

**ALASKA LEGISLATURE**

**2516**

**HOUSE and SENATE FINANCE COMMITTEE FILES, 2003-2004**



# ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the House Finance  
 Committee on HB #101 / \$31 Million Dated 20 Feb 2003  
 Bill / Subject for Arctic Power

My name is Fran Mauer, I live at 791 Reppell Ln, Fairbanks AK 99712

I am opposed to HB 101 for the following reasons:

- 1) This is the use of state money for a special interest
- 2.) There has been very little accountability of previous funds given to Arctic Power.
- 3) More emphasis should be placed on development on lands that the State owns, rather than gamble our money on a less than equal chance of results.
- 4.) Drilling in the Arctic National Wildlife Refuge is a very divisive issue both in Alaska and the Nation.
5. Alaska should abide by the provisions of statehood, and not carry on this battle to destroy a National conservation area.

I urge you to instead channel this money (3.1 million) to more worthy uses such as education, restoration of salmon fisheries, and development of renewable energy such as wind generation Thank you

SIGNED: Fran Mauer  
 Testifier

Self  
 Representing

791 Reppell Ln, Fairbanks, AK 99712  
 Address / Phone Number 455-6829



# ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the HOUSE FINANCE  
 Committee on ARCTIC POWER APPROPRIATION Dated 2/20/03  
Committee Name  
Bill / Subject

I AM STRONGLY OPPOSED TO SPENDING PUBLIC (STATE) FUNDS TO FUND ARCTIC POWER. I BELIEVE THIS MONEY COULD BE MUCH BETTER SPENT WITHIN ALASKA, ENSURING THAT THE VALUES ALASKANS TREASURE ARE MAINTAINED, WHILE PROMOTING RESPONSIBLE DEVELOPMENT OF ALASKAN RESOURCES AND JOBS FOR ALASKAN CITIZENS. ARCTIC POWER APPEARS TO PROMOTE A SINGLE INDUSTRY, WHICH LARGELY EMPLOYS OUT-OF-STATE WORKERS. THIS IS A POOR USE OF OUR LIMITED FUNDS.

SIGNED: CHRISTINE SURETT  
 Testifier  
MUSKIE  
 Representing  
2308 ROBINSON CIRCLE, NORTH PAIS, AK 99705  
 Address / Phone Number



# ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the \_\_\_\_\_

Committee on Arctic Power Appropriation Committee Name Dated 2-20-03  
Bill / Subject

I am opposed to the use of scarce public dollars to support the lobbying efforts of Arctic Power. I prefer that public funds be spent on the more important needs facing our state. It also seems that they are unaccountable for the millions of dollars they have received in the past. For example, a few years ago they flew various people up to the North Slope. I personally know someone who went "just to go." It seems that there are ~~some~~ many more important uses for our funds. I think that the oil companies can fund their own lobbying efforts. Why are we subsidizing this activity when we have budget shortfalls now?

SIGNED: James Mann  
Testifier

Myself  
Representing

631 Weller Ct. Fairbanks, AK  
Address / Phone Number 907-456-1978



**ANWR:**  
**JOBS AND ENERGY**  
**FOR AMERICA**

**ARCTIC POWER**  
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12 February 2003

The Honorable John Harris  
Co-Chair, House Finance  
Alaska State Legislature  
State Capitol  
Juneau, AK 99801-1182

Dear Chairman Harris:

Circumstances have never been better to secure opening of the coastal plain of the Arctic National Wildlife Refuge. Given the results of national elections, White House support and the seniority of our congressional delegation, Alaska is well poised to make exploration and production of oil and gas from the coastal plain a reality.

This campaign has become extremely high profile, and has been used as a fundraising tool for environmental organizations seeking to shut down practically all development in Alaska. Arctic Power is geared up and ready to assist our delegation, the governor and members of the legislature in this final battle.

The State of Alaska has made significant appropriations to Arctic Power, making our presence and impact a very important part of previous campaigns. On behalf of Arctic Power's Board of Directors I would like to request a grant appropriation of \$3 million for the 2003 congressional campaign.

This funding is critical to assuring that Alaska will have a strong presence in the campaign this final year. While our budget is a drop in the bucket compared with the opposition, we have a voice far greater than the sum of our dollars!

Arctic Power has been on the frontlines of this campaign for ten years, assisting the delegation in every way possible. We've had impressive successes along the way, securing passage of legislation through the U.S. House and Senate several times, and this year we look forward to watching President Bush sign legislation that will close our doors.

Thank you for your continued support, I look forward to working with you this session!

Sincerely,

Kimberly R. Duke  
Executive Director



**ARCTIC POWER GRANT HISTORY**

**ANWR:**  
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FOR AMERICA

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| STATE FISCAL YEAR AWARDED | GRANT NUMBER | GRANT AMOUNT | AP CALENDAR YEAR EXPENDITURES |
|---------------------------|--------------|--------------|-------------------------------|
| 1996                      | 96-RSA-1-01  | 431,800.00   | 431,800.00                    |
| 1997                      | 7/97-001     | 250,000.00   | 115,593.09                    |
| 1998                      | 98-D1-002    | 550,000.00   | 187,336.99                    |
| 1999                      | 99-D1-002    | 225,000.00   | 167,810.53                    |
| 2000                      | 00-D1-002    | 250,000.00   | 217,525.28                    |
| 2001                      | 01-DS-001    | 1,500,000.00 |                               |
|                           | 01-DC-004    | 250,000.00   |                               |
|                           | 01-DS-002    | 250,000.00   | 3,972,543.08                  |
| 2002                      | 02-DO-001    | 2,000,000.00 |                               |
|                           | 02-DC-073    | 700,000.00   |                               |
|                           | 02-DC-074    | 300,000.00   | 1,334,881.20                  |



**ANWR:**

**JOBS AND ENERGY  
FOR AMERICA**

**ARCTIC POWER 2002 BUDGET\* SUMMARY****ARCTIC POWER**

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Fax (202) 544-8616  
<http://www.anwr.org>

|   |                       |
|---|-----------------------|
| <b>State of Alaska Grant</b><br>68%           | <b>\$1,334,881.20</b> |
| <b>Arctic Power Private Membership</b><br>10% | <b>\$201,105.00</b>   |
| <b>In-Kind Contributions</b><br>22%           | <b>\$431,146.65</b>   |
| <b>TOTAL:</b>                                 | <b>\$1,967,132.85</b> |

*\*Calendar year summary*



810 N St, Ste 203, Anchorage Alaska 99501 / Ph. 907.258.6171 / Fax 907.258.6177  
PO Box 22151, Juneau Alaska 99802 / Ph. 907.463.3366 / Fax 907.463.3312 / [www.acvoters.org](http://www.acvoters.org)

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## **HB 101 Arctic Power appropriations**

TO: House Finance Committee members  
DATE: February 20, 2003

Alaska Conservation Alliance (ACA) and Alaska Conservation Voters are sister nonprofit organizations dedicated to protecting Alaska's environment through public education and advocacy. Our 44 member organizations and businesses represent over 35,000 registered Alaskan voters. As many Alaskans, our members want to be assured that the state's limited general funds are being put to the best uses. The state has given Arctic Power \$7.5 million over the past 10 years already. As we witness state agencies and other entities being required to cut back, we request that a similar degree of oversight be afforded to Arctic Power.

Before appropriating \$3.1 million to Arctic Power, we encourage legislators to seek answers to the following questions:

- Is this a responsible way to handle the budget gap? While the Murkowski administration is slashing funding for the basic protection of fish habitat and clean water, why are we dumping millions of dollars into the Arctic Power black hole?
- Where has the money gone? In the last two years alone, Arctic Power has received almost \$5 million from the state of Alaska with little to show for it. The reports that Arctic Power has filed show that they bankroll high-priced PR and lobby firms in DC with no accountability.
- Why should Alaskans pay for an effort that benefits multinational oil companies?
- How does the legislature plan to hold Arctic Power accountable for the general funds appropriated to them?

The money under consideration for Arctic Power's use is money that will not be available to address many needs around the state. Essentially, all Alaskans are being asked to help finance the oil industry's lobbying efforts. In return, it is only reasonable that we have a full, public disclosure of how Arctic Power spends the state's money. We encourage the legislators to ask for this information before authorizing any additional funds.

Kind regards,

Danielle B. Brown, Alaska Conservation Voters

**Alaskans building a better future.**

**HB**

**101**

**SFIN**

**FILE**

HB 101

was referred to the  
Senate Finance  
Committee

Hearing(s) were held

The bill did not move  
from Committee

# Alaska State Legislature

## House Finance Committee



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Juneau, AK 99801-1182

State Capitol, Juneau, Alaska 99801-1182

### SPONSOR STATEMENT

#### **COMMITTEE SUBSTITUTE for HOUSE BILL 101 (FINANCE)am**

*An Act making special appropriations to promote the opening of the Arctic National Wildlife Refuge for oil and gas exploration and development; and providing for an effective date.*

House Bill 101 appropriates \$1.1 million in general funds to Arctic Power to use in its campaign to secure necessary support in the United States Senate to pass legislation opening ANWR to oil exploration. ANWR language is expected to be included within the Budget Reconciliation Bill. This bill will be considered early this Congressional session and it is important that Arctic Power be active in its promotion of opening ANWR throughout the early part of 2003.

An appropriation of \$100,000 in general funds to the native village of Kaktovik is found in section 3 for Kaktovik's community outreach effort to gain support for the opening of ANWR from Congressional members in Washington, D.C.

An additional \$100,000 in general funds is included in House Bill 101 for use by the Governor's office. The administration will provide direct support of national efforts to open ANWR.

Our Congressional delegation believes that they may have the support to pass ANWR language this year. The educational efforts provided by Arctic Power could very well tip the scales in Alaska's favor whenever that vote reaches the Senate floor.

With the long-term decrease in state revenue from existing fields, it is imperative that Alaska develop additional new fields in the future. ANWR is an important part of our fiscal future.

This appropriation will assist in reaching that goal.

THE  
FOLLOWING  
DOCUMENT(S)  
ARE  
POOR  
ORIGINAL  
COPIES

See Arctic River p.2

# NEWS & TRENDS

## Pulling Strings From Afar

### Drug Industry Finances Nonprofit Groups That Claim to Speak For Older Americans

**SPECIAL**

BY BILL HOGAN

United Seniors Association, based in Fairfax, Va., calls itself an "influential and effective" advocacy organization for older Americans.

The Seniors Coalition, based in Springfield, Va., describes itself as an "advocacy organization that represents the interests and concerns of America's senior citizens."

The 60 Plus Association, based in Arlington, Va., describes itself as "an advocacy group with a free enterprise, less government, less taxes approach to seniors issues."

If you're like millions of other older Americans, you've seen their names many times before—either on fundraising appeals or on television spots promoting political candidates. (One of the groups spent more than \$10 million last year on politician-promoting ads featuring Art Linkletter, the folksy television personality.) More than ever before, they've been trying to influence political campaigns and shape policies that affect older Americans.

But who's really behind these organizations? And are they really working to help older Americans?

#### COMMON DENOMINATORS

Aside from the similar descriptions and locations in the Virginia suburbs of the nation's capital, the three

nonprofit organizations have several things in common.

For starters, all three organizations claim to be nonpartisan, though they support—almost without exception—the campaigns and causes of one political party.

All three organizations were formed by, or with help from, direct mail entrepreneur Richard Viguerie, and two have been operated in recent years by former officers or employees of Viguerie's companies.

All three organizations have been criticized over the years for questionable fundraising practices and, recently, the Social Security Administration ordered one of them to halt what it determined to be misleading mailings.

All three organizations claim to speak for millions of older Americans, although as recently as 2001 none of the three listed any revenue from membership dues on their tax returns. Moreover, an investigation

by the AARP Bulletin shows that virtually all of their largest contributions in recent years have come from the same source—the nation's pharmaceutical industry.

#### DRUG-INDUSTRY TENTACLES

Perhaps it isn't surprising that the three organizations have so willingly done the pharmaceutical industry's bidding.

"I think of the pharmaceutical industry as being like an octopus, with a deep reach no other industry can match," says Frank Clemente, the director of Public Citizen's Congress Watch, a Washington-based consumer organization. "This is an industry that's not only spending more on direct lobbying than any other industry but also spending more on front groups and related entities than any other industry."

Kenneth Goldstein, a political scientist at the University of Wisconsin who oversees the Wisconsin Advertising Project, says the drug industry has also emerged an unquestionably "the top-spending industry" in terms of political advertising.

Indeed, the industry invested more than \$30 million in the 2002 elections, with more than a third of that bankrolling television ads bearing the name of United Seniors Association. The United Seniors ads promoted candidates in five Senate and 20 House races around the nation, including one in Pennsylvania that pitted two incumbents—Democrat Tim Holden and Republican George Gekas—against each other in a redrawn House district.

Holden says that the pharmaceutical industry spent more than \$1 million trying to defeat him because

CONTINUED ON PAGE 4

Following: The Money

| Organization                             | Address   | Revenue      |
|--|---|--------------|
| UNITED SENIORS ASSOCIATION, INC.         | 215 EAST 43RD STREET<br>NEW YORK, NEW YORK 10017-3755   | \$ 28,000    |
| SENIORS FOR BETTER MEDICINE              | 1618 E STREET, NW, SUITE 800<br>WASHINGTON, DC 20020    | \$ 1,618,828 |
| PHARMACEUTICAL RESEARCH & ACTION SOCIETY | 1100-11TH STREET, NW, SUITE 800<br>WASHINGTON, DC 20025 | \$ 1,500,000 |

Fr. Jim Sykes  
PO Box 196, Palmer

NEWS & TRENDS

# Arctic Power

Please copy to all Finance Cmte members

## FRONT GROUPS

CONTINUED FROM PAGE 3

he supports a prescription drug plan administered by Medicare; Gekas favored a plan backed by the pharmaceutical industry. (Gekas could not be reached for comment.)

"It was unconscionable that the pharmaceutical industry would mislead people by hiding behind a name such as United Seniors," Holden told the *Bulletin*. "They misled the voters of the 17th District. They have such deep pockets that they can go in and influence people who are busy with their everyday lives and don't have time to figure out that a group called United Seniors is actually the pharmaceutical industry."

Clemente told the *Bulletin* that Public Citizen's Congress Watch will ask the Internal Revenue Service to investigate whether United Seniors has violated its nonprofit tax status by engaging in "electioneering activity."

## WEALTH AND STEALTH

When the pharmaceutical industry speaks these days, many Americans may not be able to recognize its voice. That's because the industry often uses "front groups" that work to advance its agenda under the veil of other interests.

Michael Pfau, a professor at the University of Oklahoma who has studied "stealth" political advertising, says his research indicates that "most people miss sponsorship completely" and attribute ads run by organizations like United Seniors to the candidates themselves. "Some of these organizations today," Pfau says, "are what we would call, in public relations language, front groups."

Consider, for example, the case of Citizens for Better Medicare (CBM). The Washington-based nonprofit sprang to life in 1999 as the sponsor of a series of ads featuring "Flo," an arthritic bowler who urged viewers to help "keep the government out of our medicine cabinets." At its peak

CBM was spending more than \$1 million a week on ads at least partly designed to influence the 2000 elections.

