Martin
2/9/12

AMENDMENT

OFFERED IN THE HOUSE

TO: HJR 34

1 Page 4, line 29, through page 5, line 14:

2 Delete all material and insert:

3 "COPIES of this resolution shall be sent to the Honorable Barack Obama, President
4 of the United States; the Honorable Hillary Rodham Clinton, United States Secretary of State;
5 the Honorable Sergey Viktorovich Lavrov, Minister of Foreign Affairs of the Russian
6 Federation; the Honorable Erkki Tuomioja, Minister for Foreign Affairs of Finland; the
7 Honorable Carl Bildt, Minister for Foreign Affairs of Sweden; the Honorable Jonas Gahr
8 Støre, Minister of Foreign Affairs of Norway; the Honorable John Baird, Minister of Foreign
9 Affairs of Canada; the Honorable Össur Skarphéðinsson, Minister for Foreign Affairs and
10 External Trade of Iceland; the Honorable Villy Søvndal, Minister for Foreign Affairs of
11 Denmark; the Honorable Admiral Robert J. Papp, Commandant, United States Coast Guard;
12 Ambassador David A. Balton, Deputy Assistant Secretary for Oceans and Fisheries, United
13 States Department of State; Rear Admiral Thomas F. Ostebo, Commander, United States
14 Seventeenth Coast Guard District; the Honorable Sean Parnell, Governor of Alaska; the
15 Honorable Mead Treadwell, Lieutenant Governor of Alaska; the Honorable Lisa Murkowski
16 and the Honorable Mark Begich, U.S. Senators, and the Honorable Don Young, U.S.
17 Representative, members of the Alaska delegation in Congress; and all other members of the
18 112th United States Congress."

Jane Conway

From: Lynette Bergh
Sent: Wednesday, February 15, 2012 2:56 PM
To: Jane Conway
Subject: Testifiers

Here ya go, my friend.

List of Witnesses for HJR 34

In person:

Ed Page – Marine exchange Alaska

*based in Juneau.
- arctic used to be not on the radar screen, but now dynamics have changed. Important now!*

Online:

Dr. Lawson Brigham:

Distinguished Professor of Geography & Arctic Policy at the University of Alaska, Fairbanks. Dr. Brigham is a Distinguished Alumnus of the U.S. Coast Guard Academy. Dr. Brigham is available for questions.

Captain Jeff Garrett:

Captain Ed Page, U.S. Coast Guard (retired after serving 29 years). He has been the Executive Director of the non-profit Marine Exchange of Alaska for the past decade. Captain Page has over 40 years of maritime experience and has testified before Congress as an expert witness in the maritime field. Captain Page is

available for questions. *(also on Healy for Nome project. -
LACK OF VESSELS is clear.*

Slipper of the Polar Sea -

*What ice breakers are available now?
The Healy, some @ Great Lakes, some on east coast.
not designed to just be an icebreaker. Also a research vessel.*

List of Witnesses for HB 316

In person:

Mr. Dale Nash, Chief Executive Officer Alaska Aerospace Corporation

Mr. McHugh Pierre, Deputy Commissioner Military & Veterans Affairs

Online:

Jeff Troan, Vice President, Economic Development for Lockheed Martin Corp.

*intent to be close to installation
• housing
• aircraft business
• Alaska has big lack of facility business in immediate area
• good opp. to BRAC
• co-leasing un used spaces.*

~~Trying to contact both Ted Leonard & Dan Fauske. NO success yet. Ted Leonard is here in Juneau today but not answering his cell.~~

Lynette Bergh
Staff for Representative Steve Thompson
State Capitol, Room 428
Juneau, Alaska 99801
Ph: (907) 465-4941
Fax: (907) 465-2070
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*If you would like to receive Representative Steve Thompson's electronic newsletter,
please send an email with the subject line "subscribe" with your name
and address to: [Representative Steve Thompson@legis.state.ak.us](mailto:Representative_Steve_Thompson@legis.state.ak.us)*

Miller - In an MFZ, are all laws applicable? ^{TAXES} Police, Fire, Etc.



Miller - Economic zone / MFZ on military land? not intended but in some cases a company could lease a parcel property from the military to achieve their business plan. This legislation is to build on what we have.



For Questions Only -
Stacy Schulbert AHFC
Carl Boeing.

Jobs

UNIVERSITY OF ALASKA GEOGRAPHY PROGRAM



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Arctic Health Research Building
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12 February 2012
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Representative Bob Herron
Alaska State Legislature
State Capitol Room 411
Juneau, AK 99801

Potential Changes to HRC 34 (Coast Guard Icebreakers & Arctic Base)

Dear Representative Herron,

I am writing this as an Arctic policy researcher at UAF with experience as a U.S. Coast Guard officer and work within the Arctic Council. I have reviewed HRC 34 and propose two, key changes to the Committee. One is a protocol issue and the second, removal of, or changes to, the final resolution statement in the draft text.

(A)-Protocol Issue ~ In the Draft HRC 34, the Resolution is being sent to Senior Arctic Officials (SAOs) of the eight Arctic states. Since the Resolution is being sent to our Secretary of State, among many, it should also by protocol be sent to the seven Foreign Ministers who act as Arctic Ministers of their respective Arctic state. Sending the Resolution directly to the SAO's is inappropriate since they are the administrative agents for the Arctic Ministers doing the work of the Arctic Council. The Senior Arctic Official's are not the leaders of the Arctic Council as leadership of the Council is the responsibility of the eight Foreign Ministers of the Arctic states. I highly recommend the Alaska Legislature pass this Resolution to the Secretary of State and her seven colleagues, the Foreign Ministers of Canada, Denmark, Finland, Iceland, Norway, Sweden and Russia.

(B)-Further Resolved.... (Final Text) ~ I believe this passage should be removed as the overall sense of the resolution prior to this text is that the Congress and the Administration are to fund all federal (in this case Coast Guard) facilities and vessels. HRC 34 should not specify how to execute this responsibility. This is the responsibility of the Congressional appropriators working in concert with the federal agencies. As for the charging for icebreaker escorts, most of these waters around Alaska allow for freedom of navigation (where no fees can be charged under international law); these waters are not the internal waters of the U.S. Charging fees for icebreaker escort in the Arctic is only conducted along Russia's Northern Sea Route; Canada does not charge fees (and never has) for escort by federal icebreakers in the Canadian Arctic. Both in the U.S. and Canada, under emergency situations, icebreakers will assist in escort (such as the recent Nome operation). I do not believe the Alaska State Legislature should have words in the Resolution regarding options involving the private sector, specifically leasing of future U.S. Coast Guard icebreakers (rather than fully funded by the Congress) or passing our current icebreakers to the private sector for commercial operation.

UNIVERSITY OF ALASKA GEOGRAPHY PROGRAM

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Fairbanks, AK 99775-5840
Phone 907.474.7494 * Fax 907.474.7484

Thank you for the opportunity to review HRC 34 and provide recommended changes to the text. I would be pleased to assist you and your staff with Arctic policy matters at any time.

Very Respectfully,

Lawson W. Brigham

Lawson W. Brigham, PhD
Distinguished Professor of Geography & Arctic Policy,
University of Alaska Fairbanks
Captain, U.S. Coast Guard (Retired)

Bio-sketch of Dr. Lawson W. Brigham

January 2012

Dr. Lawson Brigham is Distinguished Professor of Geography & Arctic Policy at the University of Alaska Fairbanks, and a Senior Fellow at the Institute of the North in Anchorage. During 2005-2009 he was chair of the Arctic Council's Arctic Marine Shipping Assessment (AMSA) and Vice Chair of the Council's working group on Protection of the Arctic Marine Environment (PAME). Dr. Brigham was a career U.S. Coast Guard officer serving from 1970-95 and retiring with the rank of Captain. He served at sea in command of four Coast Guard cutters including a patrol boat (*Point Steele*), Great Lakes icebreaker (*Mobile Bay*), offshore law enforcement cutter (*Escanaba*), and the polar icebreaker *Polar Sea* sailing in Alaskan, Arctic & Antarctic waters; he also served as Chief of Strategic Planning and Director of the Work-Life Study at Coast Guard Headquarters in Washington, DC. He has participated in more than 15 Arctic and Antarctic expeditions, and during July & August 1994 *Polar Sea* under his command crossed the Arctic Ocean for science (from Bering Strait to the North Pole) in company with the Canadian Coast Guard icebreaker *Louis S. St-Laurent*.

Dr. Brigham has been a research fellow at Woods Hole Oceanographic Institution, a faculty member of the U.S. Coast Guard Academy and the Naval Postgraduate School, and Deputy Director & Alaska Office Director of the U.S. Arctic Research Commission. He is a graduate of the U.S. Coast Guard Academy (BS), a distinguished graduate of the U.S. Naval War College, and holds graduate degrees from Rensselaer Polytechnic Institute (MS) and the University of Cambridge (MPhil & PhD). His research interests and publications for more than three decades have focused on the Soviet/Russian maritime Arctic, Arctic climate change, marine transportation, remote sensing of sea ice, Arctic environmental protection, and polar geopolitics. Captain Brigham was a 2008 signer of the American Geographical Society's Flier's and Explorer's Globe, the Society's historic globe that has been signed by more than 75 explorers of the 20th century. This signing was in recognition of *Polar Sea's* voyages in 1994 becoming the first ship in history to reach the extreme ends of the global ocean. In 2010 he was named a Distinguished Alumnus of the U.S. Coast Guard Academy.

Captain Ed Page, U.S. Coast Guard (Ret)
Executive Director, Marine Exchange of Alaska

Captain Ed Page, U.S. Coast Guard (Ret) is the Executive Director of the non-profit Marine Exchange of Alaska, having established the vessel tracking organization in April 2001 after serving 29 years as a commissioned officer in the U.S. Coast Guard.

Upon graduating from the Coast Guard Academy in 1972 Captain Page served as a deck officer on the Coast Guard vessels sailing Atlantic, Pacific and Alaska waters. He later served in marine safety, environmental protection and search and rescue assignments in the Pacific, including postings in Anchorage, Ketchikan and Juneau. Later in his career he was assigned as Chief of Environmental Protection during the Exxon Valdez oil spill, as Captain of the Port and Group Commander for Los Angeles-Long Beach and Chief of Marine Safety and Environmental Protection for Coast Guard Pacific Area and for Alaska.

In his 10 years with the Marine Exchange of Alaska from the organization's inception, he has developed one of, if not the largest privately owned and operated vessel tracking system in the world through the build out and operation of an extensive satellite and AIS (Automatic Identification System) vessel tracking system that locates and monitors vessels in Alaska and North America. The system is presently used to track cargo ships, fishing vessels, tankers, cruise ships, offshore supply vessels, ferries, tugs and barges, and Coast Guard vessels and has aided responses to a variety of maritime emergencies including oil spills. The data from the system is presently being use to assess current and historical vessel traffic information in the Arctic and other regions of the U.S. for the conduct of risk assessments earning the organization the Coast Guard's Meritorious Public Service Commendation.

His over 40 years of maritime experience has led to his being called as an expert witness in high profile maritime cases and testifying before Congress on maritime safety issues.

Biographical Information
Rear Admiral Jeffrey M. Garrett, U.S. Coast Guard (Retired)

During 31 years on active duty in the U.S. Coast Guard, Rear Admiral Garrett served in a variety of command, operational and staff assignments. His shipboard assignments included polar icebreaking deployments throughout the eastern and western Arctic and in Antarctica in the polar icebreakers *Burton Island (WAGB 283)* and *Polar Star (WAGB 10)*, and as commanding officer of *Polar Sea (WAGB 11)*. As the first commanding officer of *Healy (WAGB 20)*, he brought the nation's newest polar icebreaker and premier polar research vessel through delivery, shakedown operations and ice trials in the eastern Arctic, and through the Northwest Passage to homeport in Seattle. Other Coast Guard service included the Vessel Traffic Service in Valdez, Alaska, command of a Great Lakes icebreaker, and multiple programming and budgeting staff assignments at Coast Guard Headquarters. As a flag officer, he served as the Coast Guard's Director of Resources, responsible for the service's budget and long-range planning, and as commander of Coast Guard operations in the Pacific Northwest.

Since retirement in 2005, Rear Admiral Garrett has served as a member of the National Research Council committees evaluating *Polar Icebreakers in a Changing World* (2007) and *National Security Implications of Climate Change for U.S. Naval Forces* (2011). He has participated in a variety of other studies, including Polar Operations and Policy options for the Coast Guard, an assessment of developing Coast Guard high-latitude requirements, and a business case analysis of U.S. polar icebreaker needs. As a consultant for a variety of maritime and polar-related projects, he has evaluated vessels for operations in ice-covered waters, served as a dispute resolution board member for new Washington State ferry construction, worked with the Indonesian Navy on coastal surveillance operations, and acted as ice-pilot on cruise ships in Antarctica and the Northwest Passage. He has been a member of the board of *Seafair*, Seattle's community summer festival, since 2005.

A graduate of the U.S. Coast Guard Academy, Rear Admiral Garrett earned a Master of Science degree in Management from the U.S. Naval Postgraduate School in Monterey, California and attended the Industrial College of the Armed Forces as a research fellow. He is the author of a July 2011 article entitled "Ending Arctic Reluctance," Second Line of Defense web site: <http://www.sldinfo.com/?p=20640>

Representative Bob Herron



Bob.Herron@legis.state.ak.us

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Phone: (907) 465-4942 • Fax: (907) 465-4589

House District 38
Kuskokwim & Johnson Rivers
Kuskokwim Bay & Nelson Island

Akiachak
Akiak
Atmautluak
Bethel
Cheforanak
Eek
Goodnews Bay
Kasigluk
Kipnuk
Kongiganak
Kwethluk
Kwigillingok
Lower Kalskag
Mekoryuk
Mertarvik
Napakiak
Napaskiak
Newtok
Tiniteqia
Nunapitchuk
Oscarville
Platinum
Quinhagak
Toksook Bay
Tuluksak
Tununak
Tuntuliak
Upper Kalskag

HJR 34 – Coast Guard Icebreakers & Arctic Base

SPONSOR STATEMENT

The Alaska Northern Waters Task Force's Final Report was released January 30, 2012. HJR 34 formalizes two of the Task Force's recommendations and calls for the United States to:

1. Forward base the US Coast Guard in the Arctic, and
2. Fund icebreakers and other ice capable vessels.

The entire Arctic region is experiencing increased human activity related to shipping, oil and gas development, commercial fishing, and tourism and this increased activity leads to a commensurate need for immediate investment in the United States Arctic to enable the responsible development of resources; foster maritime commerce, safeguard the well-being of Arctic residents and ecosystems; facilitate emergency and disaster preparedness and response; and protect United States sovereignty.

The Coast Guard's mission in the Arctic is broad and it's becoming increasingly clear that the Coast Guard lacks the necessary assets to adequately complete its mission – without a corresponding increase in Arctic investment by the United States, this deficiency will only worsen over time. Having a sufficient number of ice-capable vessels (including shallow-draft vessels with icebreaking capability) is vital for the Coast Guard to fulfill its expanding mission in the Arctic.

Congress and the Administration are mandated by multiple laws and policies to maintain icebreaking operations, including:

- A 1936 Executive Order from President Franklin Roosevelt
- The Arctic Research Policy Act of 1984
- The Coast Guard Authorization Act of 2010, and
- The 2011 Arctic Search & Rescue (SAR) Agreement

Should a tragedy – such as the recent wreck of the cruise ship *Costa Concordia* in Italy – occur in the Arctic, the Coast Guard would be hard pressed to respond with sufficient assets in a timely fashion given their single Polar Class Icebreaker and their nearest base being in Kodiak, over 900 miles away from Alaska's Arctic coast.

Other countries fully understand the need for more Icebreakers in the Arctic:

- Russia has a fleet of eight nuclear powered icebreakers;
- Canada has committed \$38 billion to a 30-year plan to build additional icebreakers and other ice-strengthened ships;
- Sweden, Finland, South Korea, and Japan have recently added icebreakers to their fleets; and
- China has a large icebreaking research ship and will have a second vessel operational in 2013

Considering it will take from seven to ten years to design and construct just one new Polar Class icebreaker, it is time critical that the U.S. fund & construct additional Icebreakers. Delay on this action will inevitably lead to undesirable consequences for the United States in the Arctic.

The Coast Guard must have a greater overall presence in the Arctic, with the ability to stage assets closer to future shipping, oil and gas drilling, and commercial fishing activities. I urge your support for this resolution.

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version HJR34
 Fiscal Note Number _____
 () Publish Date _____

Identifier (file name) HJR34-LEG-COU-2-15-12 Dept. Affected Legislature
 Title "Urging the US Congress to fund all of the facilities and vessels necessary for the USCG to fulfill its Arctic..." Appropriation Legislative Council
 Allocation Council & Subcommittees
 Sponsor Reps Herron, Joule, Foster, Edgmon, Austerma...
 Requester Military & Veterans' Affairs OMB Component Number 783

Expenditures/Revenues (Thousands of Dollars)

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates					
			FY13	FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants, Benefits								
Miscellaneous								
TOTAL OPERATING	0.0	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							
1005	GF/Prgm (DGF)							
1037	GF/MH (UGF)							
1178	temp code (UGF)							
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS

Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES

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Estimated **SUPPLEMENTAL (FY12) operating costs** _____ (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated **CAPITAL (FY13) costs** _____ (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Initial Version

Prepared by Jessica Geary, Finance Manager
 Division Legislative Affairs Agency
 Approved by Pamela Varni, Executive Director
Legislative Affairs Agency

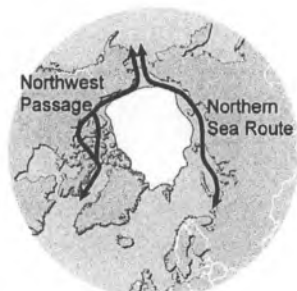
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 Date 2/15/2012

Marine Transportation

Introduction

Within the next ten to twenty years, the loss of perennial sea ice is expected to open Arctic waters for a part of each year to new shipping routes. Maritime powers have been searching for a shorter route from the Atlantic to Asia for centuries. The melting Arctic raises the possibility of two such routes:

- The Northern Sea Route runs along Russia's northern border from Murmansk to Provideniya and could be used for trade between north-east Asia and north-west Europe.
- The Northwest Passage runs through the Canadian Arctic Islands and the Alaskan Arctic Ocean and could be used for trade between north-east Asia and North America.



Source: Hugo Ahlenius, UNEP/GRID-Arendal

The economic benefits of these new routes could be significant. Of the two sea lanes, the Northern Sea Route holds particular promise due to superior depth, summers freer of ice, and comparatively direct routing. Therefore, it is anticipated that this will be the preferred Arctic sea lane in the near future. Ships sailing between East Asia and Western Europe could save more than 40% in transportation time and fuel costs by navigating this route instead of the Suez Canal.

Currently, most Arctic marine traffic is destinational, delivering goods and supplies to the Arctic or transporting minerals out of the region. In 2006, it was estimated that some 6,000 vessels operated in or transited the Arctic in tourism, minerals mining, oil and gas exploration, military operations, and other activities. Today this number has reached more than 7,000, and many nations are actively building more ships designed to operate in Arctic waters. Notably, traffic related to eco-tourism is expanding rapidly in the region. In 2004, an estimated 1.2 million passengers visited the Arctic; by 2007 this number had doubled.

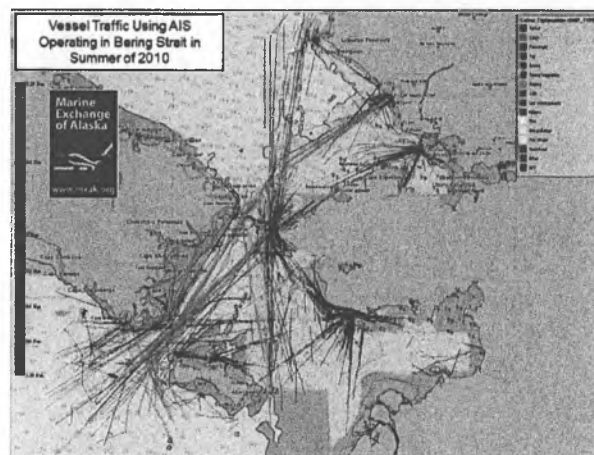
With increased shipping and marine traffic comes increased risk of vessel groundings, spills, collisions, pollutants, noise disturbances, and invasive species. This risk is particularly high due to the lack of detailed navigational charts, reliable weather forecasting, vessel traffic separation protocols, search and rescue infrastructure, and overall maritime domain awareness throughout the Arctic.

Based on these factors the ANWTF makes the following recommendations:

1. *The ANWTF Recommends that the United States Work with the International Community to Finalize the Polar Code and Establish a Bering Strait Vessel Traffic Separation Scheme.*

Maritime shipping is regulated through international treaties that establish standards for the safety and security of maritime operations. These standards are agreed upon through the International Maritime Organization (IMO), an agency of the United Nations.

Currently, ships navigating the Arctic are governed by the same requirements as any other open water ships. The IMO



Vessel Traffic in the Bering Strait Region during the summer of 2010 as depicted by the Marine Exchange of Alaska.

needs to finalize the Polar Code to supplement international maritime and environmental conventions that already apply in the Arctic. The Polar Code can provide additional requirements regarding rescue equipment, passenger safety, firefighting, ice navigation, and navigation in uninhabited areas. Additionally, the code can include requirements for ship construction, design, equipment, crew training, and operations. The IMO should also consider measures or regulatory frameworks to provide safety mechanisms for the regions of the central Arctic Ocean beyond coastal state jurisdiction.

The Polar Code is currently being drafted, and the rules are expected to be in force by 2014. The United States and Alaska should be actively involved in discussions with the IMO to ensure that Alaska's unique needs are met.

The United States and Russia need to begin a process with the IMO of establishing Bering Strait routing measures.

Clearly, all transient traffic in the future, regardless of the route taken, must transit the Bering Strait. This remote, narrow, and hazardous international strait is located in an environmentally sensitive area with little to no search and rescue or maritime disaster-response capability within 800 miles. Increased vessel traffic in the future will make this area particularly vulnerable to maritime disasters. It is only prudent that basic routing measures and vessel monitoring systems be put in place to reduce the risk of calamity in the Bering Strait.

