

ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672

5541 SSTA SJR 55 - SJR 65

117

SJR

55



Senate State Affairs Committee

Senator Mitch Abood, Chairman

Senator,

Sharon Anderson from
Seward telephoned your
office today.

She is unable to attend
the teleconference today,
but would like to ~~to~~
convey her overwhelming
support for the NAVY
homeport legislation.

FEB 1 1988

CITY OF SEWARD

P.O. BOX 167
SEWARD, ALASKA 99601



- Main Office (907) 224-3331
- Police (907) 224-3338
- Harbor (907) 224-3138
- Fire (907) 224-3445
- Telecopier (907) 224-3248

January 28, 1988

MEMORANDUM

TO: THE HONORABLE TED STEVENS
THE HONORABLE FRANK MURKOWSKI
THE HONORABLE DON YOUNG
THE HONORABLE JAN FAIKS
THE HONORABLE RICK HALFORD
THE HONORABLE JAY KERTTULA
THE HONORABLE MIKE SZYMANSKI
THE HONORABLE BETTE CATO
THE HONORABLE STEVE COWPER
MAJOR GENERAL JOHN W. SCHAEFER

FROM: LINDA S. MURPHY, CMC, CITY CLERK
CITY OF SEWARD, ALASKA

SUBJ: CITY OF SEWARD RESOLUTION NO. 88-013
ENDORING THE HOMEPORTING OF NAVY VESSELS IN ALASKA

Enclosed for your information is a copy of city of Seward Resolution No. 88-013, endorsing the homeporting of U. S. Navy vessels in the state of Alaska, approved by the City Council on Monday, January 25, 1988.

The City Council would appreciate your support of the Alaska State Senate's proposal to bring the U. S. Navy to Alaskan waters.

Enclosure

Sponsored by: Gieseler

CITY OF SEWARD, ALASKA
RESOLUTION NO. 88-013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SEWARD, ALASKA, ENDORSING THE STATE SENATE PROPOSAL
TO HOMEPORT U.S. NAVY VESSELS IN THE STATE OF ALASKA

WHEREAS, the Alaska State Senate is developing a proposal for the homeporting of U. S. Navy vessels in Alaska; and

WHEREAS, Alaska coastal communities and the state of Alaska will benefit economically from the homeporting of Navy vessels here; and

WHEREAS, an influx of federal dollars through Navy payroll and provisioning will have a stabilizing effect on the state's economy; and

WHEREAS, Alaskan waters will provide a strategic location for the U. S. Navy;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA, that:

Section 1. The city of Seward endorses the Alaska State Senate's proposal to homeport U. S. Navy vessels in the state of Alaska.

Section 2. The city of Seward urges our congressional delegation to work with the state of Alaska and the appropriate federal agencies to homeport an element of the U. S. Navy in the state of Alaska.

Section 3. Copies of this resolution shall be forwarded to the Honorable Senators Stevens and Murkowski; the Honorable Representative Young; the Honorable State Senators, Faiks, Kerttula, Halford and Szymanski; the Honorable State Representative Cato; and the Honorable Governor Cowper.

Section 4. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA, this 25th day of January, 1988.

CITY OF SEWARD, ALASKA
RESOLUTION NO. 88-013

THE CITY OF SEWARD, ALASKA



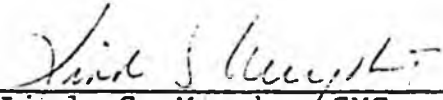
HARRY E. GIESELER, MAYOR

AYES: DUNHAM, GIESELER, HILTON, MEEHAN, NOLL & SIMUTIS
NOES: NONE
ABSENT: O'BRIEN
ABSTAIN: NONE

ATTEST:

APPROVED AS TO FORM:

HUGHES, THORSNESS, GANTZ,
POWELL & BRUNDIN, Attorneys
for the City of Seward, AK



Linda S. Murphy, CMC
City Clerk

Fred B. Arvidson
City Attorney

(City Seal)

Conal



Alaska State Legislature

RECEIVED
FEB 4 1988

Please enter into the record my testimony to the State affairs committee
committee name
committee on Senate joint Resolution # 55, dated 2-3-88
bill/subject

I think it is the obligation for the people of the State of Alaska to participate in this homeport project, also it is our patriotic duty to support this bill for the defense of America.

It will also be a boost to the economy for the state of Alaska, Washington and Oregon.

There are many natural harbors along the coast line of Southeast Alaska that is suitable for such a home port

I strongly support Senate joint Resolution No. 55

Signed: Debra L Shull
Testifier

Representing (Optional)
Rt 1 Box 804 Ketchikan, Alaska, 99901
Address
247-8333
Phone No.



Alaska State Legislature

Please enter into the record my testimony to the State Affairs Committee
 committee name
 committee on Navy Home Port SIR-55, dated 2-3-88
 bill/subject

I would like to offer my full support to the Navy, including financial support from the state - Alaska is desperately in need of a more diversified economy - At present our Alaskan waters are not being used to ~~1/10~~ their potential - It would continually enhance our peoples opportunities for a decent living, if we had strong Navy presence

Signed: Bell J Smart
 Testifier

Representing (Optional)
414 Grant - Box 8200 KTN AK 99901
 Address
225-5568
 Phone No.

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 22, 1988

The Honorable Jan Faiks
President of the Senate
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Senator Faiks:

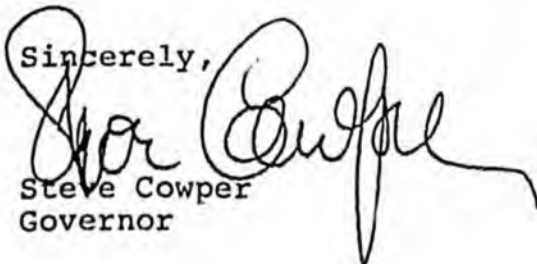
Under the authority of art. III, sec. 18 of the Alaska Constitution, I am transmitting a joint resolution on establishing a United States Navy homeport in Alaska.

As the presence of foreign powers in Alaska waters expands, it is particularly appropriate that the state and its communities offer feasible and attractive incentives to homeport Navy operations. Our extraordinary coastline and strategic geographical position for trade and defense makes Alaska a vital region for Naval presence.

Alaska can offer the Navy meaningful and substantive incentives to bring personnel and operations to our shores. I am confident that once those specific options are identified we can secure Navy presence. Such participation will bring great benefits to our economy.

I welcome your support of this resolution which officially invites the Navy to station personnel, vessels and support services in Alaska.

Sincerely,


Steve Cowper
Governor

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: _____
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Relating to Establishing a U.S. Navy
Home Port in Alaska
Sponsor: Rules Committee
Requestor: Governor

Agency Affected: Military & Veterans Affairs
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Passage of this resolution will have no direct fiscal impact on state agencies. However, the development of an infrastructure to support whatever Alaskan port(s) the U.S. Navy selects for home porting will require a considerable investment of state funds. The funds needed for this purpose will need to be appropriated by the Legislature.

Prepared by: Jeff Morrison *J Morrison* Phone: 465-4600
Division: Administrative and Support Services Date: January 21, 1988

Approved by Commissioner: MG John W. Schaeffer *J Morrison* Date: January 21, 1988
Agency: Military and Veterans Affairs

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Original sponsor: Rules/Governor

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 CS FOR SENATE JOINT RESOLUTION NO. 55 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 Relating to establishing a United States
6 Navy homeport in Alaska.

7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 WHEREAS naval activities in the North Pacific and Arctic Ocean have
9 increased dramatically in recent years to the extent that more foreign
10 vessels now operate in these waters than the United States registers or
11 deploys worldwide; and

12 WHEREAS Alaska, the United States and Canada are vulnerable to econom-
13 ic and military pressures from the potential foreign capability to operate
14 in northern oceans with nuclear and conventional polar class icebreakers
15 and other ice-strengthened ships; and

16 WHEREAS Alaska's coastline of approximately 6,640 miles is longer than
17 that of the rest of the continental United States; and

18 WHEREAS Alaska is opening to international trade and exchange that
19 supports greater naval presence; and

20 WHEREAS Alaska occupies a pivotal position in relation to the Pacific
21 and Arctic Rims; and

22 WHEREAS Alaska contains vast quantities of natural resources that are
23 of strategic importance to the United States; and

24 WHEREAS, in addition to its strategic geographical location, Alaska
25 can offer the United States Navy state land and resources and a willingness
26 to work cooperatively and to expend at least \$100,000,000 to develop
27 infrastructure and capital improvements necessary for the establishment of
28 a major, long-term Navy homeport in Alaska; and

29 WHEREAS establishing a Navy homeport at one or more Alaskan

1 communities could provide greater sustainability for naval operations in
2 the North Pacific and Arctic Oceans;

3 BE IT RESOLVED that the Governor and the Alaska State Legislature
4 strongly urge the United States Navy to consider establishing a homeport at
5 a community on the coast of Alaska.

6 COPIES of this resolution shall be sent to the Honorable Frank
7 Carlucci, Secretary of Defense; to the Honorable James H. Webb, Jr., Secre-
8 tary of the Navy; and to the Honorable Ted Stevens and the Honorable Frank
9 Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative,
10 members of the Alaska delegation in Congress.
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Original sponsor: Rules/Governor

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Original sponsor: Rules/Governor

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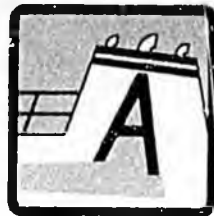
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*navy
homeporting*



2

ANDERSON TUG & BARGE CO.

BOX 1315 • SEWARD, ALASKA 99664
(907) 224-5506

February 4, 1988

Senator Mitch Abood
Pouch V
Juneau, Ak. 98111

Dear Senator Abood,

Please include the following page as our favorable testimony towards Navy homeporting in the State of Alaska and hopefully in Seward.

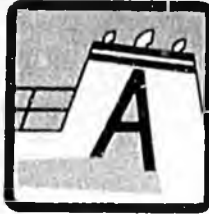
Thank you.

Sincerely,

Sharon Anderson

Mrs. Sharon E. Anderson

RECEIVED
FEB 8 1988



ANDERSON TUG & BARGE CO.

BOX 1315 • SEWARD, ALASKA 99664
(907) 224-5506

John C. & Sharon Anderson
P.O. Box 1315
Seward, Ak. 99664
224-5506

RECEIVED
FEB 8 1988

We have been working since May, 1985 to strengthen ties between the Navy and Alaska and encourage the use of our ports for R&R stops and somewhere down the line for ships to be permanently based in Alaska.

Our community has greatly enjoyed the minesweepers, destroyers, frigates, subtender and SSBN USS ALASKA visits and would certainly welcome any on a permanent basis. Many people have stopped in our office these past few weeks wondering what they could do to help get the momentum moving towards 1988 instead of waiting until the 1990's for a decision by the Dept. of Navy.

We are highly encouraged at the swift action being taken by the State and the Navy regarding homeporting in Alaska. The Anderson's are 100% for it!

(Homeporting) RECEIVED
FEB 10 1988

Submitted by:

CHRIS TOAL, Executive Director SANE/Alaska
3605 Arctic Blvd., #1717
Anchorage, AK 99503 272-0621

Statement of

Rear Admiral Eugene J. Carroll, Jr., USN (Ret.),

Deputy Director,

Center for Defense Information

before the

Military Installations and Facilities Subcommittee

House Armed Services Committee

February 26, 1986

Prepared Statement of Rear Adm. Eugene J. Carroll Jr., USN (Ret.)

Mr. Chairman and Members of the Committee:

The Center for Defense Information, a private military research organization led by retired flag and general officers, wishes to express its opposition to the U.S. Navy Strategic Homeporting plan.

The Center believes that there is no military justification for Strategic Homeporting, that the additional costs and personnel requirements are unwarranted, and that it creates safety risks where they are unnecessary.

Militarily Unwise

Strategic Homeporting is the Navy's plan to disperse ships around the nation in order to make them less vulnerable to attack and place them closer to areas of potential conflict. However, in my opinion the concept is utterly without military utility.

The "strategic dispersal" policy does little to make warships less vulnerable to nuclear attack. The new bases create at most one dozen new naval targets which could easily be obliterated by two dozen nuclear warheads. The Soviet Union would have little difficulty assigning 24 of its 9,500 strategic nuclear weapons to the new targets.

Strategic dispersal makes even less sense in a conventional war. The Soviet surface navy poses no threat to U.S. ports. Soviet submarines could conceivably conduct limited minelaying operations to block access to the sea from U.S. ports. However, dispersing the fleet does not resolve this potential problem

and, in fact, complicates it by adding more ports to clear of mines. It makes no sense to disperse our Navy's ships to many different bases when we don't have sufficient mine countermeasure ships (MCM) to clear more than one port at a time. The Navy plans to expand its fleet of MCMs and minesweeper hunter ships to a total of only 31 ships. This is totally inadequate to break out naval forces even from existing bases.

The Navy has also claimed that dispersing ships would make them less vulnerable to sabotage or terrorism. This contention is absurd on its face. Protecting nuclear-capable ships from terrorism in New York City, or other metropolitan areas, is a base commander's nightmare.

Dispersing the fleet will not, in most cases, speed naval response to areas of potential conflict. In the event of a growing crisis or of significant conflict, effective naval forces must be assembled from major bases nationwide, in order to perform required military tasks. The U.S. will never merely send warships that are closest to the area of concern. It must send a naval force adequate to operate effectively against hostile or potentially hostile forces. In addition, steaming time to areas of potential conflict from the proposed new bases would not be significantly shorter than from already existing facilities.