Pharmaceutical Research and Manufacturers of America (PhRMA), the drug industry's chief trade association, bankrolled the \$60 million-plus advertising blitz and installed a former employee, Timothy C. Ryan, as CBM's executive director. The organization was the linchpin of the industry's drive to stave off a government-operated prescription plan for older Americans.

**Records obtained by the *Bulletin* show that the pharmaceutical industry has been a formidable financial force behind United Seniors Association, the Seniors Coalition and 60 Plus Association.**

In documents filed with the Internal Revenue Service in 2000, Ryan estimated that CBM would raise and spend more than \$60 million through July 2003. But the *Bulletin* has learned the pharmaceutical industry quietly pulled the plug on CBM last year, just as PhRMA started channeling what it called "unrestricted educational grants" to United Seniors Association.

(Bruce Lott, a spokesman for PhRMA, says that CBM is "largely inactive." CBM executive director Nona Wegner, who's a former official of the Seniors Coalition, did not respond to requests for an interview.)

At about the same time, the pharmaceutical industry began using the 60 Plus Association as a screen for its efforts to defeat prescription drug legislation at the state level.

Among other things, it hired Bonner & Associates, a Washington-based firm that specializes in "Astroturf lobbying"—so named because it's the "artificial" version of grassroots lobbying—to fight such legislation in Minnesota and New Mexico. The firm's paid callers, reading from scripts

## SPECIAL REPORT FRONT GROUPS

that identified them as representatives of 60 Plus, urged residents to ask their governors to veto the legislation. Pharmaceutical giant Pfizer Inc. later said it had paid Bonner & Associates to make the calls.

Records obtained by the *Bulletin* show that the pharmaceutical industry has been a formidable financial force behind United Seniors Association, the Seniors Coalition and 60 Plus Association.

In 2001, for example, United Seniors took in a total of more than \$3.1 million from PhRMA and CBM,

amounting to more than 36 percent of its revenue for the year. In 2000 the Seniors Coalition got nearly \$2.1 million from PhRMA and nearly \$170,000 from CBM, amounting to more than 17 percent of its revenue. In its 2001 fiscal year, 60 Plus got a total of \$275,000 from PhRMA, CBM and three drug companies (Merck, Pfizer and Wyeth-Ayerst) plus another \$300,000 from Hanwha International Corp., the U.S. subsidiary of a Korean conglomerate with chemical and pharmaceutical interests—amounts that made up about 29 percent of its revenue.

"We're not a front for anybody," James L. Martin, the chairman of 60 Plus, told the *Bulletin*. "I get money from lots of sources. I've received money from the pharmaceuticals—I wish it was more."

## TROJAN HORSES?

All three organizations are rooted in the ultraconservative political movement and have frequently veered sharply from issues related to aging and older Americans.

Charles Jarvis, the chairman,

president and CEO of United Seniors, is a former executive vice president of Focus on the Family, a Colorado-based organization run by conservative activist James Dobson.

In taking the helm of United Seniors, Jarvis succeeded Sandra L. Butler, a former Viguerie executive who remained on as the organization's highest-paid director in 2000.

United Seniors announced in November 2001 that it was backing a plan "to allow more production of domestic energy in Alaska's Arctic National Wildlife Refuge." Its news release did not mention the organization's receipt of more than \$181,000 from Anchorage-based Arctic Power, which has promoted drilling in the refuge.

Jarvis did not respond to the *Bulletin's* request for an interview.

The Seniors Coalition was formed in 1990 by Viguerie and Dan C. Alexander, a Mobile, Ala., school board official, who had been convicted of extorting kickbacks on school construction projects and later served four years of a 12-year prison term. For some of the time Alexander was in prison, he and his wife drew \$23,000 a month in "consulting" fees from the Seniors Coalition while their teenage daughter served as its president.

In a news release issued in November 2002, the Seniors Coalition claimed "four million members," but the federal tax return it filed for 2000 identified PhRMA as its biggest donor and listed no revenues from "membership dues and assessments."

John Powell, the organization's chief operating officer, declined to be interviewed by the *Bulletin*.

Martin of 60 Plus worked for Viguerie for four years, and it has been reported that the group's contract with Viguerie's firm allows it to use 60 Plus's contributor list "in any manner, for any purpose, for its own account," at least until 2003. The relationship goes back a long

AARP Bulletin, February 2003, Volume 44, No. 2 (USPS Number 008-800, ISSN 1044-1322) is published monthly except August by AARP, 601 E. St. N.W., Washington, DC 20048 (Telephone: (800) 424-8410). Internet at www.aarp.org/bulletin. Sales and Marketing Offices: Monthly Magazines, 430 Lexington Ave., New York, NY 10017. Office (Memberships) includes alumni. Annual membership dues are \$42.50 including \$3.50 for an annual publication. Non-U.S. AARP Member: \$45.00 for one year and \$80.00 for an annual subscription to the AARP Bulletin. A two-year membership is \$75.00. A five-year membership is \$325.00. A life membership is \$17,500.00. Dues outside domestic US mail include \$17.00 per year. Canada/Mexico \$25.00 for other international countries. Periodicals postage paid at Washington, D.C., and at additional mailing offices. Canadian Publications Mail Agreement Number: 142285. Canadian return address: 125 Glen St., Toronto, Ontario M5Y 1V6, POSTMASTER: send address changes to JMW@bulletin.aarp.org, 100 Long Beach, CA 90801. Online content copyright © 2003 by AARP. Printed in the USA.

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# United States Senate

COMMITTEE ON  
ENERGY AND NATURAL RESOURCES

WASHINGTON, DC 20510-6180

WWW.SENATE.GOV/ENERGY

July 21, 1998

## MEMORANDUM

**To:** Members and Staff  
Committee on Energy and Natural Resources

**From:** Brian P. Malnak *BPM*  
Professional Staff

**Re:** Hearing on the U.S. Geological Survey's Estimates in the 1002 Area of the Arctic National Wildlife Refuge (ANWR).

---

On Thursday, July 23, 1998, at 9:30 a.m., the Energy and Natural Resources Committee will hold an oversight hearing in Room SD-366 to review the process and results of the United States Geological Survey's (USGS) 1998 estimates for the 1002 Area of the Arctic National Wildlife Refuge (ANWR). A witness list is attached.

### Background

Assessments of the 1002 Area previously had been conducted in 1987 by the USGS, in 1991 by the Bureau of Land Management (BLM) and the Minerals Management Service (MMS), and in 1995 by the USGS. In May 1998, the USGS released the Arctic National Wildlife Refuge, 1002 Area, Petroleum Assessment, 1998 containing estimates of oil and gas resources for onshore areas of Federal lands, in State of Alaska waters and on private Native lands within the boundaries of the ANWR 1002 Area.

The current USGS assessment shows an overall increase in estimated in-place oil resource when compared to all previous government estimates. The recent report reaffirms the 1002 Area's potential as the single most promising prospect in the United States, containing almost 7 billion barrels of oil more than previously estimated by USGS in 1987.

**in-place oil resource \***

|                      | <u>95% (chance)</u> | <u>5% (chance)</u> | <u>mean value</u> |
|----------------------|---------------------|--------------------|-------------------|
| 1987 USGS Assessment | 4.8                 | 29.4               | 13.8              |
| 1998 USGS Assessment | 11.6                | 31.5               | 20.7              |

\* in billions of barrels of oil

The total quantity of technically recoverable oil within the entire assessment area is estimated to be between 5.7 and 16.0 billion barrels (95-percent and 5-percent probability range) with a mean value of 10.3 billion barrels. The mean estimate of 10.3 billion barrels is equivalent to the amount produced to date from North America's largest field, Prudhoe Bay, since production began 21 years ago.

The USGS report is the result of nearly three years of field and in-house work by a group of 40 USGS scientists. Since the USGS 1987 assessment, several developments have influenced the geologic understanding of the oil potential of the area, including: reprocessing of 2-D seismic data collected in 1984-85, several new exploratory wells drilled just west of the 1002 Area resulting in the discovery of new oil fields and new geologic data, and cost cutting and advances in Arctic technology.

**Issues:**

Issues to be addressed during the hearing include:

1. How does the new estimate compare to the USGS resource assessment in 1987 which took 7 years to complete and to the 1995 National Assessment which took less than 30 days.
2. Why did USGS increase the minimum commercially developable field size in the 1002 Area from earlier estimates to 512 million barrels when several stand-alone fields of less than 200 million barrels are currently being developed on the North Slope today?
3. For the past ten years the industry standard for geophysical exploration work in the Arctic has been 3-D seismic. Would new data collected with advanced technology enhance our understanding of the 1002 Area?
4. If oil development were allowed in the 1002 Area today, first oil to market could not be expected for about a decade. What changes can be expected in technology, production practices and economics in the Arctic during the next decade?

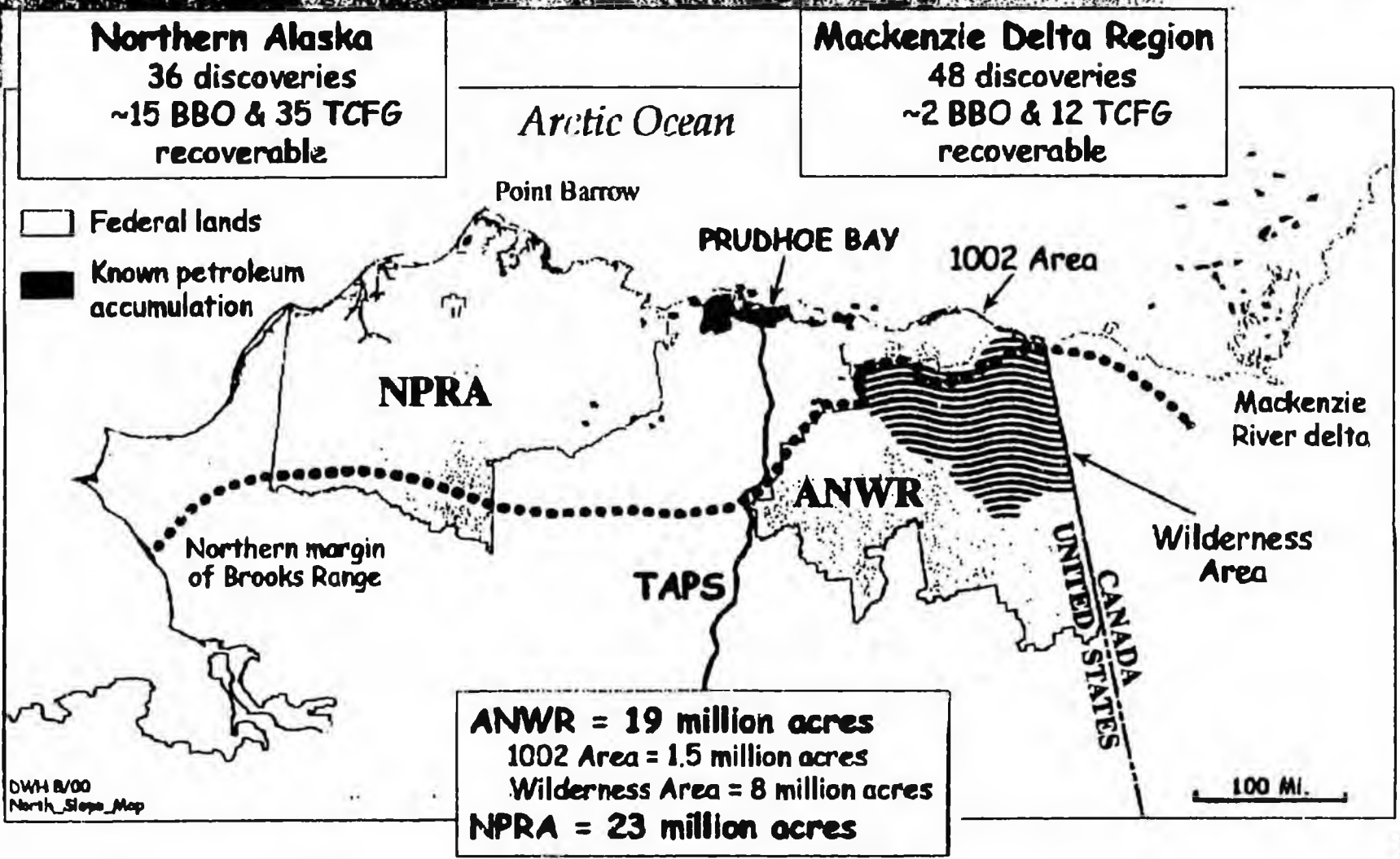
## Alaska Reserves and Production

- ¥ 29% of total U.S. oil reserves.
- ¥ 6.4 billion barrels of oil
- ¥ 20% of total U.S. gas reserves
- ¥ 35 trillion cubic feet of gas
- ¥ 19% of total U.S. oil production
- ¥ 1.02 million barrels of oil per day

Sources: Alaska data are from Department of Natural Resources, Division of Oil and Gas, 2000 Annual Report  
U.S. data are from U.S. Crude Oil, Natural Gas, and NGL Reserves, 1999 Annual Report, U.S.D.O.E.-E.I.A.



# Federal Lands in Northern Alaska and Known Petroleum Accumulations of North Slope & Mackenzie Delta





**MEMORANDUM**

**DATE:** July 17, 1998  
**RE:** USGS report on estimates of oil and gas potential for the Coastal Plain (1002 Area) of ANWR

**ANWR:**  
**JOBS AND ENERGY FOR AMERICA**

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**Background**

In May 1998, the USGS released the Arctic National Wildlife Refuge, 1002 Area, Petroleum Assessment, 1998 containing estimates of oil and gas resources on Federal, State of Alaska and private Native lands within the boundaries of the ANWR Coastal Plain (1002) area of the United States. Government assessments of the region previously had been conducted in 1987 by the USGS, the Bureau of Land Management (BLM), and the Minerals Management Service (MMS), in 1991 by BLM, and in 1995 by USGS.

The current USGS assessment shows an overall increase in estimated in-place oil resource when compared to all previous government estimates. The recent report re-affirms the 1002 Area's potential as the single most promising prospect in the United States, containing almost 7 billion barrels of oil more than previously estimated by USGS in 1987.

|                      | in-place oil resource |             |            |
|----------------------|-----------------------|-------------|------------|
|                      | 95% (chance)          | 5% (chance) | mean value |
| 1987 USGS Assessment | 4.8                   | 29.4        | 13.8       |
| 1998 USGS Assessment | 11.6                  | 31.5        | 20.7       |

\* in billions of barrels of oil

The total quantity of technically recoverable oil within the entire assessment area is estimated to be between 5.7 and 16.0 billion barrels (95-percent and 5-percent probability range) with a mean value of 10.3 billion barrels. The mean estimate of 10.3 billion barrels is roughly equivalent to the amount produced to date from North America's largest field, Prudhoe Bay, since production began 21 years ago.