2. *The ANWTF Recommends the Establishment of Non-Tank Vessel Rules and Standards for Arctic Transit.*

Today the most likely environmental threat to the Arctic is an incident involving a non-tank vessel. These are typically large commercial vessels with fuel tanks in excess of one million gallons of fuel and related hazardous cargos. These vessels make up the greatest percentage of transits, and they have proven over time to be the vessels most likely to experience an accident that puts them in jeopardy of sinking or running aground. Non-tank Vessel rules will require these vessels to meet more stringent standards of responsible-party requirements and allow government agencies to provide greater oversight.

Immediate implementation of the USCG Non-tank Vessel Response Plan (NTVRP) rules would advance development of a response capability as well as marine firefighting and salvage capacity in the Aleutians. This is critical in an area of the state that supports the largest commercial fishery in the country. This rule would require vessel response plans for non-tank vessels calling in U.S. ports. In combination with the tank vessel rule already in place, this rule would place the burden of providing sufficient salvage, firefighting, and response capabilities on all vessels passing through the Aleutians that call on U.S. ports. The requirement to comply with these rules would provide the necessary incentives for vessel owners/operators to fund increased salvage and spill response capabilities in the Aleutians. It may also be the means for financing an appropriate rescue tug for this economically and biologically important resource area.

3. *The ANWTF Recommends that Navigational Charts and Other Aids to Navigation be Updated and Improved along with Vessel Tracking and Automatic Identification Systems (AIS).*

For safe shipping, existing nautical charts for the Arctic need to be updated. In an effort to reduce the likelihood of accidents, an assessment of navigational needs should be undertaken to identify priority actions and target locations most likely to present hazards. Short and long range navigation aids will be needed, including buoys, iceberg and other sea-condition warning systems, high-risk-area ves-

sel-traffic management systems, and improved communication technology.

Alaska currently has over 70 automatic identification stations that track vessels in Alaskan waters. The existing Automatic Identification System should be expanded across Alaskan northern waters beyond the Canadian border to Tuktoyuktuk. This should be a high priority. The current system—an international government/industry partnership—serves vital governmental and private sector needs by aiding safe, secure, efficient, and environmentally sound maritime operations. Expanding AIS will provide a clear record of transport across the U.S. Arctic waters, particularly for vessels servicing Canadian western Arctic communities or bound for transit through the Northwest Passage. AIS also provides emergency contact information, port data, locations of other vessels, and navigational information via the internet. Expanding the AIS network across the western Arctic will also allow for compliance under the International Maritime Organization Guidelines for Ships Operating in Polar Waters (Resolution A.1024(26)).

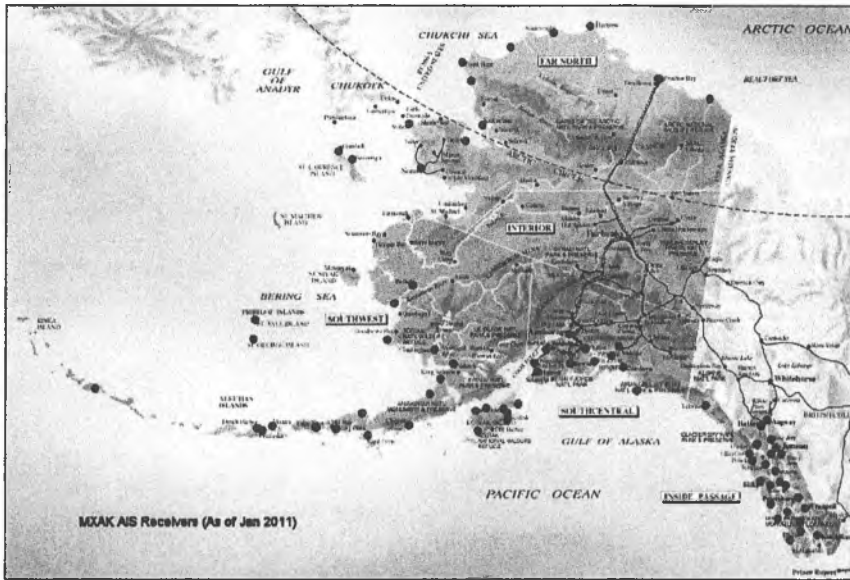
The Alaska State Legislature and the state of Alaska should continue to support the expansion of vessel tracking in the Arctic. The task force encourages the organizations and agencies involved in vessel tracking to pursue all channels of funding to increase their vessel tracking range.

4. *Alaska Northern Waters Task Force Supports the National Oceanic and Atmospheric Administration's (NOAA) Hydrographic Arctic Mapping and Recommends that NOAA Also Include Detailed Near-Shore Bathymetric Mapping.*

The ANWTF supports increased funding to expedite the mapping of the Arctic regions of Alaska, with particular support for updated mapping of coastal navigation routes and entrance routes to coastal villages.

The ANWTF concurs with the 2011 National Hydrographic Survey Priorities for Alaska. However, NOAA priorities for Alaska in the Bering Strait should be moved from priority two to priority one. The Bering Strait is the shipping choke point in Alaska's northern waters. It is imperative that up-to-date bathymetric information be provided for safe navigation. The ANWTF encourages the exchange of this information with the Russian government so that both governments have complete mapping of the entire strait.

The task force also supports NOAA's efforts to fund additional tidal observations to close the tidal data gap in accordance with the 2008 NOAA Network Gap Analysis for the National Water Level Observation Network. These increased observations will allow the joining of the digital mapping initiative vertical data with the Mean High Water and Mean Lower Low Water data that determine own-



Locations of the Marine Exchange of Alaska's AIS Receivers as of Jan 2011.

ership and jurisdiction of state, federal, Native, and private lands.

The ANWTF also encourages public release of bathymetric data collected by the U.S. Navy that would not threaten our national security, as well as public release of bathymetric data collected by private industry that would not threaten their proprietary economic interests.

5. The ANWTF Recommends that the Alaska State Legislature and the State of Alaska Continue to Support Maritime Training Centers in Alaska.

The need for trained and experienced mariners to operate in the Arctic is clear. The task force highly recommends the development of training programs throughout Alaska that can produce competent seafarers for safe operations in the Arctic. Specialized training—such as a USCG approved Ice Navigator curriculum that would implement the recommendations of the Arctic Marine Shipping Assessment and be consistent with the future requirements of the IMO Polar Code—is essential. In addition, qualifications, training, and experience standards for operation of icebreakers, arctic lightering operations, and high latitude navigation should be considered to ensure that increased maritime commerce in the Arctic is developed safely.

The ANWTF sees a real opportunity for Alaska to become the U.S. center of excellence in Arctic maritime training and seafarer development. Building on the state's strong university system, institutions such as the AVTEC Maritime Train-

ing Center, and practical training opportunities in Alaska's ice covered waters, this state is uniquely positioned to become an international leader in high latitude navigation safety training.

6. The ANWTF Supports Completion of the Aleutian Islands Risk Assessment; State of Alaska Participation in the U.S. Coast Guard Port Access Route Study; and Development of a Bering Strait Vessel Traffic Separation Scheme.

Aleutian Islands Risk Assessment

The Aleutian Islands Risk Assessment is a joint venture between the National Fish & Wildlife Foundation, the USCG, and the Alaska Department of Environmental Conservation. The project was organized in response to the grounding of the M/V Selendang Ayu in 2004 and the oil spill it caused. It is a multi-phase risk assessment of maritime transportation in the Bering Sea and the Aleutian Archipelago. Phase A of the Aleutian Island Risk Assessment has been completed.¹

The study mainly focused on traffic following the great circle route through the Aleutian Islands and Bering Sea. The guiding principles applied to the analysis of risk reduction options were that prevention measures take priority over response measures and all measures should be realistic and practical.

The advisory panel assembled for the project developed recommendations for risk reduction options in two categories: those recommended for immediate implementation and those recommended for further study in Phase B of the assessment.

Options for immediate Implementation include:

- Develop an enhanced vessel monitoring and reporting program;
- Enhance towing capabilities on USCG cutters, and increase cutter presence in the Aleutians;
- Stage additional emergency towing systems in the Aleutians.

1. The findings of the Aleutian Islands Risk Assessment can be found at <http://aleutiansriskassessment.com/>.

Options recommended for additional development or study in Phase B, prior to full implementation, include:

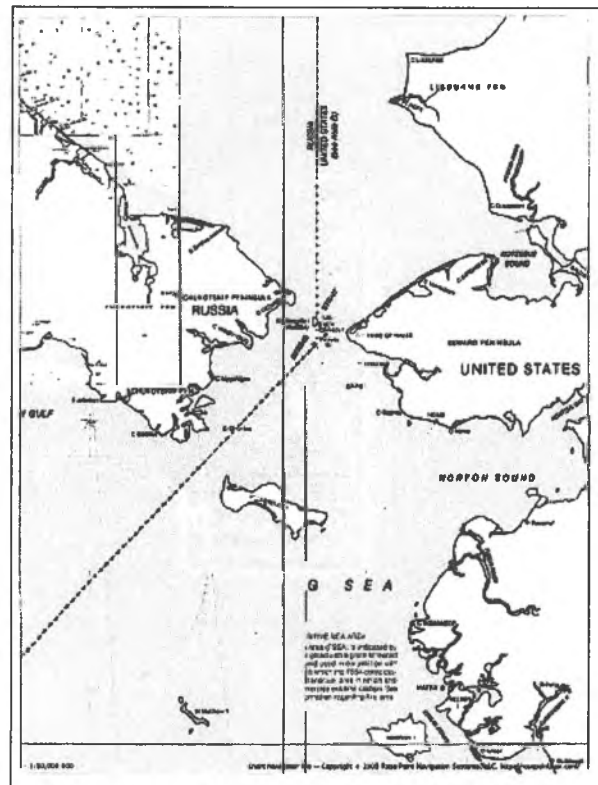
- Increase rescue tug capability in the Aleutians;
- Increase salvage and spill response capability in the Aleutians;
- Determine the boundaries of IMO Particularly Sensitive Sea Areas, and develop recommendations for associated protective measures;
- Strengthen the Aleutians Subarea Contingency Plan.

The ANWTF recommends that the risk assessment move forward with those risk reduction options that were identified by the advisory panel for immediate implementation. In addition, it is recommended that an additional risk reduction option be evaluated in Phase B of the project. A key consideration for reducing the risk of groundings and spills is offshore vessel routing for circumpolar traffic to provide timeframes for responding to disabled vessels. Offshore vessel routing has been successfully employed along the Pacific west coast and is a primary, cost-effective tool for reducing risk.

Bering Strait Port Access Route Study and Vessel Traffic Separation Scheme

The ANWTF recommends that the state of Alaska participate in and support the efforts of the USCG Port Access Route Study of the Bering Strait. Alaska should work with the USCG and Russia to bilaterally assess the risk of increased shipping through the Bering Strait and analyze the options for staging international assets to respond to that risk. The location of staging areas in Nome or other Alaska coastal locations should be considered for U.S. assets. Prov-

ideniya or other Russian coastal areas should be considered for Russian assets. This effort would contribute greatly to the development of any future IMO-led effort to establish internationally binding ship routing measures, such as a Bering Strait Vessel Traffic Separation Scheme.



The shaded region represents the Study Area for the USCG's Bering Strait Port Access Route Study as described in 75 FR 68568.

Planning and Infrastructure Investment

Introduction

A number of state initiatives are underway to look at the potential needs and feasibility of infrastructure projects in Alaska's Arctic region. These include the Alaska Department of Transportation and Public Facilities' (ADOTPF) Industrial Use Roads Study, several Arctic Ports studies, and similar work relating to possible land transportation links to Nome, Ambler, and the Umiat region.

Changes in temperature and precipitation are likely to hold enormous implications for both existing and future construction of all sorts. The ability to better predict and understand the effects of phenomena such as widespread thawing of permafrost will help Alaska prepare for considerable maintenance issues on existing roads, airports, buildings, and pipelines. Just as importantly, it will aid engineers when it comes to properly siting, designing, and constructing new infrastructure capable of withstanding future changes in their specific environments. These important concerns have also been examined in ADOTPF's "Impact of Climate Change on Alaska's Transportation Infrastructure."

These changes also pose significant challenges to some communities in Arctic coastal and riverine areas, most notably those located along the Bering and Chukchi Seas. A number of communities are threatened with increased rates of coastal erosion and flooding as a result of storm activity and battered shorelines once protected by shore-fast ice. These problems could become chronic as the climate warms, seasonal sea ice retreats, and destructive coastal storms become more frequent. These important concerns have been recognized in reports issued by the state of Alaska's Climate Change Subcabinet Immediate Action and Adaptation work groups.

Immediate investment in Arctic infrastructure is a foremost priority for Alaska and the entire United States. Alaska will need to explore ways to attract substantial sources of capital investment in addition to state and federal funding. Action is needed to enable the responsible development of resources; facilitate, secure, and benefit from new global transportation routes; and safeguard Arctic residents and ecosystems.

This investment will improve the safety, security, and reliability of transportation in the region—a goal established by the U.S. Arctic Policy signed by President Bush in 2009. As interest and activity in the Arctic continues to rise, America's preparedness in the region becomes ever more important to national security.

Increased human activity related to shipping, oil and gas development, commercial fishing, and tourism will require, at

a minimum, new ports and safe harbors, equipment and facilities for oil spill response, additional Polar Class icebreakers for the U.S. fleet, and improved charting and mapping.

The U. S. Coast Guard's needs in these areas well illustrate the magnitude of infrastructure investment necessary in the Arctic. The Search & Rescue (SAR) agreement recently negotiated by the eight Arctic Nations through the Arctic Council commits the United States to search and rescue response in regions of the Arctic. Domestically, the National Contingency Plan requires the U.S. Coast Guard to oversee oil spill planning and preparedness in coastal waters and to supervise any oil spill response. Additionally, the U.S. Coast Guard's mission is to protect the public, the environment, and U.S. economic interests in the nation's ports and waterways, along the coast, on international waters, or in any maritime region as required for national security.¹

At present, the Coast Guard has very limited Arctic emergency response capabilities and no permanent bases on Alaska's North Slope to support its operations. Basic needs there include communications, housing, and support facilities. It is especially notable that the Coast Guard has only one operational Polar Class icebreaker, the USCG Cutter Healy. Clearly, the Coast Guard does not have the assets required to carry out its expanding mission in the Arctic.

With transformation in the Arctic calling for a broad spectrum of new facilities on such a large scale, the state of Alaska must take an active role in regional planning efforts with communities and their stakeholders. This will help communities develop local strategies and ensure that the state is getting the most return on investment for local projects. Some communities may not have the resources to adequately prepare for the future, and the state should take this opportunity to help increase local capacity for the benefit of all Alaskans.

1. The ANWTF Recommends that the Alaska State Legislature Urge the United States to Forward Base the U.S. Coast Guard in the Arctic.

As human activity increases in Alaska's northernmost waters, the need to establish a Coast Guard base in the Arctic grows. The most northern Coast Guard base in the United States is in Kodiak, Alaska, more than 1,000 miles from pos-

1. The Coast Guard has 11 Statutory (non-discretionary) missions: Search and Rescue, Maritime Safety, Ports & Waterways Security, Drug Interdiction, Migrant Interdiction, National Defense, Living Marine Resources, Marine Environmental Protection, Aids to Navigation, Ice Operations, and Law Enforcement.

sible Chukchi Sea drilling sites and nearly as far from existing Arctic shipping lanes in the Bering Strait.¹ This distance causes untenable logistical problems that negatively impact response times and capabilities. The Coast Guard must have a greater overall presence in the Arctic, with the ability to stage assets closer to future shipping, oil and gas drilling, and commercial fishing activities.

The federal government should begin planning immediately to establish an Arctic base, and it must also move forward on interim measures for search and rescue and oil spill response in the region. The latter include working with communities to site required equipment at strategic locations, upgrading regional airports and associated storage facilities to enable efficient airlifting of assets, and increasing communications infrastructure.

2. The ANWTF Recommends that the Alaska State Legislature Urge the United States to Fund Icebreakers and Other Ice-capable Vessels.

At present, the United States has only one Polar Class icebreaker in service, the Coast Guard's Healy. A second Polar Class icebreaker, the Polar Star, is undergoing extensive repairs in Seattle and is not expected to return to service until 2013. Its sister ship, the Polar Sea, was decommissioned in 2011.

Meanwhile, Russia has a fleet of eight service-ready nuclear powered icebreakers, including an ice-breaking container ship. A ninth is under construction and will join their fleet in 2015. China owns the world's largest non-nuclear icebreaker and plans to launch a second by 2013. Canada has committed \$38 billion to a 30-year plan to build additional icebreakers and other ice-strengthened ships suitable for Arctic service. Sweden, Finland, South Korea, and Japan are adding icebreakers to their fleets.²

The United States Coast Guard Cutter Healy is a medium strength vessel used most recently as a platform for scientific research. Its design is less suited to military missions. Congress has appropriated \$60 million for repairs to the Polar Star. At this level of funding, its overhaul is estimated to provide for seven to ten years of additional service—the same length of time the Coast Guard estimates is required to design and construct a new Polar Class icebreaker, at a cost of about \$860 million.

This limited number of icebreakers presents a major challenge to the Coast Guard mission in Alaska. Having ice-capable vessels is vital to maintain sovereignty, continue scientific research, and provide emergency and oil spill response.

1. To put this distance into perspective, the distance between Kodiak and Barrow is about the distance between Los Angeles and Seattle.

2. For a list of ice breaker assets around the world go to: <http://www.globalsecurity.org/military/world/icebreakers-list.htm>

Overreliance on the Healy, which was not designed to meet all these challenges, poses risks for the United States and Alaska.

The ANWTF urges the state of Alaska to prevail upon the U.S. government to fund the construction of new heavy icebreakers and additional cutters for the U.S. Coast Guard. The Coast Guard is developing a long term vessel asset plan, but so far it has been unable to secure funding. It is expected that additional vessels will be required in support of oil spill response; these vessels must be capable of year-round Arctic operations. Immediate steps should be taken to begin construction of these assets.

Further, the ANWTF supports planning for other necessary facilities for search and rescue responsibilities, spill clean-up equipment and response vessels, and research. The Coast Guard needs this infrastructure to fulfill its mission.

3. The ANWTF Recommends that the Alaska State Legislature Support Search and Rescue Coordination Centers along the Coast to Assist Federal and State Responders.

The ANWTF supports search and rescue efforts at all levels—federal, state, and local. Because the USCG doesn't have an Arctic presence, local communities are often the first responders to an emergency.

The state of Alaska should coordinate planning with the USCG and local communities to develop strategies for increased search and rescue capabilities in the Arctic. Strategies may include purchase of equipment, training, and increased communications capability at the community level.

Other countries are already moving ahead with similar initiatives. Russia is currently in the process of building ten search and rescue centers along its Arctic coast line. Given the size of the Alaskan Arctic, effective local response will be critical. State planning should begin immediately.

4. The ANWTF Recommends Supporting the University of Alaska Fairbanks Scenarios Network for Alaska and Arctic Planning.

Scientists reviewing weather data for Alaska believe the state has been experiencing a warming trend with drier conditions in parts of the state. The ANWTF heard presentations on impacts this could have on Arctic communities and businesses. They include, among others, drier conditions in Interior Alaska resulting in more frequent and severe forest fires; species moving outside their historical ranges and perhaps displacing other species; changes in the active layer and permafrost in areas of the state resulting in loss of structural support and other adverse effects on roads and infrastructure; increase in the rate of coastal erosion in areas of

the state; and changes in hydrology including loss of surface ponds used for drinking water. It is important for state and local governments and industry to have a better understanding of possible future climatic conditions in the state when planning long-term infrastructure and critical services.

The University of Alaska Fairbanks formed the Scenarios Network for Alaska and Arctic Planning (SNAAP) to help decision makers understand possible future climate scenarios and their impacts in the state. SNAAP has developed data-driven models and scenarios for specific areas of the state that describe possible effects from longer-term changes in air temperature and precipitation. SNAAP has been working with other researchers to integrate down-scaled climatic models with terrestrial models to make predictions of landscape changes and the implications of such changes (melting permafrost, shifting and intensity of fire regimes, etc.) on the state's roads, airports, ports, pipelines, and rural communities. Both marine and terrestrial models should include predictions of impacts on resource development and related infrastructure. Such models would inform future infrastructure development and management.

The ANWTF recommends the state of Alaska support the work being done by SNAAP and encourages making this information, along with any important caveats on the limitations on such climatic predictions, available to state agencies, local governments, and the public to assist them in their long-term planning. The ANWTF believes this information could also be useful to agencies and organizations involved in setting standards for construction around the state.

5. The ANWTF Recommends Continuing the Analysis and Development of Ports and Safe Harbors in the Arctic Region.

Studies by the U.S. Coast Guard, the U.S. Navy, the Arctic Council, the U.S. Army Corps of Engineers, and the Alaska Department of Transportation and Public Facilities all identify the need to develop ports and harbors in Arctic Alaska. Given the long lead times for such construction, ports should be among the highest priorities for Arctic infrastructure.

Building on the findings of the 2008 and 2011 state/federal Alaska Regional Ports Workshops and the 2011 Arctic Ports Charette, the state of Alaska and the U.S. Army Corps of Engineers should continue analyzing options for deep- and medium-draft port and safe harbor construction in the Alaskan Arctic. The state should convene an industry-focused Alaska Arctic Ports Workshop to assess the pros and cons of alternative locations and types of ports, address environmental conditions and engineering approaches, and explore funding alternatives.