The Navy has also contended that homeporting on both coasts would provide an opportunity "to train and operate in a variety of environments." The climatic and geographical differences between Corpus Christi and Staten Island hardly merit a \$1 Billion expense. In addition, training at the new bases

will not eliminate the need to conduct naval exercises worldwide nor the need to conduct formal training at existing fleet training facilities in the Caribbean and Hawaiian areas.

The Congressional General Accounting Office (GAO) in a 1985 report also challenged the military utility of dispersing the fleet. The "strategic and operational need for the new homeports is questionable," the report said, and dispersing ships "may not improve the survivability of the 600 ship Navy"

Another specious argument is that Strategic Homeporting will increase "unit integrity." Quite the opposite is true. Spreading ships around the three coasts of the United States in small increments of one to 13 ships will degrade the ability of fleet commanders to build unit integrity and to supervise the training of effective battle groups and battle forces. In truth, "unit integrity" is an impossible Navy dream under any circumstances because various classes of warships have different overhaul cycles. Unit composition is always in a state of uncontrollable flux as individual ships are removed and replaced to meet the overriding demands of the overhaul schedule.

Spreading Ships and Spreading Influence

The Navy's intentions have more to do with spreading its influence than dispersing its fleet. This was partially acknowledged by Navy Secretary John Lehman who has called the dispersal plan a "consciousness raiser" for legislators who might not have paid adequate attention to naval issues. The Navy, under the current Administration, has been particularly interested in currying political favor as it presses ahead with

its ambitious plan for a 600 ship navy.

Nowhere has this attempt to gain political favor been more bald-faced than on the Gulf Coast where nearly every municipality that lobbied for the battleship Wisconsin was awarded some naval vessel as a consolation prize.

Unnecessarily Costly

The wisdom of the homeporting plan has been challenged on many fronts. "Fiscal conservatives" were among the leaders of the effort that resulted in Congress's temporary ban on further spending on ship dispersal.

The GAO has also harshly criticized the plan, estimating that costs of the program nationwide could exceed \$1 Billion with annual operating costs of some \$30 million for each new base. For the money we plan to spend on new support facilities for carrier battle groups and surface action groups, we could instead build and operate enough minesweepers to ensure that our ships can sail out of existing ports safely in the event of a conflict.

The Navy has said that the new naval bases are needed to accommodate the additional 130 ships to be added to the fleet under the current expansion to 600 ships. During the Vietnam War, however, the U.S. operated a 1,000 ship Navy with essentially the same number of bases we have now. Since then we have added major new submarine bases on both coasts and now homeport one carrier and supporting surface ships in Japan.

The GAO contends that existing naval facilities could easily support the new ships that are proposed at little cost. For example, the ships planned for Corpus Christi could be ported at

the existing naval facility in Norfolk, Virginia where the battleship Iowa is now berthed. The aircraft carrier planned for Pensacola could be accommodated in Mayport, Florida where two carriers are currently ported. According to the GAO, both of these facilities could accommodate the new ships immediately if that were necessary. In addition, many of the new sites are entirely "barren land" and would require construction from the ground up, a construction program which will take years to complete.

The greatest cost of Strategic Homeporting will be in additional personnel requirements. Each new facility must be provided with a security force, communications personnel, logistics support elements, housing and family support activities, maintenance personnel, and people for a myriad of other functions which are already available at existing bases. Faced with a shrinking pool of eligible recruits in the coming years plus increased requirements to man the 600 ship Navy, unnecessary increases in shore support personnel cannot be justified. As personnel shortfalls develop late in this decade, Congress will be asked for even greater increases in recruiting and retention incentives to protect our huge investment in new ships. Adding unneeded shore support personnel will aggravate the pressure for these incentives and raise total compensation requirements at the same time Congress is looking for ways to cut budget deficits, not increase them. Demographics at the end of the decade will make it extremely difficult even with regular pay raises, to maintain recruitment of high quality young people.

Another substantial personnel cost not addressed by the Navy will be training costs. Because most of the new homeports will

be for a very few ships, it will not be feasible to provide technical and professional training support at each site. The consequence will be a continuous stream of people travelling to and from the Strategic Homeport ships to established bases where such support already exists. The travel and per diem costs associated with such training will be high. This Committee should require the Navy to submit a positive plan to accommodate these increased costs in budgets where Congress is already looking for ways to reduce military travel costs.

A Floating Nuclear Arsenal

Approximately 85% of U.S. Navy warships are equipped to carry and employ nuclear weapons. Such warships are said to be "nuclear capable," meaning that when trained and armed for combat they will carry nuclear weapons.

According to Congressional testimony and documents released by the Chief of Naval Operations, two new carrier battle groups of nine ships each and three surface action groups will be added to the Navy's force structure as part of Strategic Homeporting. In all, 65 active and reserve vessels in 14 different cities will be assigned ships under the dispersal plan. CDI has determined that at least 28 of the warships in eight locations will be nuclear capable. These locations are: Corpus Christi, Everett, Mobile, New York, Pascagoula, Pearl Harbor, Pensacola, and San Francisco.

Moreover, it is the experience of the retired naval officers at CDI that all U.S. warships which are capable of carrying nuclear weapons, do, in fact, carry nuclear weapons. At a

minimum, the nuclear capable ships in the Strategic Homeporting plan will carry the ASROC anti-submarine missile--a weapon with both a conventional and nuclear capability. The nuclear capable ASROC is armed with short-range, low-yield tactical warheads. The attack aircraft carriers scheduled for Pensacola and Everett will be equipped and trained to employ aircraft-delivered nuclear bombs and anti-submarine depth charges.

In addition, congressional testimony over the past three years indicates that each of the refurbished battleships will be certified to carry the long-range and more potent nuclear-tipped Tomahawk cruise missile. Other ships planned for strategic homeporting are also likely to carry these nuclear sea-launched cruise missiles.

Because the presence of nuclear weapons from time to time is certain, CDI urges Congress to address the issues of safety posed by the porting of nuclear capable ships in heavily trafficked areas. To date, the Navy has not considered questions of nuclear safety in the draft and final environmental impact statements (DEIS and EIS) that it has completed. CDI believes studies that omit this information are incomplete and therefore do not meet the standards required by the National Environmental Policy Act of 1969.

The presumption that nuclear weapons will be present in many of the new ports requires that responsible local and state authorities have the information they need to plan for a possible accident or other emergency involving nuclear weapons. Planning and training for a nuclear accident must be done in

advance. Waiting until an accident occurs is irresponsible.

"Neither Confirm Nor Deny"

The Navy's policy of neither confirming nor denying the presence of nuclear weapons on particular ships is not primarily designed to protect sensitive military information from a potential enemy, as the Navy has claimed. Prudent planning requires a potential enemy to assume the presence of nuclear weapons on nuclear-capable ships at all times. The Navy policy has little to do with confusing the Soviet Union. It has a great deal to do with confusing the populations of those towns and cities where the weapons are to be stationed. By not conceding that our warships do carry nuclear weapons, the Navy hopes to frustrate efforts at stirring local opposition to the nuclear capable ships.

Don't Fund Strategic Homeporting

In closing, CDI notes that one of the primary boosters of Strategic Homeporting is Texas Senator Phil Gramm who is also co-sponsor of recently passed legislation bearing his name aimed at balancing the federal budget by 1991. By CDI's estimate the Gramm-Rudman-Hollings legislation will require that defense appropriations be cut by as much as \$240 Billion dollars over the next four years. CDI recommends that Congress begin the task of cutting the military budget by not funding the costly and unnecessary Strategic Homeporting plan.



Center for Defense Information

BIOGRAPHICAL DATA

Rear Admiral Eugene J. Carroll, Jr., USN (Ret.)

Rear Admiral Eugene J. CARROLL, Jr., was commissioned as an Ensign in April 1945. His early service as a Naval Aviator included ten months flying AD Skyraiders from aircraft carriers in the Pacific during U.N. operations in Korea. Following a series of assignments in the Atlantic Fleet, he commanded two light jet attack squadrons of A-4 Skyhawk aircraft. Transferred to the Pacific Fleet in 1965, he served a total of six years with units engaged in the Vietnam campaign. His assignments there included command of the amphibious assault ship, USS OGDEN (LPD-5) and the aircraft carrier, USS MIDWAY (CVA-41).

Promoted to the rank of Rear Admiral in 1972, he served as Commander of Task Force 60, the carrier striking force of the U.S. Sixth Fleet in the Mediterranean.

Admiral Carroll served on General Alexander Haig's staff in Europe from 1977 to 1979. He was the first naval officer to serve as Director of U.S. military operations for all U.S. forces in Europe and in the Middle East. His last assignment on active duty was in the Pentagon as Assistant Deputy Chief of Naval Operations for Plans, Policy and Operations. In this capacity he was engaged in U.S. naval planning for conventional and nuclear war.

During his 37 years of active service Admiral Carroll was awarded the Defense Superior Service Medal, the Legion of Merit with three gold stars, the Bronze Star Medal with combat "V" and gold star, the Air Medal with four gold stars and numerous campaign ribbons for service in World War II, Korea and Vietnam.

A graduate of both the U.S. Navy and U.S. Army War Colleges, Rear Admiral Carroll holds B.A. and M.A. degrees in International Relations from George Washington University. He is now serving as Deputy Director of the private, non-governmental Center for Defense Information in Washington, D.C. He is actively engaged in research and analysis concerning major defense issues and is writing and speaking on the need for rational military programs which will meet the long-term national security interests of the United States.

June 1986

Gene R. La Rocque
Rear Admiral, USN (Ret.)
Director

Eugene J. Carroll, Jr.
Rear Admiral, USN (Ret.)
Deputy Director

William T. Fairbairn
Major General, USMC (Ret.)
Associate Director

Kermit D. Johnson
Major General, USA (Ret.)
Associate Director

James A. Donovan
Colonel, USMC (Ret.)
Associate Director

James T. Bush
Captain, USN (Ret.)
Associate Director

that it is quite possible—and indeed this is supported by Soviet literature—that there could be a confrontation between the superpowers, a period of rising tensions and a conventional exchange.

□ 2100

Our naval brass argues that in that kind of scenario our naval forces would be more secure if dispersed and the job of our adversary more complicated in terms of mining, interdiction and the interception of our ships as they go to deep waters.

There is some credibility to that argument. But is that a likely scenario? I think not. Navy officials themselves have indicated that a conventional threat is relatively low. If the threat is low, it is difficult for me to see the gain of dispersing this fleet. Certainly it is not compulsive.

In fact, I would suggest to my colleagues that dispersing our naval forces may very well reduce ship survivability. For example, these proposed new home ports are open commercial ports, and they freely welcome all the shipping in the world. Not so in Hampton Roads and San Diego. As a condition for maintaining a fleet presence in those ports we have closed our ports to Eastern bloc shipping because it represents a very clear danger to those naval forces.

I remember many years ago being petitioned by the chamber of commerce in Hampton Roads area saying no other ports have to live with that kind of limitation and loss of economic opportunities. Let us open it up, our port they argued. Well, Congressman BILL WHITEHURST, a senior member of the House Armed Services Committee and I received an in-depth Navy briefing on the threat posed by Eastern bloc shipping to our naval forces. It is a very real one. And that real threat will now exist in all these new home ports that are open to the commercial shipping of the Eastern bloc and the Soviet Union. Surveillance, sabotage, mining, and other risks will be imposed. Mr. President, strategic homeporting does not make our forces more secure; this program will make our naval ships and personnel more vulnerable.

Let me address one other argument.

It is argued that the dispersal of our naval forces will in some way aid our industrial base and add to our ship repair capability. This argument for strategic homeporting simply defies all logic. Existing home ports and private shipyards have more than adequate ship repair capability to meet the Navy's demands. There is no reason to increase ship repair capability in new home port areas when existing yards—like the outstanding shipyards in Hampton Roads—can meet those needs and need the work. Our industrial base will be maintained, Mr. President, by building more ships, not by spreading around an inadequate

amount of work to additional shipyards.

Let me bring all of this to a close by simply saying that I cannot support the homeporting proposal. Not only is the cost of strategic homeporting unacceptably high, but it yields operational improvements of a marginal value. Our scarce and valuable taxpayer dollars should be spent for other more pressing national requirements.

I urge the adoption of this amendment.

Mr. PELL and Mr. GOLDWATER addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. GOLDWATER. Mr. President, I rise to support this amendment. I want to speak very, very briefly as to why.

Mr. President, tonight we have heard from Colonel GLENN, or Senator GLENN, a man who has been trained as a fighter pilot, as a fighter, as an officer by the Marine Corps. He knows what he is talking about. We have also heard from Senator DENTON, who is trained in military at the Naval Academy. He has had a distinguished war record of which we are all very proud.

So when I eliminate Senator GLENN, who is voting with me on this amendment, it is very difficult for me to stand up and oppose so many of my friends. I think of Senator WARNER, Senator CHAFFE, Senator STENNIS, one of my oldest friends in this body, and it is not easy to take this position. But it would be very difficult for me to live with my conscience if I voted any other way tonight.

A number of months ago I made the statement that this is one of the biggest political boondoggles I ever heard of. I used the word "boondoggle." It has been referred to tonight in some other way. But it all adds up to the same thing.