The USGS report is the result of nearly three years of field and in-house work by a group of 40 USGS scientists. Since the original USGS 1987 assessment, several developments have influenced the geologic understanding of the oil potential of the area, including; re-processing of 2-D seismic data collected in 1984-85, several new exploratory wells drilled just west of the 1002 Area resulting in the discovery of new oil fields and new geologic data, and cost cutting and advances in Arctic technology.

**For Additional Information**

To review the USGS ANWR assessment report visit:  
[HTTP://energy.USGS.GOV/Factsheets/ANWR/ANWR.html](http://energy.usgs.gov/factsheets/ANWR/ANWR.html)

Provided by Arctic Power



**ANWR**  
**JOBS AND ENERGY**  
**FOR AMERICA**

**ARCTIC POWER**

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12 February 2003

The Honorable John Harris  
Co-Chair, House Finance  
Alaska State Legislature  
State Capitol  
Juneau, AK 99801-1182

Dear Chairman Harris:

Circumstances have never been better to secure opening of the coastal plain of the Arctic National Wildlife Refuge. Given the results of national elections, White House support and the seniority of our congressional delegation, Alaska is well poised to make exploration and production of oil and gas from the coastal plain a reality.

This campaign has become extremely high profile, and has been used as a fundraising tool for environmental organizations seeking to shut down practically all development in Alaska. Arctic Power is geared up and ready to assist our delegation, the governor and members of the legislature in this final battle.

The State of Alaska has made significant appropriations to Arctic Power, making our presence and impact a very important part of previous campaigns. On behalf of Arctic Power's Board of Directors I would like to request a grant appropriation of \$3 million for the 2003 congressional campaign.

This funding is critical to assuring that Alaska will have a strong presence in the campaign this final year. While our budget is a drop in the bucket compared with the opposition, we have a voice far greater than the sum of our dollars!

Arctic Power has been on the frontlines of this campaign for ten years, assisting the delegation in every way possible. We've had impressive successes along the way, securing passage of legislation through the U.S. House and Senate several times, and this year we look forward to watching President Bush sign legislation that will close our doors.

Thank you for your continued support, I look forward to working with you this session!

Sincerely,

Kimberly R. Duke  
Executive Director

**ARCTIC POWER ANWR CAMPAIGN 2003**

The pages that follow represent the identified needs associated with a campaign to authorize oil and gas exploration and development of the Coastal Plain through the budget resolution and reconciliation process. The campaign will rely on the following:

- Hand-in-hand coordination with the delegation's internal efforts.
- Hand-in-hand coordination with the Administration.
- Hand-in-hand coordination with the activities of labor and other external groups.

The tasks and associated budget include the following assumptions:

- A campaign that began January 1, 2003 will likely peak during the March - May time frame and continue through the remainder of the first session of the 108<sup>th</sup> Congress.
- A campaign based on efforts within the Administration, the United States Senate and the House of Representatives.
- An understanding that media efforts will not include television advertising.
- The recognition that although this is a broad based effort being shouldered mainly by Alaskans, it will pale in comparison to that being spent by national environmental groups.
- Only expenses incurred during the 2003 campaign will be reimbursed to Arctic Power. All unexpended and unobligated grant funds will remain with the State of Alaska.

## **ANWR - PROGRAM DETAIL**

### **1. Member Education:**

Arctic Power will continue efforts to visit with Members of Congress to educate them on the issue and put materials in front of them. Visits will be coordinated with Alaskans, Alaska Natives, and labor as needed. Majority of cost will be for constituent travel. Where possible, donations will be sought.

### **2. External Groups:**

Arctic Power will continue working with labor through Job Power to work on member visits, in-state activities, and phone banking and constituent mail. Continue the effort with Veteran's groups. Effort will include the broadening and maintenance of a broad-based coalition in support of ANWR. Will also include potential inside-the-beltway media efforts if needed.

### **3. Faces of ANWR Campaign:**

Arctic Power will continue to seek out organizations to participate in the "Faces of ANWR" effort. They will produce educational and promotional materials to put in front of Members of Congress and media. Campaign will include efforts with veterans, labor, seniors, etc.

### **4. Rapid Response Team:**

Arctic Power will establish a rapid response team to monitor and respond to all editorials, letters to the editors, media reports, etc. Responses will come from Alaskans, labor, Natives, etc. as deemed appropriate. Most likely dedicate one or two individuals to this task alone.

### **5. Media Outreach:**

Arctic Power will work to organize editorials and editorial board visits by National Leaders. Will prepare educational materials as needed. Additionally, Arctic Power, through Roger Herrera, will participate in radio debates. Majority of the cost in this section is for printed materials. Second cost reflects potential of contracting need out.

### **6. Studies / Reports:**

Develop and request new studies as required to put new information before the media and decisions makers. Such reports average \$25,000 - \$50,000. Where appropriate, opportunities for in-kind donations will be sought including participation from State agencies. The following are in the works:

- New Jobs Study in conjunction with Job Power
- Native White paper on "our lands."
- Matt Cronin study on Caribou and oil development
- Environmental Standards and Safety on the slope
- Spill response measures (to be requested)

#### **7. North Slope Travel:**

Arctic Power has always acted as a facilitator for North Slope trips for elected officials and other national opinion makers. Numerous officials have already inquired about opportunities.

#### **8. Website:**

Arctic Power maintains a valuable website loaded with useful information that is easy to access, but must be continually updated to remain current.

#### **9. Contract Personnel:**

Arctic Power staff in the Washington D.C. office consists of contract employees who coordinate the DC campaign, set-up and coordinate hill visits, interact with the media, handle external groups and Alaskans, deliver direct mail to decision makers, etc. Employees are paid on a monthly basis and cost is directly impacted by length of campaign.

#### **10. D.C. Office:**

Arctic Power maintains an office in Washington to house personnel. Costs include utilities, furniture, phone/fax, supplies and misc. expenses.

#### **11. Target Members Campaign:**

Once identified, the target members campaign will include in-district and in-state activities designed to provide positive support to a member for voting in favor of the issue. In state campaigns will vary in substance, intensity, and cost depending on the given circumstances. It is expected that in-state work will be required in several states and House districts. Some of this work will be done with the unions and Job Power, and, where possible, the State of Alaska. Cost is directly associated with the actual number of targets. Actions associated with this include:

- Print and radio advertising
- Rally's and demonstrations
- Phone-banking
- Letter-writing campaigns

- Polling (questionnaire construction, analysis, message testing, etc)
- Editorial board visits by appropriate officials
- Coalition building

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25 February 2003

Representative Pete Kott  
Speaker of the House  
Alaska State Legislature  
State Capitol  
Juneau, AK 99801

Dear Speaker Kott:

Thank you for your support of Arctic Power's mission to open the Coastal Plain of ANWR to responsible oil and gas development, and for your support of HIB 101 which funds our campaign in the 108<sup>th</sup> Congress.

Arctic Power's Board of Directors has every confidence that this truly is the year for opening the Coastal Plain. This confidence is based on results from the 2002 elections, which put Republicans in the majority in the U.S. Senate and restored Senator Stevens to his position as Chairman of Senate Appropriations. Senator Stevens is also serving as Senate President Pro Tempore.

This high level of seniority along with the powerful leadership of Representative Don Young in the House and the strong support of the President and his administration gives Alaska its best chance ever to open the Coastal Plain.

Arctic Power has geared up for the campaign in the 108<sup>th</sup> Congress, and is looking forward to working closely with our congressional delegation and the Office of the Governor to see it succeed.

Funding from the State of Alaska is crucial to Arctic Power's ability to well represent Alaska in Washington, DC. We've had remarkable successes in the past despite very well funded and diverse opposition that continually pumps out misinformation on oil and gas production in Alaska (along with many other issues that affect our economy).

We recognize the difficulty of a three million dollar appropriation in a year in which the Legislature is facing budget deficits and deep cuts. It is, however, an investment in Alaska's future. No other on-shore development nationwide holds the potential of the Coastal Plain of ANWR. Conservative estimates from the U.S. Geological Survey put technically recoverable reserves at 10 billion barrels, as much oil as we've recovered from Prudhoe Bay.

Leasing of the area is estimated to bring over 1.65 billion to Alaska's

treasury from bids and bonuses, and conservative estimates show development could double the current output of the Trans-Alaska pipeline.

I've attached information from several national environmental organizations that target opposing Coastal Plain development as a cause, which often serves as fundraising opportunities for them. Our budget is a drop in the bucket compared with the opposition, but we have a voice far greater than the sum of our dollars!

Thank you again for your support; please call me at 274.2697 or 351.7509 if you have further questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kimberly R. Duke', written in a cursive style.

Kimberly R. Duke  
Executive Director

cc: Representative John Coghill

ELAINE

Resource Review

### Strong Support For Kenai Gas Project

Dozens of Alaskans attending a Soldotna public hearing last month urged the U.S. Fish and Wildlife Service to issue a right-of-way permit for the Swanson River Satellites Natural Gas Project inside the Kenai National Wildlife Refuge. The project is expected to disturb 184 acres, a mere fraction of the 1.9 million acre refuge.

RDC testified at the hearing, expressing strong support for Marathon Oil Company and UNOCAL to explore and develop the area. UNOCAL and Marathon will use directional drilling techniques to minimize the footprint of development in the refuge.

The State estimates that Cook Inlet gas reserves will be depleted in 10 years. The Swanson River project could provide additional reserves for Southcentral Alaska residents and businesses. Over 60 percent of Alaskans depend on Cook Inlet natural gas for home heating and electricity.

Cook Inlet Region, Inc., owns private subsurface property rights in the project area. CIRI will receive a royalty on gas produced by the project and will share 70 percent of those revenues with the other 12 Alaska Native regional corporations.

### Kensington Amends Plan For Gold Mine

RDC is urging the U.S. Forest Service to approve the Kensington gold project's amended plan of operation, which includes a host of environmental improvements.

The Lower State Lake alternative would include a tailings storage facility that will impact nearly 100 fewer acres of wetlands than an earlier proposed dry tailings facility. Substantial reductions in air emissions are expected under the amended plan as

the new tailings facility would require less energy. Moreover, the new proposal will not result in permanent habitat alteration, will not affect anadromous fish and eliminates barge traffic conflicts and fuel handling issues in Lynn Canal.

The Kensington project has the potential to enhance and diversify the Southeast Alaska economy. Coeur Alaska has committed itself to local hire and training programs, and the project is expected to create 325 high-paying jobs during peak construction and 225 during operation. The project is expected to generate \$7.5 million in direct local purchases during construction and in excess of \$1.5 million annually during operations.

### State To Appeal Red Dog Decision

The State of Alaska will appeal to the U.S. Supreme Court a recent lower court decision that threatens the autonomy of the State's approved air permitting program.

The case concerns a new diesel generator installed to provide additional power at the Red Dog mine near Kotzebue. The mine, which provides hundreds of jobs in Northwest Alaska and boasts a 60 percent Native shareholder hire rate, is the world's largest producer of zinc.

"At stake in this suit is Alaska's ability to use common sense permitting to protect the quality of our air," said Governor Knowles. "We want to issue permits based on cost-effective and actual environmental results, not on the latest pet technology that's unproven in Arctic conditions and unnecessarily expensive."

In 1998, mine operator Teck Cominco requested a

new air quality permit to install a seventh diesel generator at the mine for additional power. The state developed an air quality permit which allows for more power generation at the mine without causing significant increases in emissions.

The state required that emission controls be installed on the mine's new diesel generator, as well as on the existing six generators. Under the state's permit, nitrogen oxide emissions would not exceed local or national standards.

But, the EPA objected, filing an order to block the permit and threatening fines if Teck Cominco powered up the new generator. EPA mandated that a new technology be used on the new generator. The new technology is unproven in Arctic conditions. And under the EPA's plan, the six older generators would be allowed to emit more than under the state permit.

"Amazingly, the result of the EPA's action is more emissions, not less, and at a great cost," said Knowles.

The EPA's technology will cost up to \$1.5 million more a year in operating costs and up to \$10 million more in construction costs than the state's solution.

This summer the 9th Circuit Court of Appeals ruled that EPA had acted correctly in requiring the operator to install the new technology.

Environmentalists Well-funded

The Alaska Conservation Foundation (ACF) received \$19.3 million for environmental projects from 1998 to 2001, according to the organization's annual report.

Most of the money came from eight Outside foundations, including \$2 million

from the Pew Trusts, \$1.75 million from the Packard Foundation, \$1.5 million from Goldman Foundation and \$600,000 from the Hewlett Foundation. The Sordna Foundation contributed \$300,000, the Beldon II Fund gave \$200,000 and the Turner Foundation granted \$172,000. Rockefeller Brothers and 17 other foundations contributed \$100,000 each.

The ACF also lists 55 other Outside foundations that donated between \$10,000 and \$100,000, for an additional \$2 million. Another 300 gave between \$500 and \$10,000. The majority of 6,500 contributors gave less than \$250, allowing ACF to claim that the majority of its supporters are Alaskans. However, most of the funding itself was from Outside interests.

Environmental groups spent \$10 million in Alaska from 1998 to 2001 fighting logging, mining, oil and gas development, fisheries and tourism projects.

The ACF is the umbrella organization that grants millions of dollars to environmental groups and programs in Alaska. It made more than 250 grants in 1998-2001. It also allocated \$228,500 to the Alaska Conservation Voters, an organization that has been active in local and statewide political campaigns.

ACF granted \$621,000 to the Alaska Center for the Environment, \$1.2 million to the Alaska Defense Initiative that opposes oil and gas, timber and mining projects, \$537,000 to the Alaska Conservation Alliance, \$760,000 to the Alaska Oceans Network, \$963,000 to the Alaska Rainforest Campaign, \$287,000 to the Earthjustice Legal Defense Fund, \$228,000 to the Natural Resources Defense Council, \$316,000 to the Southeast Alaska Conservation Council and \$124,000 to the Trustees for Alaska.

Keep for file ... GREEN 4P



# Massive Wealth Drives Green Agenda

by Tom DeWeese

**T**he environmentalist movement is warmly rucked in an image of a grassroots movement of concerned and dedicated citizens engaged in a desperate race to save the earth from development and destruction.

The Green propaganda machine has been running at full force for more than a decade, warning of crisis after crisis from the threats of ozone holes, global warming, acid rain, destroyed rain forests, vanishing species, sewage filled rivers, unsafe drinking water, blackened skies, overflowing landfills, overdevelopment, overpopulation, and plain old human selfishness. And the American people, wanting to do the right thing, have responded.

Everyday, Americans dutifully separate their glass, paper and plastic refuse for recy-

cling and buy recycled paper and greeting cards so that landfills are protected. Industry has been heavily regulated to stop pollution of the air and water, the timber industry has been severely curtailed to save trees and the fishing industry must now carry environmental observers to assure dolphins are not caught in tuna fishing nets.

Almost every movie, television program and cartoon carries the proper environmental message. School children are drilled on the proper environmental attitudes. And newspapers try hard not to print scientific reports that are contrary to proper environmental thought. People have taken up the crusade, answered the call and await the day when man and nature can live in harmony.