Locations to consider include:

- St. Paul Island in the Pribilof Islands. Here there is an existing harbor for the Central Bering Sea fishing fleet and fish processing facilities.
- St. Lawrence Island. There is no existing sea port on St. Lawrence.
- Nome/Teller. A medium-draft port exists at Nome. Considerations include expanding the Nome causeway, improving the Nome-Teller road, and developing a seasonal deep-draft port at Port Clarence Bay off Teller.
- Kotzebue/Cape Blossom. A shallow-draft port complex exists at Kotzebue. During the ice-free season, deep-draft freighters anchor 15 miles out to sea and cargo is lightered to port. Shallow-draft barges deliver cargo to area communities. Cape Blossom, across Kotzebue Sound, offers a potential deep-draft port site.
- Mekoryuk. Located on Nunivak Island, Mekoryuk has no boat harbor but does have moorage for small boats protected by a breakwater.
- Cape Thompson. Located on the Chukchi Sea about 26 miles southeast of Point Hope, Cape Thompson has previously been considered for a port site. It is located on a promontory with bulk rip-rap and aggregate potential and is broadly sheltered from the north by the spit of Point Hope. It has an old airstrip but is otherwise largely undeveloped.
- Wainwright. Wainwright is the nearest village to the Chukchi Sea OCS leases and is located on Wainwright Inlet, which is capable of sheltering shallow- to medium-draft vessels. It is located 90 miles west of Barrow. The city presently does not have a seaport.
- Point Franklin. Located between Wainwright and Barrow, Point Franklin and its adjacent barrier islands may serve as a shelter and possible port site for shallow- to medium-draft vessels.
- Barrow. With a population of more than 4000, Barrow boasts considerable infrastructure despite its remote location and is the geographic midpoint between the active exploration areas in the Beaufort and Chukchi Seas. Just east of Point Barrow is Eluitkaak Pass, which is the "notch" between the Barrow spit and the barrier islands of Elson Lagoon. Eluitkaak Pass is about 50 feet deep at its deepest, although it shallows at both ends toward the north and the south. Elson Lagoon, although shallow, is protected from the open ocean by barrier islands. At present there is no protected harbor at Barrow.
- Prudhoe Bay. Prudhoe Bay has been extensively developed for oil industry support. There is a causeway and dock system on the east and west sides of Prudhoe Bay that currently services the line-haul barges that transport drilling and production infrastructure to the North Slope. The community, made up almost entirely of oil industry

employees, is connected year-round to the North American road system by the Dalton Highway.

- **Mary Sachs Entrance.** This is a channel between barrier islands located about 60 miles north and east of Prudhoe Bay.

Plans for the development of deep-draft ports and improved safe harbors in northern waters should be intended also to improve access to inland resources in the region. Consideration should be given to the proximity of exploitable natural resources and access to them by navigable inland waterways or through the construction of railways or roads.

A key economic factor in the viability of developing natural resources in Alaska is the distance to an ocean port. Natural resources within 100 miles of a coast line typically have a higher probability of development due to shipping proximity. Development of resource transportation corridors to Arctic ports is critical for both shipping of product to market and for resupply of materials and equipment necessary for resource exploration, development, and extraction. Options for public-private partnerships (P3's) should be explored as a mechanism to capitalize development of the resource deposits and provide a return on investment to the state and private sector industries. Port planning for the Arctic should include a prioritized strategy for approaches to specific resource deposits and options for developing infrastructure to support exploration, development, and transportation of the resource.

6. The ANWTF Recommends the State of Alaska Consider Proposals to Expand Fiber Optic Cable Routes Across Northern Waters.

The retreat of sea ice and stability of the sea floor in the Arctic is creating interest in a potential fiber optic cable route from London to Tokyo via the Canadian Northwest Passage and Alaskan Arctic. Just as shipping routes are significantly shorter across the northern waters, so would be cable routes.

Linking Alaska's Arctic communities to trans-Arctic cable routes would bring many benefits. Increased communications will be needed in support of the Coast Guard's mission, including search and rescue and oil-spill response operations. Better communications are also required for the safe operations of ships transiting the region and offshore oil

field development activities. At the same time, broadband links would enhance economic development and distance learning opportunities for Arctic communities.

The state should consider an assortment of strategies. In 2010, Kodiak Kenai Cable Company developed an international consortium for a Tokyo-London link with a landing at Prudhoe Bay. The company also proposed branches linking Kodiak with the more remote communities of Dutch Harbor, Nome, Kotzebue, and Barrow before rejoining the primary cable at the Prudhoe Bay landing. While this proposal was unsuccessful in obtaining funding, the effort produced valuable research, and the related Arctic Cable Company has now been formed.

On land, GCI's Terra SW has connected 65 coastal villages and communities in the Bristol Bay and Yukon-Kuskokwim Delta regions to a fiber optic/microwave network. GCI is exploring expanding the network to include the communities of northwest Alaska. On the North Slope of Alaska, the Arctic National Broadband Network initiative explored developing broadband capability between Barrow and Nuiqsut.

The state should continue to encourage fiber optic cable ventures that will include links to coastal hub communities and industry bases adjoining the northern waters.

7. The ANWTF Recommends that the State of Alaska Explore Models to Access Funding for Arctic Infrastructure.

As the state of Alaska determines its priorities for Arctic infrastructure projects, the Alaska Industrial Development and Export Authority (AIDEA) should begin examining which categories of projects are likely to meet its criteria for funding and which will need additional or wholly alternative sources.

The state should consult with financing and investment specialists to explore strategies to attract additional sources of capital to infrastructure priorities. Such considerations could include private sector investment as well as the creation of state, national, and international development corporations.

Statement for the Record
The Honorable Mead Treadwell
Lieutenant Governor
State of Alaska
Before the
United States House of Representatives
Committee Transportation on Transportation and Infrastructure
Subcommittee on Coast Guard and Maritime Transportation

“America is Missing the Boat”
December 1, 2011
Washington, D.C.

Introduction

Mr. Chairman, members of the Committee, Congressman Young, for the record, I am Mead Treadwell, the lieutenant governor of the State of Alaska. Thank you for inviting me to offer some views from Alaska about the future of Arctic shipping and maritime activities, and the need to ensure we are prepared to embrace those challenges and opportunities safely.

We’ve said it before – in my appearance before this Subcommittee in 2006 and in Governor Sean Parnell’s Senate testimony in 2009,¹ and we’ll say it again, because not much has changed: it is time for the nation to act – and act now – to add new polar class icebreakers to the United States Coast Guard’s fleet. With so much happening in the North today, the need is more urgent and apparent than ever. We would like to ask this Committee, and by extension Congress and the Executive Branch, to look with us at the bigger picture – the historic changes happening in the Arctic and what they portend for world commerce and Alaska’s shores – and recognize three imminent needs:

First, the United States must commission new heavy icebreakers to operate in the Arctic.

Second, we need legal measures in addition to icebreakers to protect our shores from the dangers of unregulated itinerant vessels carrying hazardous cargoes near our coasts.

And third, Congress and the Administration must fulfill the legal mandates that are already in place regarding icebreakers. These mandates reflect needs in commerce, science, and protection of Americans’ sovereignty, safety, and security. The State of Alaska is responding to opportunities and risks associated with the historic changes in global shipping patterns resulting from changes in the Arctic Ocean. We are eager to continue in cooperation with the nation.

I. Congress needs to act now on icebreakers.

A. Other nations have already seen the big picture.

¹ Governor Sean Parnell made the case for icebreakers in the Arctic in his 2009 testimony before the Senate Subcommittee on Homeland Security Appropriations, stating, “The Coast Guard needs to move north and improve its capability – our heavy class icebreakers are on their last legs.”

The purchase of Alaska in 1867 made America an Arctic nation, yet after 150 years, the myth of Seward's Folly still lingers. It's time to quit arguing whether investment in the North is worth it and recognize the valuable people, resources and location we gained as a nation.

Arctic resources include globally significant quantities of commercial fisheries, minerals, renewable energy sources, and world-class amounts of oil and gas. A 2008 U.S. Geological Survey estimates 13% of the world's undiscovered oil, and 23% of undiscovered gas lies in the Arctic. Six of the Arctic nations are already pursuing oil and gas development offshore, and energy may soon be the primary cargo transiting the Bering Strait.

America is one of only eight Arctic nations, and one of two with territory adjoining the Bering Strait – really a “Bering Gate,” the only route from the Pacific to the Arctic.

Changes in the Arctic are creating opportunities in a once remote and harsh region. Ice cover is at historic minimums, and multi-year ice is decreasing. Icebreaking technology has advanced, bringing significant new efficiencies. Northern sea routes, sought by explorers for hundreds of years, are opening up.

Several sources report that international shipping of crude oil, refined products, and other potentially hazardous cargoes through the Bering Strait is growing rapidly as European and Asian shippers see the advantages of the Arctic route. Other Arctic – and even non-Arctic – nations have seen the potential, but America is missing the boat.

Most traffic occurs under arrangements for icebreaker escort by vessels working with Russia's Northern Sea Route Administration. We understand that last year, for the first time, Norway's Tschudi Shipping Company worked a partnership with Russian maritime authorities to bring 41,000 tons of iron ore from Kirkenes, Norway to China.

Again this year, Russian ships, and ships of other nations escorted by Russia's Northern Sea Route Administration, are coming in force. Hazardous cargoes are making the backhaul as well – at least one tanker bringing gas condensate to Asia this year is reported to have returned to Europe with aviation fuel.

In August of this year, Norway's *MV Nordic Barents* was the first non-Russian bulk cargo ship to transit the Northern Sea Route in Russian waters.

Other records are being set along the Northern Sea Route, from the *STI Heritage*'s fastest-ever voyage from Murmansk to Thailand, transiting in just eight days, to the *Perseverance*'s latest-ever northern voyage, which ended just two weeks ago on November 18. Altogether, the Northern Sea Route saw nine tankers carrying 600,000 tons of gas condensate pass by this year.

I joined an Arctic conference in Arkhangelsk, Russia in September, where Russia's Prime Minister Vladimir Putin told the Russian Geographical Society that his country sees the opportunities in the Arctic, and they are ready to pounce. Speaking of the Northern Sea Route at the Russian Geographical Society conference, Putin told us, “We are planning to turn it into a

key commercial route of global importance. ... We see its future as an international transport artery capable of competing with traditional sea routes in cost of services, safety, and quality.”² President Medvedev, dedicating a new northern rail project in Yakutsk – headed for the Bering Strait – indicated as much last month.

Russia intends to make the Northern Sea Route as important to global shipping and commerce as the Suez Canal.

And Russia is putting its money where its mouth is, building nine new icebreakers in the next decade, and discounting tariffs on icebreaker escorts to make sure that shippers find the Northern Sea Route for distance savings of up to 40 percent. Russia’s claim to new extended continental shelf resources in the Arctic Ocean under the United Nations Convention on the Law of the Sea could give Russia greater control of Arctic shipping. Cargo moving through the Bering Strait this year – from Russian and American sources – is worth well over \$1 billion. Add to that a Bering Sea fishery owned by both nations worth billions each year and the situation is clear: in monetary terms, there’s billions to be made and billions to protect.

At the same Arkhangelsk conference, Russia’s Academy of Sciences Vice President Nikolai Laverov showed a slide of Alaska’s declining throughput in the Trans-Alaska Pipeline System (or TAPS) and Russia’s competitive success in attracting Arctic investment. All Arctic energy production depends on access, and Russia has it. Russia is now in the lead in Arctic oil production – and they’re keen to stay there.

Meanwhile, other Arctic and circumpolar nations are investing in fleets of icebreakers. The report of exactly how many ships are being operated by other countries varies (some count polar, medium and light icebreakers, as well as ice ‘strengthened’ or ‘capable’ vessels), but all the tallies make one thing clear: other nations have seen the writing on the wall and are investing in infrastructure. Sweden has at least four vessels; Finland, at least six; and Russia over two dozen (and counting). Canada has about eight, and even the European Union is constructing an icebreaker – a heavy, polar class icebreaker.³

Our Arctic neighbors are leaps and bounds ahead of our position, and non-Arctic nations are in hot pursuit.

A Chinese researcher, Mr. Li Zhenfu of Dalian Maritime University, writes that, “Whoever has control of the Arctic route will control the new passage of world economics and international strategies.”⁴ The prospect of commercial and strategic opportunities presented by receding sea ice cover and accessibility of Arctic resources has moved the Chinese government to allocate more resources for Arctic research, and they have asked to join the Arctic Council as an observer. China’s Rear Admiral Yin Zhuo has asserted that no nation has sovereignty over the

² Putin, Vladimir (2011, September). Remarks presented at the second International Arctic Forum, “The Arctic – Territory of Dialogue”, Arkhangelsk, Russia. Available online: <http://premier.gov.ru/eng/events/news/16536/>.

³ “The World Icebreaker, Ice Breaking Supply and Research Vessel Fleet.” A report commissioned by the Finnish Maritime Administration on behalf of the Baltic Icebreaker Management. Released by the Finnish Transport Agency, Helsinki, February 2011.

“Polar Icebreakers of the World.” A list developed and maintained by Mobility and Ice Operations. July 25, 2011.

⁴ Li, Zhenfu. *Zhongguo Hanghai*, vol. 32, no. 2 (June 2009).

Arctic, and said that China must plan to have an indispensable role in Arctic exploration as they have one-fifth of the world's population.⁵

Japan has stepped up its research in global environment, climate and marine science in the Arctic. And with China and Korea, Japan has applied for permanent observer status on the Arctic Council.

Polar air routes have characterized the jet age since the late 1950s, and Arctic air transport is now key to air cargo bound between North America or Europe and Asia. Governments and industries in Russia, Europe and Asia see the same potential for shipping. Why don't we?

B. Our national mandates are not being met.

The irony of America's present situation is painful: a staggering national debt weighs on the future of our children, while the contributions of a promising and abundant region go largely unnoticed. When we ask you for icebreakers, it's for safety, security, and American jobs. It's to serve American shipping, American exports. It's to help lower costs for Americans in regions like Western Alaska, which has a higher cost of living than anyplace in the nation. Americans lack jobs, our industries struggle with the cost of doing business, and rural Alaskans suffer the staggering cost of energy, while huge amounts of foreign energy are beginning to pass by our front door in tankers, taking advantage of game-changing shipping opportunities.

The United States is falling behind in maintaining an Arctic presence and in helping to set best practices as this region sees increasing international resource development and shipping. But more importantly, we are failing in our own national mandates, goals and policy.

In 1936, President Franklin Roosevelt issued Executive Order 7521, directing the Coast Guard, under the direction of the Secretary of the Treasury and with the cooperation of the Secretaries of War (Army), the Navy, and Commerce, to keep channels and harbors open to navigation by means of icebreaking operations. That order has never been implemented in the Arctic.

The Arctic Research and Policy Act of 1984 recognized that the United States was lagging behind other circumpolar nations even then, and it directs the Office of Management and Budget to "seek to facilitate planning for the design, procurement, maintenance, deployment and operations of icebreakers needed to provide a platform for Arctic research by allocating all funds necessary to support icebreaking operations, except for recurring incremental costs associated with specific projects, to the Coast Guard."

Last year's Coast Guard Authorization Act of 2010, section 307, implements the Arctic Marine Shipping Assessment (AMSA), mandating that the Coast Guard "shall promote safe maritime navigation by means of icebreaking where necessary, feasible, and effective..." That makes

⁵ Qtd. in Wright, David Curtis. *The Dragon Eyes the Top of the World: Arctic Policy Debate and Discussion in China*. China Maritime Study No. 8. Newport, RI: U.S. Naval War College (Aug. 2011). Page 2. Available online: http://www.usnwc.edu/Research---Gaming/China-Maritime-Studies-Institute/Publications/documents/China-Maritime-Study-8_The-Dragon-Eyes-the-Top-of-.pdf.

President Roosevelt's order the law of the land for the entire nation. We welcome this mandate as Alaska has half the nation's coastline, and likely over half of America's ice.

That act also required that a report on the comparative cost-benefit analyses of icebreaker renovation or construction be delivered no later than October 15 of this year to the Senate Committee on Commerce, Science and Transportation, and the House Committee on Transportation and Infrastructure. It moreover required a report from the Commandant of the Coast Guard on the High-Latitude Study assessing the polar icebreaking requirements for Coast Guard missions, including search and rescue, marine pollution response and prevention, fisheries enforcement, and maritime commerce. We understand that full report is embargoed still by President Obama's administration.

This past spring, the President updated the United States military's Unified Command Plan to give U.S. Northern Command advocacy responsibility for Arctic capabilities. Accompanying shifts of UCP geographic boundaries mark the military's awareness of the vital and ever-growing importance of the Arctic. Then Commander of the Northern Command, U.S. Navy Admiral James Winnefeld, Jr., recognized the implications of the changing Arctic, and noted the gaps faced by the military, including infrastructure and mobility, and search and rescue capabilities.⁶ General Charles Jacoby, his successor, formerly ran the U.S. Army in Alaska. He, too, knows our challenges.

Around the same time as this spring's announcement, a report by the National Research Council on the implications of climate change on national security cited major gaps in U.S. naval forces' ability to perform their missions in the Arctic.⁷ That report advised that the U.S. Navy, Marine Corps and Coast Guard take action to ready themselves for Arctic conditions. The protection of our domestic security is the fundamental mandate of the U.S. Armed Forces, and it is threatened if we remain unprepared.

This year, in response to the recommendations of AMSA, the eight Arctic Council nations signed a binding Search and Rescue Agreement. Alaska supported this, and sent experts to the first multinational exercise conducted under this agreement in October in Whitehorse, Yukon Territory. Without icebreakers and other Arctic USCG assets, major deficiencies in the region's life safety response capabilities exist – and our promise to provide search and rescue in our sector of the Arctic is compromised.

Finally, the United States Congress, in the 2010 Coast Guard Authorization Act, charged the Committee on Marine Transportation Services (CMTS) to develop an integrated Arctic shipping regime, and to coordinate the establishment of domestic transportation policy to realize the goal set by President George W. Bush of safe, secure and reliable shipping in the Arctic. The AMSA Implementation Act, additionally, encourages the Coast Guard to negotiate agreements with

⁶ Winnefeld, Jr., Admiral James A., U.S. Navy Commander, United States Northern Command and North American Aerospace Defense Command. Statement before the House Armed Services Committee, 30 Mar. 2011. Available online: [http://www.northcom.mil/Docs/2011%20NORAD%20and%20USNORTHCOM%20Posture%20Statement%20\(HASC%20Final\).pdf](http://www.northcom.mil/Docs/2011%20NORAD%20and%20USNORTHCOM%20Posture%20Statement%20(HASC%20Final).pdf).

⁷ *National Security Implications of Climate Change for U.S. Naval Forces*. Committee on National Security Implications of Climate Change for U.S. Naval Forces. Washington, D.C.: The National Academies Press, 2011.

other Arctic nations through the International Maritime Organization. Those agreements would focus on aids to navigation; marine safety, tug, and salvage capabilities; oil spill prevention and response capability; maritime domain awareness (including long-range vessel tracking); and search and rescue.

The United States has been protecting our sovereign airspace along Alaska's shores for over 50 years. The United States Coast Guard has been protecting America's coast for over 200 years. Why don't we protect our sovereign waters along Alaska's Arctic coast with the same vigor?

America has a duty to protect its citizens in coastal communities and to safeguard their way of life. Coastal Alaskans have spent thousands of years relying on the sea for their food and clothing, for the heat they create from whale oil and the shelter they derive from driftwood. The majority of Alaska Natives in the North get more than half of their meat and fish from wild, local harvests. Sixty percent of those wild harvests are from marine mammals. It is imperative we ensure that the increasing foreign ship traffic off our shores does not jeopardize the freedom of Americans to maintain a subsistence lifestyle.

Mr. Chairman, the United States has a long history of national mandates and policy that require our action. And yet we fail to act on them. Moreover, the recent decision of the U.S. House of Representatives to retire the nation's only heavy icebreaking ships without replacements is a disappointment. But to the extent that the all-or-nothing approach forces a legitimate conversation about the need for icebreakers and an opportunity to spotlight the conversation – I applaud the decision.

We should, however, be cautious about the risky "game of chicken." If it fails, it fails Americans – and Alaskans most of all.

C. The savings and benefits outweigh the costs.

We understand that the action we are asking Congress to take will require significant funds. We understand the costs, but we cannot ignore our obligations or the major opportunities we face.

In a conference recently in Juneau, University of Alaska Professor Dr. Lawson Brigham, a former USCG icebreaker captain, noted that the U.S. Navy is building 47 Littoral Combat Ships at a price of \$400-500 million each. He asked, why not consider building 45 of these ships, and allocating that other \$800 million to \$1 billion in the budget for the Coast Guard to build one major polar icebreaker?

Some have argued we should charge for icebreaker escort services as other nations do. Ship owners pay for services in the Panama and Suez Canals. U.S. vessels pay for oil spill preparedness and insurance. A bill pending in this Congress would have the U.S. lease, rather than own, icebreakers it needs in the Arctic. Long term charter agreements are in place in the Antarctic, and it has been argued that private contractors are able to build icebreakers more quickly and less expensively, operate them more efficiently in terms of cost and maintenance, and would bear the expense of decommissioning. This is worthy of consideration if it moves us forward faster in the Arctic.

However we work out our finances, America and its trading partners could reap huge economic benefits from accessing northern sea routes. Former U.S. Coast Guard Lieutenant Commander Scott Borgerson wrote nearly four years ago about the financial advantages available to world commerce through Arctic shipping.⁸ He told us how plying the Northern Sea Route from Rotterdam to Yokohama instead of traveling via the Suez Canal would yield distance savings of more than 40 percent. He told us that one container ship voyage from Seattle to Rotterdam via the Northwest Passage instead of the Panama Canal could save about 20 percent of its costs – then about \$3.5 million dollars.

Borgerson envisioned a future of global Arctic shipping where “a marine highway directly over the North Pole will materialize. Such a route,” he wrote, “which would most likely run between Iceland and Alaska’s Dutch Harbor, would connect shipping megaports in the North Atlantic with those in the North Pacific and radiate outward to other ports in a hub-and-spoke system.”

As the Arctic Marine Shipping Assessment predicted, most Arctic shipping traffic today is destination, carrying resources out from or products in to Arctic regions. But we need to envision a time, coming soon, when products travelling to and from non-Arctic ports traverse our Arctic Ocean and Bering Sea – and we need to be ready.

II. Our lack of legal protection.

I want to make sure Congress understands there are now two classes of ships operating in the Bering Strait region – those that are under contingency planning requirements for oil spills, and those that are not. U.S. vessels are highly regulated: by NOAA, by EPA air quality controls, by the Interior Department’s BOEM and BSEE oversight of exploration – in fact, over 120 federal laws regulate the use of the coastal zone and offshore areas. But ships originating outside the U.S. – such as those traveling between Russia or Europe and Asia, are not even required to have a spill contingency plan, even though they pass by hundreds of miles of U.S. coastline. We face the prospect of increasing international ship traffic through the Bering Strait – carrying anything from crude oil to aviation fuel – with minimal requirements to prepare for oil spills, maintain air quality, or care for wildlife and subsistence needs.⁹

Icebreakers can help us reduce the risks brought about by that disparity. If we are to achieve our policy of advancing safe, secure and reliable shipping as the Arctic Ocean becomes more accessible, the U.S. must operate new polar class icebreakers. Without them, little or no appropriate government capability exists to enforce prevention measures or to respond to a spill in this region. It is folly to rely on aircraft and submarines alone to protect U.S. interests. We learned that tragic lesson when we lost six lives as a helicopter crashed trying to evacuate crew from the shipwrecked *Selendang Ayu* in 2004.