We have 13 States, Mr. President, that are indebted to the Secretary of the Navy. That is 26 votes for anything that the Secretary of the Navy happens to want. I think it was a brilliant political idea, probably one of the best that we are ever going to be confronted with while we are in the U.S. Senate. We have had the fact driven home to us that there has been no opposition from the Navy admirals. Who expects a Navy admiral to complain? Would an Air Force officer complain if this were an Air Force matter or an Army person complain if it were an Army matter? Lord knows what the Marines would do.

Mr. President, this whole thing to me is ludicrous. I think it is a terrific waste of money. I make this prediction. I will not be here to see if it is true or not because I will be out home, and I read the papers. This is going to cost over \$10 billion before you are through fooling around with this homeporting. Somebody might say, "Why didn't you get a home port in Arizona?" [Laughter.]

I thought about it. But we would have to truck them quite a ways. [Laughter.]

Mr. NUNN. If the Senator will yield on that, we are going to try to arrange for the Navy's new tall ship to be stationed in Arizona. We hear you have a lot of wind there.

Mr. GOLDWATER. We have more wind than we know what to do with. In fact, we have a lot of dry air out there, and, in fact the trees chase the dogs. [Laughter.]

So, Mr. President, I am glad all of this debate and this argument and all of that is over. We have spent 5 hours on this helping 13 States, but in particular 2 States. I am particularly opposed in every way, strategy, economics, any way you want to look at it.

I yield the floor.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, I rise in opposition to the amendment before us. In my view, the issue before the Senate is not one of funding nor of politics but one of maritime necessity. No one disputes that the \$141 million contained in the defense bill for homeporting will benefit specific localities. Appropriations always help someone.

The important point, though, is that military experts are agreed that dispersing the fleet is a strategic necessity. Some have said that this concept was a fine idea for World War II but has no relevance for the nuclear age. I would say that just the opposite is true. If war should occur, nuclear escalation is possible but not inevitable. This terrible prospect is inversely related to our conventional capabilities and strategic options—the less able we are to fight at a conventional level, the more likely that nuclear escalation will occur. Strategic homeporting, as devised by Secretary Lehman, enhances our conventional posture and flexibility thereby raising the nuclear threshold. Thus no concept could be more relevant to the nuclear age than strategic homeporting. Moreover, in addition to increasing survivability, strategic homeporting will result in decreased sailing time in order to form battle groups, enhancing our flexible response and deterrence and allowing us to prosecute a war more effectively at the conventional level.

I am particularly pleased, Mr. President, to see that the Navy is making the very same arguments today about dispersing the fleet that my senior colleague (Mr. Pastore) and I made 13 years ago when the Navy regrettably, and wrongly, pulled out of the Northeast to concentrate its forces in the ports of Norfolk, Charleston, and Mayport.

I remember at that time 13 years ago making the argument that by withdrawing to southern ports the Navy was increasing the steaming time to the North Sea area from between 12 to 41 hours. Hours are critical at a time when a rapid response is neces-



Alaska State Legislature

1

Please enter into the record my testimony to the State Affairs Committee
 committee name
 committee on SJR No 55, dated 2/3/88
 bill/subject

My name is Don Dietz, President of U.S. Navy League Council 151 Alaska, whose membership is over 200 strong throughout the state. The Navy League Council in Alaska, as have other Navy League Councils throughout the other states, has strongly supports the efforts of Navy homeporting. therefore we strongly support the passage of SJR-55. This is Alaska's first legislative action, a positive step in the necessary direction to welcome the Navy to Alaska.

Homeporting Navy vessels in U.S. Ports and in foreign ports is an ever changing evolution of Naval Progress. Just as we learn today that the city of San Diego finds it is

Signed: Don Dietz
 Testifier

DONALD L. DIETZ, U.S. NAVY LEAGUE
 Representing (Optional)
6133 STAEDEN DRIVE, ANCHORAGE, AK 99504
 Address
337-1258
 Phone No.

RECEIVED
 FEB 4 1988

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**



Alaska State Legislature

1

Please enter into the record my testimony to the State Affairs Committee
committee name

committee on SJR No 55 , dated 2/2/88
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Signed: Donald L. Dietz
Testifier

DONALD L. DIETZ, U.S. NAVY LEAGUE

Representing (Optional)

6133 STAEDEM DRIVE, ANCHORAGE, AK 99504

Address

337-1258

Phone No.

RECEIVED

FEB 4 1988

② loosing the homeporting of 6 Frigate class Navy vessels, due to old age - Alaska finds itself on the leading edge to gain the homeporting of Navy vessels. The Navy's operational requirements are ever changing and now renewed homeporting in Northern latitude waters, Alaska is becoming a new requirement. →

The question and challenge to Alaska therefore is... will Alaska be ready to accommodate this change? Will Alaska have upgraded selected port facilities which make Alaska attractive? Will we have invested the up-front dollars which will be repaid back to Alaskan economies many times over?

We in the Navy League stand beside and support our Congressional delegation in Washington, our State Legislators, our Governor, our Mayors and other state officials in order to bring their opportunity to pass. As a strong unified team, with one common goal, which is to prepare Alaska for the Navy's next decision, we can do it.

Let's now get ~~the~~ ^{state level} actions underway, set a purposeful course leading the Navy towards Alaska and call for flank speed.
Thank you

SJR

56

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION : SJR 56
PUBLISH DATE : 1/26/88

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: _____
Title: Requesting FAA redescribe Air Defense
Zones n. of contiguous 48 states of U.S. BRU: _____
Sponsor: Halford et al Components: _____
Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

[Empty box for analysis]

Prepared by: Senate State Affairs Committee Phone: 465-4522
Division: _____ Date: _____
Approved by: Senator Mitch Abood Date: 2-1-88
Agency: Senate State Affairs Committee

Distribution (by preparer):
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Greater Fairbanks

Chamber

of Commerce

First National Center
100 Cushman Street

(907) 452-1105

P.O. Box 7446
Fairbanks, Alaska 99707

RESOLUTION 1 - 0188

WHEREAS, the Greater Fairbanks Chamber of Commerce is concerned about the economy in Fairbanks, and

WHEREAS, the federal government frequently institutes regulations and laws which have detrimental effects on the economy, and

WHEREAS, the International Cessna 170 Association has chosen to convention in Fairbanks during July 1988, with an expected attendance of 100 airplanes most of which will be Cessna 170s ranging in age from 32 to 40 years old, and

WHEREAS, the Federal Aviation Administration has recently instituted a regulation requiring 12 inch registration numbers on aircraft penetrating the Alaska Domestic Air Defense Identification Zone or the Distant Early Warning Identification Zone, and

WHEREAS, the reason for requiring 12 inch numbers is to assist Customs in identifying aircraft suspected of running drugs across ADIZs or DEWIZs, and

WHEREAS, these regulations will likely have a negative impact on the number of tourists coming to Alaska by aircraft, for the Cessna 170 Convention and other purposes,

THEREFORE BE IT RESOLVED, that the Greater Fairbanks Chamber of Commerce supports the repeal of regulation FAR 45.21 (h) requiring 12 inch numbers for Alaska, and its companion regulation FAR 45.11 (a) and (d), and

BE IT FURTHER RESOLVED, that if the regulations cannot be repealed for Alaska then a special blanket exemption be granted for the International Cessna 170 conventioners.

DATED THIS

4th

DAY OF

January

1988.

BY

Mike Kelly, Chairman

BY

W.R. Cox, President & C.E.O.

Introduced by: City Council Members
Date: January 11, 1988

RESOLUTION NO. 2921

A RESOLUTION IN SUPPORT OF THE REPEAL OF
FEDERAL AVIATION REGULATION (FAR) 45.21
(h) AND 45.11 (a) and (d).

WHEREAS, the Greater Fairbanks Chamber of Commerce is concerned about the economy in Fairbanks, and

WHEREAS, the federal government frequently institutes regulations and laws which have detrimental effects on the economy, and

WHEREAS, the International Cessna 170 Association has chosen to convention in Fairbanks during July 1988, with an expected attendance of 100 airplanes most of which will be Cessna 170s ranging in age from 32 to 40 years old, and

WHEREAS, the Federal Aviation Administration has recently instituted a regulation requiring 12 inch registration numbers on aircraft penetrating the Alaska Domestic Air Defense Identification Zone or the Distant Early Warning Identification Zone, and

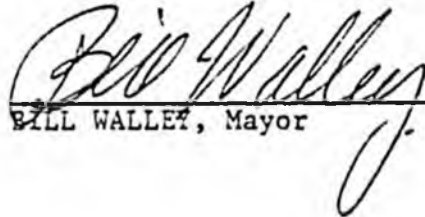
WHEREAS, the reason for requiring 12 inch numbers is to assist Customs in identifying aircraft suspected of running drugs across ADIZs or DEWIZs, and

WHEREAS, these regulations will likely have a negative impact on the number of tourists coming to Alaska by aircraft, for the Cessna 170 Convention and other purposes,


NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA supports the repeal of regulation FAR 45.21 (h) requiring 12 inch numbers for Alaska, and its companion regulation FAR 45.11 (a) and (d), and

BE IT FURTHER RESOLVED, that if the regulations cannot be repealed for Alaska then a special blanket exemption be granted for the International Cessna 170 conventioners.

PASSED and APPROVED this 11th day of January, 1988.


BILL WALLEY, Mayor

ATTEST:


NORMA J. MARKS, Acting City Clerk

MIS:RESO 2921:njm

BRIEFING ITEM FOR AVIATION FORUM

SUBJECT: AIR DEFENSE IDENTIFICATION ZONE (ADIZ) REALIGNMENT

Proposed effective date: May 5, 1988.

BACKGROUND

The military has decided that the ADIZ realignment is necessitated by the various North American Aerospace Defense Modernization initiatives and HQ NORAD direction to simplify identification zones for North America.

CHANGES

The terms "Coastal ADIZ," "Domestic ADIZ," and "Distant Early Warning Identification Zone (DEWIZ)" will be eliminated. Henceforth, "ADIZ" will be the only term used regarding identification zones.

Significant Alaskan NORAD Region changes.

1. The Alaskan ADIZ will include all of the Aleutian Islands (current DEWIZ does not).
2. Off the Alaska north coast, the ADIZ line will extend northward an additional 120 nautical miles.
3. A portion of the existing ADIZ line between Alaska and Canada will be eliminated (see marking on proposed realignment chart).
4. Establish ADIZ along southeast coast of Alaska to cover gap which presently exists between the Canadian Coastal ADIZ and the Alaskan DEWIZ.

Other changes.

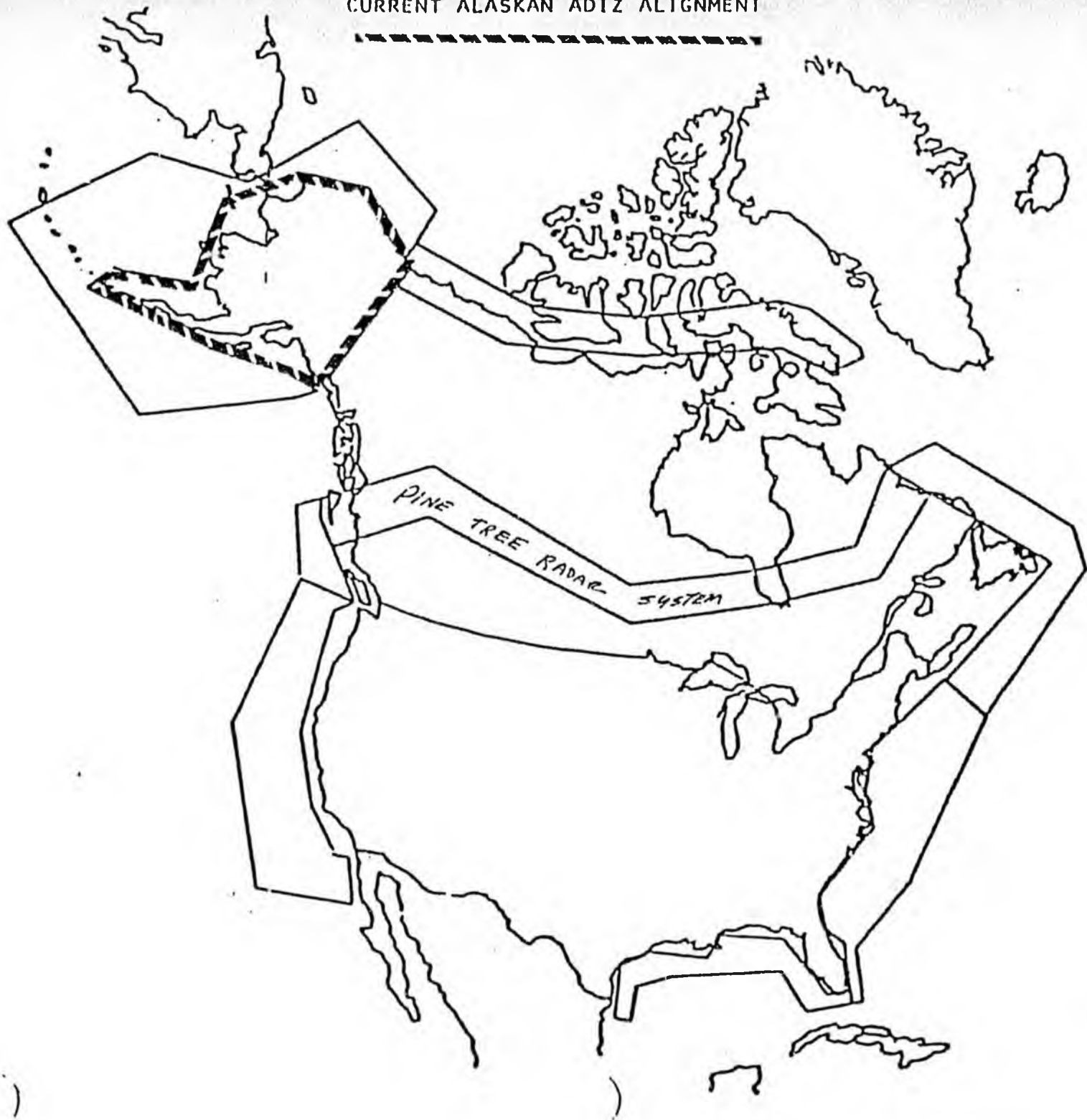
1. Institute a new ADIZ off both the Canadian and U.S. coastal areas to provide for integral perimeter coverage for the continent.
2. The ADIZ across central Canada is no longer required due to the closure of the Pinetree line radars.