After all that effort, surely redemption, or at least clean air, must be close at hand. But according to continuing environmental doomsday alerts emanating from green activists — all the way to officials at the Environmental Protection Agency (EPA), the air is still filthy, drinking water is dangerously contaminated and species are being wiped out faster than at any time in history. After all the effort, how can that be?

Answer: ENVIRONMENTALISM IS VERY BIG BUSINESS.

## Driven By Money

A study of the environmentalist industry shows the huge financial stakes at risks if their doomsday message ceases to be effective.

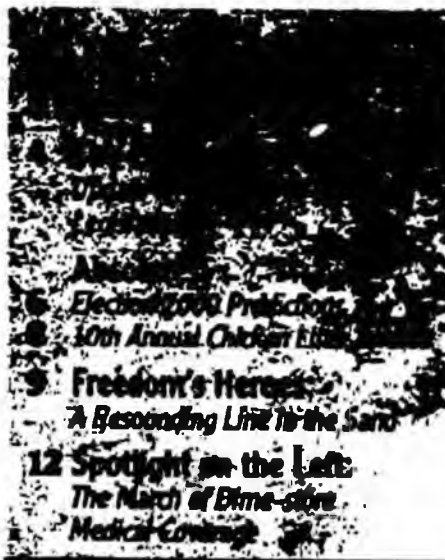
An investigation of financial reports of the leading environmental organizations show startling evidence of a movement that is driven more by money and power than by environmental salvation. It shows a tangled web connecting environmental groups with big businesses interested in using environmental regulations to kill off competition; government agencies looking to expand power; and wealthy foundations working to promote their own social agendas.

In fact, the evidence is mounting that the benevolent grassroots movement, that Americans have been proud to serve for the good of man and nature, is real, little more than a front for market and stock manipulation and real estate transactions.

Research shows that some of the best known and most publicly supported environmental groups own huge stock portfolios and real estate holdings. It further indicates that these groups use their non-profit status and reputations as selfless defenders of wildlife to buy and sell land at huge profits, and control the legislative process that regulates competing companies and developers. According to MONEY magazine, environmentalism is a \$2.5 billion a year industry. In fact, it's much bigger than that, and growing.

Consider the incomes, assets and the executive salaries of just three of the top ten environmental groups. According to 1997 fiscal records:

(continued on page 2)



**2. THE DEWEASE REPORT**

**Green Agenda** (continued from page 1)

- The Nature Conservancy took in revenues of over \$421 million with overall assets of almost a one and a half billion dollars. In fact, since 1993 TNC has doubled its annual income and its assets have grown by a half billion dollars. Its President, John Sawhill, earned a salary of more than \$196,000.
- The World Wildlife Fund showed income of over \$79 million (26% from government grants) with assets of more than \$74 million (double that of 1993). Its Executive Director, Kathryn Fuller earns an annual salary of almost \$230,000.
- The Natural Resources Defense Council received income of over \$26 million and stockpiled assets of over \$29 million in 1996. Executive Director John Adams raked in a cool \$221,000.

Just these three environmental groups (and there are more than 12,000) account for assets in excess of \$1.6 billion dollars. There are more than 150 groups with assets in excess of \$5 million each. Their total assets exceed \$8 billion. Huge revenues like that don't come from \$15 checks from concerned donors. This money comes from foundation grants, government grants, real estate holdings, product marketing, business deals and well-managed stock portfolios. In the past five years all of these groups have experienced huge growth in assets and income.

And their tactics to acquire the money and build the portfolios are as ruthless and single-minded as any business has ever employed — but with a twist. These Green groups have the power to create and control legislation to their own advantage. If private enterprise tried this on Wall Street, the perpetrators would probably be arrested and jailed for stock manipulation, price fixing and insider trading. However, the environmental industry is hailed as heroic.

**Goldmine of Foundation Grants**

Businesses and foundations see the leadership of environmental groups as powerful political leaders. So they cultivate trust and friendship with their checkbooks, hoping to assure an ally and political partner. They also see the Green groups as a means to promote their own agendas. The results are huge transfers of money.

The Foundation Center, one of the most reliable sources for foundation grant-making activity, reported in 1990 that there were 2,937 grants to environmental groups of \$10,000 or more with a total value of \$237,744,080 made by 429 foundations. The Center now reports that, between 1997 and 1998, the number of grants to environmental and animal rights groups increased by almost twenty percent, while the actual dollar amounts increased by thirty percent. Says the Foundation Center's report, "environment and animals... experienced fastest growth in grant dollars last year."

Foundations making those grants included two Mellon Foundations, MacArthur Foundation, Pew Charitable Trust, Ford Foundation, Rockefeller Foundation, Packard Foundation, W. Alton Jones Foundation, The Turner Foundation, and the W.K. Kellogg Foundation, to name just a few.

Many of these foundations are part of a coalition of more than 160 private money givers called the Environmental Grant Makers Association that is responsible for most of the millions given to environmental groups each year.

This informal coalition of big-money people holds private annual retreats to plan strategy and goals for the programs and policy outcomes they desire. They then set about making strategic money outlays in the form of grants to selected groups to assure their goals are carried out. There are no minutes kept and no formal organization is in place to carry out these plans. The work of the Environmental Grant Makers Association, though powerful, is very much in the shadows. The social goals of the grantmakers are almost exclusively left-wing, anti-business and anti-private property ownership.

(continued on page 11)



Vol. 6, No. 6 • June 2000

A publication of the  
American Policy Center.

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Subscriptions to  
The DeWeese Report are  
\$77.00 per year.

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## The Wealthy Greens

Organizations that listed "Preservation of Natural Resources" as a primary activity on their IRS 990 form. Only organizations with income or assets in excess of \$5 million are listed here. (Partial listing)

| Organization  | Income      | Assets      |
|---|-------------|-------------|
| American Farmland Trust                                 | 4,997,531   | 11,425,416  |
| Am'n of Concerned Citizens for Emerging Social Services | 5,545,162   | 594,700     |
| Audubon Institute, Inc.                                 | 6,463,966   | 12,244,000  |
| Audubon Canyon Ranch, Inc.                              | 8,297,325   | 10,327,000  |
| Audubon Society of New Hampshire                        | 1,980,600   | 6,200,000   |
| Berry College Business School Office                    | 38,136,563  | 115,842,000 |
| Block Island Conservancy, Inc.                          | 1,153,504   | 5,000,000   |
| Brandywine Conservancy, Inc.                            | 12,970,374  | 37,487,000  |
| Cesar E. Kirby Foundation for Wildlife Conservation     | 7,682,313   | 18,700,000  |
| Center for Plant Conservation, Inc.                     | 6,268,256   | 2,800,000   |
| Charles Edison Fund                                     | 10,771,574  | 25,200,000  |
| Chatham Conservation Foundation, Inc.                   | 231,716     | 8,000,000   |
| Chesapeake Bay Foundation, Inc.                         | 13,954,787  | 25,751,000  |
| Chesapeake Bay Trust                                    | 1,646,945   | 7,381,000   |
| Chippewa Nature Center, Inc.                            | 7,401,155   | 18,150,000  |
| Coastal Land Trust, Inc.                                | 3,548,476   | 5,000,000   |
| Coastal Conservation Association                        | 6,139,826   | 1,649,000   |
| Conservancy, Inc.                                       | 5,128,833   | 8,182,000   |
| Defenders of Wildlife, Inc.                             | 7,835,235   | 6,348,000   |
| Delaware Wild Lands, Inc. 380                           | 1,185,672   | 11,083,000  |
| Ducks Unlimited, Inc.                                   | 83,668,809  | 29,043,700  |
| East Bay Zoological Society                             | 3,994,859   | 5,256,000   |
| Edward John Noble Foundation, Inc.                      | 54,088,161  | 98,231,000  |
| Environmental Research Institute of Michigan            | 72,570,386  | 91,000,000  |
| Essex County Green Belt Association, Inc.               | 531,738     | 7,820,000   |
| Forest Park Foundation                                  | 1,184,093   | 13,585,000  |
| Fred C & Mary R Koch Foundation, Inc.                   | 581,382     | 5,361,000   |
| Fund For Animals, Inc.                                  | 14,882,481  | 11,390,700  |
| Greenpeace Fund, Inc.                                   | 8,910,588   | 15,119,700  |
| Greenwich Land Trust, Inc.                              | 611,461     | 9,965,200   |
| Helen V. Froelich Foundation                            | 18,481,854  | 18,051,000  |
| Heritage Conservancy                                    | 1,227,157   | 10,480,000  |
| Jackson Hole Preserve, Inc.                             | 3,014,661   | 10,476,000  |
| Maine Audubon Society                                   | 2,053,719   | 5,639,000   |
| Maine Coast Heritage Trust                              | 2,799,795   | 10,521,300  |
| Max McGraw Wildlife Foundation                          | 6,434,319   | 14,037,211  |
| Monroe Environmental Foundation, Inc.                   | 11,503,892  | 4,846,700   |
| Minnesota Foundation                                    | 22,324,882  | 27,076,600  |
| Nantucket Conservation Foundation, Inc.                 | 1,539,881   | 59,748,629  |
| National Wildlife Federation Endowment, Inc.            | 41,248,582  | 63,700,428  |
| National Audubon Society, Inc.                          | 106,646,318 | 98,945,506  |

(continued on page 11)

### Green Agenda (continued from page 2)

#### Profiting From Charity — Or, How to Wipe Out the Competition Through Green Activism

The Surdna Foundation was established in 1917 by John E. Andrus who made his fortune in gold, timber and real estate. "Surdna" is Andrus spelled backwards. About half of Surdna's annual grants go to Community Relations and the Environment. As part of an investment portfolio of \$338,074,279 in assets, Surdna also owns and operates approximately 75,000 acres of timber in Northern California. The Andrus timber partners also own approximately 90,000 acres of timber in Northern California.

Documents show that Surdna Foundation made contributions of \$35,000 to Environment Now, an environmental organization that held training seminars to teach group leaders how to file legal actions to stop federal timber harvesting. Surdna also gave grants to the Sierra Club (\$90,000), Wilderness Society (\$525,000), Western Ancient Forest Campaign (\$175,000), Audubon Society (\$100,000) and the Natural Resources Defense Council (\$557,000). All of these groups filed legal action to stop timber harvest on Federal land in "an emergency action to protect the forests and save the environment."

As a result, thirty six mills were closed in Northern California, 8,000 loggers were unemployed and the price of lumber, now in severe shortage, rose dramatically.

Meanwhile, Surdna Foundation, which owned timber land in the same area, harvested its product without the harassment of environmental legal action and reported a \$2.7 million profit in the otherwise devastated industry. The \$2.7 million can now be recycled into more grants for more environmental activity.

Other organizations buy stock in companies that seem to be alien purchases for organizations that advocate such radical environmental policies. These would include stock purchases of companies like Caterpillar and John Deere, which make bulldozers and other logging equipment; some buy stock in lumber and mining companies; still others round out their portfolios with holdings in real estate, utilities and government securities.

These are, of course, sound, secure investments for entities with huge amounts of money, but strange for those who advocate the destruction of whole industries. Not so strange however, when considering the legislative and legal power held by the Green groups to control the destinies of those industries.

#### Dolphin Safe Corporate Profits

There's great profit to be made by huge corporations who support environmental regulation of their own industry, as well.

Consider the case of "dolphin safe" tuna fishing. In 1987 an environmentalist named Sam LaBudde worked out a deal with the Earth First Institute and the Marine Mammal Fund, anti-tuna fishing groups that had vowed to destroy the tuna industry.

LaBudde managed to tie his way onto the worst, non-American tuna fishing tub he could find. It's crew was inexperienced, its nets were illegal and its equipment was wholly

(continued on page 11)

## Green Agenda (continued from page 10)

inadequate for tuna fishing. The ship was hand-picked for the mission simply because it was not your typical tuna boat.

LaBudde managed to film the boat's crew butchering some dolphins in the process of capturing tuna. You see, tuna swim under dolphins and fishermen have to separate the two in order to catch tuna. American ships have special nets and procedure, to do it with safety for the dolphins. This hand-picked outlaw ship did none of these things.

LaBudde got what he was after, a bogus propaganda film that showed, through creative editing, the pre-planned disasters and horrible deaths of the dolphins. Armed with the film, LaBudde set off for Hollywood where, after showing the film, he was able to recruit major stars who would shed tears, cash and generate public outrage, calling for the end of the tuna industry.

One of those recruited was Jerry Moss of A&M Records, who organized a meeting with Anthony O'Reilly, Chairman of the Board of Heinz and owner of StarKist Tuna. A few weeks later StarKist announced its compliance to the blatant and unnecessary tuna fishing demands made by Earth First Institute — called collectively "Dolphin Safe" fishing. Immediately, two other major tuna companies, Chicken of the Sea and Bumble Bee, announced compliance. Together they accounted for 70 percent of the U.S. market.

The rules have virtually no effect in protecting dolphins. Those which had been previously used by the fishing industry did much more to protect them. In fact, the actual effect of the "Dolphin Safe" rules is the possible destruction of supplies of tuna, because compliance forces fishermen to capture only young tuna which do not swim with dolphins. That means tuna breeding is diminished as the younger, female tuna are the first captured.

But the real effect was in favor of StarKist, Chicken of the Sea and Bumble Bee. Overburdened by the unnecessary regulations, smaller companies were forced to close processing plants and canneries. Over 10,000 jobs were lost. Meanwhile, the big three grabbed a bigger share of the market hiding behind legislation, activism and propaganda about helping the environment. Free enterprise was never this easy.

## Check Your Premise

There's so much more to the story of big business environmentalism. The Nature Conservancy thrives on buying land from unsuspecting owners at a reduced price and selling it back to the government for an inflated price. It bought and sold more than 73 million acres in just one year. Meanwhile landowners are losing control of their land, their business and their freedoms — all in the name of saving the environment.

Meanwhile, the environmental grant makers continue to pour on the funds. The environmental movement today is made up of thousands of groups, some state or local, some national, but most flush with cash — each able to pursue small, sometimes irrelevant, issues.