⁸ Borgerson, Scott G. “Arctic Meltdown: the Economic and Security Implications of Global Warming.” *Foreign Affairs*, vol. 87, no. 2.

⁹ The State of Alaska has sought remedies to this situation in its comments on the USCG Port Access Route Study for the Bering Strait.

There are a range of legal ways and international agreements we might pursue to require safety measures from itinerant vessels transiting the Bering Strait. (None are quick or easy solutions, but measures that protect our national security rarely are.)

- Working on a vessel routing system to prevent collisions and groundings from increased shipping, following protocols of the International Maritime Organization, and coordinating with the Russian Federation. The State of Alaska provided comments to the USCG's Port Access Route Study for the Bering Strait regarding this approach.
- Having all Arctic nations seek ship owners' participation in an Oil Spill Response Organization with a contingency plan, perhaps as part of the upcoming Arctic Council Oil Spill Preparedness and Response Agreement. Alaska has joined U.S. delegations negotiating this agreement.
- Resolving the debate on Law of the Sea, and ratifying the Law of the Sea Treaty, which with Article 234 authorizes the extension of environmental law in traditionally ice-covered areas. As the debate on ratification continues, the State has asked for clarification of U.S. intent in implementing Article 234.
- Using existing authority in the Oil Pollution Act of 1990 to cover nontank vessels and working a reciprocal deal with Russia and Canada. The Final Rule on Nontank Vessel Response Plans and Other Vessel Response Plan Requirements Regulations is still under development within the Coast Guard and the Department of Homeland Security. Section 701 of the Coast Guard Authorization Act of 2010 directs that this final rule be issued no later than April 15, 2012.
- Forming an agreement with Canada and/or Russia similar to the 1817 Rush-Bagot Agreement, creating a mechanism like that of the St. Lawrence Seaway Development Corporation, whereby Arctic nations establish a shipping authority that administers the route, provides compliance, icebreaking, and other aids to navigation, including spill preparedness and response. (Borgerson also suggested this in his 2008 article, "Arctic Meltdown".)

III. How Alaska is helping America live up to the promise of the Arctic.

Mr. Chairman, Congress spoke last year in the Coast Guard Authorization Act of 2010 and AMSA Implementation, and charged the Committee on Marine Transportation System with this mission: to coordinate the establishment of domestic transportation policy to ensure safe and secure maritime shipping in the Arctic. I would like to say for the record now that as these processes get underway, we need to be ambitious, creative, and determined. The United States must acknowledge its responsibilities and embrace new possibilities. The Arctic needs resources, not just rules. What's happening in the Arctic Ocean and along northern sea routes has global, historic and exciting significance, and we need to take an active role. We must plan for an Arctic shipping future that could be like a new Suez Canal.

In a visit to D.C. last month, I briefed the leaders of CMTS in some activities the State of Alaska is conducting to help America move toward the new world of Arctic shipping, and how we are bringing resources to the table to help to achieve safety, create jobs, and spur exports of goods and services. We are hopeful the CMTS will mesh with the outcome of our current work with the Arctic Council, the International Maritime Organization, and the U.S. Coast Guard and Army Corps of Engineers, and Alaska's Northern Waters Task Force.

Below is a non-comprehensive list of these activities:

- **Arctic Council:** The State of Alaska actively supports the United States' work within the Arctic Council, and I serve as our state's liaison on Council issues. As we support the Council's work to implement recommendations of the 2009 AMSA, the State is active in implementing the Arctic Council's aforementioned Search and Rescue Agreement, signed at the Ministerial in Greenland this past May. We are likewise a participant in the Council's oil spill response instrument negotiations. In addition, through the Pacific Northwest Economic Region (PNWER), Alaska is bringing resources and support for the Arctic Council Sustainable Development Working Group's proposed aviation and maritime infrastructure project, which will survey the region's infrastructure needs.
- **USARC/Research programs:** Alaska is also deeply involved in Arctic research. I work closely with the U.S. Arctic Research Commission (USARC), which I chaired under Presidents Bush and Obama from 2006-2010, and served on from 2001-2010 as a Commissioner, and which is currently chaired by Ms. Fran Ulmer, former lieutenant governor of Alaska and former chancellor of the University of Alaska Anchorage. Our University is currently working hard to launch the newest ice-strengthened research vessel, the Sikuliaq (see KOO lee auk), in the nation's NSF-sponsored UNOLS fleet. Moreover, with the University vice president, I co-chair a State Committee on Research which is writing a research and development plan that assesses Alaska's research and development needs for our economy, health, safety, environment, and culture. Alaska researchers play a major role in our understanding of Arctic change and Arctic resources, Arctic engineering and methods of spill response in ice-covered waters.
- **USCG forward basing:** In Alaska we are supporting the U.S. Coast Guard's efforts to bring forward basing to Alaska's North Coast, and we're examining ways we can help provide hangars for fixed and rotary wing aircraft in Barrow and Nome. The Alaska National Guard air-refuelable helicopters and aircraft, as well as helicopters of the North Slope Borough, are America's front-line for search and rescue in the Arctic Ocean today – Coast Guard response is based much further away.
- **New and improved ports:** The State of Alaska has also joined with the U.S. Army Corps of Engineers to conduct a port study for western and northern Alaska. Our intent after the study is to foster investment to establish a deep water port in Western Alaska to serve as a port of refuge for Coast Guard vessels and itinerant traffic. The port would also meet the needs of large vessels, including fishing fleets, and resource export vessels. At the same time, we see a need to upgrade the minimal port facilities which now exist for cargo import and export in a range of Western Alaska communities.

- **Shuttle container shipping:** In 2006, the State of Alaska committed \$50,000 for the first pre-feasibility study on transarctic container shipping, looking at the economics and logistics of trans-shipping containers from North America and Asia between Aleutian and Icelandic ports, thus tying North Atlantic and North Pacific shipping together through the Arctic. The results of the study are promising.¹⁰ Recently, we have heard interest to look at this again from Aleutian, Asian and European ports that would send and receive cargo in such a system. One option to consider as we proceed would be to include this work under the Arctic Council's proposed Arctic Maritime and Aviation Transportation Infrastructure Initiative.
- **Early warning system:** The State is a major financial sponsor of the Automatic Identification System receiver network established by the Marine Exchange of Alaska, which now covers all traffic operating in the Arctic region, approaching or leaving the Bering Strait and the Aleutian Archipelago. The network provides location data and advanced warning to the U.S. Coast Guard and state emergency responders of all ships approaching state waters, and gives us – and communities – a heads-up on traffic, including stalled itinerant vessels that might be headed for a shipwreck.
- **Review of new regimes for shipping administration:** Last year, Alaska's State Legislature created the Northern Waters Task Force (NWTF).¹¹ This task force is charged with examining the effects of changes in the Arctic on shipping, energy and local industry and making recommendations on infrastructure and regulatory needs, mitigation strategies, and ways for the State to be involved in governance of Arctic shipping. NWTF will present their report to the Legislature in January of 2012. Early discussions indicate that international cooperation and investment in oil spill response capabilities will be among the measures recommended.

Conclusion

Mr. Chairman, members of the Committee, Alaska has and will continue to work hard on Arctic policy because we are America's Arctic – it's our home, our history, our heritage and our future. And we work hard with high hopes for outcomes.

But we ask for the U.S. to work hard with us. To reiterate, Mr. Chairman, we ask for three things.

First, we need icebreakers. Without action on this, America is putting its national security on the line, and we are going to miss the opportunities of the Arctic while watching other nations advance. Good policy only goes so far without the infrastructure to act upon it. We have mandated icebreakers more than once. We're missing the boat. Let's build them.

¹⁰ Niini, M., M. Arpiainen, and R. Kiili. *Arctic shuttle container link from Alaska, US to Europe*. Report AARC K-63. Aker Arctic Technology Inc., Mar. 2006.

¹¹ Alaska State Legislature, HCR 22, Legislative Resolve No. 54 (2010), Establishing and relating to the Alaska Northern Waters Task Force. Available online: <http://housemajority.org/coms/anw/pdfs/26/Scan001.pdf>.

Second, while we wait for new icebreakers, we need to take legal action to protect our coasts and prevent spills in the Arctic and Aleutians. We made this clear in our comments to the U.S. Coast Guard's Port Access Route study, and we urge the U.S. to step up the pace.

And third, the federal and state governments need to continue working together through the CMTS and Arctic Council processes to ensure that America does not miss out on the historic, game-changing opportunities in Arctic shipping. Arctic shipping presents safety challenges for sure. But for America, it is an opportunity, and one that could pass us by.

Alaska encourages America's new shipping policy to be ambitious. It should keep us safe, create jobs, help improve the quality of life in Western Alaska, and generate goods and service exports, as polar aviation does today. We need to grasp the historic opportunities of the changing Arctic. America has been an Arctic nation for 150 years. It's time we started acting like it.

Thank you.

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20</SUBJECT><COMM>HMLV27</COMM></TARGET>

**ALASKA STATE LEGISLATURE
HOUSE MILITARY & VETERANS' AFFAIRS COMMITTEE**

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MEMORANDUM

DATE: March 29, 2012

TO: Suzi Lowell
House Chief Clerk

FROM: Representative Dan Saddler, Co-Chair
Representative Steve Thompson, Co-Chair

RE: Military and Veterans Affairs Committee
Schedule for Week of April 2 – 6, 2012
House Judiciary Room 120, 1:00pm – 3:00pm

Tuesday, April 3

- *+ SCR 20 Decoration of Honor
- *+ SJR 16 Military Pensions

Thursday, April 5

- + Bills Previously Heard or Scheduled

ALASKA STATE LEGISLATURE

Session

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Chair

State Affairs Committee

Co-chair

Joint Armed Services Committee

Vice Chair

Resources Committee
Judiciary Committee

Member

Administrative Regulation Review

SENATOR BILL WIELECHOWSKI

SCR 20: Decoration of Honor Sponsor Statement

This resolution awards the Alaska Decoration of Honor to twenty-five individuals who were killed in the line of duty while honorably serving our state and country in 2011.

The Alaska Decoration of Honor was established in 2007 to award military service members from Alaska, or those service members deployed while stationed in Alaska, who were killed in action or in support of combat action.

The Legislature must authorize the award by resolution so the decoration can be presented to the recipients' survivors. In 2008, the Legislature awarded the medal to 171 individuals dating back to statehood. From 2009 – 2010 we authorized the award for another thirty-six individuals.

Passage of SCR 20 will allow the families of these twenty-five individuals to receive the decoration in honor of their loved ones' sacrifice. While it is always our hope that all those in uniform will return home safely, the reality is a few will not and it is important we recognize and honor their service.

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version SCR 20
 Fiscal Note Number 1
 (S) Publish Date 2/8/12

Identifier (file name) _____ Dept. Affected _____
 Title SCR 20 DECORATION OF HONOR Appropriation _____
 Allocation _____
 Sponsor Senator Wielechowski
 Requester (S) State Affairs OMB Component Number _____

Expenditures/Revenues (Thousands of Dollars)

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES	FY13	FY13	FY14	FY15	FY16	FY17	FY18
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	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						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS							
Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES							

Estimated SUPPLEMENTAL (FY12) operating costs _____ (separate supplemental appropriation required;
 (discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY13) costs _____ (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Prepared by (S) State Affairs
 Division _____
 Approved by /s/ Senator Wielechowski, Chair

Phone 465-2435
 Date/Time 2/7/12 12:00 AM
 Date 2/7/2012

SJR

14

<TARGET><BILL>SJR 14</BILL><SUBJECT>SJR
14</SUBJECT><COMM>HMLV27</COMM></TARGET>

ALASKA STATE LEGISLATURE

Session

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Administrative Regulation Review

SENATOR BILL WIELECHOWSKI

SJR 14: Protecting Military Personnel Cuts and Base Closures Sponsor Statement

"I believe that in the future, whoever holds Alaska will hold the world. I think it is the most important strategic place in the world."

- U.S. General Billy Mitchell to the U.S. Congress in 1935

Our primary concern must always be national defense and the security of the United States and Alaska. Alaska's geographic location is of vital strategic advantage for current and future missions, force mobilization, and offensive and defensive operations, and is of strategic importance on polar air routes.

Defense Secretary Panetta recently announced that the Pentagon will seek new rounds of military base closures as part of the budget-cutting process. Over the next five years, the Army will drop from 562,000 to 490,000 soldiers and the Marine Corps from 202,000 to 182,000 marines in an effort to cut \$487 billion over the next decade. These cuts could have a devastating impact on Alaska's and our nation's security.

Alaska's military force is of great importance to our economy with 32 military installations, more than 23,000 active duty service members and more than 37,000 active family members, contributing approximately 13 percent to Alaska's economy.

During the 2005 Base Closure and Realignment Commission (BRAC), Eielson Air Force Base was originally designated for realignment. A strong community and state effort opposed the Department of Defense recommendation by pointing out the critical strategic importance of Eielson, the loss of training opportunities, and the fact that its realignment would not have produced the estimated savings DoD anticipated.

It is imperative the Alaska Legislature officially show our support for Alaska's military bases and personnel. Passage of SJR14 will send a message to the United States Department of Defense, U.S. Congress and the President that Alaska's military bases and service members are of strategic importance to the defense of our nation.

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version CSSJR 14(STA)
Fiscal Note Number 1
(S) Publish Date 2/8/12

Identifier (file name) _____ Dept. Affected _____
Title SJR 14 MILITARY PERSONNEL CUTS & BASE CLOSURES Appropriation _____
Allocation _____
Sponsor Senator Wielechowski
Requester (S) State Affairs OMB Component Number _____

Expenditures/Revenues (Thousands of Dollars)

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
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Travel							
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Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
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TOTAL		0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS							
Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES							

Estimated SUPPLEMENTAL (FY12) operating costs _____ (separate supplemental appropriation required;
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY13) costs _____ (separate capital appropriation required)
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Prepared by (S) State Affairs
Division _____
Approved by /s/ Senator Wielechowski, Chair

Phone 465-2435
Date/Time 2/7/12 12:00 AM
Date 2/7/2012

Alaska politicians pledge to oppose military base cutbacks

By DAN JOLING


(01/27/12 16:24:34)

Defense Secretary Leon Panetta's announcement that the Pentagon will seek new rounds of military base closures drew a swift response from Alaskans who watched a similar process nearly gut Eielson Air Force Base in Fairbanks in 2005.

Alaska's congressional delegation and Gov. Sean Parnell issued a joint statement saying they will stand together to resist attempts to close or shrink Alaska bases.

"Alaska's military bases provide essential defense for the nation," Sen. Mark Begich, D-Alaska, said in the statement. "They are even more important with the administration's new focus on security concerns in the Pacific and with International attention on the changing Arctic."

Panetta at a news conference Thursday said the Army will be cut by 80,000 soldiers, from 570,000 to 490,000, by 2017. He also called for additional rounds of base closures and realignment.




Under the closure process, defense officials submit a list of bases to a Base Closure and Realignment Commission. The commission analyzes the recommendations and sends its own list to the president, who can ask for more evaluation. The president eventually sends the report to Congress, which can pass a joint resolution to reject the full report. If Congress does not pass the joint resolution, the report becomes law.

The military in May 2005 recommended closure of 33 major bases and substantial reductions at 29 more. That included the recommended partial shutdown of Eielson Air Force Base, the sprawling air field in the Fairbanks North Star Borough, which housed a squadron of F-16 fighters and A-10 Thunderbolts. The Defense Department recommended Eielson for "warm" status, a part-time base where squadrons from other bases could use for training.

Begich, Parnell, U.S. Sen. Lisa Murkowski and Rep. Don Young on Thursday stressed Alaska's strategic importance to the nation, but an underlying issue is the role the military plays in the state's economy — 32 installations, more than 23,000 active duty service members, more than 37,000 active family members. It adds up to more than 13 percent of the state economy.

The Pentagon in 2005 projected Eielson's loss at 2,821 military jobs and 319 civilian jobs — just under 4 percent of the Fairbank North Star Borough population without counting 3,300 dependents. The military estimated a savings of \$2.7 billion over 20 years at Eielson.



When the BRAC commission visited Fairbanks a month after the announcement, the community responded with fervor. More than 3,000 residents filled a civic center for the hearing. The late U.S. Sen. Ted Stevens, retired Air Force General Pat Gamble and retired Army Maj. Gen. Mark Hamilton, the current and former presidents of the University of Alaska, made impassioned statements in opposition to Eielson changes, noting its strategic importance on polar air routes and its location at the mid-way point of the trans-Alaska pipeline.

The testimony and show of community support worked. The base lost its A-10 warthogs but kept the F-16s and most permanent employees.

Young called Panetta's announcement unwelcome and not surprising, but said it's only the beginning of a long process that will include opportunities to support Alaska's military installations.

Begich said he supports saving money in nearly every area of the federal budget, including the cutting of overseas military bases, which are more expensive to operate and maintain.

"But requesting congressional approval to begin another domestic BRAC process in 2013, shortly after spending billions to complete the most recent BRAC round just doesn't make sense," he said.

Murkowski, who was serving her first term in 2005, said the military's increased commitment to Asia and the Pacific underscores the importance of Alaska bases.

"If the Defense Department is true to its strategy, contribution to the military mission should grow in the coming years," she said in the statement.

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Government Contracts Advisory

FEBRUARY 1, 2012

CONTACTS

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Department of Defense to Request Additional Base Closures and Realignments: Implications for Contractors and Communities

On January 26, 2012, Secretary of Defense Leon Panetta unveiled key features of the Obama Administration's defense budget request for fiscal year 2013. Among the key features of the Department of Defense's (DOD's) spending priorities for fiscal year 2013 will be a request that Congress authorize at least one more round of domestic military base realignments and closures (BRAC rounds). If approved by Congress, new rounds of base closures could have both positive and negative implications for government contractors. The actual fiscal year 2013 budget request will not be transmitted to Congress until February 13.

Base realignment and closure refers to a process designed to save costs and increase operational efficiency by closing excess military installations and realigning and redistributing the asset inventory among remaining defense bases. More than 350 installations have been closed in five previous BRAC rounds: 1989, 1991, 1993, 1995 and 2005.

New legislation would be required to implement another BRAC round. If the legislation followed the process in the most recent 2005 round, then DOD would submit recommendations for closure/realignment to an independent commission (the BRAC Commission), which may accept, reject or amend the DOD recommendations. The revised list is then submitted to the President for approval. In the 2005 BRAC Round, DOD recommended 190 closures and realignments, and the BRAC Commission approved 119 with no changes and accepted 45 others with modest amendments. The Commission rejected 13 DOD recommendations and significantly modified 13 others.

Because base closures are so politically charged, recent rounds have been structured to insulate base closure recommendations from the normal political aspect of lawmaking. Under these procedures, the President certifies the recommendations of the BRAC Commission and transmits them to Congress. Fast track parliamentary procedures have been established so that the entire package of recommended base closures automatically goes into effect unless Congress adopts a joint resolution of disapproval rejecting the package within 45 days of the President's submission or the adjournment *sine die* of the session of Congress, whichever occurs earlier.

Experience with past BRAC rounds has shown that base closures and realignments can save the government money, although the savings have proved more modest than many initial forecasts.¹ There are also significant fiscal, economic and environmental consequences that flow from base closures at the state and local level, including the loss of jobs and challenges

with developing and implementing a viable base reuse plan. There are also strategic and operational considerations associated with BRAC for DOD.

For affected communities and contractors alike, the ability to ensure potential candidates for closure or realignment survive can often depend on making a case that such action would be inconsistent with evaluation and closure criteria. It is not too early for state and local governments whose installations will be under scrutiny to begin developing a national security and business case to resist closure or realignment.

For contractors with business operations at military installations subject to potential closure or realignment, particularly companies in the construction and service industries, the prospect of another BRAC round can have significant financial consequences. At this stage, it is important to assess which bases with company operations are the most likely candidates for closure or realignment. Ultimately, business judgments will have to be made about whether and in connection with which bases a company should wage a campaign (because that is what it will take) to shape the perceptions and decisions of DOD and a future BRAC Commission.

Given the political environment, it seems unlikely Congress will authorize another round of base closures and realignments in an election year. Nevertheless, given the size of the federal deficit and debt ceiling, the weak economy and the imperative for DOD to achieve real long term savings required by the Budget Control Act of 2011² (not to mention the threat of sequestration), one or more future rounds of base closure seem inevitable. As Deputy Secretary of Defense Ashton Carter recently said, "If we have ... unneeded basing structure in our armed forces in a time when we're trying to deal with the deficit reduction, national security imperative that we face, how can we not put on the table unneeded basing structure?"³ Businesses and communities that stand to be affected by another BRAC round should anticipate this eventuality and begin preparing now to protect their interests and be meaningful participants in the process.

¹ See, e.g., U.S. General Accounting Office, GAO/NSIAD 96-67, *Military Bases: Closure and Realignment Savings Are Significant, but Not Easily Quantified*, (Apr. 1996); U.S. Government Accountability Office, GAO-08-315, *Military Base Realignment and Closures: Higher Costs and Lower Savings Projected for Implementing Two Key Supply-Related BRAC Recommendations*, (Mar. 2008).

² Pub. L. 112-25.

³ Interview of Deputy Secretary of Defense Ashton Carter, PBS News Hour, Jan. 26, 2012, at <http://video.pbs.org/video/2190617039/#>.



Panetta: 'Sequestration' Would Upend Military Strategy


By Karen Parrish
American Forces Press Service

WASHINGTON, Jan. 8, 2012 – The Defense Department's new 10-year strategy will go "out the window" if the federal Budget Control Act's additional spending cuts go into effect next year, Defense Secretary Leon E. Panetta said.

"If we had to do over a trillion dollars in cuts in this department, I have to tell you that the strategy that we developed, we'd probably have to ... start over," Panetta said during an interview with Rachel Martin that aired today on the NPR program "Weekend Edition."

President Barack Obama unveiled the strategy in a rare Pentagon appearance Jan. 5 alongside Panetta and other DOD leaders, saying he called for the strategy review to inform the budget process. The strategy is based on \$487 billion in budget cuts over ten years.