Attached is depiction of current alignment and the proposed realignment. FAA Washington Headquarters is preparing a notice of proposed change to FAR 99, "Security Control of Air Traffic," for publication in the Federal Register.

AAL-500 *HG*
12/1/87

2 Attachments

CURRENT ALASKAN ADIZ ALIGNMENT



PROPOSED ALASKAN ADIZ ALIGNMENT



Jay Schweitzer.
15411

ADIZ problem is fixing itself

100,000 hours flown, which is the fifth straight year for decreasing fatalities. Preliminary NTSB statistics for the first half of 1987 show general aviation has continued to improve its safety record this year, with significant declines in numbers of accidents, fatal accidents and fatalities.

A recently reported in these pages, the FAA has adopted three changes to the FARs which affect certain general aviation aircraft. In addition to the change in documentation for internal Auxiliary fuel tanks and the requirement for all aircraft to have certain data plates, there was a rule requiring all aircraft "penetrating" the ADIZ (Alaska Defense Identification Zone) or the DEWIZ (Distant Early Warning Identification Zone) to have 12" identification within a 90 day compliance period following Dec. 8 or early March 1988.

completely unsuspected corner, comes help: clearly the easiest solution (except revocation of the rule) would be to simply change the boundaries of the ADIZ and this is precisely what has been proposed. The ADIZ and DEWIZ have been in place for many years with no changes. Within these zones the U.S. Air Force had been intercepting increased numbers of Russian aircraft, so it is a vital area. The surprise suggested change, however, is to delete the DEWIZ and shrink the ADIZ down to an offshore area surrounding the land mass of Alaska, and thus prevent all the difficulties the Airmen perceived they faced.

The Alaska Airmen's Association, tried valiently to prevent this rule from taking effect for Alaskan bound aircraft, because it prevented flights from Anchorage and Juneau or to and from Canada without the expensive alteration, they felt, interfering with their rights of interstate travel. Suddenly, from an unlikely and

The accompanying map shows the newly proposed area for the ADIZ. It is obvious that "penetrations" of the ADIZ will be greatly reduced by this change, and that there will be no unwarranted intrusions on the privacy of visitors to Alaska, folks going to Whitehorse for the weekend or

Alaskans trying to fly to their capitols. The Airmen have enthusiastically embraced the proposed change as a masterful, if surprising solution to a complex bureaucratic problem. At press time the notice of proposed rule making was in final draft and should appear in the Federal Register within about 30 days. Assuming there are no major objections, it could be in place within 180 days. As seen in the diagram, the present boundaries place Nome and portions of the Seward Peninsula in the ADIZ. The Airmen are petitioning to move it to at least the shoreline.

The National Safety Council's 1987 edition of Accident Facts shows more Americans were killed in bicycle or boating accidents during 1986 than in general aviation accidents, which represented only 1 percent of the total number of accidental deaths in the U.S.

In 1986, there were 958 general aviation accidents compared to 1,229 marine transportation fatalities. The Council estimates 1,200 people lost their lives in collisions between bicycles and motor vehicles.

The NSC also estimated that in 1986, 47,900 people died in motor vehicle accidents; 11,000 died in falls; 5,600 drowned; 4,800 died as a result of fires or burns, and 4,000 more were accidentally poisoned.

Finally, that leaves the question of

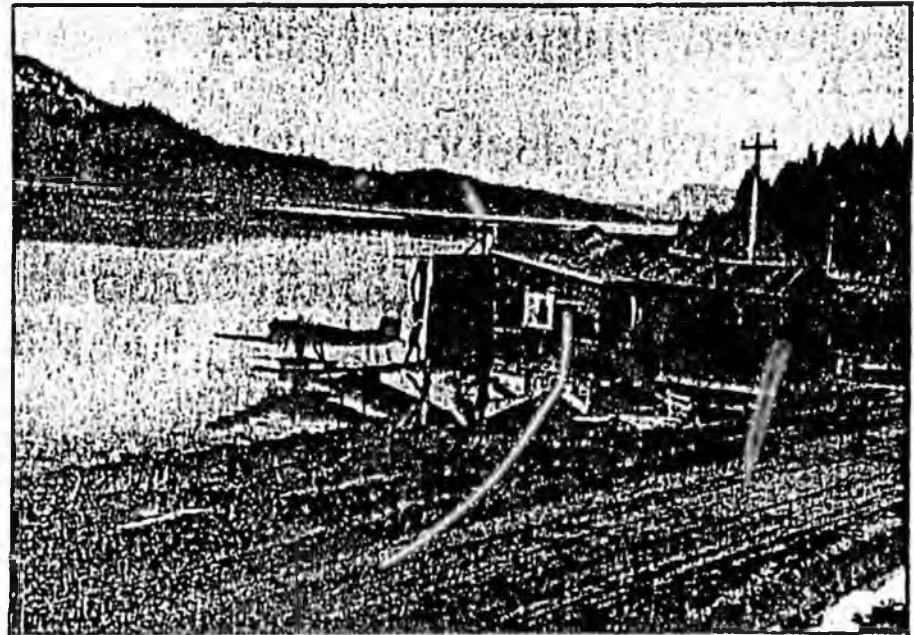
See ADIZ, Page 24

Meteorologist Evangelista will write column on Alaska flying and weather

Meteorologist and pilot Mark Evangelista will be writing columns, Eye on the Sky, for Air Alaska concerning weather and Alaska flying. His first column appears in this issue on Page 20.

In the aviation meteorology business for five years, Evangelista came to Alaska with the U.S. Air Force. "I was one of the few that asked to come up here," he says.

A ground instructor as well as a meteorologist, Evangelista flies with the Elmendorf AFB Aero Club, preferring light singles.



Here we go again with another edition of "name that mystery plane." Last month's mystery plane (see letters to the editor page) was a replica of the

Air Alaska January 1988 page 1

hoped that some brand new equipment prototypes may be on display, and plans include video taping presentations from industry experts for later programs.

Initial thinking is to use the ACC Aviation Complex hangar and have booths, show area, tables for swap meet and perhaps classrooms for special presentations.

Manufacturers, dealers and individuals who are interested in participating in the program should contact Kent Lee Woodman, c/o the Alaska Airmen's Association Inc., c/o ACC Aviation Complex, 2811 Merrill Field Drive, Anchorage 99501. Details will be presented in the February and March issues of Air Alaska.

• ADIZ

Continued from Page 1

compliance with the present new rule and enforcement between March 8 and the change in the ADIZ. How foolish it would be to make the major expenditure to comply for two months, or to be involved in an enforcement action for an area we know in advance is about to change. To his credit, Frank A. Cunningham, the FAA Alaskan Region Director, has initiated action to either exempt Alaska, or obtain permission to stay enforcement pending the newest rule. NORAD and the USAF are to be commended for their proposal, and the FAA for its logical help in the interim.



The sketch shows the preliminary proposed new boundaries for the Alaskan ADIZ. The DEWIZ would disappear entirely. The move is sponsored by NORAD, which is realigning all of its defense identification zones to match the current, state of the art radar systems and perceived threat to North America. Sketch courtesy FAA.

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RICK L. SCHIKORA

December 10, 1987

State Senator Jan Faiks
6060 Yukon Drive
Anchorage, AK 99516

Dear Senator:

Please note the attached article from Air Alaska, November 1987 issue. I understand the date for implementation has been moved to March 7, 1988. I don't believe the provisions for 12" numbers or for an outside data plate are necessary for Alaska. The requirement for the form 337 to be aboard the aircraft for fuel tanks installed according to FAA regulations is a matter of paperwork and not of significant concern. The main purpose of the first two provisions is to make it easier for Customs to identify aircraft suspected of running drugs across the Air Defense Identification Zones. The pertinent FAA regulations are FAR 45.29(h) for the 12" numbers, FAR 45.11(d) for the data plate information, and FAR 91.27(c) for the fuel tank requirements.

I am concerned because my wife and I invited the International Cessna 170 Association to convention in Alaska for a week during July 1988. We expect close to 100 airplanes to come to Fairbanks. Many of the aircraft have small numbers. All Cessna 170's are between 32 and 40 years old. The amount of money that we expect to be spent by the occupants of each Cessna 170 is substantial, and will be spread throughout the communities of Alaska. Gas sales, hotel rooms, meals, sightseeing, and tourist purchases will result in a boost to the businesses in the area, while taxes or direct fees will generate revenue for the local governments and the State of Alaska. We don't want to miss the opportunity for the revenue.

More importantly, however, is the fact that we do not want to have the inconvenience for our visitors and fellow Alaskans. Whenever one of us flies across the border to visit our neighbors in Canada, we will have to comply with the new law. Contrary to what the FAA says in their comments on the regulations, my maps show that flights conducted entirely within Alaska can be subject to the rules. Look at the fact that Tin City, Wales, Point Hope, Icy Cape, Wainwright and Point Barrow Dew Station are outside the Alaskan ADIZ. Anytime the ADIZ or DEWIZ is penetrated, the law comes into effect.

The regulations mentioned above were designed for the coastal areas of the lower 48, where drug running is a real problem. Here, over-regulation, by virtue of including Alaska in regulations that do not fit the situation is a problem. This happens in more instances than just this one. Please provide your support by getting Congress to make an exception for Alaska.

I would be happy to discuss this with you further. I certainly appreciate your help.

Sincerely,



Rick Schikora

WARWICK & SCHIKORA
a professional corporation
CERTIFIED PUBLIC ACCOUNTANTS

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FAIRBANKS, ALASKA 99701

907) 450-1300
ANDREW S. WARWICK
RICK J. SCHIKORA

January 8, 1987

State House Representative Steve Frank
1125 Sunset Drive
Fairbanks, AK 99701

Dear Representative:

The push is on to get Alaska exempted from the requirement to have 12 inch numbers on aircraft flying to or within Alaska. Please add your voice to the effort. As I explained in my December 10, 1987 letter to you, this issue is one that will effect the economy of Alaska, because it will effect the number of tourists coming to Alaska. We have been in contact with members of the Cessna 170 Association that will not fly here for the convention if something is not done. But the issue is much greater than just the upcoming convention. These types of regulations should not be forced upon Alaska, because they do not fit our situation.

I believe you are in the position to help, by asking our Congressional delegation to have Alaska exempted. You can do so by sending a letter on official letterhead or by sending a resolution passed by a body of lawmakers. I have enclosed a copy of the recently passed resolution by the Greater Fairbanks Chamber of Commerce on this subject. Perhaps you could use it in your deliberations. I plead with you to do something about this issue, and not make your action one of doing nothing.

The time to act is NOW. I thank you in advance for your prompt action.

Sincerely,



Rick Schikora

Larger aircraft numbers required

Effective Dec. 8, 1987, all aircraft entering into the Alaska ADIZ or DEWIZ (Alaskan Air Defense Identification Zones) north of Yakutat will be required to have 12-inch high identifying registration numbers and letters on the outside of the aircraft, says the Federal Aviation Administration.

The major purpose of the larger numbers is to allow law enforcement officials patrolling coastal areas to identify suspect aircraft which might be carrying drugs into the country, FAA said. For example, aircraft flying from Anchorage to Juneau will require the larger numbers because they are penetrating the zones. This also includes flights from Canada into central and northern Alaska.

The rule, announced Sept. 17, contains three provisions: 12-inch numbers, aircraft must have externally mounted identification plates, and aircraft modified with supplemental fuel tanks installed in FAA regulations must carry authorization for the modification aboard the aircraft.

Maps of the zones are in the Alaska Airmen Supplement. Pilots seeking more information should contact their local FAA Flight Standards District Office.

01/19/88 11:28

NO. 002

001



U.S. Department
of Transportation
**Federal Aviation
Administration**

News:

Office of Public Affairs
Alaskan Region
701 C Street, Box 14
Anchorage, Alaska 99513
(907) 271-5286

FOR IMMEDIATE RELEASE
September 30, 1987
#87-35

contact: Paul Steucke

LARGER AIRCRAFT NUMBERS REQUIRED

Effective December 8, 1987, all aircraft entering into the Alaskan ADIZ or DEWIZ (Alaskan Air Defense Identification Zones) north of Yakutat, will be required to have 12 inch high identifying registration numbers and letters on the outside of the aircraft (map attached). Previous regulations required the letters and numbers to be at least 3 inches high. The major purpose of the larger numbers is to allow law enforcement officers patrolling coastal areas to identify suspect aircraft which might be carrying drugs into the country. For example, aircraft flying to Anchorage from Juneau will require the larger numbers because they are penetrating the zones. This also includes flights from Canada into central and northern Alaska.