Why, for example, is there a California group organized simply for the purpose of protecting an obscure species of flies? Because the grant

## The Wealthy Greens (continued)

| Organization                                | Income               | Assets               |
|---|----------------------|----------------------|
| National Tree Trust                         | 7,444,632            | 19,840,719           |
| National Wild Turkey Federation, Inc.       | 11,051,432           | 4,153,353            |
| National Wildlife Federation                | 104,287,919          | 92,732,890           |
| National Resources Defense Council, Inc.    | 25,911,824           | 38,192,947           |
| Nature Conservancy, Inc.                    | 882,040,841          | 1,120,094,965        |
| New Jersey Audubon Society                  | 2,665,892            | 14,405,328           |
| New England Wild Flower Society             | 1,624,758            | 5,803,646            |
| New Jersey Conservation Foundation          | 3,801,713            | 18,937,862           |
| Northwest Area Fish First Trust Co.         | 23,922,553           | 311,574,982          |
| Pennsylvania Horticultural Society          | 12,824,915           | 16,674,321           |
| Pine Tree Conservation Society, Inc.        | 2,662,351            | 10,151,468           |
| Prince William Sound Association Corp.      | 10,977,926           | 33,843,881           |
| Rob & Beale Wadler Wildlife Foundation      | 5,061,839            | 23,750,398           |
| Robert H. Young Foundation                  | 2,544,182            | 29,804,298           |
| Robert H. Downes Memorial Conservancy, Inc. | 150,333              | 29,179,877           |
| Santa Catalina Island Conservancy           | 6,703,861            | 12,976,686           |
| Society Protection Near Hananhai Forests    | 2,815,262            | 19,454,588           |
| South Florida Park and Exposition, Inc.     | 4,464,921            | 7,608,332            |
| Student Conservation Association, Inc.      | 8,642,553            | 1,587,249            |
| Tennessee River Gorge Trust                 | 809,235              | 8,957,288            |
| The Brakers' Foundation                     | 35,466,995           | 35,813,889           |
| The High Desert Museum                      | 4,139,023            | 13,800,388           |
| Trust Unlimited National Office             | 5,335,819            | 2,404,373            |
| Trustees of Reservations                    | 18,223,970           | 49,189,838           |
| Vermont Land Trust                          | 7,878,568            | 6,948,846            |
| Virginia Environmental Endowment            | 15,155,720           | 16,396,371           |
| Waterford Research Foundation, Inc.         | 8,613,953            | 7,028,484            |
| Wilderness Society                          | 17,192,190           | 9,224,134            |
| William Penn Foundation                     | 110,598,679          | 687,877,408          |
| World Wildlife Fund, Inc.                   | 132,874,116          | 61,118,088           |
| Zoological Society of Florida               | 6,204,743            | 5,845,573            |
| <b>TOTALS</b>                               | <b>3,607,546,472</b> | <b>2,808,990,548</b> |

SOURCE: Internal Revenue Service, Exempt Organizations Database

makers understand that such an insect might hold up the construction of an opposed hospital. So a grant is made and a group formed and a cause is created. Spotted Owls. Snail Darters. The scheme works every time.

As the environmental debate continues to rage, those alert to the schemes may want to investigate the roots of new claims of disaster before rushing to the recycling bin or sacrificing the use of heat or the family Sports Utility Vehicle. You may be giving up daily essentials or comforts simply to help some environmental group reap greater profits from their stock options. **6**

For the complete story of how the grant makers fund the Greens to control your future, read Ron Arnold's new book, "Undue Influence," available from The DeWesse Report. 703-925-0881.



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**The Arctic National Wildlife Refuge: Policy Reports and Analyses**  
In-depth information from NRDC's lawyers, scientists and analysts.

Alaska's Arctic National Wildlife Refuge is one of the world's last truly pristine places. It is also the oil industry's long-sought prize. NRDC's lawyers, scientists and analysts have for years been in the thick of the controversy over opening the Arctic Refuge to oil development, and continue to provide timely, fact-based reports and analyses that help decision makers cut through the rhetoric; they are collected here.

### Why the 2,000-Acre Limitation on Oil Development is Misleading

The August 2001 energy bill passed by the U.S. House of Representatives, which would open the Arctic Refuge to oil development if it becomes law, includes a provision that "limits" the oil industry to developing a mere 2,000 acres of the refuge. See why that claim is misleading.

### Drilling the Arctic Won't Create a Significant Number of Jobs

One big reason the House voted to allow oil drilling in the Arctic Refuge: The Teamsters union pushed hard for it. But the Teamsters made their case to lawmakers by citing an oil industry study that's been widely discredited over the last decade. Read on to learn about some of the major flaws in this study.

### Murkowski Watch

Sen. Frank Murkowski of Alaska, who ardently supports opening the Arctic Refuge to oil development, has played fast and loose with the facts surrounding the controversy. Here, NRDC has collected some of Sen. Murkowski's public misstatements and corrected them.

### RELATED PAGES

#### Dangerous Addition: Ending America's Oil Dependence

This report details a practical five-step plan that would cut America's oil demand in half by 2020, provide American consumers with the best and safest driving choices in the world, and strengthen our safety, security, and freedom.

#### A Responsible Energy Policy for the 21st Century

A full-length NRDC report detailing a U.S. energy policy that would meet the nation's energy needs, steer us gradually away from fossil fuels, and save consumers billions of dollars annually -- without destroying pristine wilderness areas or rolling back environmental safeguards.

#### News: Oil and the Arctic National Wildlife Refuge

Get informed and up-to-date about the controversy over opening Alaska's Arctic Refuge to oil development.

#### Arctic Refuge 101: Fact Sheets

Plain-language introductions to the refuge's extraordinary coastal plain, to big oil's impact in Prudhoe Bay and other North Slope areas, and to energy efficiency's advantages over more drilling.

last revised 12.5.01

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## wildlands Arctic National Wildlife Refuge

### Bills to Protect the Arctic



At a rousing press conference in front of the US Capitol two bills to protect the embattled coastal plain of the Arctic National Wildlife Refuge from oil and gas development were introduced. The bills, introduced by Senator Joseph Lieberman in the Senate and Representatives Ed Markey (D-MA) and Nancy Johnson (R-CT) in the House would designate the 1.5 million acre coastal plain of the Arctic Refuge as wilderness--our nation's highest level of

land protection.

The press conference featured a wide array of speakers from both parties. Senators Joe Lieberman (D-CT), Barbara Boxer (D-CA), Paul Wellstone (D-MN), Hillary Clinton (D-NY), John Corzine (D-NJ) and John Kerry (D-MA) all spoke out in strong support for protecting the coastal plain of the Arctic National Wildlife Refuge.

Minority Leader Dick Gephardt (D-MO) and Minority Whip David Bonior (D-MI) were among the House members who were in attendance. Gephardt said protecting to Arctic Refuge would be "the most important environmental issue" facing America for the next two years. Reps. Moakley (D-MA), Johnson (R-CT), Oliver (D-MA), Maloney (D-NY), Blumenauer (D-OR), Hoeffel (D-PA), Holt (D-NJ), Udall (D-CO) and Inslee (D-WA) all lent their voices to supporting the legislation.

### For more information

Click on the links below to connect to the Library of Congress, read the bill text and look at the list of cosponsors.

The text of the [Morris K. Udall Arctic Wilderness Act of 2001 \(HR 770\)](#) and the [Cosponsors](#).

The text of bill to [designate a portion of the Arctic National Wildlife Refuge as wilderness \(S. 411\)](#) and the [Cosponsors](#).

See a list of original [cosponsors from the House and Senate](#).

Ninety-five percent of Alaska's vast North Slope is open to



oil and gas exploration and leasing. The coastal plain represents the last five percent that remains off-limits to development. According to the U.S. Geological Survey, the mean estimate of oil that could be recovered from the Refuge would amount to less than a six-month supply for America. In addition, it would take at least 10 years to do the exploration, construction, and drilling necessary to get it to U.S. markets.

A recent Associated Press poll of one thousand adults found that 53 percent of US voters oppose drilling in the Arctic National Wildlife Refuge, while only 33 percent support such a move.

Photo of caribou copyright Douglas Canfield 2001

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### FIGHT TO SAVE THE ARCTIC REFUGE UNDERWAY!

Get Ready Auduboners! The 108th Congress is underway and so is the fight to protect the Arctic National Wildlife Refuge from oil and gas drilling. Pro-drilling special interests are already hard at work - trying to tie Arctic drilling to the budget process for Fiscal Year 2004. If they succeed, action will start in the U.S. House of Representatives, where you'll recall pro-drilling special interests garnered enough support to push the measure through in 2001. Action will then move to the Senate, where if they follow the same course (tying the measure to the budget process) the pro-drilling supporters will need only 51 votes to get the measure through!

You'll recall in 2002, the Senate defeated the measure on a vote of 54-46, but several of those Senators who voted against drilling in the Refuge did not win re-election. With 10 new Senate members, and 48 House members, every vote will count in the fight to protect the Arctic Refuge from oil drilling! That's why it's important to weigh in early and weigh in often with your lawmakers to protect the truly special birds, wildlife, and wilderness of the spectacular Arctic Refuge.

And you can get started today! Click onto **LAWMAKER POSITIONS** to your left to find out how your lawmakers voted on this issue in the 107th Congress. And read below to find out where those new Senators and Representatives are currently positioned on the issue. Then be sure to hit the **TAKE ACTION** button to send a message to your lawmakers urging them to oppose efforts to open the Arctic Refuge to oil and gas drilling!

Also, check out our new fact sheets for the truth behind the oil, the affect oil development has on birds and wildlife and more by clicking onto **LATEST NEWS**.

#### U.S. SENATE

**Alaska:** Senator Lisa Murkowski (R), supports efforts to open the Arctic Refuge to oil and gas drilling.

**Arkansas:** Mark Pryor (D), leans against drilling in the Arctic Refuge.

**Georgia:** Saxby Chambliss (R), as a member of the U.S. House of Representatives last year, voted to open the Arctic Refuge to oil drilling.

**Louisiana:** Senator Mary Landrieu (D) supported efforts to open the Arctic Refuge to oil and gas drilling in the Senate this year.

**Minnesota:** Norm Coleman (R), throughout his campaign, voiced support for protecting the Arctic Refuge from oil drilling.

**Missouri:** Jim Talent (R), supports efforts to open the Arctic Refuge to oil drilling

**New Hampshire:** John Sununu (R), chief-sponsor of the House-passed measure to open the Arctic to oil drilling in 2001

**New Jersey:** Frank Lautenberg (D), supported efforts to protect the Refuge from oil drilling during his past years in the U.S. Senate

**North Carolina:** Elizabeth Dole (R), no official position on this issue as of yet

**Tennessee:** Lamar Alexander (R), no official position on this issue as of yet

**Texas:** John Cornyn (R) supports efforts to open the Arctic Refuge to oil and gas drilling

#### U.S. HOUSE OF REPRESENTATIVES

**Alabama:** Jo Bonnar (R, CD-1) no official position ; Mike Rogers (R, CD-3) no official position

**Arizona:** Rick Renzi (R, CD-1) supports efforts to open the Refuge to drilling; Trent Franks (R, CD-2) no official position; Raul Grijalva (D, CD-7) - supports efforts to protect the Refuge from drilling

**California:** Dennis Cardoza (D, CD-18), leans against drilling in the Refuge; Devin Nunes (R, CD-21) leans in favor of drilling in the Refuge; Linda Sanchez (D, CD-39) supports efforts to protect the Refuge from drilling

**Colorado:** Marilyn Musgrave (R, CD-4) supports opening the Refuge to drilling; Representative Bob Beauprez (R, CD-7), no official position on the issue

**Florida:** Virginia Brown-Walke (R, CD-5) no official position; Katherine Harris (R, CD-13) no official position; Kendrick Meek (D, CD-17) no official position; Tom Feeney (R, CD-24) no official position; Mario Diaz Balart (R, CD-25) no official position

**Georgia:** Jim Marshall (D, CD-3) no official position; Denise Majette (D, CD-4) no official position; Phil Gingray (R, CD-11) no official position; David Scott (D, CD-13) no official position

**Hawaii -** Representative Ed Case (D, CD-2) no official position on the issue

**Illinois:** Rahm Emanuel (D, CD-5) supports efforts to protect the Refuge from oil drilling

**Indiana:** Chris Chocola (R, CD-2), leans in favor of opening the Refuge to oil drilling

**Iowa:** Steve King (R, CD-5) leans in favor of opening the Refuge to drilling

**Maine:** Michael Michaud (D, CD-2), opposes opening the Refuge to drilling

**Maryland:** Dutch Ruppersberger (D, CD-2), leans against opening the Refuge to drilling; Chris Van Hollen (D, CD-8) leans against opening the Refuge to drilling

**Michigan:** Candice Miller (R, CD-10) leans in favor of opening the Refuge to oil drilling; Thad McCotter (R, CD-11) no official position

**Nevada:** Joe Porter (R, CD-3), no official position

**New Jersey:** Scott Garrett (R, CD-5), leans in favor of opening the Refuge to drilling

**New York:** Tim Bishop (D, CD-1) no official position

**North Carolina:** Frank Ballance (D, CD-1) no official position; Brad Miller (D, CD-13) leans against opening the Refuge to drilling

**Ohio:** Mike Turner (R, CD-3) no official position

**Oklahoma:** Tom Cole (R, CD-4) no official position

**Pennsylvania:** Jim Gerlach (R, CD-6), no official position; Tim Murphy (R, CD-18)

**South Carolina:** Gresham Barrett (R, CD-3) no official position

**South Dakota:** William Jankow (R, At large), no official position

**Tennessee:** Lincoln Davis (D, CD-4) no official position; Marsha Blackburn (R, CD-7) no official position

**Texas:** Job Mensarling (R, CD-5), leans in favor of drilling in the Refuge; Chris Bell (D, CD-25) opposes drilling in the Refuge; Michael Burgess (R, CD-26) leans in favor of drilling in the Refuge; John Carter (R, CD-31) supports opening the Refuge to drilling

**Utah:** Rob Bishop (R, CD-1) - leans in favor of drilling in the Arctic

**TAKE ACTION BY SENDING YOUR LAWMAKER A MESSAGE ON THIS ISSUE NOW!**



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[The Birder's World Wins Audubon Team, 2/4/03](#)

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[Audubon Colorado Appoints Veteran Texas Parks and Wildlife Chief for Executive Director Position 2/1/03](#)

[Audubon Reacts to National Clean Energy Proposal 1/13/03](#)

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Contact: Perry Plumart  
202/861-2242  
pplumart@audubon.org

## ROBERT PERCIASEPE, SENIOR VICE PRESIDENT, PUBLIC POLICY, STATEMENT ON INTRODUCTION OF MORRIS K. UDALL ARCTIC WILDERNESS ACT

The House of Representatives is showing great bipartisan love for the Arctic Refuge on the eve of Valentine's Day. With 129 original co-sponsors, the Morris K. Udall Arctic Wilderness Act is a testament to the widespread recognition in Congress that the Arctic Refuge is a national treasure that deserves permanent protection.

This broad support in Congress reflects the view shared by most Americans. A recent New York Times/CBS poll found that 55 percent of Americans oppose opening the Arctic Refuge to oil and gas development.

This Morris K. Udall Wilderness Act designates 1.5 million acres of the coastal plain of the Arctic National Wildlife Refuge as Wilderness, giving the area full wilderness protection. The coastal plain of the Arctic Refuge is one of the finest examples of wilderness remaining on the planet, containing remote, complete, and undisturbed habitats home to millions of migratory birds, polar bears, and other wildlife.

Audubon thanks Congressman Edward Markey and Congresswoman Nancy Johnson for their continued strong leadership in protecting this national treasure for future generations of Americans.

Opening the Arctic Refuge to oil development would despoil the refuge's unparalleled wilderness values. In return, the drilling would never bring more than six months worth of oil, and the first drop could not be used for ten years. Audubon urges the House of Representatives to take action to permanently protect the coastal plain of the Arctic Refuge as wilderness.