The Budget Control Act, which Congress passed and Obama signed in August, includes automatic spending cuts across government, including about \$500,000 to the Defense Department, to go into effect in 2013. The sequestration cuts, as they are known, were triggered by a congressional committee's inability to agree on specific cuts last fall. Those across-the-board cuts will be in addition to the \$487 billion the administration has proposed in DOD savings, unless Congress takes additional action.



Officials would not discuss specific cost-cutting proposals before the budget is due out early next month. But Panetta said last week he knows many proposals in the fiscal 2012 budget request will be politically sensitive.


"There is no doubt that the fiscal situation this country faces is difficult, and in many ways we are at a crisis point. But I believe that in every crisis there is opportunity," he said on Jan. 5. "Out of this crisis, we have the opportunity to end the old ways of doing business and to build a modern force for the 21st century that can win today's wars and successfully confront any enemy, and respond to any threat and any challenge of the future."

The strategy calls for reducing the number of men and women in uniform. The secretary told NPR "the human side" of defense spending cuts makes difficult choices even harder.

"What's going to happen to those people that come back to this country from the battle zones? How are we going to deal with them? What kind of jobs are we going to be able to provide them? How are we going to care for them?" he said.


During the strategy's rollout at the Pentagon, Panetta repeated his often-stated pledge that DOD will "not break faith" with service members.

"I commit to you that I will fight for you and for your families," he said.



Troop cuts also will affect the military's ability to bring troops to bear quickly, Panetta told NPR.

"Part of our approach here is to make sure that we maintain a strong National Guard and a



strong reserve,” he said. “They have been fully operational — we have brought them into battle zones. They have gained as much experience as the active force. But ... if we are dealing with a leaner and meaner force, if we have to mobilize, there's only one place to go — and that's to the National Guard and to our reserve units.”

The new, leaner military will retain the ability to fight on multiple fronts, Panetta emphasized.

“That's the most important message the American people have to know,” he said. “This force is going to be able to fight any enemy, any aggressor that tries to take us on.”

The secretary said despite the strategy's emphasis on the Asia-Pacific region as a defense focus, he does not view China's military buildup as a direct threat to the United States.

“The fact is, as a major power, they have that capability,” he added. “What we have to ensure is that it's used for the right reasons.”

China and the United States face common threats in the region, the secretary said: “The whole issue of Korea and the stability of Korea, the whole issue of nuclear proliferation, the whole issue of providing free access to our ships that are operating in that area.”

Panetta said he intends for the military to work with China and other Pacific nations “to make sure that we secure that area for the future.”

Biographies:

[Leon E. Panetta](#)

Related Sites:

[Defense Strategic Guidance](#)

[Photo Essay: Obama, Panetta, DOD Leaders Hold Briefing On New Defense Strategy](#)

[Transcript: Defense Strategic Guidance Media Roundtable at the Pentagon](#)

Related Articles:

[Obama: Defense Strategy Will Maintain U.S. Military Pre-eminence](#)

SJR

16

<TARGET><BILL>SJR 16</BILL><SUBJECT>SJR
16</SUBJECT><COMM>HMLV27</COMM></TARGET>

ALASKA STATE LEGISLATURE
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Co-Chair:

Rep. Steve Thompson
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Phone: (907) 465-6841
Fax: (907) 465-2070

MEMORANDUM

DATE: March 29, 2012

TO: Suzi Lowell
House Chief Clerk

FROM: Representative Dan Saddler, Co-Chair
Representative Steve Thompson, Co-Chair

RE: Military and Veterans Affairs Committee
Schedule for Week of April 2 – 6, 2012
House Judiciary Room 120, 1:00pm – 3:00pm

Tuesday, April 3

- *+ SCR 20 Decoration of Honor
- *+ SJR 16 Military Pensions

Thursday, April 5

+ Bills Previously Heard or Scheduled

SJR 16

ALASKA STATE LEGISLATURE

Session

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Administrative Regulation Review

SENATOR BILL WIELECHOWSKI

SJR 16: Military Pensions Fact Sheet

- The Defense Business Board released a suggested plan to convert military retirement from the current 20-year vesting system to a retirement system similar to a 401k
- The plan presented may not grandfather current service members
- Currently, a military service member who serves for 20 years can retire with their pension immediately
- The plan suggested by the Defense Business Board may not allow members to withdraw their retirement until they reach age 60-65
- Members of our Armed Forces should be allowed to maintain their current retirement plan as promised when signing up to serve
- Senate Joint Resolution 16 would urge the United States Congress to allow any service member who signed up under the current retirement plan the option to choose between staying with the current plan or moving to the new retirement system
- This resolution also urges the US Congress to support HR3520: Keeping Our Promises Act of 2011

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version SJR 16
 Fiscal Note Number 1
 (S) Publish Date 2/10/12

Identifier (file name) _____ Dept. Affected _____
 Title SJR 16 MILITARY PENSIONS Appropriation _____
 Allocation _____
 Sponsor Senator Wielechowski
 Requester (S) State Affairs OMB Component Number _____

Expenditures/Revenues (Thousands of Dollars)

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

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Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE		(Thousands of Dollars)					
1002	Federal Receipts						
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CHANGE IN REVENUES							

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Prepared by (S) State Affairs
 Division _____
 Approved by /s/ Senator Wielechowski, Chair

Phone 465-2435
 Date/Time 2/8/12 12:00AM
 Date 2/8/2012

HR 3520 IH

112th CONGRESS

1st Session

H. R. 3520

To amend title 10, United States Code, to ensure that the retired pay benefits promised a person when they join the Armed Forces are not reduced.

IN THE HOUSE OF REPRESENTATIVES

November 29, 2011

Mr. YOUNG of Alaska introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to ensure that the retired pay benefits promised a person when they join the Armed Forces are not reduced.

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 'Keeping Our Promises Act of 2011'.

SEC. 2. PROTECTION OF RETIRED PAY BENEFITS FOR CURRENT MEMBERS OF THE ARMED FORCES.

Section 1411 of title 10, United States Code, is amended by adding at the end the following new subsection:

`(c) No Reduction in Retired Pay Benefits for Current Members- Notwithstanding the effective date or specified applicability of any change regarding the entitlement of members or former members of the armed forces to retired or retainer pay under this title or to the computation of such retired or retainer pay under the formulas of the table in section 1401(a) of this title or of any other provision of law, the change shall not apply to a member or former member who first became a member of the armed forces before the effective date of the change unless--

 ` (1) the member or former member affirmatively accepts the change; or

 ` (2) the change would have the effect of expanding the entitlement or eligibility of the member or former member to retired or retainer pay or increasing the amount of such retired or retainer pay.'.

END

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December 26, 2011

Don't Go After Military Pensions

By DARRELL DRIVER, JIN PAK and KYLE JETTE

Washington

AS the nation's budget pressures prompt officials to scour the Defense Department for cuts, one tantalizing target is the military retirement system. The Pentagon has reportedly been considering replacing the guaranteed pension that, for more than a century, has been a fundamental compact between the United States and its soldiers, in favor of a market-based 401(k) approach. But this would be a grave mistake, a disincentive to future volunteers and a threat to national security.

Needless to say, there are critical differences between the civilian and military work forces. Soldiers who have risked their lives for our nation should not also have to risk their retirement savings in stocks. But there are many more mundane sacrifices required of career service members that also make it hard for them to build up the kind of wealth — whether in their houses, their careers or the careers of their spouses — that cushions civilian retirees from the whims of the market.

Service members are often required to move, for example, which hinders their ability to build home equity. Many have to put off purchasing homes, and those who do buy do not have the option of choosing not to move if their mortgages become underwater. For this reason, the housing crash of recent years has hit service families especially hard.

Frequent moves also make it hard for service members' spouses to find work and progress in their own careers. This is most likely a primary reason that median household incomes for military families are lower than those of their civilian counterparts.

Most important, the unique skills people learn on the battlefield do not easily translate into private sector employment, and many military retirees struggle to find new work. While the officer who managed a military transportation hub might anticipate an equivalent job from a civilian firm, and while a young private who served one deployment could relatively easily return to school or an entry-level job, an infantry sergeant first class who has spent a decade

or more on multiple deployments to the world's most dangerous places would not find the same ready options.

For these individuals, there can be a significant financial cost to agreeing to remain in military service beyond the years when it would be easiest to make the transition to more marketable civilian jobs. But these are the people the military needs, and needs to retain.

The military pension helps compensate for their sacrifices. Soldiers and their families are more willing to put off other careers, and to accept frequent displacement, lower earnings and even the risk of being ordered back to active duty after beginning new careers, because of the promise of future compensation. The guaranteed pension is one of the biggest incentives keeping talented people in the military.

No one knows for sure how a shift to a 401(k) model would affect these families and their decisions to remain in military service. But we do know that there is a spike in retirements once soldiers complete the 20-year minimum to qualify for full pensions, and we can only assume that these people would retire far sooner without them. And it's likely that many would not join up at all.

As policy makers continue their deliberations on military spending cuts — which are scheduled to begin again next month — they must keep the unique nature of military service in mind when they look to the costs and benefits of the retirement plan. And they should remember that no one imagined, back in the 1970s, that our all-volunteer force would last this long. Most believed that conscription would again be needed if the nation ever engaged in a significant conflict. The United States military has proved them wrong so far, but we should not underestimate the role the guaranteed pension has played in its resilience.

Darrell Driver, Jin Pak and Kyle Jette are lieutenant colonels in the United States Army.

The New York Times
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September 18, 2011

Retiree Benefits for the Military Could Face Cuts

By **JAMES DAO** and **MARY WILLIAMS WALSH**

As Washington looks to squeeze savings from once-sacrosanct entitlements like Social Security and Medicare, another big social welfare system is growing as rapidly, but with far less scrutiny: the health and pension benefits of military retirees.

Military pensions and health care for active and retired troops now cost the government about \$100 billion a year, representing an expanding portion of both the Pentagon budget — about \$700 billion a year, including war costs — and the national debt, which together finance the programs.

Making even incremental reductions to military benefits is typically a doomed political venture, given the public's broad support for helping troops, the political potency of veterans groups and the fact that significant savings take years to appear.

But the intense push in Congress this year to reduce the debt and the possibility that the Pentagon might have to begin trimming core programs like weapons procurement, research, training and construction have suddenly made retiree benefits vulnerable, military officials and experts say.

And if Congress fails to adopt the deficit-reduction recommendations of a bipartisan joint Congressional committee this fall, the Defense Department will be required under debt ceiling legislation passed in August to find about \$900 billion in savings over the coming decade. Cuts that deep will almost certainly entail reducing personnel benefits for active and retired troops, Pentagon officials and analysts say.

"We've got to put everything on the table," Defense Secretary Leon E. Panetta said recently on PBS, acknowledging that he was looking at proposals to rein in pension costs.

Under the current rules, service members who retire after 20 years are eligible for pensions that pay half their salaries for life, indexed for inflation, even if they leave at age 38. They are also eligible for lifetime health insurance through the military's system, Tricare, at a small

fraction of the cost of private insurance, prompting many working veterans to shun employer health plans in favor of military insurance.

Advocates of revamping the systems argue that they are not just fiscally untenable but also unfair.

The annual fee for Tricare Prime, an H.M.O.-like program for military retirees, is just \$460 for families and has not risen in years, even as health care costs have skyrocketed. Critics of the system say the contribution could be raised substantially and still be far lower than what civilians pay for employer-sponsored health plans, typically about \$4,000.

Those critics also argue that under the current rules, 83 percent of former service members receive no pension payments at all — because only veterans with 20 years of service are eligible. Those with 5 or even 15 years are not, even if they did multiple combat tours. Such a structure would be illegal in the private sector, and a company that tried it could be penalized, experts say.

“It cries out for some rationalization,” said Sylvester J. Schieber, a former chairman of the Social Security Advisory Board. “Why should we ask somebody to sustain a system that’s unfair by any other measure in our society?”

But within military circles, and among many members of Congress, the benefits are considered untouchable. Veterans groups and military leaders argue that the system helps retain capable commissioned and noncommissioned officers.

And having volunteered to put their lives at risk, those people deserve higher-quality benefits, supporters argue. The typical beneficiary, they add, is not a general but a retired noncommissioned officer, with an average pension of about \$26,000 a year.

“The whole reason military people are willing to pursue a career is because after 20, 30 years of extraordinary sacrifice, there is a package commensurate with that sacrifice upon leaving service,” said Steven P. Strobridge, a retired Air Force colonel who is the director of government relations for the Military Officers Association of America, which is lobbying against changes to the benefits.

A wild-card factor in the debate is the withdrawal of American troops from Iraq and Afghanistan, which some experts say could avoid the stigma of cutting benefits while troops are at war.

“The fact that you are getting out of Iraq and Afghanistan does make it easier,” said Lawrence J. Korb, a senior Pentagon official in the Reagan administration who was a co-

author of a recent proposal for reducing the cost of military health care. “When the war in Iraq was in terrible shape, it was hard to get people to join the military, and no one wanted to touch any military benefits.”

By far the most contentious proposal circulating in Washington is from a Pentagon advisory panel, the Defense Business Board. It would make the military pension system, a defined benefit plan, more like a 401(k) plan under which the Pentagon would make contributions to a service member’s individual account; contributions by the troops themselves would be optional. Mr. Panetta has said that if adopted, the plan would not apply to current military personnel.

While health care costs for active and retired troops are growing faster, military pension costs are larger. Last year, for every dollar the Pentagon paid service members, it spent an additional \$1.36 for its military retirees, a much smaller group. Even in the troubled world of state and municipal pension funds, pensions almost never cost more than payrolls.

Citing the fiscal hazards and inequities of the system, the Defense Business Board proposal would allow soldiers with less than 20 years of service to leave with a small nest egg, provided they served a minimum length of time, three to five years. But it would prevent all retirees from receiving benefits until they were 60.

The business board says that its proposal would reduce the plan’s total liabilities to \$1.8 trillion by 2034, from the \$2.7 trillion now projected — all without cutting benefits for current service members.

Steve Griffin of Tallahassee, Fla., is the type of soldier the defense board is trying to appeal to: a former captain who did two tours in Iraq, he left the Army in 2010 after five years of service and thus receives no pension.

Yet in a sign of the deep support for the existing system, Mr. Griffin says it should be left alone because it provides incentives for recruitment and rewards retirees who have endured great hardship.

“Yes, it would be nice for people like me,” Mr. Griffin, 28, said of the proposal. “But I think the retirement system now is fair. We shouldn’t take anything from it. If anything, we should add to it.”

Much like in the debate over Social Security, questions about the sustainability of the military pension system abound.

Each year the Defense and Treasury Departments set aside more than \$75 billion to pay not only current and future benefits but also pensions for service many years in the past. But the retirement fund has not accumulated nearly enough money to cover its total costs, with assets of \$278 billion at the end of 2009 and obligations of about \$1.4 trillion.

The government tries to close the shortfall by simply issuing more Treasury securities each year, thereby adding to the nation's debt.

Given the political potency of veterans groups, it is unclear whether anyone in Congress will lead an effort to revamp the pension or retiree health systems.

But the debt ceiling agreement approved this summer by Congress, under which the Pentagon must find \$400 billion in reductions over the next 12 years, may force cuts once considered unthinkable. And if Congress does not adopt the recommendations of the bipartisan committee studying deficit reduction, the mandated reductions in Pentagon spending would more than double, to about \$900 billion, and fall on just about every category of defense spending.

Deficit hawks, led by Senator Tom Coburn, Republican of Oklahoma, have begun taking smaller steps, pushing for an array of cuts to military benefits, including ending subsidies for base commissaries and tightening disability compensation for diseases linked to Agent Orange.

But those trims are considered marginal compared with the deeper reductions many experts say are necessary to contain Pentagon spending.

"If the trend continues, it will call into question the military's ability to do other things, like buy equipment, do maintenance, train troops and equip them," said Nora Bensahel, a senior fellow at the Center for a New American Security, a nonprofit organization with ties to the Obama administration.

"At some point, the cost pressures by the retirement benefits will really start to impede military capabilities."



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★ TAKE ACTION

Protect Military Pensions

The Pentagon is considering a system that would cut and privatize military retirement in order to reach its budget reduction goals. Instead of being eligible for a pension after twenty years, servicemembers will contribute to a 401k every month that cannot be accessed until they reach traditional retirement age.



11

Please sign our petition to Secretary Panetta below!

Dear Secretary Panetta,

We are concerned about the proposed plan to cut and privatize military retirement. Not all careers are created equal, and our troops deserve a retirement system that respects their sacrifice, both now and in the future. The Pentagon budget should not be balanced on the backs of servicemembers and their families. We should not do so, especially, when we are overpaying for unnecessary defense contracts and extending our commitment in wars that aren't making us any safer. It is simply unacceptable to ask troops to today or in the future to throw their pension on a Wall Street roulette wheel. Additionally, by gutting the guaranteed pension program, we destroy one of the key programs that helps the military recruit and keep its best and brightest. If we end the pension system as we know it down the road, we almost certainly will lose many men and women who would otherwise make a career of military service. For these reasons, we find this proposal unacceptable and ask that you keep the current retirement system that respects the sacrifice of the men and women who defend this nation.

First Name*

Last Name*

Email*

Street

City

State/Province

Zip/Postal Code*

I am a Veteran

Where have you served?

Feel free to add additional comments here:

1-25 of 11847 signatures

Number	Date	Name	Location	Feel free to add additional ...
11847	Wed Feb 01 08:38:32 EST 2012	George Barnes	Walkkill, NY	Mr. secretary, To compare our pensions to private sector the way you did is just wrong and you know it.
11846	Wed Feb 01 00:44:57 EST 2012	Felix Rivera Jr.	South Farmingdale, NY	This does not play well with us.
11845	Tue Jan 31 14:22:18 EST 2012	Roy Adams	NC	
11844		Michael Jensen	Orion, MI	

DEFENSE BUSINESS BOARD



Modernizing the Military Retirement System

Task Group

July 21, 2011

These are the final briefing slides as approved by the Defense Business Board in their public meeting held July 21, 2011. The full DBB report, expected in August 2011, will contain more detailed text which will reflect the totality of the points discussed and modifications adopted by the Board during their deliberations.

Task Group Overview

Terms of Reference

In order to support the Secretary of Defense's efficiency initiatives, review the current structure and function of the military retirement system. Begin with a review of the current reform thinking on military retirement benefits. This research and analysis will help to provide recommendations for optimizing the Department's military retirement system.

Deliverables

Provide recommendations that will enable the system to be fiscally sustainable and recruit and retain the highest personnel required for our nation's defense.

Task Group Members

Richard Spencer (Chair)

Patrick Gross

David Langstaff

Phil Odeen

Mark Ronald

Bobby Stein

Jack Zoeller

DBB Executive Secretary

Catherine Whittington



Methodology: Interviews

- **Current DoD**
 - Vice Chairman, Joint Chiefs of Staff (VCJCS)
 - Chief of Staff of the Air Force (CSAF)
 - Chief of Naval Operations (CNO)
 - Commandant of the Marine Corps (CMC)
 - Chief of Navy Reserve
 - Chief of Navy Personnel, DCNO, Manpower, Personnel, Training & Education, N1
 - Director, Plans and Resources, Office of the Deputy Chief of Staff of the Army, G1
 - Military Deputy for Budget, Office of the Assistant Secretary of the Army, Financial Management & Comptroller (ASA(F&MC))
 - Under Secretary of Defense for Personnel and Readiness (USD(P&R))
 - Director for Military Compensation (OUSD(P&R))
 - Joint Chiefs of Staff Working Group
 - Members who wrote the 11th Quadrennial Review of Military Compensation (QRMC)
- **Former DoD and Government Officials**
 - HON John Hamre
 - HON Ken Krieg
 - ADM Vern Clark, USN (Retired)
 - HON David M. Walker
 - HON Richard Danzig
- **Defense Ministries**
 - Canada
 - France
- **Institutes and Government Agencies**
 - Institute for Defense Analysis (IDA)
 - Congressional Budget Office (CBO)
 - Center for Strategic and International Studies (CSIS)
 - Center for Strategic and Budgetary Analysis (CSBA)
 - RAND Corporation
 - Office of Thrift Savings Plan
 - OSD Office of the Actuary



Where We Are Today

- The All Volunteer Force has proven to be an outstanding success
- Congress has shown consistent support for the military through increases in both compensation and benefits
- Military compensation is higher than that of average civilians with similar education levels (see **Appendix A**)
 - Enlisted pay ranks in the top quartile of that of high school graduates
 - Officer pay ranks in the top quartile of that of college graduates
- Retiree healthcare (TRICARE) is significantly more generous than civilian programs
- Military retirement exceeds levels in the private sector
- 83% of military personnel receive no retirement benefits



Findings

DoD has maintained the structure of its retirement benefits, which were created prior to the All Volunteer Force

- Retirement plans are an important component of both private and public sector compensation systems
- Over the last few decades, private sector plans have shifted from defined benefit to defined contribution to address longer life spans and unaffordable costs
- The military retirement system has not materially changed for over 100 years
 - The current military retirement system was designed for an era when life spans were shorter,
 - Pay was not competitive with civilian pay, and
 - Second careers were rare since military skills did not transition easily to the private sector
- Military retirement funds are not able to be invested in higher yielding equities and bonds



Findings (Continued)

Military retirement is more generous and expensive compared to the private sector

- DoD pays retirees 40 years of retirement benefits for 20 years of service
 - Military skills are transferrable to the private sector
 - Second careers are now common for those retiring in their 40s
 - Payout after 20 years makes retention difficult – 76% leave between years 20 and 25
 - 20 years of service earns a lifetime of payments of 50%, ramping up to 87.5% for 35 years of service
- Retirement funds accrued for personnel serving less than 20 years are effectively applied to the benefits of those serving more than 20 years
- For those serving more than 20 years, the retirement contribution is 10 times greater than the private sector
 - Average private sector pension contributions range from 4-12% per year; military retirement benefit equates to 75% of annual pay per year for those who retire
 - Immediate payout after 20 years has no comparison in the private sector

For FY11, total government contribution will be \$46B**

**Does not include \$64.1B in unfunded liability amortization payment



Findings (Continued)

“One Size Fits All” has structural disadvantages

- Surveys consistently report that military retirement has little value in recruitment or retention for at least the first 10 years of service
- The current plan is highly inflexible and especially poorly suited for periods of significant change (e.g., when downsizing the force)
 - It will be very difficult to release personnel with 15 or more years of service, yet these age groups are a likely target for downsizing
 - As a result, DoD will likely require special pay to ease transitioning out of the military (as was done in the 1990s), therefore, increasing costs
- The current system does not compensate for those in high risk situations or extenuating circumstances (e.g., combat duty, hardship tour, and separation from family)



Assessment

The Retirement Plan is Unfair

- The military retirement system lacks fairness in several dimensions.
 - Personnel serving 5, 10, even 15 years receive no retirement pay. Those serving 20+ years are endowed with a lifetime benefit.
 - The risky nature of military service is an important justification for the 20-year plan. However, most of the troops engaged in combat serve far less than the required 20 years. (Only 12%-13% of enlisted troops earn retirement pay).
- Retirement is a cost element attributable to each Service member, yet only 17% receive this benefit.
- There is no difference in retirement benefits between those who have served in high risk and low risk positions.