Secretary of Transportation Elizabeth Dole announced the new rule which contains three major provisions, on September 17, 1987.

The first new requirement is that all aircraft flying through off-shore air defense identification zones display 12 inch high nationality and registration marks ("N numbers"). The second requires aircraft to have an externally mounted identification plates. The third requires that aircraft modified with supplemental fuel tanks, which were installed in compliance with FAA regulations, carry authorization for the modification aboard the aircraft.

Dole said, "The larger markings will make it easier for law enforcement officers to identify suspect aircraft, and the external identification plates will help authorities to identify aircraft that have been stolen and possibly used to smuggle drugs into the U.S."

01/19/68 11:29

NO. 002

002

-2- FAA News Release #87-35, 9-30-87

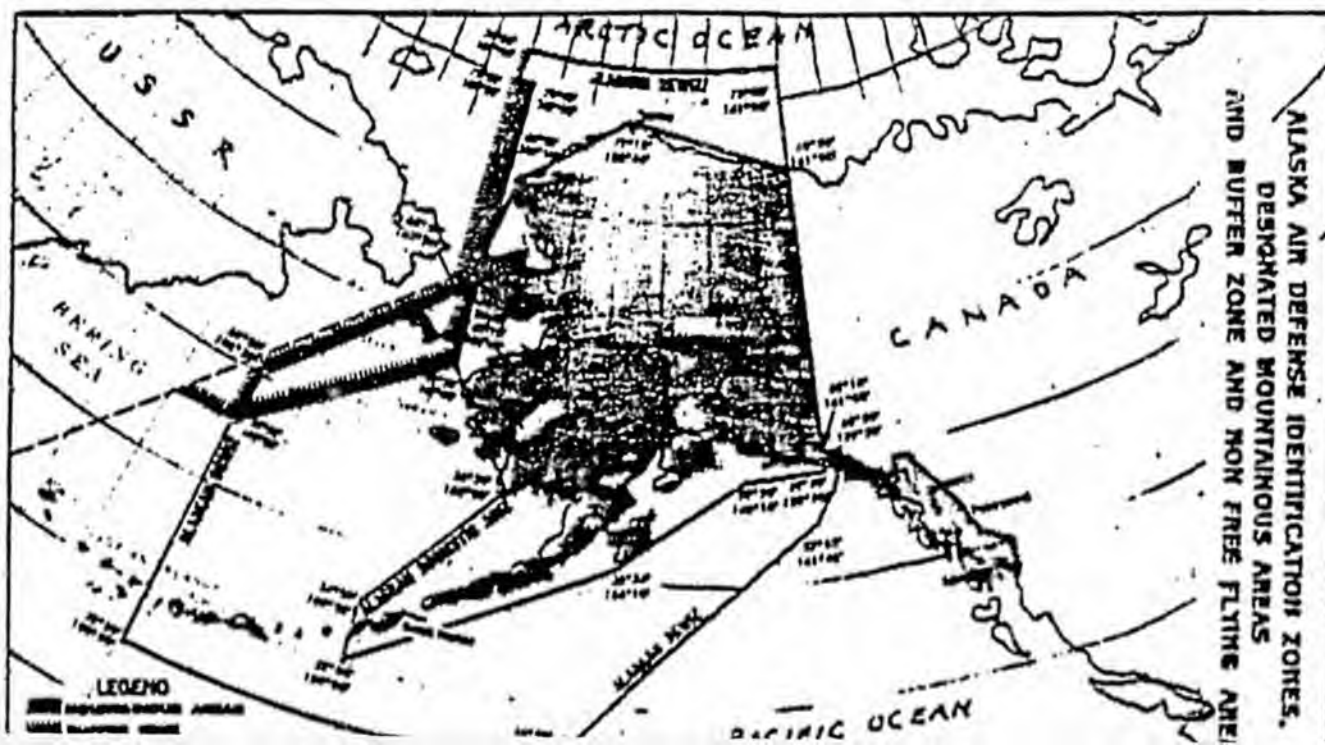
Current FAA regulations allow some aircraft to display N-numbers only three inches high, which makes them difficult to read at a distance. Although the FAA rules were changed in Nov. 1981 to require the display of at least 12 inch high marks, the smaller markings were allowed to continue until the airplane was repainted or the numbers changed.

The new rule overrides this past exception and requires display of the 12 inch numbers when an aircraft is penetrating an Air Defense Identification Zone or Defense Early Warning Identification Zone, where U.S. Customs agents, the Coast Guard or other law enforcement aircraft are most likely to attempt air-to-air identification. These zones cover all of Alaska north of Yakutat, including the Alaska-Canada border.

Maps of these zones are in the Alaska Airmen Supplement. Pilots seeking additional information should contact their local FAA Flight Standards District Office.

The identification data plates must be readable to a person standing outside the aircraft when it is on the ground. This will allow law enforcement officers to cross check the serial number of an aircraft with FAA records to determine if the N numbers had been changed in order to conceal the ownership of the aircraft or hide the fact that it had been stolen. This now can be done only by gaining access to the interior of some aircraft.

The new requirement that aircraft operators carry documentation covering the installation of extra fuel tanks also will help identify suspect aircraft used in smuggling operations.



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Due to the configuration of an aircraft, it is impossible for a person to read the marks in accordance with § 45.21 through 45.33, he may apply the Administrator for a different procedure.

§ 45.29, Amdt. 45-8, 33 FR 450, Jan. 15, 1964, as amended by Amdt. 45-13, 48 FR 1, 1983

Application of marks; general.

Each operator of an aircraft shall display that aircraft marks consisting of a Roman capital letter "N" and the United States registration number of the aircraft. Each suffix letter used in the registration number must also be a Roman capital letter.

When marks that include only the Roman capital letter "N" and the registration number are displayed on restricted category aircraft, experimental or provisionally certificated aircraft, the operator shall also display that aircraft near each entrance to the cabin or cockpit, in letters not less than 2 inches nor more than 4 inches in height, the words "restricted," "experimental," or "provisional airworthiness," as applicable.

§ 45.29, Amdt. 45-8, 33 FR 450, Jan. 15, 1964, as amended by Amdt. 45-9, 43 FR 15, 1977

Application of marks on fixed-wing aircraft.

Each operator of a fixed-wing aircraft shall display the required marks on the vertical tail surfaces or on the fuselage, except as provided in § 45.29(f).

The marks required by paragraph (f) of this section shall be displayed as follows:

(1) The marks shall be displayed horizontally on both surfaces of the vertical tail or on the outer surface of a multivertical tail. However, on aircraft on which marks at least 12 inches high may be displayed in accordance with § 45.29(b)(1), the marks shall be displayed vertically on the vertical surfaces.

(2) The marks shall be displayed horizontally on both sides of the

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fuselage between the trailing edge of the wing and the leading edge of the horizontal stabilizer. However, if engine pods or other appurtenances are located in this area and are an integral part of the fuselage side surfaces, the operator may place the marks on those pods or appurtenances.

(Amdt. 45-9, 42 FR 41102, Aug. 16, 1977)

§ 45.27 Location of marks; nonfixed-wing aircraft.

(a) *Rotorcraft.* Each operator of a rotorcraft shall display on that rotorcraft horizontally on both surfaces of the cabin, fuselage, boom, or tail the marks required by § 45.23.

(b) *Airships.* Each operator of an airship shall display on that airship the marks required by § 45.23, horizontally on—

(1) The upper surface of the right horizontal stabilizer and on the under surface of the left horizontal stabilizer with the top of the marks toward the leading edge of each stabilizer; and

(2) Each side of the bottom half of the vertical stabilizer.

(c) *Spherical balloons.* Each operator of a spherical balloon shall display the marks required by § 45.23 in two places diametrically opposite and near the maximum horizontal circumference of that balloon.

(d) *Nonspherical balloons.* Each operator of a nonspherical balloon shall display the marks required by § 45.23 on each side of the balloon near its maximum cross section and immediately above either the rigging band or the points of attachment of the basket or cabin suspension cables.

(Docket No. 2047, 39 FR 3223, Mar. 11, 1964, as amended by Amdt. 45-15, 48 FR 11392, Mar. 17, 1983)

§ 45.23 Size of marks.

(a) Except as provided in paragraph (f) of this section, each operator of an aircraft shall display marks on the aircraft meeting the size requirements of this section.

(b) *Height.* The character marks must be of equal height and on—

(1) Fixed-wing aircraft, must be at least 12 inches high, except that:

(i) An aircraft displaying marks at least 2 inches high before November 1, 1981 and an aircraft manufactured after November 2, 1981, but before January 1, 1983, may display those marks until the aircraft is repainted or the marks are repainted, restored, or changed;

(ii) Marks at least 3 inches high may be displayed on a glider;

(iii) Marks at least 3 inches high may be displayed on an aircraft for which an experimental certificate has been issued under § 21.191(d) or 21.191(g) for operating as an exhibition aircraft or as an amateur-built aircraft when the maximum cruising speed of the aircraft does not exceed 180 knots CAS; and

(iv) Marks may be displayed on an exhibition, antique, or other aircraft in accordance with § 45.22.

(2) Airships, spherical balloons, and nonspherical balloons, must be at least 3 inches high; and

(3) Rotorcraft, must be at least 12 inches high, except that rotorcraft displaying before April 18, 1983, marks required by § 45.29(b)(3) in effect on April 17, 1983, and rotorcraft manufactured on or after April 18, 1983, but before December 31, 1983, may display those marks until the aircraft is repainted or the marks are repainted, restored, or changed.

(c) *Width.* Characters must be two-thirds as wide as they are high, except the number "1", which must be one-sixth as wide as it is high, and the letters "M" and "W" which may be as wide as they are high.

(d) *Thickness.* Characters must be formed by solid lines one-sixth as thick as the character is high.

(e) *Spacing.* The space between each character may not be less than one-fourth of the character width.

(f) If either one of the surfaces authorized for displaying required marks under § 45.25 is large enough for display of marks meeting the size requirements of this section and the other is not, full-size marks shall be placed on the larger surface. If neither surface is large enough for full-size marks, marks as large as practicable shall be displayed on the larger of the two surfaces. If any surface authorized to be marked by § 45.27 is not large

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§ 45.21
 enough for full-size marks, marks as large as practicable shall be placed on the largest of the authorized surfaces.

(g) *Uniformity.* The marks required by this part for fixed-wing aircraft must have the same height, width, thickness, and spacing on both sides of the aircraft.

[Doc. No. 2047, 29 FR 3223, Mar. 11, 1964, as amended by Amdt. 45-2, 31 FR 9863, July 21, 1966; Amdt. 45-9, 42 FR 41102, Aug. 16, 1977; Amdt. 45-13, 46 FR 48604, Oct. 1, 1981; Amdt. 45-15, 48 FR 11392, Mar. 17, 1983]

§ 45.31 Marking of export aircraft

A person who manufactures an aircraft in the United States for delivery outside thereof may display on that aircraft any marks required by the State of registry of the aircraft. However, no person may operate an aircraft so marked within the United States, except for test and demonstration flights for a limited period of time, or while in necessary transit to the purchaser.

§ 45.33 Sale of aircraft; removal of marks.

When an aircraft that is registered in the United States is sold, the holder of the Certificate of Aircraft Registration shall remove, before its delivery to the purchaser, all United States marks from the aircraft, unless the purchaser is—

(a) A citizen of the United States;

(b) An individual citizen of a foreign country who is lawfully admitted for permanent residence in the United States; or

(c) When the aircraft is to be based and primarily used in the United States, a corporation (other than a corporation which is a citizen of the United States) lawfully organized and doing business under the laws of the United States or any State thereof.

(Amdt. 45-11, 44 FR 81938, Oct. 29, 1979)

PART 47—AIRCRAFT REGISTRATION

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AUTHORITY: Secs. 307, 313, 501, 503, 505, 506, and 1102, 72 Stat. 749, 752, 771, 772, 774, 797; 49 U.S.C. 1348, 1354, 1401, 1403, 1405, 1406, and 1502, and the Convention of the International Recognition of Rights in Aircraft; 4 U.S.C. 1830.

Source: Docket No. 7190, 31 FR 4495, Mar. 17, 1966, unless otherwise noted.

Subpart A—General

§ 47.1 Applicability.

This part prescribes the requirements for registering aircraft under section 501 of the Federal Aviation Act of 1958 (49 U.S.C. 1401). Subpart B applies to each applicant for, and holder of, a Certificate of Aircraft Registration. Subpart C applies to each applicant for, and holder of, a

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 43, 45, and 91

[Docket No. 25033; Amendment Nos. 43-29, 45-17, and 91-206]

Aircraft Identification and Retention of Fuel System Modification Records

AGENCY: Federal Aviation Administration (FAA), DOT

ACTION: Final rule.

SUMMARY: This final rule amends the Federal Aviation Regulations to require: (1) that 12-inch high nationality and registration marks be displayed on all aircraft that penetrate an Air Defense Identification Zone or a Defense Early Warning Identification Zone; (2) that a civil aircraft identification data plate be displayed on the exterior surface of each U.S.-registered aircraft; and (3) that a copy of the form which authorizes the alteration of an aircraft with fuel tanks within the passenger or a baggage compartment be kept on board the modified aircraft.