For more information on Audubon's efforts to protect the Arctic National Wildlife Refuge from oil and gas drilling, click onto this link now: <http://www.protecttheartctic.com>

Audubon is dedicated to protecting birds and other wildlife and the habitat that supports them. Our national network of community-based nature centers and chapters, scientific and

[http://www.audubon.org/news/press\\_releases/Arctic\\_Wilderness\\_Bird\\_HabitatPage](http://www.audubon.org/news/press_releases/Arctic_Wilderness_Bird_HabitatPage)

**Of Interest:**



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Audubon Ohio Taps  
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educational programs, and advocacy on behalf of areas  
sustaining important bird populations, engage millions of  
people of all ages and backgrounds in positive conservation  
experiences.

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GuideStar

# GuideStar Pages

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- Goals & Results
- Financials
- Leaders
- Form 990
- Full Report
- Charity Check
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Update This Report

Nonprofit Managers  
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### Defenders of Wildlife

1101 14th St NW Ste 1400  
Washington, DC 20005  
<http://www.defenders.org>



Information in this report was supplied by the nonprofit organization more than 24 months ago.

### Who We Are

Defenders of Wildlife is dedicated to the protection of all native wild animals and plants in their natural communities. Our programs focus on the accelerating rate of species extinction and associated loss of biological diversity and habitat alteration and destruction.

### Program / Activities

Protection of Endangered Species  
Animal Related Activities N.E.C.  
Environmental Quality, Protection,  
and Beautification N.E.C.

### Location(s) Served

National

### Contact Info

Tel: (202) 682-9400  
Fax: (202) 682-1331  
Contact: Mr. Charlie Orasin, VP -  
Operations

### Financial Info

**Fiscal Year:** 2001  
**Assets:** \$19,542,279  
**Income:** \$24,100,738  
This organization files an IRS Form  
990 or 990-EZ.

It makes its audited financial  
statements available to the public  
upon request.  
[more financial information](#)

### Chief Executive:

Mr. Rodger Schlickelsen

### No. of Board Members:

22

### No. of Full Time Employees:

21-100

### No. of Part-Time Employees:

6-10

### No. of Volunteers:

0

[more about leaders](#)

### EIN:

53-0183181

### Year Founded:

1947

### How to Help

This organization is seeking funds from contributions and grants. These funds will be used for unrestricted operating expenses and special projects.

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**The Citizen's Wildlife Refuge Planning Handbook**  
 Charting the Future of Conservation on the National Wildlife Refuge Near You

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| CO | CT | DE | FL | GA |
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| MT | NH | NY | NJ | NM |
|    | NC | ND | OH |    |
|    | OR | PA | RI |    |
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| VT | VA | WA | WY | WI |
| WV |    |    |    |    |
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  - ▶ [Additional Resources](#)

|  |  |
|--|--|
| <b>Alaska Maritime National Wildlife Refuge</b><br>2355 Kachemak Bay Dr., Suite 101<br>Homer, AK 99603<br>(907) 235-6546 | <b>Alaska Peninsula National Wildlife Refuge</b><br>P.O. Box 277<br>King Salmon, AK 99613<br>(907) 246-3339      |
| <b>Arctic National Wildlife Refuge</b><br>101 12th Ave., Room 236<br>Fairbanks, AK 99701<br>(907) 456-0250               | <b>Becharof National Wildlife Refuge</b><br>P.O. Box 277<br>King Salmon, AK 99613<br>(907) 246-3339              |
| <b>Innoko National Wildlife Refuge</b><br>P.O. Box 69<br>McGrath, AK 99627<br>(907) 524-3251                             | <b>Izembek National Wildlife Refuge</b><br>P.O. Box 127, #1 Izembek Dr.<br>Cold Bay, AK 99571<br>(907) 532-2445  |
| <b>Kanuti National Wildlife Refuge</b><br>101 12th Ave., Box 11, Rm. 262<br>Fairbanks, AK 99701<br>(907) 456-0329        | <b>Kenai National Wildlife Refuge</b><br>P.O. Box 2139<br>Soldotna, AK 99669-2139<br>(907) 262-7021              |
| <b>Kodiak National Wildlife Refuge</b><br>1390 Buskin River Rd.<br>Kodiak, AK 99615<br>(907) 487-2600                    | <b>Koyukuk National Wildlife Refuge</b><br>P.O. Box 287<br>Galena, AK 99741<br>(907) 656-1231                    |
| <b>Nowitna National Wildlife Refuge</b><br>P.O. Box 287<br>Galena, AK 99741<br>(907) 656-1231                            | <b>Selawik National Wildlife Refuge</b><br>P.O. Box 270<br>Kotzebue, AK 99752-3799<br>(907) 442-37990            |
| <b>Tetlin National Wildlife Refuge</b><br>P.O. Box 779<br>Tok, AK 99780<br>(907) 883-5312                                | <b>Togiak National Wildlife Refuge</b><br>P.O. Box 270<br>Dillingham, AK 99576<br>(907) 842-1063                 |
| <b>Yukon Delta National Wildlife Refuge</b><br>P.O. Box 346<br>Bethel, AK 99559-0346<br>(907) 543-3151                   | <b>Yukon Flats National Wildlife Refuge</b><br>101 12th Avenue, Rm. 264<br>Fairbanks, AK 99701<br>(907) 456-0440 |
|  |  |

The mailing addresses and phone numbers for each National Wildlife Refuge (NWR) are listed here by state. Note that the state given in the address is the administrative office location and may differ from the state under which the refuge is listed. Note also that Wetland Management Districts (WMDs) are included on this list. Although not refuges, WMDs manage important migratory waterfowl habitat and allow wildlife dependent recreation; hence comprehensive conservation planning is required.

SENATE FINANCE COMMITTEE

SIGN-IN

HB 101 GRANT TO ARTIC POWER FOR ANWR

NAME: KIM DUKE Subject/Bill No: 101  
 Co./Dept./Title: \_\_\_\_\_ Phone: 2742697  
 Address: POB 100220 ANC AK Zip: 99510  
 Do you wish to testify?  Yes  No  Respond To Questions

NAME: MATT FAGNANI Subject/Bill No: 101  
 Co./Dept./Title: \_\_\_\_\_ Phone: 265-4142  
 Address: 1001 Benson Blvd. Zip: 99506  
 Do you wish to testify?  Yes  No  Respond To Questions

NAME: Barbara Huff Tuckress Subject/Bill No: HB 101  
 Co./Dept./Title: Dir Leg. + Gov Affairs Phone: 565-8236  
Teamsters Local 954  
 Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Do you wish to testify?  Yes  No  Respond To Questions

NAME: ~~XXXXXXXXXXXXXXXXXXXX~~ Subject/Bill No: ~~XXXX~~  
 Co./Dept./Title: ~~XXXXXXXXXXXXXXXXXXXX~~ Phone: \_\_\_\_\_  
 Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Do you wish to testify?  Yes  No  Respond To Questions

**SITE: Offnets**

**SUBJECT OF MEETING:**

**COMMITTEE: SFIN**

**DATE: 3/5/03**

**UPDATE #:**



# PLEASE SIGN IN

**PLEASE PRINT:**

**DO YOU WANT**

**NAME**

**ADDRESS (MAILING & ZIP)**

**REPRESENTING**

**TO TESTIFY?  
Y or N**

✓ **Al Adams**

**Arctic Power**

**Y**











**HB**

**104**

**HFIN**

**FILE**



# FISCAL NOTE

**STATE OF ALASKA**  
**2003 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: CSHB 104(FISH)  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): March 20, 2003 Dept. Affected: Revenue  
 Title Payment of Fisheries Business Tax BRU Revenue Operations  
 Component Tax Division  
 Sponsor Representative Stevens  
 Requester House Finance Committee Component No. 2476

**Expenditures/Revenues** (Thousands of Dollars)

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

| OPERATING EXPENDITURES | FY 2004     | FY 2005     | FY 2006     | FY 2007     | FY 2008     | FY 2009     |
|------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Personal Services      | 11.0        | 22.0        | 22.0        | 22.0        | 22.0        | 22.0        |
| Travel                 |             |             |             |             |             |             |
| Contractual            | 0.4         | 0.7         | 0.7         | 0.7         | 0.7         | 0.7         |
| Supplies               | 0.3         | 0.5         | 0.5         | 0.5         | 0.5         | 0.5         |
| Equipment              | 2.5         |             |             |             |             |             |
| Land & Structures      |             |             |             |             |             |             |
| Grants & Claims        |             |             |             |             |             |             |
| Miscellaneous          |             |             |             |             |             |             |
| <b>TOTAL OPERATING</b> | <b>14.2</b> | <b>23.2</b> | <b>23.2</b> | <b>23.2</b> | <b>23.2</b> | <b>23.2</b> |

|                             |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|
| <b>CAPITAL EXPENDITURES</b> |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|

|                               |    |    |    |    |    |    |
|-------------------------------|----|----|----|----|----|----|
| <b>CHANGE IN REVENUES ( )</b> | ** | ** | ** | ** | ** | ** |
|-------------------------------|----|----|----|----|----|----|

**FUND SOURCE** (Thousands of Dollars)

|   |             |             |             |             |             |             |
|---|-------------|-------------|-------------|-------------|-------------|-------------|
| 1002 Federal Receipts                   |             |             |             |             |             |             |
| 1003 GF Match                           |             |             |             |             |             |             |
| 1004 GF                                 | 14.2        | 23.2        | 23.2        | 23.2        | 23.2        | 23.2        |
| 1005 GF/Program Receipts                |             |             |             |             |             |             |
| 1037 GF/Mental Health                   |             |             |             |             |             |             |
| Other (Specify Type--Do not abbreviate) |             |             |             |             |             |             |
| <b>TOTAL</b>                            | <b>14.2</b> | <b>23.2</b> | <b>23.2</b> | <b>23.2</b> | <b>23.2</b> | <b>23.2</b> |

Estimate of any current year (FY2003) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

|           |     |     |     |     |     |     |
|-----------|-----|-----|-----|-----|-----|-----|
| Full-time |     |     |     |     |     |     |
| Part-time | 0.5 | 0.5 | 0.5 | 0.5 | 0.5 | 0.5 |
| Temporary |     |     |     |     |     |     |

**ANALYSIS:** (Attach a separate page if necessary)

\*\* The Department of Revenue is unable to predict with any degree of certainty if this change in security provisions for payment of the Fisheries Business Tax will result in any tax revenue loss to the state.

See attached page for further discussion.

Prepared by: Chuck Harlamert, Revenue Audit Supervisor Phone 465-4773  
 Division Tax Division Date/Time 3/20/03 4:04 PM  
 Approved by: Larry Persily, Deputy Commissioner Date 3/20/2003  
 Agency Department of Revenue

### Bill Analysis

Current Fisheries Business Tax rules allow processors to pay the tax on or before March 31 of the year following the tax year. Complimenting this deferral is a requirement that the processor provide the department with security to ensure ultimate payment of the tax.

Taxpayers have several security options available to them. A taxpayer can demonstrate equity in real property equal to three times its estimated tax, provide a bond for twice the estimated tax, prepay the estimated tax, establish a line of credit, or purchase a certificate of deposit in the amount of the estimated tax. All except the real property provide the state with a high degree of certainty the tax will be collected. With the possible exception of real property, the other existing options require a capital outlay or significant unrecoverable cost and therefore may represent a barrier to entry to new processors.

This legislation would reduce the up-front capital required to obtain a fisheries business license by providing processors the option of paying tax monthly, with a nominal bonding requirement.

### Sectional Analysis

**Section 1** provides for monthly payment of the Fisheries Business Tax, which is otherwise due March 31 of the following year.

**Section 2** makes the monthly payment option available to all fisheries businesses. The option is currently available only to fish brokers. AS 43.75.055(c)(1) is modified to require electing taxpayers to file a report and pay fish taxes on or before the 15<sup>th</sup> day of the month following the month in which the tax is incurred. The requirement to file on a report prescribed by the department does not replace existing reporting requirements.

**Section 3** modifies AS 43.75.055(d) to conform with the broadened application of the alternative security option.

### Revenue and Cost Estimates

While the new monthly security option created by the bill can significantly reduce the amount of capital required to enter the industry, it remains the most expensive option under most circumstances for fulfilling the statutory requirement of ensuring payment of taxes. We therefore expect that only thinly capitalized processors will choose the new option. Acting as a counterbalance to low usage is our expectation that these processors will, as a group, could be high risk. The department will need to carefully monitor payments from this group in order to immediately identify, and close down, processors that fail to make the monthly payments. For this purpose, and for incremental collection, licensing, and processing activity we request one-half position at the Tax Technician II level (Range 12) with total ongoing personnel and associated costs of \$23,200 annually.

# Joint Legislative Salmon Industry Task Force

Legislative Members  
Senator Ben Stevens, Chair  
Representative Gary Stevens, Vice-Chair  
Senator Kim Elton  
Representative Bill Williams  
Senator Alan Austerman, Alternate  
Representative Drew Scalzi, Alternate



Public Members  
Sue Aspelund  
Sam Cotten  
Duncan Fields  
Don Giles  
John Lowrance  
Robin Samuelson  
Gary Slaven  
Stephanie Madsen, Alternate  
Chris Moss, Alternate

## Sponsor Statement

### House Bill 104

"An Act relating to payment of the fisheries business tax and to security for collection of the fisheries business tax."

Under current law, absent a lienable value of property equal to three times the amount of the estimated tax, a surety bond must be paid equal to twice the estimated amount of the tax. The cost of the bond can be a burden to a company operating on a small margin.

House Bill 104 amends AS 43 by providing an option for fish processing applicants who are not able to meet the requirements currently in statute. Processors may avoid posting a bond for twice the amount of the estimated taxes if the business:

- Remits all tax obligations on a monthly basis by paying the taxes due on or before the 15<sup>th</sup> day of the month following the month in which the tax liability is incurred; and
- Files a bond in the amount of \$50,000; or
- Provides the Department of Revenue with proof that the applicant is the owner of lienable real property in the state of a value of at least \$100,000.

House Bill 104 will assist processors who do not have large property assets in developing their business plans and in managing their tax payment schedule. The measure would also encourage new processing investment in a time when the seafood industry needs to expand and diversify in the processing sector.

SPONSOR STATEMENT

# Joint Legislative Salmon Industry Task Force

Legislative Members  
Senator Ben Stevens, Chair  
Representative Gary Stevens, Vice-Chair  
Senator Kim Elton  
Representative Bill Williams  
Senator Alan Austerman, Alternate  
Representative Drew Scalzi, Alternate



Public Members  
Sue Aspelund  
Sam Cotten  
Duncan Fields  
Don Giles  
John Lowrance  
Robin Samuelson  
Gary Slaven  
Stephanie Madsen, Alternate  
Chris Moss, Alternate

## SECTIONAL ANALYSIS

### HOUSE BILL 104

"An Act relating to payment of the fisheries business tax and to security for collection of the fisheries business tax."

#### Section 1.

- Amends AS 43.75.030(d) to include the monthly tax provision included in this measure.