83% of those who serve will receive no retirement benefit



Assessment (Continued)

The Retirement Plan is Unaffordable

- The costs of military retirement will seriously undermine future military warfighting capabilities
- For each dollar of current pay, the retirement plan accrues 33 cents, for a total of \$24B** in FY11
- Costs are rising at an alarming rate; future liability will grow from \$1.3T (of which \$385B is funded) to \$2.7T by FY34.
- Increases in inflation and life expectancy will further increase military retirement benefit costs
 - +1% inflation increase = \$3.0B military retirement benefit service cost increase
 - +1 year of life expectancy = \$300M military retirement benefit service cost increase

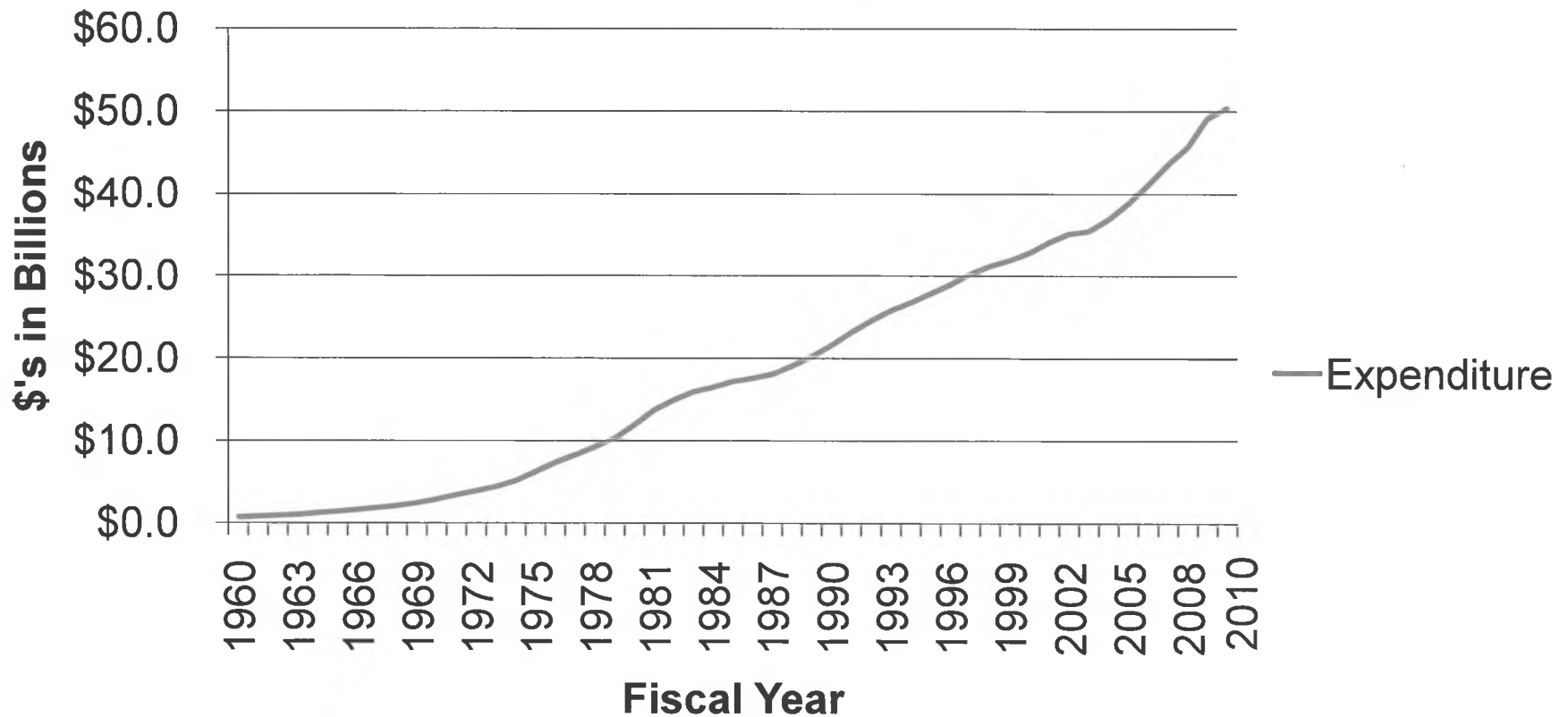
Action must be taken to contain these spiraling costs or they will undermine future warfighting capabilities

**Does not include Treasury interest of \$22B



Military Retirement Trust Fund Payments/Expenditures

Military Retirement Trust Fund Expenditures by Fiscal Year



Military retirement payments continue to increase (\$50B in 2010; \$108B in 2035)

Source: Valuation of the Military Retirement System, September 2009, OSD Office of the Actuary, Dec 10



Assessment (Continued)

The Retirement Plan is Inflexible

- The current system cliff vests at 20 years of active service
- Personnel with fewer years of service earn no retirement
- Only 7% of personnel leave between the 15th and 20th year of service, compared to 76% of those serving 20 to 25 years
- Years served is the only factor in the retirement benefit calculation, regardless of whether the Service member's career risk profile is in an administrative role or a high risk combat role
- Modifying the retirement system would create an effective force shaping tool



Recommendation

A Comprehensive Solution: A New Defined Contribution Plan

- The most flexible and readily available plan would be based on the existing Uniformed Military Personnel Thrift Savings Plan (TSP), but with the government providing annual contributions (see **Appendix C**)
 - Payments into the plan would include an option for military member contributions
 - Plan accounts would be transportable into the private sector and back into the military
- DoD contributions could vary depending on circumstances, such as larger contributions for personnel at risk or on hardship tours
- The Defined Contribution Plan would provide flexibility to assist in force shaping and sizing
- The individual account would provide for rights for survivorship, thereby, eliminating the need for survivor benefits going forward
- Fully disabled participants would qualify for an immediate pension formulated with VA benefits as presently structured



Key Elements of A New Defined Contribution Plan

- Establish a mandatory TSP program for all Military Service Personnel
 - The government contribution, including extra incentives, would be funded at a percentage level comparable to the highest end of a private sector pension plan
 - The plan would vest after 3 to 5 years, payable at age 60 to 65 (or Social Security age)
 - Partial withdrawals (or loans) to cover education, healthcare, or other specified emergencies
- Plan would be risk adjusted to recognize combat roles, family separation, and other unusual duty, for example:
 - Double contributions for years in combat zones or high risk positions
 - Greater contributions for hardship tours
 - Retirement age could be lowered using similar metrics
- Like most private sector severance plans, the option of a time formulated transition payment should be considered to facilitate the change to a new career
- Comprehensive solution would apply to reserve as well as active duty personnel

The new plan would enhance fairness and flexibility, and provide a more affordable cost structure



Attributes of A New Defined Contribution Plan

■ Individual Features

- Uniformed Military Personnel TSP individual account
- Payout options to include: traditional payout, annuity, or lump sum
- Partial payout options to include: education, home ownership, or business acquisition
- Right of survivorship transferability upon death

■ Military Service Features

- Affordable, fair, and flexible solution to current system
- Risk profile multiplier and vesting option provides tool for force management either encouraging or discouraging retention
- Active Duty and Reserves under one plan

■ Coverage

- No impact on existing retired population
- Fully disabled veterans not effected by new plan

■ Transition Alternatives for All Present Active Duty Personnel

- Higher Cost Alternative – No transition (see **Appendix E**)
- Lower Cost Alternative – Immediate transition with no loss of accrued benefits (see **Appendix F**)



Conclusions

- The current military retirement system is out of date.
 - It is unfair, unaffordable, and inflexible.
 - As costs escalate, the continuation of the system will seriously erode future military capabilities.
- A comprehensive alternative that would fix these shortcomings is required.
 - All military personnel earn retirement benefits.
 - Costs are far more manageable in future years.
 - Contributions are flexible and reward longer service, high risk assignments, and family separation.
 - Retired and disabled members would be unaffected. They would still receive current benefits.
- Modifying the existing system to reduce cost would have to be dramatic to address affordability. The system would continue to be unfair and inflexible.
- Implementation should be phased-in to ensure current military personnel are treated fairly with due consideration to cost.



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Appendix

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Business Excellence In Defense of the Nation

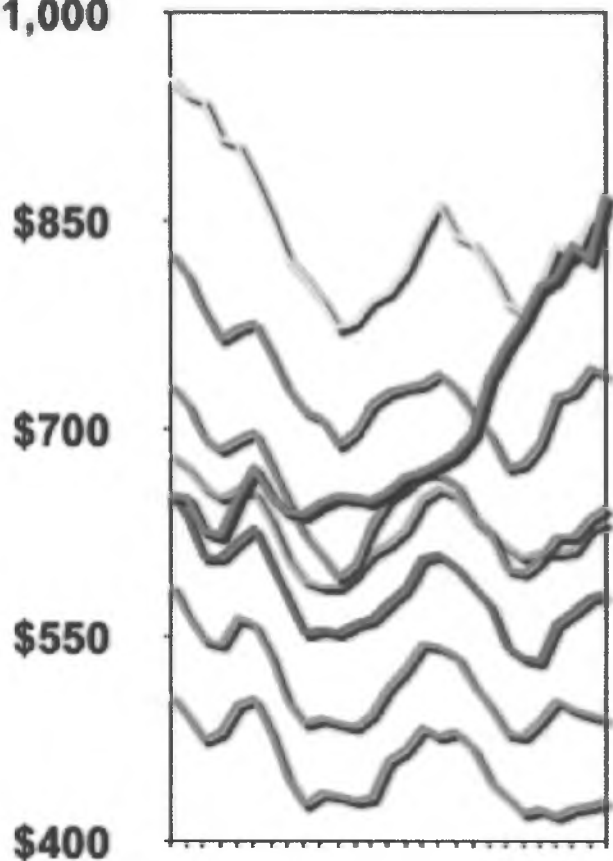
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Appendix A: Regular Military Compensation (RMC) versus Private Compensation

Wage Percentiles of Males, Ages 22-26, with High School Education in Production/Craft Occupations

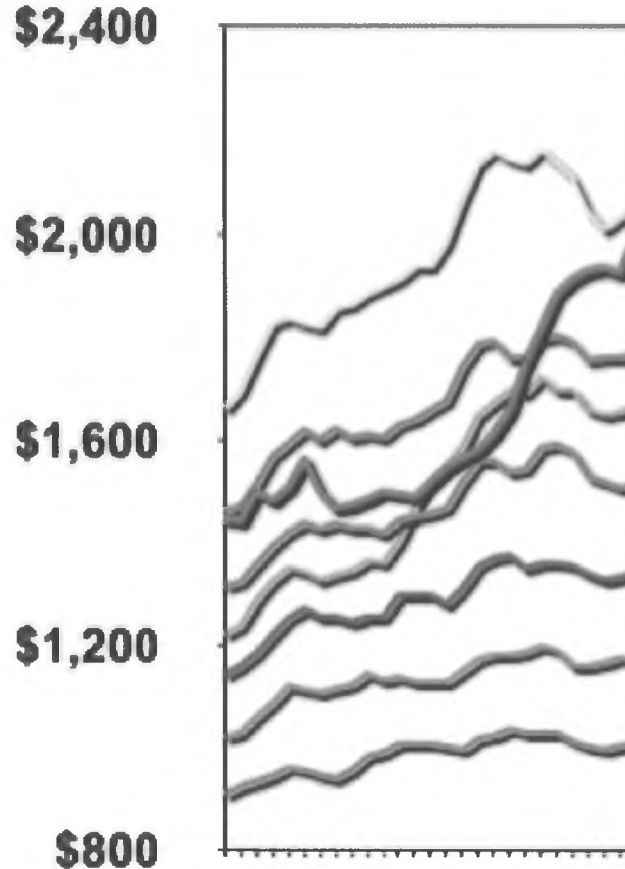
\$1,000



1983 1985 1987 1989 1991 1993 1995 1997 1999 2001 2003 2005 2007 2009

Wage Percentiles of Males, Ages 32-36, with Four or More Years of College in Professional/Technical Occupations

\$2,400



1983 1985 1987 1989 1991 1993 1995 1997 1999 2001 2003 2005 2007 2009

— RMC
— P80
— P70
— P60
— P50
— P40
— P30
— Avg.

— RMC
— P80
— P70
— P60
— P50
— P40
— P30
— Avg.

\$2009 constant dollars

Source: RAND National Defense Research Institute



Appendix B: Addressing Affordability of the Current System

- Amending the existing system for new entrants can have meaningful impact on sustainability while the volunteer force remains competitive with private markets
 - Index payout of retirement benefits to 67 years of age
 - Propose a one time Transition Payment paid at separation (e.g. one months salary for each year served)
 - Adjust benefit multiplier to 2.0 (40% of base Pay) from present 2.5 (50% Base Pay)
 - By comparison the following are averages of multipliers: private sector 1.1, public and municipal 1.5, and fire and police 2.0
 - Adjust High 3 computation to High 5
- These changes fail to address the inflexibility and unfairness of the current system

Cumulative Savings Over 20 Years				
	Delay Pay	2.0 Multiplier	High 5	Total
FY32	\$193.3*	\$49.9*	\$10.9*	\$254.1*

40% cumulative savings by FY32

*Numbers are in billions

Source: OSD Office of Actuary

Appendix C: 2011 Uniformed Military Personnel Thrift Savings Plan

- **\$16,500 annual tax-deferred contribution limit**
 - Applies to Member contributions from basic, special, incentive and bonus pays
 - Does not include service matching contributions (for the few service members receiving matching)
- **\$5,500 annual tax-deferred “Catch-up” contribution**
 - Applies to members who are (or will be) age 50 or older
 - Deducted from taxable basic pay, submitted as tax-deferred to the TSP
 - Catch-up contribution is in addition to the elective deferral and annual additions limit
- **\$49,000 annual maximum contribution limit**
 - Applies when member contributes while in a designated combat zone depositing tax-exempt contributions to the TSP (which accrue tax-deferred earnings)
 - Limit includes tax-deferred and tax-exempt member contributions from basic, special, incentive and bonus pays (but does not include catch-up contributions)
 - Limit applies to member contributions and any service matching contributions received
 - Does not include amount contributed as catch-up during the year



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Appendix D: Trust Fund Under Current Plan

	Today FY11*	Today's Future FY34*
DoD Service Payment	\$19.8	\$42.3
Treasury Service Payment	\$4.8	\$10.2
Treasury Interest Payment	\$21.8	\$149.8
Treasury Unfunded Liability Amortization Payment	\$61.4	\$14.8
Total Federal Government Cost	\$107.8	\$217.1
Fund Liability	\$1,269.9	\$2,720.3

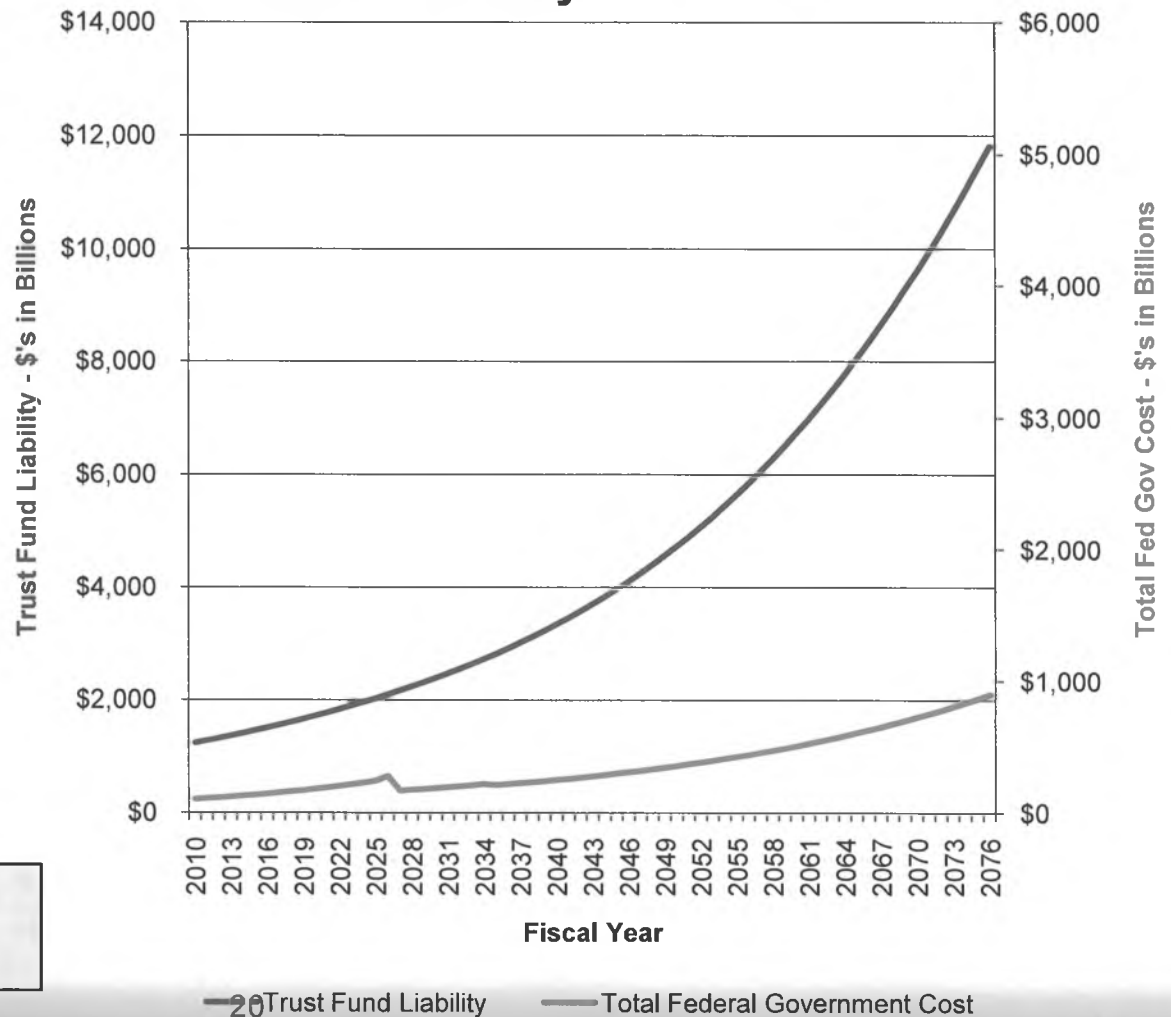
*Numbers are in billions

Assumptions:

- Vesting year 20
- Average contribution is 33% of total payroll

Source: OSD Office of Actuary

Military Retirement Trust Fund Under Current Plan by Fiscal Year



Appendix E: Trust Fund Under Revised Plan if All Current Active Duty Remain on Current Plan

	Today FY11*	Today's Future FY34*
DoD Service Payment	\$18.9	\$21.0
Treasury Service Payment	\$4.3	\$10.4
Treasury Interest Payment	\$21.7	\$100.7
Treasury Unfunded Liability Amortization Payment	\$61.4	\$14.8
Total Federal Government Cost	\$106.3	\$146.9
Fund Liability	\$1,266.7	\$1,800.0

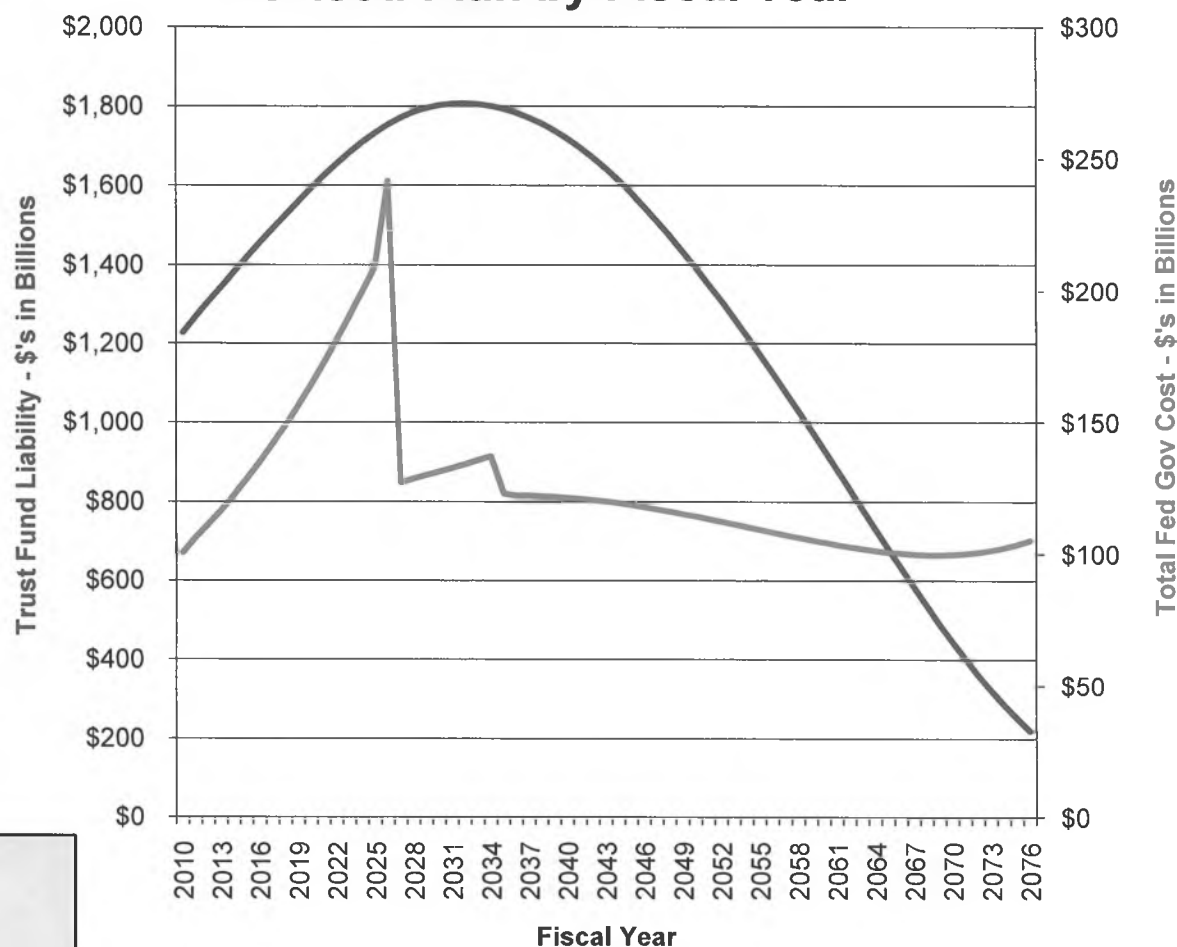
*Numbers are in billions

Assumptions:

- Average vesting year 4
- Active duty remains on current plan
- New recruits go on revised plan

Source: OSD Office of Actuary

Military Retirement Trust Fund Under Revised Plan by Fiscal Year



— Trust Fund Liability — Total Federal Government Cost



Appendix F: Trust Fund Under Revised System if All Active Duty Personnel Transition Immediately

- Modeled after private sector approach and yields a viable lower cost alternative
- Rapid transition to new plan for total active force
- Preserve accrued benefit from “old plan” but no further accrual
- For those with less than 20 years – proportional benefit under “old plan” if they stay for 20+ years (example: 10 years of service would result in 10/20 of the old plan benefit at old vesting date or 25% of pay at retirement)
- All active duty personnel start to accrue new benefit for the balance of their service payable under new terms (age 65 nominal)
- Average DoD contribution under revised system includes all extra incentives (16.5% of total pay)



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Appendix F : Trust Fund Under Revised System if All Active Duty Personnel Transition Immediately (Continued)

	Today FY11*	Today's Future FY34*
DoD Service Payment	\$27.2	\$20.4
Treasury Service Payment	\$4.3	\$10.4
Treasury Interest Payment	\$21.7	\$68.5
Treasury Unfunded Liability Amortization Payment	\$61.4	\$12.5
Total Federal Government Cost	\$114.6	\$111.8
Fund Liability	\$1,125.0	\$1,217.9

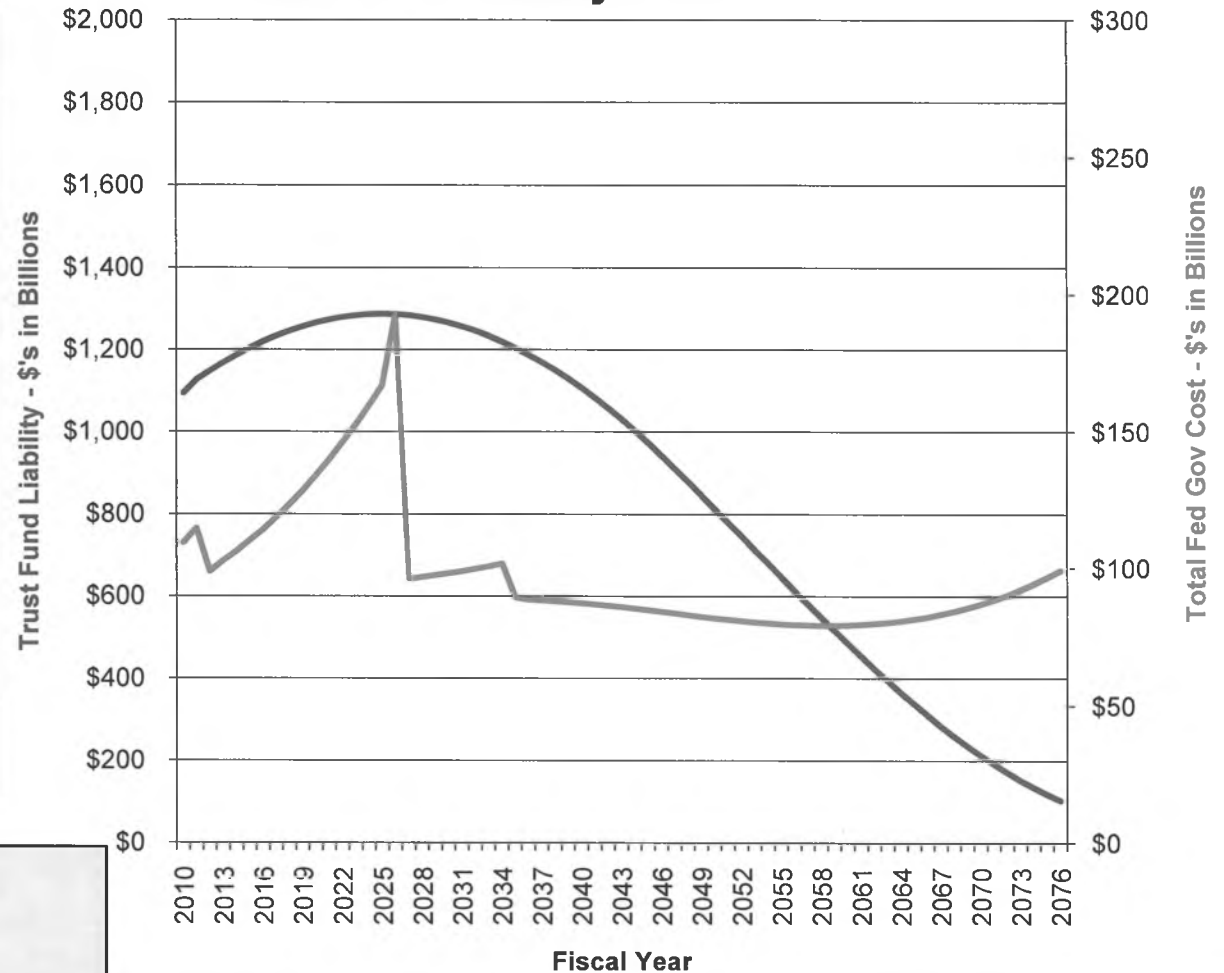
*Numbers are in billions

Assumptions:

- Average vesting year 4
- New recruits on new plan
- Active duty immediately transition

Source: OSD Office of Actuary

Military Retirement Trust Fund Under Transition Plan by Fiscal Year



— Trust Fund Liability — Total Federal Government Cost



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Questions?

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Business Excellence In Defense of the Nation

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SJR

20

<TARGET><BILL>SJR 20</BILL><SUBJECT>SJR
20</SUBJECT><COMM>HMLV27</COMM></TARGET>

**ALASKA STATE LEGISLATURE
HOUSE MILITARY & VETERANS' AFFAIRS COMMITTEE**

Co-Chair:

Rep. Dan Saddler
State Capitol, Room 409
Juneau, AK 99801
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Co-Chair:

Rep. Steve Thompson
State Capitol, Room 428
Juneau, AK 99801
Phone: (907) 465-6841
Fax: (907) 465-2070

MEMORANDUM

Date: April 10, 2012

To: House Chief Clerk
Military and Veterans' Affairs Committee
Members and Staff

From: Representative Dan Saddler, Co-Chair
Representative Steve Thompson, Co-Chair

Re: Schedule for week of April 9-13, 2012
Room 120

Wednesday, April 11, 2012 at 8:00a.m. in Room 120

+ * SJR 20 Relocation of 18th F-16 Squadron

Thursday, April 12, 2012 at 1:00 p.m. in Room 120

+ Bills Previously Heard or Scheduled

* First Hearing in First Committee of Referral
+ Teleconferenced
= Bill was Previously Heard/Scheduled

ALASKA STATE LEGISLATURE



SENATE STATE AFFAIRS COMMITTEE

Senate Joint Resolution 20: Relocation of the 18th F-16 Squadron Sponsor Statement

“Relating to Eielson Air Force Base and the strategic importance of retaining the 18th F-16 Aggressor Squadron in the Fairbanks North Star Borough.”

The United States Air Force recently released a proposed plan to reallocate military assets due to impending budget cuts. As part of an effort to reduce costs and achieve \$8.7 billion in savings in FY13, the United States Air Force has recommended the relocation of the 18th F-16 Aggressor Squadron from Eielson Air Force Base to Joint Base Elmendorf-Richardson.

This move will have drastic impact on the Fairbanks economy and will reduce the operational capabilities at Eielson, making it vulnerable in future base realignment and closure rounds. The benefits and strategic importance of Eielson Air Force Base now and into the future far outweigh the negligible savings achieved by the transfer of the squadron.

Eielson is at the forefront of protecting the United States interests in the Pacific Theater and serves a critical function in reinforcing the region. It helps to secure important oil infrastructure, including the Trans-Alaska Pipeline System, which supplies a significant portion of the nation’s energy needs. Eielson AFB also has access to the largest joint air and land training range in the United States with minimal air space congestion and is well-suited to perform operations for unmanned vehicles and live fire exercises.

The Alaska Legislature must vigorously defend Alaska military assets for the protection of our state and nation.

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version SJR20
 Fiscal Note Number 1
 (S) Publish Date 4/2/2012

Identifier (file name) _____ Dept. Affected _____
 Title SJR 20 Relocation of 18th F-16 Squadron Appropriation _____
 Allocation _____
 Sponsor Senate State Affairs Committee
 Requester (S) State Affairs OMB Component Number _____

Expenditures/Revenues (Thousands of Dollars)

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES	FY13	FY13	FY14	FY15	FY16	FY17	FY18
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	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						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS							
Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES							

Estimated **SUPPLEMENTAL (FY12) operating costs** _____ (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated **CAPITAL (FY13) costs** _____ (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Prepared by (s) State Affairs
 Division _____
 Approved by /s/ Senator Wielechowski, Chair

Phone 465-2435
 Date/Time 4/2/12 12:00 AM
 Date 4/2/2012

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

BILL NO. SJR20

Analysis

[Empty box for analysis content]



FACT SHEET

U.S. Air Force Fact Sheet EIELSON FACTS AND FIGURES

The Base

Eielson Air Force Base occupies 63,195 acres southeast of Fairbanks, Alaska. The runway is oriented north to south and is 14,507 feet long. It was extended to its present length in the 1950s to accommodate B-36 aircraft, and is the second longest runway in North America.

Population

About 2,500 military people work at Eielson, which includes more than 340 Air Force Reserve and Air National Guard servicemembers. The base has approximately 930 houses and 387 dormitory rooms for the more than 2,000 military and family members who live on base. An additional 1,100 active duty, Reserve and Guard servicemembers and their families live off-base. More than 500 retirees from all branches of the military reside in the area.

Rounding out the total military-related population are about 480 civilian employees.

Economic Impact

The total payroll for active duty military employees is about \$132 million. The base spent more than \$79 million for construction, services and procurement of materials, equipment and supplies in fiscal year 2011. More than 1,800 jobs were created valued at approximately \$41 million.

Organizations

The 354th Fighter Wing mission is to prepare U.S. and allied aviation forces for combat, to deploy Airmen in support of global operations, and to enable the staging of forces to promote U.S. interests in the Asia-Pacific region. The 354 FW is the host unit at Eielson Air Force Base, Alaska and is assigned to 11th Air Force, headquartered at Elmendorf AFB, Alaska.

Eleventh Air Force falls under Pacific Air Forces, headquartered at Hickam AFB, Hawaii. The 354th Fighter Wing is divided into four groups and 10 wing staff agencies. The groups are Operations, Maintenance, Mission Support and Medical. The wing commander's staff agencies include the Historian, Protocol, Chaplain, Staff Judge Advocate, Safety, Finance, Manpower, Command Post, Military Equal Opportunity and Public Affairs.

Associate Units

· 168th Air Refueling Wing, Alaska Air National Guard, is the primary workhorse

tanker unit for the Arctic Region and Pacific Rim, annually transferring more than 17 million pounds of fuel in flight to predominantly active-duty aircraft on operational missions. The wing's strategic location provides an invaluable rapid response capability for emergency and contingency situations, as well as enhancing the Air Force's total force global reach.

- The 353rd Combat Training Squadron is responsible for sponsoring training and experimentation in Alaska. In this capacity the squadron hosts Pacific Air Force's Red Flag - Alaska , Alaska Command's Northern Edge, and Pacific Command's Cooperative Thunder exercises. The 353rd has a detachment at Elmendorf Air Force Base. Beyond Red Flag - Alaska, the 353rd hosts an increasingly broad number of combat training events on the Pacific-Alaska Range Complex.

- Detachment 1, 66th Training Squadron, provides Arctic survival training to members of all branches of the military and the other uniformed services. The "Cool School" graduates about 650 students per year. Instructors at the Air Education and Training Command-assigned unit also provide ground search and rescue capability on and around Eielson.

- Detachment 1, 210th Rescue Squadron, Alaska Air National Guard, provides maintenance and operations support for up to two HH-60G Pave Hawk rescue helicopters deployed to Eielson from Kulis Air National Guard Base in Anchorage. These aircraft provide alert rescue coverage for Eielson aircraft and logistics support for interior Alaska military ranges. The detachment is also assigned by 11th Air Force to provide search-and-rescue for both military and civil aviators north of the Alaska Range.

- Detachment 632, Air Force Office of Special Investigations provides professional investigative service for felony level criminal activity and counterintelligence matters to commanders of all Air Force activities. AFOSI Detachment 632 provides specialized investigative services for USAF and DoD resources located in the northern half of the State of Alaska.

- Detachment 460, Air Force Technical Applications Center operates and maintains the largest and northernmost seismic network in the United States Atomic Energy Detection System, as well as the sole field backup operations center for detection and analysis of foreign nuclear weapons tests. In addition, the detachment operates and maintains a network of gaseous and particulate air sampling units to detect airborne signatures of nuclear events.

(Current as of February 2012)

354 Broadway St. Unit 15A
Eielson AFB, AK 99702
DSN: 377-2116
Comm: (907) 377-2116

Eielson's Strategic Importance: Overview

Conservative estimates say that the Arctic Ocean will be ice-free in the summer within 20 years. This will provide a quick shipping lane between the Pacific and Atlantic Oceans. "We have to prepare for the world coming to the Arctic," said Rear Adm. Gene Brooks, commander of the Coast Guard's Alaska district. Up to 25% of the world's undiscovered oil and gas is in Arctic Ocean area.

Our wide-open spaces, including the Joint Alaska-Pacific Range Complex, offer an unmatched military training environment. Our varied climate prepares soldiers and airmen to operate anywhere in the world.

About 13 percent of the state economy depends on the military, with the impact more strongly felt near larger installations.

Close proximity to North Korea, Pakistan, Iran, and China – all nuclear powers.

General Hamilton:

- "Alaska, sitting at the top of the world, is within nine air hours of 95% of the industrial world."
- "Eielson's 90,000 acres and Ft. Wainwright's 1.6 million acres represent the best joint training spaces available to U.S. forces."
- Eielson has 63,000 square miles of training airspace, the largest overland instrumented training range in the world.

General Gamble:

"There are only two deployment routes from North America to Eastern and Central Asia. The first is through Alaska, and the second is through Hawaii and Guam. Of these two, the Alaska route is 1800 miles shorter, which translates into a one-day advantage receiving combat aircraft from the West Coast and a two-day advantage from the East Coast."

- Eielson supports NORAD and the Ground Based Missile Defense System: "Every day for more than 20 years, at least one KC-135 has been on short-notice alert in support of interceptors protecting the sovereign airspace."
- "Only one military base in the state has a runway long enough for all-weather tanker operations."
- Eielson secures the TransAlaska Pipeline.
- "Any Pacific Theater war plan would fully involve Eielson in an air bridge role."

- "...as we understand it, in all prior BRAC rounds, Eielson was 'categorically excluded' in recognition of its critical function in reinforcing the Pacific and defending Alaska."
- Few environmental constraints (noise, pollution, etc) compared to other bases.
- "Eielson's fuel system is another great base asset. It is completely self-contained. The crude comes right off the North Slope, it's refined in the neighboring North Pole, and it's piped directly to Eielson."
- "...failing to consider the consequence of diminished Air Force jet fuel production required to meet the demand of a wartime surge; and two, by moving aircraft from the largest unrestricted airspace in the U.S. to encroached airspace."
- "Eielson provides the infrastructure to air refuel the President's support aircraft when he moves through the Pacific."
- "Eielson supports a multi-million dollar network of seismic sensors which detect underground nuclear tests."
- Eielson has huge field storage capacity, large capacity parking ramp, and a long runway (8th longest runway in the United States.)
- Eielson is a self-contained base, making it very secure to terrorist attack: "Eielson's heat and electricity come from its own power plant burning locally mined coal, and Eielson has an entirely self-contained water supply and water treatment facility on base."

LISA MURKOWSKI
ALASKA

COMMITTEES:
ENERGY AND NATURAL RESOURCES
RANKING MEMBER
APPROPRIATIONS
HEALTH, EDUCATION, LABOR,
AND PENSIONS
INDIAN AFFAIRS

United States Senate

WASHINGTON, DC 20510-0203
(202) 224-6665
(202) 224-5301 FAX

March 31, 2012

510 L STREET, SUITE 600
ANCHORAGE, AK 99501-1956
(907) 271-3735

101 12TH AVENUE, ROOM 329
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(907) 456-0233

800 GLACIER AVENUE, SUITE 101
JUNEAU, AK 99801
(907) 586-7277

805 FRONTAGE ROAD, SUITE 105
KENAI, AK 99611-9104
(907) 283-5808

4079 TONGASS AVENUE, SUITE 204
KETCHIKAN, AK 99901-5526
(907) 225-6880

851 EAST WESTPOINT DRIVE, SUITE 307
WASILLA, AK 99654-7142
(907) 376-7665

The Honorable Joe Paskvan
Alaska State Legislature
State Capitol Building, Room 7
Juneau, Alaska 99801

RECEIVED

APR 03 2012

Dear Senator Paskvan:

Thank you for contacting me regarding the U.S. Air Force's plan to relocate the 18th Aggressor F-16 Squadron from Eielson Air Force Base to Joint Base-Elmendorf Richardson (JBER). I enjoyed seeing you recently in Juneau and appreciate the opportunity to respond to you on this important matter.

I agree that the F-16 transfer would have a dire impact on the communities in Interior Alaska if another mission is not found for the base. The Air Force has stated that this would be a cost-cutting measure, but I am skeptical. This proposal is far too similar to the 2005 proposal that was rejected by the BRAC Commission which found that warm basing Eielson would not be an effective cost-saving measure. The proposal was wrong in 2005, and it remains wrong today.


As you know, I have strongly expressed my concern with the Air Force's proposal. In my first meeting with General Norton Schwartz about the proposal, we agreed that America still needs Eielson, and that it should play a significant role as the military redirects its future focus to the Pacific Rim. I hope to work with him and others at the DOD to ensure that is the case.

On March 7, 2012, I along with the rest of the Alaska Congressional Delegation and Governor Parnell, sent a letter to General Schwartz and Secretary of the Air Force Michael Donley encouraging the Air Force site survey team to make an accurate assessment of all risks and indirect costs associated with the Eielson proposal. We also encouraged the Air Force to incorporate the Fairbanks community in the fact-finding process as well as other appropriate Alaskan officials who may be in the best position to help the survey team present an accurate report. I have attached a copy of that letter.

I have also voiced my concerns about the F-16 move with officials at the U.S. Air Force, including General Schwartz during his recent trip to Alaska, and in recent Defense Appropriations hearings. I have assembled members of my staff in Alaska and Washington to work extensively on this issue. We have been working with officials at the Air Force and DOD, as well as with the Governor and his AMFAST team, to show the military why this proposal is wrong. I will continue to fight on behalf of Alaska's network of military installations.

Again, thank you for contacting me, and thank you for your continued service in the Alaska State Legislature. I look forward to hearing from you soon.

Sincerely,


Lisa Murkowski
United States Senator

Enclosure



March 7, 2012

Honorable Michael Donley
Secretary of the Air Force
1670 Air Force Pentagon
Washington, DC 20330

General Norton A. Schwartz
Chief of Staff, US Air Force
1670 Air Force Pentagon
Washington, DC 20330

Dear Secretary Donley and General Schwartz:

Over the President's Day recess we had the opportunity to visit with many Alaskans, including members of the Alaska Legislature, about the future of Eielson Air Force Base. While the Alaska community remains deeply concerned about the proposed move of the 18th Aggressor Squadron it takes the Air Force at its word that Eielson Air Force Base will continue to operate far into the future as the home of the 168th Air Refueling Wing and launching point for Red Flag Alaska and other exercises in the Joint Pacific Alaska Range Complex.

We respectfully submit that the incremental cost that will be saved by relocating the Aggressor Squadron will prove to be relatively negligible, if it exists at all, in contrast with the more significant cost of maintaining Eielson Air Force Base in an operational state as General Schwartz described in his briefing with the Alaska congressional delegation on February 9, 2012. As the 2005 BRAC Commission found, you simply cannot maintain a warm base in a cold place.

There is strong support among statewide leaders and within the Interior Alaska community to find a path forward that will enable Eielson Air Force Base to continue to operate at a higher level of utilization than presently exists. Alaska's leaders are committed to work with the Air Force in search of creative solutions to make this possible.

General Schwartz emphasized that the cost savings associated with the move was calculated in a tabletop exercise and would have to be "truthed" in a site survey which would include visits to Eielson Air Force Base as well as Joint Base Elmendorf-Richardson (JBER). We welcome that decision. We write today to share some additional thoughts about the work of the site survey team.

If the Air Force proposal briefed to us by General Schwartz is implemented, the 168th Air Refueling Wing would be the only year round operational tenant unit at Eielson Air Force Base. However, conversations with the leadership of the Alaska National Guard leave us to believe that there has been minimal, if any, consultation regarding the requirements of the 168th Air Refueling Wing going forward. This failure to consult threatens to place the 168th Air Refueling Wing in a position where it cannot fulfill its mission. We strongly encourage the site survey team

to spend as much time as necessary with the leadership of the 168th Air Refueling Wing and the Air National Guard.

Mayor Luke Hopkins and the leadership of the Fairbanks North Star Borough have expressed an interest in visiting with the site survey team while they are on the ground, primarily to impart information about local conditions which may be relevant to an evaluation of the issues at hand. We encourage the survey team to visit with appropriate officials of the Alaska Department of Military and Veterans Affairs, the Fairbanks North Star Borough and other appropriate stakeholder groups who may be in the best position to help the survey team present an accurate report to senior leaders.'