These amendments are necessary because of the increased dangers to civil aviation resulting from the major increase in illegal drug importations into the United States by air. They are intended to expand the effectiveness of narcotic interdiction and, thereby, provide for improvement in safety of civil aviation operations; while at the same time reducing the flow of drugs by air into the United States.

EFFECTIVE DATE: December 8, 1987.

FOR FURTHER INFORMATION CONTACT:

Joseph J. Gwiazdowski, Aircraft Manufacturing Division (AWS-200), Office of Airworthiness, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591, telephone (202) 267-9541.

SUPPLEMENTARY INFORMATION:

Background

Although the Federal Aviation Administration (FAA) does not enforce the anti-drug smuggling and related criminal statutes, it is concerned with the hazards to air commerce in the United States arising from the use of aircraft to escape detection while importing illegal, contraband substances (narcotic drugs, marijuana, and depressant or stimulant drugs) into the United States. The hazards to air commerce have increased consistent with the growing number of pilots who are willing to risk the carriage of these illegal goods despite escalating law enforcement activities. The U.S.

Customs Service (Customs) reports that the vast majority of illegal drug trafficking by air into the United States passes through an Air Defense Identification Zone (ADIZ) or Defense Early Warning Identification Zone (DEWIZ). The means for detection of these aircraft include low altitude radar, law enforcement pursuit aircraft, and advanced police techniques. Those pilots committed to evading detection by pursuit aircraft may engage in extremely dangerous flight techniques, such as very low flight to avoid radar; landing and taking off from unprepared landing areas; operation without lights; and operation in weather conditions beyond the capability and/or qualifications of the aircraft or pilot. These flight techniques create a safety hazard for all other aircraft in the area and for persons and property on the ground. Additionally, many of the aircraft used for such operations have been equipped with extended-range fuel tanks which are not installed in accordance with the Federal Aviation Regulations (FAR), posing an additional safety hazard. Thus, while other agencies are responsible for criminal law enforcement concerning illegal substances (narcotic drugs, marijuana, and depressant or stimulant drugs), the hazardous aeronautical activities of pilots engaged in smuggling and the potential increase in volume of these substances into the United States pose a direct threat to air commerce. This threat was a basis for the FAA adopting § 91.12 of the FAR, which provides that no person may operate a civil aircraft within the United States with knowledge that narcotic drugs, marijuana, and depressant or stimulant drugs are carried in the aircraft, unless authorized under Federal or State law. During several meetings, the FAA and Customs representatives focused on actions required to develop more effective means to reconcile specific drug enforcement problems involving aircraft. In a July 11, 1985, letter to the FAA, the Assistant Secretary of the Department of Treasury outlined and proposed the specific regulatory amendments which Customs considered to be necessary to assist it in curbing use of aircraft carrying illegal substances and to identify those aircraft which may be used for drug smuggling. Customs believes that their proposed amendments represent a significant step toward curbing the use of aircraft for drug smuggling. The proposed amendments are based on the increase of illegal drug importation by aircraft and on the value to law enforcement officials of positive identification of all aircraft including those aircraft which

may be involved in such activities; problems identified by Customs include:

1. Positive air-to-air identification of aircraft penetrating an ADIZ or DEWIZ is hindered by the difficult-to-read 3-inch identification marks displayed on some of these aircraft;
2. Aircraft with identification (I.D.) plates which cannot readily be seen hamper the prompt identification of stolen or falsely numbered aircraft; and
3. Inability to readily verify unapproved aircraft modifications involving unauthorized fuel tanks in the passenger compartment or a baggage compartment because the records for approved aircraft modifications are not required to be kept aboard the aircraft.

On July 3, 1986, the FAA issued Notice of Proposed Rulemaking (NPRM) No. 86-9 (51 FR 25174; July 10, 1986) proposing responses to these three problems raised by Customs.

Registration Numbers

As discussed in the notice, Customs and other law enforcement groups, in combating drug trafficking by air, frequently must attempt to identify, from a high-performance aircraft, a small low-performance aircraft including aircraft suspected of being used in the illegal activity. Often these operations must be performed at night using special devices and capabilities to enhance identification and to apprehend smugglers. Many of the suspected aircraft have small, 3-inch nationality and registration marks (N-numbers) which are difficult to see or detect when attempting air-to-air identification. This requires maneuvering relatively close to these aircraft so that positive identification can be made. The use of larger registration marks makes identification easier and results in safer operation by maintaining a larger (up to six times greater) separation between the aircraft.

Customs has found that many aircraft flying into the United States display the small, 3-inch marks, making it difficult to identify aircraft, including suspect aircraft. The vast majority of the suspected aircraft, which are not limited to a particular type of aircraft, pass through an ADIZ or DEWIZ prior to entering the United States. It is these aircraft for which Customs, or other law enforcement or military organizations, are likely to attempt air-to-air identification.

Identification Plates

The FAA has adopted several related amendments concerning I.D. plates based on the needs and comments of the aviation community. Section 45.11 of the

FAR was changed by Amendment 45-3 (52 FR 187; January 10, 1987) to require the I.D. plate to be in an accessible location "near an entrance," not necessarily an *external* location, to allow for maximum I.D. plate protection and to facilitate normal aircraft inspection. Based on information presented by small aircraft manufacturers, the FAA again changed § 45.11 of the FAR by adopting Amendment 45-7 (33 FR 14402; September 25, 1968) to provide an optional location for an aircraft I.D. plate. Under this option, the I.D. plate may be affixed permanently on the exterior of the fuselage near the tail surfaces, if it is legible to an observer on the ground. Additionally, FAA Advisory Circular AC 45-2, Identification and Registration Markings, which provides guidance and information concerning the identification and marking requirements for aircraft, includes a provision that, if under certain conditions the I.D. plate had to be covered or enclosed in any manner, its accessibility is considered acceptable if it can be revealed without the use of tools.

The Customs Service indicates that when investigating aircraft, including those suspected of being used for smuggling, it is difficult to determine quickly whether the FAA assigned N-number is displayed appropriately on the aircraft. Furthermore, false numbers may be used on stolen aircraft, which frequently are used for smuggling. Cross-checking the N-number with the I.D. plate data, which is an integral part of identification for the aircraft, assists in determining whether the N-number is false. The I.D. plates for many aircraft, however, are located in the aircraft interior so that they cannot be read from outside the aircraft, making it difficult for investigators to make an on-the-spot check of a suspected aircraft. Customs contends that the repositioning of existing I.D. plates, or placement of another I.D. plate on the exterior of the aircraft near the main entrance, would enable investigators to compare quickly the serial number with the N-number to help determine whether suspect aircraft have been stolen or the N-numbers falsified.

Additional Fuel Tank Installation

The FARs prescribe requirements for the approval of major alterations to aircraft type designs, which include such installations as additional fuel tanks in an aircraft. The FARs also prescribe recordkeeping requirements for such approvals. Most fuel tank installations performed on aircraft operating under Part 91 require an appropriate approval

for the type design change and recording of the completion of the modification on FAA Form 337. Those aircraft operated under Part 121, 127, and 135 of the FARs may have additional fuel tanks installed in accordance with applicable requirements, of the particular continuous airworthiness program and prepare the documentation for the alteration other than an FAA Form 337, in accordance with the continuous airworthiness program.

Customs reports that aircraft used to smuggle drugs are often modified with fuel tanks which are installed in the passenger or a baggage compartment and which are not authorized by the FAA. These fuel tanks are installed to permit the aircraft to make long unrefueled flights, such as from the United States to South America. This long-range unrefueled capability adds to the difficulty in pursuing suspected aircraft. These unauthorized, usually haphazard, fuel tank installations create a safety hazard because there is no assurance that they meet the safety standards established by the FAA.

One problem with attempting to identify the unauthorized extended-range fuel tank installation is that it is difficult to check, on the spot, whether the tanks have been installed in accordance with FAA requirements. The FAR type certification procedures require FAA approval for any changes to type design of a U.S. civil aircraft, such as modifications to install extended-range fuel tanks. Documentation evidencing such approval may vary depending upon the nature of the change to the aircraft's type design.

One way that approval can be evidenced is for an authorized person performing the work to execute an FAA Form 337 in accordance with Appendix B of Part 43 of the FAR. However, there is currently no requirement for records of such authorization to be on board the aircraft. Customs contends that a regulation requiring an FAA Form 337 to be aboard the aircraft when extended-range fuel tanks are installed within the passenger or a baggage compartment would assist Customs in concentrating interdiction efforts on suspicious aircraft not authorized to have such installations. Customs investigators can make an on-the-spot check of the suspected aircraft's FAA Form 337. In addition, this action would assist the FAA in identifying aircraft with unauthorized fuel tanks, and thus avoid a potential hazard to the aviation community and the public.

Participation in Rulemaking

Notice No. 88-9 gave interested persons an opportunity to participate in amending these rules. Due consideration was given to all information submitted by the commenters. Except as discussed in this preamble, the revisions adopted by these amendments and the reasons for them, are the same as those in Notice No. 86-9.

Discussion of Amendments

The FAA has determined that the amendments proposed in Notice No. 86-9 should be adopted. The comments received in response to the notice are discussed below.

A. Improve Identification of Aircraft Penetrating the ADIZ and DEWIZ—§§ 45.21 and 45.29

This amendment requires that all aircraft penetrating the ADIZ or DEWIZ display 12-inch markings. However, if any surface authorized to be marked is not large enough for full-size marks, marks as large as practicable shall be placed on the largest of the authorized surfaces in accordance with § 45.29(f).

To ease the burden on owners of affected aircraft which penetrate the defense zones, under the provision of § 45.21(d), this amendment permits the 12-inch markings to be temporary on those "grandfathered" aircraft and certain aircraft which are currently authorized to operate with small markings as specified in § 45.29(b). Moreover, to avoid any burden due to downtime, ferrying, or loss of revenue associated with marking the affected aircraft, a 90-day period is allowed for compliance.

Adoption of this amendment provides for the improvement in safety associated with air-to-air identification of *all* aircraft which penetrate the ADIZ or DEWIZ. It has no impact on the majority of other aircraft operators since most aircraft currently displaying marks less than 12 inches high under Part 45 do not penetrate these zones and thus pose no problem at this time. Those aircraft with smaller marks operating solely within one of these zones, e.g., the Alaskan DEWIZ or ADIZ, also will not be affected if they do not depart and reenter (penetrate) the zone.

B. Change I.D. Plate Location—§ 45.11

This amendment requires that all aircraft display an I.D. plate, as specified by § 45.11(a), on the aircraft fuselage exterior surface, in a location legible to an observer on the ground. It must be located adjacent to and aft of the rear-most entrance door or on the exterior surface near the tail. An aircraft

I.D. plate affixed in an easily accessible area, legible to an observer on the ground, facilitates verification of aircraft identification by FAA inspectors, Customs investigators, and other law enforcement officials. The amendment provides for ready access to the I.D. plate data without having to enter the aircraft. It makes the I.D. plate information and N-number available simultaneously to provide a cross reference to help determine whether the aircraft may have been stolen or to determine if the registration number has been falsified. It also facilitates FAA inspectors' identification of aircraft for verification of maintenance, modification, and other airworthiness requirements to assure safe aircraft operation.

This amendment is not retroactive since this could result in a major change which would pose an undue burden on many aircraft owners. For example, if the I.D. plates currently affixed to aircraft, as required, were to be removed (i.e., repositioned) from the existing locations, this could result in damage to the aircraft and I.D. plate, and might require burdensome engineering and manufacturing changes such as structural, interior or exterior repair, or repainting.

As a cost-saving alternative for aircraft manufactured prior to 90 days after the effective date of this amendment, this final rule allows the display of just the model designation and builder's serial number on the fuselage exterior, adjacent to and aft of the rear-most entrance. This may be done if the identification plate is secured at an accessible exterior or interior location near an entrance. The model designation and serial number are required to be affixed in such a manner that they are not likely to be defaced or removed during normal service. Unlike the required fireproof I.D. plate, this "supplemental" identification does not have to be affixed in a manner such that it is not likely to be lost or destroyed in an accident. Thus, the data may be affixed in a relatively low-cost manner, such as by painting or decal.

C. Illegal Fuel Tank Installation—Part 43, Appendix B(a) and (d); § 91.27(c); and § 91.173(a) and (d)

This amendment requires that all affected aircraft modified with additional fuel tanks in the passenger or a baggage compartment, under Part 43 of the FAR, physically have on board the aircraft a copy of the required FAA Form 337. This includes aircraft previously not required to have an FAA Form 337 for fuel tank installations

when operating with a special flight permit for the purpose of delivery or export. This amendment also requires that the owner or operator of an aircraft with such fuel tanks present the FAA Form 337 for inspection by any law enforcement officer.

This amendment provides one means for FAA, Customs, and other investigators to quickly obtain evidence as to whether the additional tanks in the aircraft are authorized or possibly illegally installed. Enforcement action can then be taken by the FAA and the appropriate agency against persons operating such aircraft. Action can also be taken to prevent the aircraft from being flown. This rule makes it possible for Customs to concentrate interdiction efforts on those aircraft modified with unauthorized fuel tank installations and which are possibly being used for illegal drug trafficking. By limiting this rule to aircraft modified with fuel tanks in the passenger or baggage compartments, which requires an FAA Form 337 under Part 43, operators of aircraft with FAA-approved extended-range fuel tanks located elsewhere in the aircraft (e.g., wing tip tanks) would not be required to keep that authorization on board the aircraft.