#### Section 2.

- Amends AS 43.75.055(c) to include the following provisions:
  1. A processor may elect to file a bond for \$50,000; or provide the Department of Revenue with proof of lienable property in the state with a value of at least \$100,000.
  2. A processor utilizing this option must pay the taxes due under AS 43 on or before the 15<sup>th</sup> day of the month following the month in which the liability for the payment of taxes was incurred.
- Ensures all the tax requirements of AS 43 are included in a processor's tax liability.

#### Section 3.

- Amends AS 43.75.055(d) to set forth the conditions of the bond issuance under (c).

SECTIONAL ANALYSIS

## Department of Revenue, Tax Division: Fisheries Taxes

**Fisheries Business Tax** is levied on fisheries businesses and persons who process or export fisheries resource from Alaska. The tax is based on the fisheries value paid to commercial fishers or fair market value when there is not an arms length transaction. Fisheries business tax is collected primarily from licensed processors and persons who export fish from Alaska.

A **Fishery Resource Landing Tax** is levied on processed fishery resource first landed in Alaska or any processed fishery resource subject to sec. 210(f) of the American Fisheries Act. The tax is based on the unprocessed value of the resource, which is determined by multiplying a statewide average price per pound (based on Alaska Department of Fish and Game data) by the unprocessed weight. Fishery Resource Landing Tax is collected primarily from factory trawlers and floating processors which process fishery resource outside of the state's 3-mile limit and bring their products into Alaska for transshipment. The tax rate is 3%.

A **Salmon Marketing Tax** is levied on all salmon sold in or exported from Alaska. Salmon Marketing Tax is collected by processors from the commercial fishers. The tax is based on the value of the salmon at the time of sale or fair market value when there is no arms length transaction. Tax is paid directly to the Department for salmon exported from the state. Processors remit the tax collected from fishers to the Department of Revenue.

A **Seafood Marketing Assessment** is levied at a rate of 0.3% of the value of seafood products produced in Alaska. This tax is also levied on unprocessed fisheries exported from Alaska. Assessments are generally collected from fisheries processors or landing tax payers.

FY 2000 fisheries statistics and more information regarding each of these taxes are available in the Tax Division's FY 2001 Annual Report.

Our web site has quite an extensive FAQ Index where you can find answers to many fisheries related questions.

AK FISHERIES TAXES



Sec. ~~43.75.015~~. Fisheries business tax.

\* (a) A person engaged in a fisheries business is liable for and shall pay the tax levied by this section on the value of each of the following fisheries resources processed during the year at the rate set out after each:

(1) salmon canned at a shore-based fisheries business - four and one-half percent;

(2) salmon processed by a shore-based fisheries business, except salmon for which the tax is due under (1) of this subsection, and all other fisheries resources processed by a shore-based fisheries business - three percent;

(3) fisheries resources processed by a floating fisheries business - five percent.

(b) Instead of the taxes levied by (a) of this section, a person who processes a developing commercial fish species is liable for and shall pay a tax equal to

(1) one percent of the value of the developing commercial fish species processed by a shore-based fisheries business during the year; and

(2) three percent of the value of the developing commercial fish species processed by a floating fisheries business during the year.

(c) A person engaging or attempting to engage in a fisheries business who first actually and physically processes the fishery resource, or a person who purchases a fishery resource that is frozen from a person excluded by AS 43.75.017 from liability for the tax, is liable for and shall pay to the department the entire tax imposed by this section. In determining this tax liability, the person may deduct from the value of the fishery resources processed the value of fishery resources that are canned or processed for other fisheries businesses. A person taking the deduction authorized by this subsection shall report all information relating to the deduction in accordance with regulations adopted by the department.

Sec. 43.75.017. Exclusion from fisheries business tax.

A person is not liable for the fisheries business tax under AS ~~43.75.015~~ when the fishery resource is frozen aboard a fishing vessel if

(1) the vessel is operated as a commercial fishing vessel under a valid commercial fishing license;

(2) the fishery resource is not processed beyond heading, gutting or cleaning, freezing and glazing;

(3) the fishery resource was caught by the vessel; and

(4) the fishery resource is sold by the person claiming an exclusion from the tax to a fisheries business licensed under this chapter.

Sec. 43.75.018. Fisheries business education credit.



Sec. 43.75.137. Additional refund.

To the extent that appropriations are available for the purpose, and notwithstanding the requirement of AS 37.07.080 (e) that approval of the office of management and budget is required, an amount equal to 50 percent of the tax revenue that is collected under this chapter from fisheries businesses and is not subject to division with a municipality under AS 43.75.130 shall be transmitted each fiscal year, without the approval of the office of management and budget, by the department to the Department of Community and Economic Development for disbursement to eligible municipalities under AS 29.60.450.

Sec. 43.75.140. [Renumbered as AS 43.75.290].

Repealed or Renumbered

Article 04. GENERAL PROVISIONS

Sec. 43.75.290. Definitions.

In this chapter,

(1) "developing commercial fish species" means those species of fish and shellfish annually designated by the commissioner of fish and game under AS 16.05.050 (a)(11);

\* (2) "fisheries business" means a person who engages in processing fisheries resources for sale by freezing, cooking, salting, or other method and includes but is not limited to canneries, cold storages, freezer ships, and processing plants;

(3) "fishery resource" means finfish, shellfish, and fish by-products, including but not limited to salmon, halibut, herring, flounder, crab, clam, cod, shrimp, and pollock;

(4) "floating fisheries business" means a fisheries business which is not a shore-based fisheries business; the term includes, but is not limited to, a shore-based fisheries business as defined in (5)(B) of this section when it is removed from the state;

(5) "shore-based fisheries business" means a fisheries business

(A) operated from a facility which is permanently attached to the land; or

(B) operated from a facility which remains in the same location in the state for the entire tax year;

(6) "taking" means pursuing, fishing, capturing, or harvesting a fisheries resource in any manner;

(7) "value" means

(A) the market value of the fisheries resource if the taking of the fisheries resource is done in company-owned or company-subsidized boats operated by employees of the company or in boats that are operated under lease to or from the company or other arrangement with the company and if the fisheries resource is delivered to the company; in this subparagraph, "company" means a fisheries business, a

Sec. 43.75.030. Filing return and payment of tax.

(a) A person subject to the tax shall file a return stating the value of fisheries resources processed during the license year, computed as required by this chapter, and such other information as the department prescribes by regulation. The return must show the license number and must be signed by the taxpayer or an authorized agent, under penalty of unsworn falsification. If a receiver, trustee, or assign is operating the property or business, that person shall file the return for the person. A tax due on the basis of such a return shall be collected in the same manner as if collected from the person of whose business the receiver, trustee, or assign has custody and control.

(b) The return shall be made on the basis of the calendar year to the department at Juneau before April 1 after the close of the calendar year.

(c) The department may adopt regulations for the granting of a reasonable extension of time for filing and may grant an extension of time for filing.

(d) The tax shall be paid before April 1 after the close of the calendar year.

(e) Every person engaging or attempting to engage in a business for which a license is required under this chapter shall keep records, make statements under oath, file returns, and comply with all regulations that the commissioner may adopt.

(f) When the department considers it is necessary, it may require a person, by notice served upon the person, to file a return, make such statements under oath, or keep and display to it such records as it considers sufficient to show the tax for which the person is liable. If a person fails to file a return as prescribed by law or by regulation, or makes, wilfully or otherwise, a false or fraudulent return, the department shall make the return from the information that it can obtain. A return made by the department is prima facie good and sufficient for all legal purposes.

Sec. 43.75.055. Security for collection of taxes.

(a) An applicant for a license under this chapter shall, in or with the application, state under oath the amount of each of the products that the applicant expects to produce during the license year. The applicant shall further state the extent of lienable real property owned by the applicant in the state against which the tax may be collected and other information with respect to description, location, and value of the property that the department prescribes.

(b) Except as provided in (c) and (e) of this section, if the lienable value of the property is not equal to three times the amount of the tax for which the applicant will probably be liable under this section, the department may not issue the license until the applicant files with the department a surety bond approved by the attorney general in a penal sum equal to twice the probable amount of the tax for which the applicant will be liable, conditioned upon payment of the tax in full when due, with interest and penalties if not paid before delinquency.

(c) An applicant that does not process a fishery resource in the state may elect to avoid the requirements of (a) and (b) of this section if the applicant

(1) notwithstanding AS 43.75.030 (d), pays the taxes due under this chapter on or before the 15th day of the month following the month in which liability for the payment of the taxes was incurred;

(2) pays the taxes and assessments for which the applicant is liable under AS 16.51, AS 43.76, and AS 43.77 on or before the 15th day of the month following the month in which the liability for the payment of the taxes or assessments was incurred;

(3) remits to the department the taxes and assessments that the applicant is required to collect under AS 43.76 on or before the 15th day of the month following the month in which the taxes or assessments were required to be collected; and

(4) either

(A) files a bond in the amount of \$50,000; or

(B) provides the department with proof that the applicant is the owner of lienable real property in the state of a value of at least \$100,000.

(d) A bond filed under (c) of this section must be conditioned upon payment to the fisherman of the full purchase price for the fishery resource and the payment of the taxes, interest, and penalties in full when due. The provisions of (c) of this section do not apply to an applicant who has a relationship, as that term is defined under 26 U.S.C. 267(b), with a person that processes a fishery resource.

(e) The department may waive the bond requirement under (b) or (c) of this section if the applicant posts other security in the form of collateral acceptable to the department or prepays the estimated tax.

(f) An applicant that fails to pay amounts due under this section is subject to civil penalties set out under AS 43.05.220 .



# UNITED FISHERMEN OF ALASKA

March 20, 2003

211 Fourth Street, Suite 110  
Juneau, Alaska 99801-1172  
(907) 586-2820  
(907) 463-2545 Fax  
E-Mail: [ufa@ufa-fish.org](mailto:ufa@ufa-fish.org)  
[www.ufa-fish.org](http://www.ufa-fish.org)

Representative Bill Williams  
Representative John Harris  
Co-Chairs  
House Finance Committee  
Alaska State Legislature  
State Capitol (MS 3100)  
Juneau, AK 99801-1182

Dear Representatives Williams and Harris,

Re: HB 104 Payment of Fishery Business Tax

United Fishermen of Alaska supports this bill.

We support this bill because of the increased flexibility it provides to processors. This flexibility provides a more accommodating payment schedule and taxation structure, and reduces security requirements.

Our desire is that this legislation will foster a more diverse, expanded, and competitive processing sector that stimulates increase economic benefit for all sectors of the seafood industry.

Your consideration of our recommendation is appreciated.

Sincerely,

Thomas M. Gemmell  
Executive Director

Copy: Senator Ben Stevens  
Senator Gary Stevens  
Senator Fred Dyson  
Senator Tom Wagoner  
Representative Paul Seaton

#### MEMBER ORGANIZATIONS

Alaska Crab Coalition • Alaska Druggers Association • Alaska Longline Fishermen's Association • Alaska Trollers Association • Alsea Processors Association • Bristol Bay Reserve  
Chignik Regional Aquaculture Association • Chignik Seiners Association • Central Area "M" Fishermen • Cook Inlet Aquaculture Association • Cordova District Fishermen United  
Crab Nationalization and Buyback Group • Douglas Island Pink and Chum • Groundfish Forum • Koni Peninsula Fishermen's Association • Kodiak Regional Aquaculture Association  
Kodiak Seiners Association • North Pacific Fishermen Association • Northern Southeast Regional Aquaculture Association • Old Harbor Fishermen's Association  
Petersburg Vessel Owners Association • Prince William Sound Aquaculture Corporation • Puna Seiner Vessel Owners Association • Seafood Producers Cooperative  
Southeast Alaska Regional Dive Fisheries Association • Southeast Alaska Seiners Association • Southern Southeast Regional Aquaculture Association  
United Cook Inlet Drift Association • United Salmon Association • United Southeast Alaska Gillnetters • Western Gulf of Alaska Fishermen

**HB**

**104**

**SFIN**

**FILE**

# SENATE FINANCE COMMITTEE REPORT

REPORTED OUT  
 MAY 16 2003  
 SENATE FINANCE  
 COMMITTEE

DATE: 5/10/03

FURTHER:

DATE TURNED  
 IN TO OFFICE: 16 May 2003

Finance Committee considered CS FOR HOUSE BILL NO. 104(FSH)

## HB 104 PAYMENT OF FISHERY BUSINESS TAX

"An Act relating to payment of the fisheries business tax and to security for collection of the fisheries business tax."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**Senate Bill:**

- same title
- new title

**House Bill:**

- same title
- technical title
- new: SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

| Department | Date | Fiscal | Zero | FN# |
|------------|------|--------|------|-----|
|            |      |        |      |     |
|            |      |        |      |     |
|            |      |        |      |     |
|            |      |        |      |     |
|            |      |        |      |     |

**PREVIOUS FISCAL NOTE(S):**

| Department | Date    | Fiscal | Zero | FN# |
|------------|---------|--------|------|-----|
| Revenue    | 3/20/03 | 14.2   |      | #2  |
|            |         |        |      |     |
|            |         |        |      |     |
|            |         |        |      |     |
|            |         |        |      |     |

APPROPRIATION - no fiscal note

| SIGNATURES AND RECOMMENDATIONS: | DO PASS | DO NOT PASS | NO REC | AMEND |
|---------------------------------|---------|-------------|--------|-------|
| <i>William L. Taylor</i>        | ✓       |             |        |       |
| <i>Ben Stevens</i>              | ✓       |             |        |       |
| <i>C. Burke</i>                 | ✓       |             |        |       |
| <i>Thomas C. ...</i>            |         |             | ✓      |       |
| COCHAIR: <i>Syda ...</i>        | ✓       |             |        |       |
| COCHAIR: <i>Syda ...</i>        |         |             |        |       |

CS FOR HOUSE BILL NO. 104(FSH)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON FISHERIES

Offered: 3/7/03

Referred: Resources, Finance

Sponsor(s): REPRESENTATIVES STEVENS, Lynn, Dahlstrom

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to payment of the fisheries business tax and to security for collection of  
2 the fisheries business tax."

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

4 \* Section 1. AS 43.75.030(d) is amended to read:

5 (d) Except for tax paid monthly under AS 43.75.055(c)(1), the [THE] tax  
6 shall be paid before April 1 after the close of the calendar year.

7 \* Sec. 2. AS 43.75.055(c) is amended to read:

8 (c) An applicant [THAT DOES NOT PROCESS A FISHERY RESOURCE  
9 IN THE STATE] may elect to avoid the requirements of (a) and (b) of this section if  
10 the applicant

11 (1) files a report as prescribed by the department and  
12 [NOTWITHSTANDING AS 43.75.030(d),] pays the taxes due under this chapter on  
13 or before the 15th day of the month following the month in which liability for the  
14 payment of the taxes was incurred;

1                   (2) pays the taxes and assessments for which the applicant is liable  
2 under AS 16.51, AS 43.76, and AS 43.77 on or before the 15th day of the month  
3 following the month in which the liability for the payment of the taxes or assessments  
4 was incurred;

5                   (3) remits to the department the taxes and assessments that the  
6 applicant is required to collect under AS 43.76 on or before the 15th day of the month  
7 following the month in which the taxes or assessments were required to be collected;  
8 and

9                   (4) either

10                           (A) files a bond in the amount of \$50,000; or

11                           (B) provides the department with proof that the applicant is the  
12 owner of lienable real property in the state of a value of at least \$100,000.