In addition to direct costs, an accurate report must also include an assessment of all risks and indirect costs associated with the proposal. We therefore strongly urge the site survey team to include the following in their assessment:

- The cost of the potential need for expanded eligibility of the Homeowner's Assistance Program to offset financial losses to Airmen impacted by the relocation and permanent change of station (PCS) costs. Many Airmen have purchased homes in the Fairbanks/North Pole community. If the Air Force moves several hundred service members to Joint Base Elmendorf-Richardson (JBER), they may find themselves unable to sell their houses in a suddenly flooded market. It is unacceptable to expect our service members to incur significant financial losses as a result of the proposed realignment. PCS costs must also be factored in.
- The cost of building additional housing and increasing civilian personnel in base support services at JBER. The housing on JBER is currently at capacity. Support services are already taxed meeting current base needs due to significant Air Force civilian personnel reductions. The addition of several hundred service members and their families to the JBER community would require building additional housing and expanding base support services.
- The cost of increased fuel usage and temporary duty assignment pay associated with Red Flag exercises. Under the Air Force's current proposal, Eielson would be placed in "warm" status and used to host an increased number of large-scale Red Flag exercises. However, these large exercises would increase the amount of transit fuel used and result in TDY costs for the Aggressor Squadron. Furthermore, they may require a surge of civilian personnel at the base.
- Workforce impact and the cost of voluntary separation incentives. Civilian employees will be displaced as a result of the proposal. Many of the personnel in these positions have proudly served our country and the Air Force for years, and implementing an across the board reduction-in-force to achieve the reduced number of billets would be an unacceptable solution. The Air Force must factor in the cost of voluntary separation incentives and training personnel for other open positions.
- Congested air space in Anchorage. The Anchorage air space is extremely active, with air traffic from Ted Stevens International Airport, Fed Ex, UPS, Lake Hood Seaplane Base,

and existing traffic from JBER. Given the number of aircraft already operating in this air space, the feasibility of incorporating an additional squadron of single-engine F-16s is questionable.

- Increased risk of having all fighter assets located at JBER. Locating all fighter assets in Alaska at a single base increases their vulnerability in the event of a natural disaster. The possibility of a volcanic eruption or earthquake that could potentially ground all aircraft at a given base is serious concern in Alaska. Dispersing our fighter jets throughout the state decreases the likelihood a natural disaster would affect all aircraft.

Thank you for considering these suggestions. We look forward to your response.

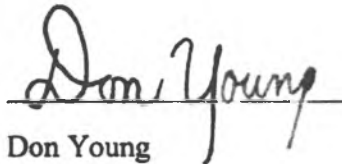
Sincerely,



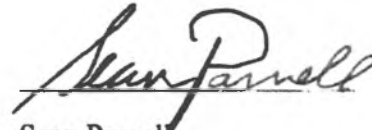
Lisa Murkowski
United States Senator



Mark Begich
United States Senator



Don Young
Congressman for All Alaska



Sean Parnell
Governor of Alaska



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THE WORD FOR THE NEXT FEW DAYS THE QUOTE FOR THE NEXT COUPLE DAYS ABOUT

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Regarding your 2011 taxes, due April 17th 2012, will you:

- do them yourself?
- pay to have a robot do them?
- pay a human to do them?
- None of the above: it's MY money!

Vote /view Results

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Interior Alaska's Eielson Air Force Base closure: what's really going on?

by T. PHILLIPS on FEBRUARY 19, 2012

It's easy to get lost in the controversy...



Twenty-one F-16s (one of which is pictured above over Eielson Air Force Base, Alaska) are really being transferred from Eielson Air Force Base? After reading the major articles about the move and spending roughly 25 years in the Fairbanks area, I have compiled a report, along with my own thoughts, to clear up the confusion.

First, let's look at what we have been told (mostly from Alaska news sources):

Twenty-one F-16s may move from Eielson Air Force Base by summer 2013, followed by any associated personnel by the end of the year.

Nineteen of the F-16s would be relocated to Elmendorf Air Force Base in Anchorage. 1600 jobs would be cut with only 600 moving to Anchorage. The Pentagon would save \$35 million over five years, according to authorities.

Air Force Lt. Gen. Hoog says that the National Guard's refueling unit would continue operation at the base even if the F-16s are relocated (the base would not close).

According to Hoog, "If you mapped out everyone who touches (the F-16s), you'd be looking at about 900 folks." So far, it is uncertain how many of the 1,800 active-duty personnel would leave the Fairbanks area. There are 2.1 to 2.3 family members for every active duty airman stationed at Eielson, according to Hoog, and let's not forget about the numerous civilian jobs that would also diminish.

Senators Lisa Murkowski and Mark Begich, as well as Borough Mayor Luke Hopkins, met on Saturday (2/18) with General Norton Schwartz (Chief of Staff to the U.S. Air Force) regarding the proposed move.

Fairbanks International Airport, AK

Last Updated on Mar 31 2012, 1:53 pm

AKDT

Weather by NOAA

Current Conditions: Partly Cloudy

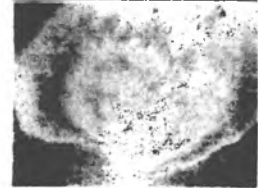


Temp: 26°F
Wind: North at 0mph
Humidity: 75%

Dewpoint: 19.0°F

Your 5-Day Forecast at a Glance

THE PHOTO OF THE WEEK



Pretty like a Mushroom Cloud

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If you are interested in submitting news, photos, or information regarding Fairbanks, Alaska, or the universe, send your articles to: articles@fairbanksirl.com

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Both Hoog and Schwartz said an analyst will arrive in March to investigate the logistics of the move and the future of the base.

Mayor Hopkins and Governor Sean Parnell have both proposed spending state money to investigate the financial figures that would result from the move.

Some government spending has been put on hold (\$45 million for the Eielson dorm project) while some spending continues (\$14.8 million for a railroad upgrade to haul fuel to Eielson).

Ted Stevens is dead and can't protect Alaska from military spending cuts in Washington.

There are only a few months left for politicians to convince the Pentagon not to go through with the move.

Now let's think about what we have been told:

Alaskan politicians say that there is no better training place for the F-16s than the Interior. Shouldn't that decision be left to leading military strategy experts instead of bureaucrats?

The real reason there is such a fuss: THE AMOUNT OF MONEY LOST BY BUSINESSES IN INTERIOR ALASKA WILL BE MASSIVE. MONEY, MONEY, MONEY! MONEY TO LOSE and MONEY TO SPEND TO TRY NOT TO LOSE MORE MONEY!

Lisa Murkowski states that in rural areas of Alaska, military spending is responsible for 38% of the economy.

According to Wes Madden, the departure of even 1,500 people would drastically influence the housing market in a negative way. Oh no, the housing market would be hurt. The rental prices are already through the roof (and have been for awhile), even in west Fairbanks!

According to one Interior resident, "A lot would change – fewer assaults, less traffic, smaller population, fewer Republicans – it would be horrible."

While the above human is being a bit sarcastic, there is no doubt that a number of aspects of society could see a positive benefit from the closure of the base. I cannot help but fantasize about the crumbling of the east Fairbanks chain stores that might occur (they were not around for most of my life). Maybe some local businesses would actually benefit!

To summarize:

The military is interested in transferring some very expensive military technology Outside and to another location in the state. This change would majorly hurt the economy of Interior Alaska, resulting in businesses closing and housing prices plummeting. The population would decline along with crime and traffic.

Is the extra money for the economy really worth the negative impact the base has on society? Remember military fans, plenty of Ft. Wainwright troops will be returning in the next few months...

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Murkowski, Begich Fighting F-16 Aggressor Squadron Move from Eielson to Elmendorf, 4 C-130 Retirements at Elmendorf

Lawmakers to Introduce Legislation Monday That Would Prohibit Action

Senators Murkowski and Begich today issued a united set of statements opposing the Department of Defense's plans to relocate the F-16 Aggressor squadron from Eielson Air Force Base to Elmendorf Air Force Base and retire four C-130 transport aircraft at Elmendorf – as part of a nationwide Pentagon budget reduction strategy.

When the Senate returns to session on Monday, Murkowski and Begich will introduce legislation that would prohibit the Air Force from making these moves.

Senator Lisa Murkowski:

"While I am gratified the Air Force plans to keep the F-16 aggressor squadron in Alaska, I believe its rightful home is Eielson Air Force Base – at the gateway to the Joint Pacific Alaska Range Complex (JPARC). Today's announcement is identical to the BRAC proposal the Air Force advanced in 2005, when the Fairbanks community conclusively proved to the independent Base Realignment and Closure Commission that the Air Force would not achieve any savings by attempting to maintain a warm base in a cold place.

"Yet the Air Force suggests that today's action will result in a cost savings in Fiscal Year 2015. I no more believe that they will be able to achieve that cost savings in 2015 than they could in 2005. I'm going to do everything in my power to change the Air Force's plan.

"I am also concerned about the Air Force's plan to retire four C-130 transports at Elmendorf, with an anticipated loss of 120 active duty positions. The C-130 plays a crucial role in disaster relief missions. Coming on the heels of an earlier announcement that the Army National Guard will retire the remaining C-23 Sherpa, I need to be convinced that this action leaves the Air Force and Guard with sufficient assets to respond to a catastrophic earthquake or other natural disaster requiring immediately available airlift capacity."

Senator Mark Begich:

"Relocating the 18th Aggressor Squadron from Eielson to JBBER is an unacceptable proposal. I will not support the Air Force's attempt to circumvent the law and the formal BRAC process by trying to piecemeal one of the most strategic installations in the country. As Alaska's only member of the Senate Armed Services Committee, I will fight this action every step of the way. A decision to relocate the F-16s from Eielson was already rejected in 2005, when the independent BRAC Commission overturned the Air Force's recommendation, recognizing Eielson has the best airspace and range complexes and the estimated costs savings were inaccurate. Nothing has changed since 2005. Eielson Air Force Base is critical to the defense of the United States.

"The Air Force also plans to retire 4 C-130Hs stationed at JBBER. It is unfortunate this will result in the loss of the active duty personnel in the integrated unit that fly these planes. However, I am pleased Air Guardsmen of the 144th Airlift Squadron will retain eight C-130s and the manpower to continue to provide important lift capability in defense of our

nation and in support of our state. As members of our community, these Guardsmen will continue to make us proud in Alaska."

Kendra Kloster

Subject: FW: Murkowski, Begich File Legislation Prohibiting F-16 Move
Attachments: 12.02.06.F16.Legislation.pdf



For Immediate Release
Monday, February 6, 2012

Murkowski, Begich File Legislation Prohibiting F-16 Move

WASHINGTON, D.C. – Senators Murkowski and Begich today introduced legislation (*attached*) in the U.S. Senate that would expressly bar the United States Air Force from planning or executing the relocation of F-16s from Eielson Air Force Base to Joint Base Elmendorf-Richardson – and requires that just as many, if not more, F-16s are based at Eielson this September.

Alaska's entire Congressional Delegation will be sitting down with U.S. Air Force Chief of Staff General Norton Schwartz on Thursday, to further discuss the Air Force's plan and question the reasoning.

The Senators issued the following statements after filing the bill:

Senator Lisa Murkowski:

“This is déjà vu all over again, reminding me of the Air Force's BRAC proposal for Eielson in 2005. Back then, Alaskans made the case that the Air Force wouldn't achieve any savings by attempting a move. 7 years later, I remain unconvinced that moving existing units from one part of Alaska to another is an efficient or effective way of cost-cutting. I want the Air Force to show me its math.”

Senator Mark Begich:

“Moving F-16s from Eielson Air Force base to Anchorage will neither save money nor make our military stronger. If military leaders try to end-run the formal base-closing process with this piecemeal approach, I will do whatever I can through my position on the Senate Armed Services Committee to stop it. I'll work with community leaders to demonstrate this is not the right decision and keeping these fighter jets at Eielson makes strategic and economic sense. If we have to stop it through legislation, that's what we'll do.”

###

S 2073 IS

112th CONGRESS

2d Session

S. 2073

To prohibit the permanent relocation of F-16 aircraft assigned to Eielson Air Force Base.

IN THE SENATE OF THE UNITED STATES**February 6, 2012**

Ms. MURKOWSKI (for herself and Mr. BEGICH) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To prohibit the permanent relocation of F-16 aircraft assigned to Eielson Air Force Base.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PROHIBITION ON RELOCATION OF F-16 AIRCRAFT.

The Secretary of the Air Force--

(1) may not plan or execute the permanent relocation of any F-16 aircraft assigned to Eielson Air Force Base as of the date of the enactment of this Act; and

(2) shall ensure that the number of F-16 aircraft assigned to Eielson Air Force Base as of September 30, 2012, equals or exceeds the number of F-16 aircraft assigned to Eielson Air Force Base as of October 1, 2011.

END

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Sen. Begich questions F-16 move

by Jeff Richardson/jrichardson@newsminer.com

02.28.12 - 11:19 pm

FAIRBANKS — Sen. Mark Begich questioned the legality of the Air Force's plan to relocate its F-16 squadron from Eielson Air Force Base during a hearing Tuesday, asking Defense Secretary Leon Panetta whether such a move needed to be part of a formal process.

The Alaska Democrat spoke to Panetta during a Senate Budget Committee hearing on the Department of Defense budget request and said such significant moves are typically part of the Base Realignment and Closure Commission process — known informally as BRAC — that is used to shift assets throughout the military.

On Feb. 3, the Air Force announced plans to move the 21-plane squadron from Eielson to Joint Base Elmendorf-Richardson by mid-2013, part of a proposed nationwide realignment that would affect 60 installations in 35 states.

Begich asked Panetta why such a major move wasn't part of the BRAC process. Eielson was targeted for closure in 2005 by the Defense Department but was deemed too strategically valuable to abandon by that year's BRAC members. The commission allowed only the partial downsizing of Eielson.

"That's the same debate we had with the BRAC, the exact same debate," Begich said. "We're not doing a BRAC now — we're just (relocating the squadron)."

The departure of the F-16 squadron would significantly alter the makeup of Eielson. Nearly half of the 3,100 military and civilian jobs at the base will be transferred to the Anchorage area if the move takes place.

Begich said he's received little explanation from the Air Force about why moving the F-16s makes strategic or economic sense. He said the move is especially mystifying in light of the Air Force's stated goal of boosting its role in the Asia-Pacific region.

"I don't get this, to be very frank with you, that it's almost like they picked a location ... but they're now starting the analysis," Begich said to Panetta.

Panetta recommended Begich talk to the Air Force to get more details about the process. When Begich said he hadn't received a satisfactory response from Air Force leaders, Panetta said he would get back to him with the information.

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Legislative Journal

Air Force to assess impact of F-16s move from Eielson

By Tim Bradner

Alaska Journal of Commerce

Alaska military officials are doing their best to soothe ruffled feathers in Alaska over the U.S. Air Force announcement that 21 F-16s based at Eielson Air Force Base near Fairbanks will be relocated to Joint Base Elmendorf-Richardson in Anchorage in 2013.

The relocation of military personnel and families will adversely affect the Fairbanks-area economy.

Air Force Lt. Gen. Stephen Hoog, commander of Air Force and Army units in Alaska, told the Legislature's Joint Armed Services Committee Jan. 14 that an Air Force team will arrive in March to assess just how many personnel from Eielson will actually move.

Hoog said there are 300 to 500 military personnel at Eielson who are directly engaged with the F-16s and assuming a population multiplier of 2.1 to 2.3 when families are included, "we will see an impact," the general said.

The Alaska Air National Guard aerial refueling mission will remain at Eielson and some capital improvements relating to the tankers will continue, such as a planned upgrading of railroad track to the base that are used to transport fuel.

However, a planned \$45 million remodeling of base housing set for this year has been put on hold by the U.S. Army Corps of Engineers because of the announced move, Hoog said.

The Air Guard operates 9 KC-135 tankers from Eielson and performs refueling operations for military aircraft operating in northern areas and the Arctic, as well as other parts of the world. The tanker operation is vital and the Air Guard has been able to be "wheels up" with a loaded KC-135 with-

and their location, said Gen. Thomas Katkus, the Alaska Air Guard Commander, who was with Hoog in the briefing.

"We've never missed it," on that record, Katkus said. "There is no shortage of people asking for fuel (in the air). It's a growth industry."

Hoog said Eielson, meanwhile, will continue to be the main base supporting the annual Red Flag air combat training exercises, where air crews from the U.S. and other nations come to Alaska for training. The F-16s now at Eielson play the "aggressor" role in the training, and that will continue.

It also means that for part of the summers, the relocated F-16s will return to Eielson temporarily to participate in the exercises. The Red Flag exercises typically run from April to October, and this year will involve about 7,000 people from 73 units from eight nations.

Hoog said the Air Force hopes to save money in support of the F-16s at Joint Base Elmendorf-Richardson because of other aircraft based there, such as F-22s. Maintenance and other work can be done for all the aircraft, gaining efficiencies.

A member of the legislative committee, Sen. John Coghill, R-North Pole, said, "I appreciate that the Air Force sees continued value for Eielson for training, but I hate to see the pullout (of the F-16s). That is going to be an economic burden for my area, and also the Air Force. The efficiencies you anticipate are, to me, open to question."

Rep. Carl Gatto, R-Palmer, another committee member, asked Hoog that with another round of base closings possible, whether Eielson could be on the chopping block even with the tanker mission.

Hoog couldn't comment on the possible closings, but said, "We will need tankers (for aerial refueling) in Alaska. The

Force view, the relocation (of the F-16s) is part of the effort to reduce spending by \$8.5 billion in 2013."

On other matters, Hoog said improvements at missile defense facilities at Fort Greely and Clear Air Force radar site are continuing. A new power plant at Fort Greely is to be on line soon and Missile Field 2, a second set of launch silos, is to be completed.

"This will give us added silos when additional interceptors are purchased," Hoog said.

Fort Greely is operated by the Alaska Army National Guard, which have 200 soldiers employed full-time operating the facility.

Also, improvements to the missile radar facilities at Clear, south of Fairbanks, are continuing. The budget for middle defense improvements in Alaska is \$350 million this year, he said. About 60 Alaska Air Guard airmen are employed at Clear to provide support.

On planned reductions of civilian positions at Air Force and Army installations, Hoog said the goal is to eliminate 222 civilian positions at Eielson and 48 at Eielson, but that he was not informed as to the Army's plan at Fort Wainwright. As for the Air Force, an early retirement program has been reopened and some people are being moved to other positions.

Even after those moves, "It appears that there will still be 40 to 60 people that we cannot place," Hoog said.

One concern for Air Force and Army commanders is any reduction in civilian workers providing support to families of soldiers and airmen deployed overseas, the general said.

Tim Bradner can be reached at

Members, Senate State Affairs Committee,

As Mayor of Fairbanks North Star Borough (FNSB) I am very concerned with the current relocation of the F-16 fighters. The strategic and operational advantages for this most northern USAF base are extremely important geographically and operationally. In addition, as my office undertakes a review of the impacts and review of known funding issues, I have heard numerous overview discussions before the US Senate that causes me to question the basis for this action. Understanding there is a congressional budget reduction called for and seen in the FY 13 funding proposals, the proposed Air Force savings that might be achieved with this relocation appear to be reused AF numbers from the 2005 BRAC that were shown to be inaccurate then and would be so now. I ask you to move this resolution forward so the AK Legislature can fully act on the passage of SJR20.

Luke Hopkins
Mayor, FNSB

Introduced By: Mayor Cleworth
Date: April 9, 2012

RESOLUTION NO. 4521

**A RESOLUTION EXPRESSING OUR CONCERN AND OPPOSITION TO
MOVEMENT OF THE 18TH AGGRESSOR SQUADRON AT EIELSON AFB TO JOINT
BASE ELMENDORF/RICHARDSON (JBER)**

WHEREAS, the USAF Force Structure Adjustments includes the realignment of the 18th Aggressor Squadron based at Eielson AFB to Joint Base Elmendorf/Richardson (JBER); and

WHEREAS, normal programming actions were not followed in considering FY 2013 Budget Submission Programming Actions, and no site survey was conducted prior to the announcement which would analyze both financial and logistical data; and

WHEREAS, no cost savings have been identified, which raises many questions about the feasibility of the move; and

WHEREAS, the geographic location of Eielson gives it a strategic advantage in several theaters of operation, an advantage that is shared by few other bases; and

WHEREAS, the training opportunities afforded by the 63,000 square mile range adjacent to Eielson offer a resource that is unmatched elsewhere; and

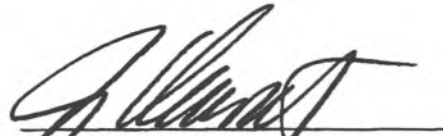
WHEREAS, the State of Alaska has made a large capital investment of \$80,000,000 to help provide access to the Joint Pacific Alaska Range Complex near Eielson AFB, strongly showing our commitment to the military in the interior of Alaska; and

WHEREAS, our Congressional Delegation has expressed their concern and dismay with the process, the lack of information that has been provided to them, and the justification for the move; and

WHEREAS, the Council is extremely concerned about the lack of transparency in this process, the ability to provide input up front, especially when considering the real costs associated with the move, the loss of the logistical importance that Eielson affords, and the effect it will have on families relocating, considering the disparity in the housing markets at both locations,

NOW, THEREFORE, BE IT RESOLVED, that the Fairbanks City Council opposes the Air Force's plan to relocate the 18th Aggressor Squadron from Eielson AFB to Joint Base Elmendorf/Richardson (JBER).

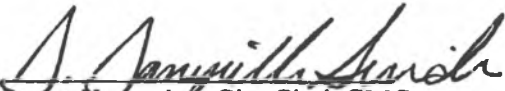
PASSED and APPROVED this 9th Day of April, 2012.

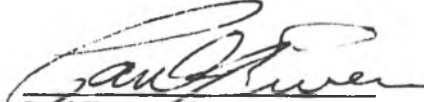

Jerry Cleworth, Mayor

AYES: PASSED and APPROVED on the Consent Agenda
NAYS:
ABSENT:
APPROVED: April 9, 2012

ATTEST:

APPROVED AS TO FORM:

for 
Janey Hovenden, City Clerk CMC


Paul Ewers, City Attorney