Discussion of Comments

General

Eighty commenters, representing the views of the aviation community, participated in this rulemaking. Comments were submitted by individual pilots and owners and operators of aircraft including representatives of some aviation and aircraft manufacturers associations. Generally, the commenters support Customs' objective to stop the flow of illegal drugs into the United States by air. However, most commenters disagree as to what amendments should be adopted and who should comply with them. Some commenters disagree with all the amendments or recommend proposals which are outside the scope of the NPRM. The majority of the commenters address the proposed amendments separately and give reasons which oppose a particular issue and either concur in or withhold comments on the other issues.

The comments from aviation association representatives on the amendments also range from full support as noted by the Airline Pilots Association (ALPA) to "no merit" as the Aircraft Owners and Pilots Association (AOPA) contends. Many commenters contend that the FAA action will not stop drug trafficking and question the value of these amendments. They

contend that there are more effective ways to stop drug smugglers such as direct legislation against smugglers. The commenters, however, fail to recognize or acknowledge that the FAA action proposed in Notice No. 88-9 is only a part of the total U.S. Government ongoing effort to actively suppress drug smuggling, which includes law enforcement agencies efforts of other Departments such as the Treasury, Justice, and Defense. These initiatives carry out the mandates of Congress, such as the Anti-Drug Abuse Act (Pub. L. 99-570, October 27, 1986).

The pertinent comments and commenters' recommendations concerning each amendment are discussed in the following paragraphs. In addition, comments concerning the time and cost of compliance are discussed separately.

Registration Numbers

The majority of commenters object to the requirement for displaying 12-inch N-numbers on certain aircraft that penetrate an ADIZ or DEWIZ. The commenters contend that the amendment imposes unnecessary costs on owners and operators of aircraft allowed to display smaller N-numbers under § 45.29(b), with no benefit to legitimate operators who must pay for an ineffective law which drug smugglers can easily circumvent with temporary and false markings. Also, operators of some aircraft such as experimental amateur-built, rotorcraft, gliders, airships, and balloons feel that this amendment should be limited to twin-engine, fixed-wing aircraft.

The FAA disagrees because, as stated in the notice, there is an urgent need for positive identification of *all aircraft* that penetrate the defense zones, regardless of size and configuration. However, it should be noted that this amendment only affects those aircraft that display the ineffective small N-numbers and penetrate the ADIZ or DEWIZ. Additionally, to avoid unnecessary costs to operators of the affected aircraft, a 90-day time period is provided for compliance. This provides for sufficient time in which the temporary or permanent 12-inch N-numbers can be affixed to aircraft affected.

A few commenters questioned why all aircraft operating in Alaska must display 12-inch marks since Alaska lies entirely within an ADIZ while aircraft in the contiguous United States may display smaller N-numbers. However, the rule applies to those aircraft that *penetrate* the ADIZ or DEWIZ. Accordingly, aircraft allowed to display small N-numbers in accordance with

regulations, whether in the United States or elsewhere, must affix 12-inch N-numbers only if they are going to penetrate an ADIZ or DEWIZ. Thus, aircraft operating solely within the State of Alaska will not be required to display 12 inch N-numbers unless they depart on and reenter the ADIZ.

Some commenters contend that the amendment penalizes legitimate aircraft operators while drug smugglers can easily circumvent or violate the regulation. The FAA disagrees because most aircraft operators are required to display 12-inch N-numbers under Part 45. Further, the FAA, in conjunction with other law enforcement agencies, aggressively investigates and takes appropriate action on incidents involving violations of the FAR. Furthermore, under the new Anti-Drug Abuse Act, increased civil and criminal penalties may be imposed on aircraft operators involved in drug smuggling. These penalties range up to \$250,000 and 20 years in prison and include the seizure and forfeiture of the aircraft. The amendments to §§ 45.21 and 45.29 have been adopted as proposed.

Identification Data Plates

With regard to the exterior location of I.D. plates and/or data, most commenters contend generally that this amendment is ineffective, impractical, or redundant. A majority of the commenters contend that the amendments would be ineffective because the rule can be easily circumvented by falsifying the data on the exterior surface of the aircraft. The FAA does not agree since the FAA penalties and the more recent legislation, cited previously, are expected to deter such violations.

Some commenters maintain that the rule is impractical because repositioning the existing I.D. plates or affixing a second I.D. plate could damage the aircraft, especially those covered with fabric. The FAA does not agree since the rule does not require repositioning of the original I.D. plates, which conceivably could result in damage to the aircraft. Also, both old and new aircraft can have I.D. plates affixed on the exterior surface, as required, without damaging even fabric-covered aircraft.

Some commenters claim that I.D. plates affixed to the exterior surface of large aircraft would be too high to read by an observer on the ground. Others argue that there is no need to change the I.D. plate location on some rotorcraft, open cockpit aircraft, and balloons where the required I.D. plate can be viewed by an observer outside the aircraft.

However, although I.D. plates can be viewed from the outside of some aircraft, the FAA has determined that I.D. plates in a *standard* location on the exterior surface adjacent to and aft of the rear-most entrance door of an aircraft provides for quick access to the I.D. information, in addition to precluding the need to gain access to the inside of an aircraft.

With regard to the redundant data, commenters contend that there is no need to affix the same data in two places on the same aircraft, therefore, the status quo should be maintained or the NPRM withdrawn.

The FAA disagrees because the I.D. information which is secured inside an aircraft cannot be obtained readily, as some contend, without gaining access to the aircraft. The FAA has determined that the standard exterior location is the most effective location for I.D. plates and/or data. A standard location provides quick access to the identification data with the least impact on the aviation community since most aircraft owners and operators already comply with that requirement, while others can mark their aircraft inexpensively as discussed in Notice No. 86-9.

Additional Fuel Tank Installations

The majority of commenters responding to this amendment agreed with the requirement to have the completed FAA Form 337 aboard an aircraft modified in accordance with Part 43 with fuel tanks in the passenger or baggage compartments. Those opposed contend that the amendment imposes an unnecessary burden on operators of aircraft that may be modified with fuel tanks in accordance with regulations which do not require the use of an FAA Form 337 for documenting major alterations. Accordingly, they maintain that the rule should exempt operators under Parts 121, 127, or 135, as applicable.

The FAA considered the regulations governing aircraft modified under other applicable provisions. However, approved documentation under a continuous airworthiness maintenance program may not be as suitable for carriage on an aircraft as the FAA Form 337. For that reason, the proposed amendment applied only to aircraft modified pursuant to part 43 with fuel tanks installed in the passenger or baggage compartments. This amendment adopts that proposal. The new rule does not require documentation for aircraft modified under other provisions of the FAR.

Some commenters state that the FAA Form 337 can be easily falsified or that

an approved installation could be used by a smuggler and that, either way, the amendment has little value. The FAA does not agree since violations of the applicable regulations, such as unapproved equipment installations, are vigorously pursued and enforced by the FAA to maintain safety in air operations. In addition, Customs considers this amendment to be a significant step toward curbing the use of aircraft for drug smuggling.

Time for Compliance

Some commenters object that the proposal does not provide sufficient time for compliance and that this creates an undue burden on owners and operators because of the requirements for ferrying and downtime. The FAA agrees with these commenters. It was planned to allow a period of 90 days after the effective date for compliance with the requirements for the display of 12-inch N-numbers and for the affixing of I.D. plate and/or data. In the NPRM, however, the "October 8, 1986" date was published in error apparently by using the published date of July 10, 1986, as the start of the 90-day period. A correction is made to allow sufficient time for compliance.

To preclude an undue burden on aircraft owners and operators, the 90-day period provides time for appropriate N-numbers and the I.D. plate and/or data to be affixed. The delayed compliance time only applies to the requirements for the display of 12-inch N-numbers and the I.D. plate and/or data. The display of temporary 12-inch markings is permitted for N-numbers, as appropriate, and the method for affixing data plate information on the exterior surface of an aircraft is purposely undefined to allow for economic alternatives, such as painting or decals.

Cost of Compliance

The majority of commenters object to the cost that would be imposed by the proposed 12-inch N-numbers and I.D. plate amendments. They contend that the cost of compliance estimates are too low. In addition, the commenters indicate that the FAA cost estimates do not reflect a loss of revenue caused by ferrying and downtime.

The FAA disagrees with the commenters that its cost estimates are too low. The FAA believes its cost estimates to be a good indicator of what aircraft operators/owners impacted would, on the average, incur. Moreover, after careful examination of the comments received on NPRM No. 86-9, it has become apparent to the FAA that the majority of the commenters

apparently failed to consider the FAA assumptions noted in the NPRM or as detailed in the draft regulatory evaluation in the docket. This evaluation fully explains how the cost of compliance estimates, which range between \$100 and \$215, were derived and contains a number of assumptions on which these cost estimates are based. Briefly, some of these assumptions are based on the fact that only those aircraft displaying small N-numbers under § 45.29, which includes aircraft "grandfathered" by Amendments 45-13 and 45-15, would be impacted by the 12-inch N-numbers requirement when penetrating the ADIZ or DEWIZ. It is further assumed that all operators of those "grandfathered" aircraft will be required to display 12-inch N-numbers only 1 or 2 years sooner than they otherwise would be required because of repainting, restoring, or changing the marks. Therefore, the FAA evaluation accurately reflects only that small portion of the estimated \$550 cost of displaying 12-inch N-numbers. The net result is that this rule will impact very few aircraft since most aircraft would switch to permanent 12-inch N-numbers in that period.

The cost of compliance for the I.D. plate amendment assumes that this data information would be painted on the designated exterior of all existing impacted aircraft for about \$100 based on conversations between FAA and fixed base operators.

With regard to downtime and ferrying, the FAA allows impacted aircraft operators and owners a period of 90 days after the effective date of the final rule to come into compliance. This period of 90 days provides sufficient time for impacted operators and owners to comply with the rule without incurring additional costs attributed to downtime and ferrying. The intent of the FAA has always been to allow a reasonable period of time for impacted parties to comply with the rule. It has always been the policy of the FAA not to impose undue cost burdens on parties impacted by its regulatory efforts.

Summary of Comments

Most commenters oppose the adoption of the amendments; however, they have neither provided sufficient justification for their positions nor shown that withdrawing Notice No. 88-9 is in the public interest. It appears that many commenters failed to consider the reasons for adopting the amendments provided in the NPRM. Many comments objected that they must comply with the amendments when, in fact, they are not affected. For example, their aircraft will not penetrate an ADIZ or DEWIZ, or the

I.D. plates are already affixed as required. The new requirement for the appropriate FAA Form 337 to be aboard aircraft modified with certain fuel tanks under Part 43 is favored by the majority of the commenters and poses no problem.

The FAA agrees with comments requesting that it clarify and correct errors. Therefore, the comments that the FAA is accepting, and which the final rule reflects, include an appropriate compliance date and editorial changes suggested to clarify the amendments as proposed. Also, in response to comments, the FAA has also reevaluated and clarified the cost impact where necessary.

Regulatory Evaluation Summary

The regulatory evaluation prepared for this rule examines the benefit and cost aspects of the establishment of identification, registration marking and recording of major repair requirements that impact general aviation aircraft. The rule includes amendments to Parts 43, 45, and 91 of the FAR, which respond to the Department or Treasury's request for the following:

1. That, 90 days after the effective date of this rule, 12-inch high nationality and registration marks (N-numbers) must be displayed on aircraft that penetrate an ADIZ or a DEWIZ;
2. That, 90 days after the effective date of this rule, a civil aircraft identification (I.D.) plate or its information must be displayed in a legible area on the fuselage exterior of an aircraft either adjacent to and aft of the rear-most entrance, or on the fuselage near the tail surfaces; and
3. That, after the effective date of this rule, a copy of the FAA Form 337 completed upon installation of fuel tanks installed within the passenger compartment or a baggage compartment under Part 43 of the FAR be kept in the aircraft by the owner or operator.

Costs

Estimates of the cost of compliance with the amendments to Parts 43, 45, and 91 have been developed by the FAA. Cost estimates were obtained primarily from civil aircraft manufacturers and fixed based operators.

This evaluation estimates that the one-time cost of compliance associated with the amendments to § 45.11 (I.D. plate amendment) and § 45.29 (12-inch N-number amendment) are expected to range between \$7 million and \$8 million (present discounted value of cost at 10 percent, 1987). The amendment to § 45.11 will impact an estimated 79,300

to 82,000 fixed-wing aircraft, rotorcraft, and other types of affected civil aircraft (blimps, balloons, and gliders) at a cost of \$100 each. Moreover, the amendment to § 45.29 will affect an estimated 3,900 to 13,500 fixed-wing aircraft and rotorcraft at a cost of \$55 to \$115 each, respectively. Collectively, the cost of compliance will range between \$100 and \$215 per aircraft (1985 dollars). Conversely, the amendments to Appendix B of Part 43 (Recording of Major Repairs and Major Alterations), § 91.27 (Civil Aircraft: Certifications Required), and § 91.173 (Maintenance Records) are estimated to impose no additional cost. Under this amendment, this form is filled out in triplicate, rather than duplicate, to provide for a copy to be kept on board an aircraft modified with a fuel tank in the passenger compartment or a baggage compartment. In addition, the amendment to § 45.21 (General) is estimated to impose no additional cost to owners and operators of aircraft which may penetrate a defense zone because it merely provides for the option of using temporary or permanent 12-inch markings rather than an additional requirement.