13 \* Sec. 3. AS 43.75.055(d) is amended to read:

14                   (d) A bond filed under (c) of this section must be conditioned upon  
15 [PAYMENT TO THE FISHERMAN OF THE FULL PURCHASE PRICE FOR THE  
16 FISHERY RESOURCE AND] the payment of the taxes under (c)(1) of this section [,  
17 INTEREST, AND PENALTIES] in full when due. [THE PROVISIONS OF (c) OF  
18 THIS SECTION DO NOT APPLY TO AN APPLICANT WHO HAS A  
19 RELATIONSHIP, AS THAT TERM IS DEFINED UNDER 26 U.S.C. 267(b), WITH  
20 A PERSON THAT PROCESSES A FISHERY RESOURCE.]

# FISCAL NOTE

REPORTED OUT  
 MAY 16 2003  
 SENATE FINANCE  
 COMMITTEE

**STATE OF ALASKA**  
**2003 LEGISLATIVE SESSION**

Fiscal Note Number: 2  
 Bill Version: CSHB 104(FISH)  
 (H) Publish Date: 3/26/03

Revision Date/Time (Note if correction): March 20, 2003 Dept. Affected: Revenue  
 Title Payment of Fisheries Business Tax BRU Revenue Operations  
 Component Tax Division  
 Sponsor Representative Stevens  
 Requester House Finance Committee Component No. 2476

**Expenditures/Revenues** (Thousands of Dollars)

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

| OPERATING EXPENDITURES | FY 2004     | FY 2005     | FY 2006     | FY 2007     | FY 2008     | FY 2009     |
|------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Personal Services      | 11.0        | 22.0        | 22.0        | 22.0        | 22.0        | 22.0        |
| Travel                 |             |             |             |             |             |             |
| Contractual            | 0.4         | 0.7         | 0.7         | 0.7         | 0.7         | 0.7         |
| Supplies               | 0.3         | 0.5         | 0.5         | 0.5         | 0.5         | 0.5         |
| Equipment              | 2.5         |             |             |             |             |             |
| Land & Structures      |             |             |             |             |             |             |
| Grants & Claims        |             |             |             |             |             |             |
| Miscellaneous          |             |             |             |             |             |             |
| <b>TOTAL OPERATING</b> | <b>14.2</b> | <b>23.2</b> | <b>23.2</b> | <b>23.2</b> | <b>23.2</b> | <b>23.2</b> |

|                             |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|
| <b>CAPITAL EXPENDITURES</b> |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|

|                               |    |    |    |    |    |    |
|-------------------------------|----|----|----|----|----|----|
| <b>CHANGE IN REVENUES ( )</b> | ** | ** | ** | ** | ** | ** |
|-------------------------------|----|----|----|----|----|----|

**FUND SOURCE** (Thousands of Dollars)

|   |             |             |             |             |             |             |
|---|-------------|-------------|-------------|-------------|-------------|-------------|
| 1002 Federal Receipts                   |             |             |             |             |             |             |
| 1003 GF Match                           |             |             |             |             |             |             |
| 1004 GF                                 | 14.2        | 23.2        | 23.2        | 23.2        | 23.2        | 23.2        |
| 1005 GF/Program Receipts                |             |             |             |             |             |             |
| 1037 GF/Mental Health                   |             |             |             |             |             |             |
| Other (Specify Type--Do not abbreviate) |             |             |             |             |             |             |
| <b>TOTAL</b>                            | <b>14.2</b> | <b>23.2</b> | <b>23.2</b> | <b>23.2</b> | <b>23.2</b> | <b>23.2</b> |

Estimate of any current year (FY2003) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

|           |     |     |     |     |     |     |
|-----------|-----|-----|-----|-----|-----|-----|
| Full-time |     |     |     |     |     |     |
| Part-time | 0.5 | 0.5 | 0.5 | 0.5 | 0.5 | 0.5 |
| Temporary |     |     |     |     |     |     |

**ANALYSIS:** (Attach a separate page if necessary)

\*\* The Department of Revenue is unable to predict with any degree of certainty if this change in security provisions for payment of the Fisheries Business Tax will result in any tax revenue loss to the state.

See attached page for further discussion.

Prepared by: Chuck Harlamert, Revenue Audit Supervisor Phone 465-4773  
 Division Tax Division Date/Time 3/20/03 4:04 PM  
 Approved by: Larry Persily, Deputy Commissioner Date 3/20/2003  
 Agency Department of Revenue

CC. ITTEE COPY

### Bill Analysis

Current Fisheries Business Tax rules allow processors to pay the tax on or before March 31 of the year following the tax year. Complimenting this deferral is a requirement that the processor provide the department with security to ensure ultimate payment of the tax.

Taxpayers have several security options available to them. A taxpayer can demonstrate equity in real property equal to three times its estimated tax, provide a bond for twice the estimated tax, prepay the estimated tax, establish a line of credit, or purchase a certificate of deposit in the amount of the estimated tax. All except the real property provide the state with a high degree of certainty the tax will be collected. With the possible exception of real property, the other existing options require a capital outlay or significant unrecoverable cost and therefore may represent a barrier to entry to new processors.

This legislation would reduce the up-front capital required to obtain a fisheries business license by providing processors the option of paying tax monthly, with a nominal bonding requirement.

### Sectional Analysis

**Section 1** provides for monthly payment of the Fisheries Business Tax, which is otherwise due March 31 of the following year.

**Section 2** makes the monthly payment option available to all fisheries businesses. The option is currently available only to fish brokers. AS 43.75.055(c)(1) is modified to require electing taxpayers to file a report and pay fish taxes on or before the 15<sup>th</sup> day of the month following the month in which the tax is incurred. The requirement to file on a report prescribed by the department does not replace existing reporting requirements.

**Section 3** modifies AS 43.75.055(d) to conform with the broadened application of the alternative security option.

### Revenue and Cost Estimates

While the new monthly security option created by the bill can significantly reduce the amount of capital required to enter the industry, it remains the most expensive option under most circumstances for fulfilling the statutory requirement of ensuring payment of taxes. We therefore expect that only thinly capitalized processors will choose the new option. Acting as a counterbalance to low usage is our expectation that these processors will, as a group, could be high risk. The department will need to carefully monitor payments from this group in order to immediately identify, and close down, processors that fail to make the monthly payments. For this purpose, and for incremental collection, licensing, and processing activity we request one-half position at the Tax Technician II level (Range 12) with total ongoing personnel and associated costs of \$23,200 annually.

# *Joint Legislative Salmon Industry Task Force*

## Legislative Members

Senator Ben Stevens, Chair  
Representative Gary Stevens, Vice-Chair  
Senator Kim Elton  
Representative Bill Williams  
Senator Alan Austerman, Alternate  
Representative Drew Scalzi, Alternate



## Public Members

Sue Aspelund  
Sam Cotten  
Duncan Fields  
Don Gilles  
John Lowrance  
Robin Samuelson  
Gary Slaven  
Stephanie Madsen, Alternate  
Chris Moss, Alternate

## Sponsor Statement

### Committee Substitute for House Bill 104(FSH)

"An Act relating to payment of the fisheries business tax and to security for collection of the fisheries business tax."

Under current law, absent a lienable value of property equal to three times the amount of the estimated tax, a surety bond must be paid equal to twice the estimated amount of the tax. The cost of the bond can be a burden to a company operating on a small margin.

Committee Substitute for House Bill 104(FSH) amends AS 43 by providing an option for fish processing applicants who are not able to meet the requirements currently in statute. Processors may avoid posting a bond for twice the amount of the estimated taxes if the business:

- Remits all tax obligations on a monthly basis by paying the taxes due on or before the 15<sup>th</sup> day of the month following the month in which the tax liability is incurred; and
- Files a bond in the amount of \$50,000; *or*
- Provides the Department of Revenue with proof that the applicant is the owner of lienable real property in the state of a value of at least \$100,000.

Committee Substitute for House Bill 104(FSH) will assist processors who do not have large property assets in developing their business plans and in managing their tax payment schedule. The measure would also encourage new processing investment in a time when the seafood industry needs to expand and diversify in the processing sector.

# Joint Legislative Salmon Industry Task Force

Legislative Members  
Senator Ben Stevens, Chair  
Representative Gary Stevens, Vice-Chair  
Senator Kim Elton  
Representative Bill Williams  
Senator Alan Austerman, Alternate  
Representative Drew Scalzi, Alternate



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Sue Aspelund  
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John Lowrance  
Robin Samuelson  
Gary Slaven  
Stephanie Madsen, Alternate  
Chris Moss, Alternate

## SECTIONAL ANALYSIS

### Committee Substitute for House Bill 104(FSH)

“An Act relating to payment of the fisheries business tax and to security for collection of the fisheries business tax.”

#### Section 1.

- Amends AS 43.75.030(d) to add a monthly tax provision included in section 2 of this measure.
- Reiterates that **all** taxes under AS 43.75 **must** be paid before April 1 after the close of the calendar year.

#### Section 2.

- Amends AS 43.75.055(c) to add the following options:
  1. A processor may elect to file a bond for \$50,000; **or** provide the Department of Revenue with proof of lienable property in the state with a value of at least \$100,000.
  2. A processor utilizing this option must pay the taxes due under AS 43 on or before the 15<sup>th</sup> day of the month following the month in which the liability for the payment of taxes was incurred.
- Reiterates the requirement already in statute that all the tax requirements of AS 43.76; 43.77; and, AS 16.51 are included in a processor's tax liability and paid to the Department of Revenue.
- Reiterates the requirement already in statute that taxes and assessments must be paid to the Department of Revenue on or before the 15<sup>th</sup> day of the month following the month in which the tax liability was incurred and collected.

#### Section 3.

- Amends AS 43.75.055(d) to require that a bond issued under (c)(1) of this section is conditioned upon the payment of taxes on or before the 15<sup>th</sup> day of the month following the month in which the tax liability was incurred and collected.

THE  
FOLLOWING  
DOCUMENT(S)  
ARE  
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ORIGINAL  
COPIES



# UNITED FISHERMEN OF ALASKA

March 20, 2003

211 Fourth Street, Suite 110  
Juneau, Alaska 99801-1172  
(907) 586-2820  
(907) 463-2645 Fax  
E-Mail: [ufa@ufa-fish.org](mailto:ufa@ufa-fish.org)  
[www.ufa-fish.org](http://www.ufa-fish.org)

Representative Bill Williams  
Representative John Harris  
Co-Chairs  
House Finance Committee  
Alaska State Legislature  
State Capitol (MS 3100)  
Juneau, AK 99801-1182

Dear Representatives Williams and Harris,

Re: HB 104 Payment of Fishery Business Tax

United Fishermen of Alaska supports this bill.

We support this bill because of the increased flexibility it provides to processors. This flexibility provides a more accommodating payment schedule and taxation structure, and reduces security requirements.

Our desire is that this legislation will foster a more diverse, expanded, and competitive processing sector that stimulates increase economic benefit for all sectors of the seafood industry.

Your consideration of our recommendation is appreciated.

Sincerely,

Thomas M. Gemmell  
Executive Director

Copy: Senator Ben Stevens  
Senator Gary Stevens  
Senator Fred Dyson  
Senator Tom Wagoner  
Representative Paul Seaton

#### MEMBER ORGANIZATIONS

Alaska Crab Coalition • Alaska Druggers Association • Alaska Longline Fishermen's Association • Alaska Trollers Association • Alaska Processors Association • Bristol Bay Reserve  
Chignik Regional Aquaculture Association • Chignik Seiners Association • Concerned Area "M" Fishermen • Cook Inlet Aquaculture Association • Cordova District Fishermen United  
Crab Rationalization and Buyback Group • Douglas Island Pink and Churn • Groundfish Forum • Kenai Peninsula Fishermen's Association • Kodiak Regional Aquaculture Association  
Kodiak Seiners Association • North Pacific Fishermen's Association • Nunavut Southeast Regional Aquaculture Association • Old Harbor Fishermen's Association  
Petersburg Vessel Owners Association • Prince William Sound Aquaculture Corporation • Puro Selma Vessel Owners Association • Seafood Producers Cooperative  
Southeast Alaska Regional Diver Fisheries Association • Southeast Alaska Seiners Association • Southern Southeast Regional Aquaculture Association  
United Cook Inlet Diver Association • United Seiners Association • United Southeast Alaska Gillnetters • Western Gulf of Alaska Fishermen

# SENATE COMMITTEE REPORT

DATE: 4/4/03

FURTHER: Finance

DATE TURNED  
IN TO OFFICE: 5-9-03

Resources Committee considered CS FOR HOUSE BILI. NO. 104(FSH)

## HB 104 PAYMENT OF FISHERY BUSINESS TAX

"An Act relating to payment of the fisheries business tax and to security for collection of the fisheries business tax."

and recommends:

**Senate Bill:**

be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)

same title

adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)

new title

**House Bill:**

attached amendment(s)

same title

technical title

new: SCR # \_\_\_\_\_

adopt Letter of Intent by \_\_\_\_\_ Committee

further referral to \_\_\_\_\_ Committee

**NEW FISCAL NOTE(S):**

| Department | Date | Fiscal | Zero | FN# |
|------------|------|--------|------|-----|
|            |      |        |      |     |
|            |      |        |      |     |
|            |      |        |      |     |
|            |      |        |      |     |
|            |      |        |      |     |

**PREVIOUS FISCAL NOTE(S):**

| Department | Date    | Fiscal | Zero | FN# |
|------------|---------|--------|------|-----|
| REV        | 3/20/03 | ✓      |      | 2   |
|            |         |        |      |     |
|            |         |        |      |     |
|            |         |        |      |     |
|            |         |        |      |     |
|            |         |        |      |     |

APPROPRIATION - no fiscal note

| SIGNATURES AND RECOMMENDATIONS: |                            | DO PASS | DO NOT PASS | NO REC | AMEND |
|---------------------------------|----------------------------|---------|-------------|--------|-------|
| Seekins                         | <i>Kelley Seekins</i>      | ✓       |             |        |       |
| B. Stevens                      | <i>Ben Stevens</i>         | ✓       |             |        |       |
| Wagner                          | <i>Wagner</i> - VICE-CHAIR | ✓       |             |        |       |
| Oyson                           | <i>Oyson</i>               |         |             |        |       |
| Lincoln                         | <i>Lincoln</i>             |         |             |        |       |
| Elton                           | <i>Elton</i>               | ✓       |             |        |       |
| CHAIR:                          | <i>[Signature]</i>         |         |             |        |       |

SENATE FINANCE COMMITTEE

SIGN-IN

HB 104-PAYMENT OF FISHERY BUSINESS TAX

NAME: Chuck Harlament Subject/Bill No: HB 104  
Co./Dept./Title: Dept. of Revenue Phone: 477-3  
Address: 1144 Ft. SOB Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

**HB**

**105**

**HFIN**

**FILE**