Benefits

The anticipated benefits of the amendments include the following: (1) improved positive identification of those aircraft previously allowed to display small N-numbers when penetrating the ADIZ or DEWIZ; (2) improved verification of aircraft identification and enhanced ability of inspectors to determine noncompliance, such as whether a suspect aircraft had been stolen or the N-numbers falsified; and (3) increased effectiveness of Customs in concentrating interdiction efforts on suspicious aircraft not authorized to operate with fuel tanks installed in the passenger compartment or a baggage compartment. The FAA has been unable to quantitatively determine the extent to which Customs' drug interdiction efforts will be enhanced by this rule and resulting benefits. This difficulty is largely attributed to the fact that benefits of Customs' drug enforcement efforts represent a public good. This good does not subject itself to market evaluation. Thus, it is extremely difficult to evaluate these benefits in monetary terms. An indication of the potential benefits that could accrue from reduced drug abuse activity, due to enhanced drug interdiction, is shown in a 1984 report by the Research Triangle Institute. The report revealed that the economic cost to society of drug abuse amounts to approximately \$04 billion annually.

Safety benefits are also expected to accrue from this rule. These benefits are related to the lowering of fatalities and serious injuries associated with operation of civil aircraft in active drug trafficking areas. A review of the National Transportation Safety Board's data base for drug-related accidents revealed that 127 fatalities and 33 serious injuries occurred between 1975 and 1984. During this period, these statistics equated to an annual average of 13 fatalities and 3 serious injuries related to drug trafficking activity. The rule is expected to have a positive impact on these grim statistics, though to what extent is not known by the FAA.

The regulatory evaluation that has been placed in the docket contains information in more detail related to costs and benefits that are expected to accrue from the implementation of this rule.

Regulatory Flexibility Determination

The FAA has determined that, under the criteria of the Regulatory Flexibility Act of 1980, the amendments contained in this rule are not expected to have a significant economic impact on a substantial number of small entities. The responsibility for marking or providing I.D. plate information on existing aircraft is placed directly on the owner or operator of the aircraft. However, for new aircraft, the I.D. plate responsibility is placed on the applicant for airworthiness certificate, usually the manufacturer. This amendment will impose no additional cost on manufacturers since it only requires that the I.D. plate be located on the exterior rather than interior of the aircraft. The majority of small entities impacted by this rule represent operators of unscheduled aircraft for hire. These operators are expected to incur a one-time compliance cost ranging between \$155 and \$215. These costs are far below the annualized threshold of significant regulatory cost of \$3,540. Therefore, this rule will not have a significant economic impact on a substantial number of small entities.

International Trade Impact Statement

All foreign and domestic manufactured aircraft sold in the United States need to be identified in accordance with the provisions of this rule. The cost of marking the aircraft is borne by individual domestic owners or operators only. This rule will not have an impact on trade opportunities for U.S. firms doing business overseas or for foreign firms doing business in the United States.

Conclusion

The amendments contained in this FAA document involve only the cost of affixing N-numbers or data to aircraft belonging to a minor part of the aviation community. The benefits are unquantifiable in that the amendment will enhance safety as well as assist Customs in its drug interdiction efforts as requested. The cost imposed on small entities are below the annualized threshold of significant regulatory costs. Therefore, I certify that under the criteria of the Regulatory Flexibility Act, these amendments do not have a significant economic impact, positive or negative, on a substantial number of small entities, and a regulatory flexibility analysis is not required. In addition, for the same reasons, the amendments do not involve a major rule under Executive Order 12291. Because it involves important DOT policy, the rule is considered significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the regulatory evaluation for this action is contained in the regulatory docket. A copy of it may be obtained by contacting the person identified under the caption "FOR FURTHER INFORMATION CONTACT."

List of Subjects

14 CFR Part 43

Aircraft.

14 CFR Part 45

Nationality.

14 CFR Part 91

Aircraft, Airworthiness directives and standards.

Adoption of the Amendments

In consideration of the foregoing, Parts 43, 45, and 91 of the Federal Aviation Regulations (14 CFR Parts 43, 45, and 91) are amended as follows:

PART 43—MAINTENANCE, PREVENTIVE MAINTENANCE, REBUILDING, AND ALTERATION

1. The authority citation for Part 43 continues to read as follows:

Authority: 49 U.S.C. 1354, 1421 through 1430, 49 U.S.C. 100(a) (Revised Pub. L. 97-449, January 12, 1983).

2. Appendix B is amended by revising the introductory text of paragraph (a) and adding a new paragraph (d) to read as follows:

Appendix B—Recording of Major Repairs and Major Alterations

(a) Except as provided in paragraphs (b), (c), and (d) of this appendix, each person

performing a major repair or major alteration shall—

(d) For extended-range fuel tanks installed within the passenger compartment or a baggage compartment, the person who performs the work and the person authorized to approve the work by § 43.7 of this part shall execute an FAA Form 337 in at least triplicate. One (1) copy of the FAA Form 337 shall be placed on board the aircraft as specified in § 91.173 of this chapter. The remaining forms shall be distributed as required by paragraph (a) (2) and (3) or (c) (1) and (2) of this paragraph as appropriate.

PART 45—IDENTIFICATION AND REGISTRATION MARKING

3. The authority citation for Part 45 continues to read as follows:

Authority: 49 U.S.C. 1348, 1354, 1401, 1402, 1421, 1423, and 1522; 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983).

4. Section 45.11 is amended by revising paragraph (a) and adding a new paragraph (d) to read as follows:

§ 45.11 General.

(a) *Aircraft and aircraft engines.* Aircraft covered under § 21.182 of this chapter must be identified, and each person who manufactures an aircraft engine under a type or production certificate shall identify that engine, by means of a fireproof plate that has the information specified in § 45.13 of this part marked on it by etching, stamping, engraving, or other approved method of fireproof marking. The identification plate for aircraft must be secured in such a manner that it will not likely be defaced or removed during normal service, or lost or destroyed in an accident. Except as provided in paragraphs (c) and (d) of this section, the aircraft identification plate must be secured to the aircraft fuselage exterior so that it is legible to a person on the ground, and must be either adjacent to and aft of the rear-most entrance door or on the fuselage surface near the tail surfaces. For aircraft engines, the identification plate must be affixed to the engine at an accessible location in such a manner that it will not likely be defaced or removed during normal service, or lost or destroyed in an accident.

(d) On aircraft manufactured before December 8, 1987, the identification plate required by paragraph (a) of this section may be secured at an accessible exterior or interior location near an entrance, if the model designation and builder's serial number are also displayed on the aircraft fuselage exterior. The model designation and

builder's serial number must be legible to a person on the ground and must be located either adjacent to and aft of the rear-most entrance door or on the fuselage near the tail surfaces. The model designation and builder's serial number must be displayed in such a manner that they are not likely to be defaced or removed during normal service.

5. Section 45.21 is amended by revising paragraph (d)(3) to read as follows:

§ 45.21 General.

(d) * * *

(3) It is marked temporarily to meet the requirements of § 45.22(c)(1) or § 45.29(h) of this part, or both.

6. Section 45.29 is amended by revising the introductory text of paragraph (b) and adding a new paragraph (h) to read as follows:

~~§ 45.29 Size of Marks~~

~~(b) Height. Except as provided in paragraph (h) of this part, the nationality and registration marks must be of equal height and on—~~

~~(h) After December 8, 1987, each operator of an aircraft penetrating an ADIZ or DEWIZ shall display on the aircraft temporary or permanent nationality and registration marks at least 12 inches high.~~

PART 91—GENERAL OPERATING AND FLIGHT RULES

7. The authority citation for Part 91 continues to read as follows:

Authority: 49 U.S.C. 1301(7), 1303, 1344, 1348, 1352 through 1355, 1401, 1421 through 1431, 1471, 1472, 1502, 1510, 1522, and 2121 through 2125; Articles 12, 29, 31, and 32(a) of the Convention on International Civil Aviation (81 S.A. 1180); 42 U.S.C. 4321 *et seq.*; E.O. 11514; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983).

8. Section 91.27 is amended by adding a new paragraph (c) to read as follows:

§ 91.27 Civil aircraft: Certifications required.

(c) No person may operate an aircraft with a fuel tank installed within the passenger compartment or a baggage compartment unless the installation was accomplished pursuant to Part 43 of this chapter, and a copy of FAA Form 337 authorizing that installation is on board the aircraft.

9. Section 91.173 is amended by revising paragraph (c) and adding a new paragraph (d) to read as follows:

§ 91.173 Maintenance records.

(c) The owner or operator shall make all maintenance records required to be kept by this section available for inspection by the Administrator or any authorized representative of the National Transportation Safety Board (NTSB). In addition, the owner or operator shall present the Form 337 described in paragraph (d) of this section for inspection upon request of any law enforcement officer.

(d) When a fuel tank is installed within the passenger compartment or a baggage compartment pursuant to Part 43, a copy of the FAA Form 337 shall be kept on board the modified aircraft by the owner or operator.

Issued in Washington, D.C., on September 1, 1987.

T. Allan McArtor,
Administrator.

[FR Doc. 87-20606 Filed 9-8-87; 8:45 am]
BILLING CODE 4910-13-M

SJR

61

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 2-11-88 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER:

**FISCAL NOTE(S) ATTACHED **
IN ACCORDANCE WITH AS 24.08.035
(see below)

2/4/88

DATE TURNED INTO OFFICE 2-19-88

Mr. President:

State Affairs

Committee considered SJR 61

Requesting the Government of the United States to reassert jurisdiction over Wrangel Island, Herald Island, Henrietta Island, Jeannette Island, and Bennett Island together with the surrounding outer continental shelf within the American waters of the Chukchi Sea and the East Siberian Seas and to pay the State of Alaska compensation for damages and recommended: from their loss.

replace with CS _____ same title
 attached amendment(s) and new title

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted and attached

** Committee attached or adopted fiscal note(s)
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Rich Upton (DO PASS)
Ken Gunning

Don Hood Do Pass

Chairman signature and recommendation

Committee Backup Attached

Alaska State Legislature

Senator Paul A. Fischer
Senate District D
Box 784
Soldotna, Alaska 99669
(907) 262-9420 W
262-9269 H



While in Juneau
Pouch V
Juneau, Alaska 99811
(907) 465-3791

State Senate

RECEIVED
FEB 10 1988

(Handwritten initials: C, M, and others)

MEMORANDUM

TO: Senator Mitch Abood, Chairman
Senate State Affairs Committee

FROM: Senator Paul Fischer *PF.*

SUBJECT: Senate Joint Resolution 61
(reasserting U.S. sovereignty over Wrangel Island)

DATE: February 10, 1988

*1:25 P
hand delivered
Kin*

I would appreciate your scheduling the above referenced resolution before the Senate State Affairs Committee at your earliest possible convenience.

As you are undoubtedly aware, I introduced this identical resolution in 1986. It passed the Senate on a vote of 16 Yeas and 4 Nays and died in the House at the end of the Fourteenth Legislature.

Basically what this resolution does is to request that the government of the United States reassert jurisdiction over Wrangel, Herald, Henrietta, Jeannette, and Bennett Islands; together with the surrounding outer Continental Shelf within the American Waters of the Chukchi and East Siberian Seas and to pay the State of Alaska compensation for damages from their loss.

If you should have further need for information, my office can provide additional background. It is also interesting to note that within hours of introduction, the State Department Watch had contacted me and has kindly offered to provide up-to-date information on this subject matter.

PAF/sgn

Alaska State Legislature

Senator Paul A. Fischer
Senate District D
Box 784
Soldotna, Alaska 99669
(907) 262-9420 W
262-9269 H



While in Juneau
Pouch V
Juneau, Alaska 99811
(907) 465-3791

State Senate

MEMORANDUM

TO: Senator Mitch Abood, Chairman and
Committee Members
Senate State Affairs Committee

FROM: Senator Paul Fischer *PAF*

SUBJECT: Senate Joint Resolution 61
(reasserting U.S. sovereignty over Wrangel Island)

DATE: February 15, 1988

I appreciate your scheduling the above referenced resolution before the Senate State Affairs Committee on Friday, February 19.

As you are undoubtedly aware, I introduced this identical resolution in 1986. It passed the Senate on a vote of 16 Yeas and 4 Nays and died in the House at the end of the Fourteenth Legislature.

Basically what this resolution does is to request that the government of the United States reassert jurisdiction over Wrangel, Herald, Henrietta, Jeannette, and Bennett Islands,, together with the surrounding outer Continental Shelf within the American Waters of the Chukchi and East Siberian Seas and to pay the State of Alaska compensation for damages from their loss.

The legal basis and historical grounds supporting the validity of our claim to these islands is set forth throughout the whereas clauses of the resolution.

I've attached a packet of materials for the committee's information (accumulated in 1986 as well as new materials received this year). Further material is available upon request from my office.

PAF/sgn

Attachments

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: SJR 61
PUBLISH DATE: 2-4-88

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: _____
 Title: Requesting the Government of the US BRU: _____
to reassert jurisdiction over Wrangel Island...
 Sponsor: Fischer Components: _____
 Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Senate State Affairs Committee Phone: 465-4522
 Division: _____ Date: _____
 Approved by ~~Committee~~ Senator Mitch Abood Date: 2-19-88
 Agency: Senate State Affairs Committee

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

SJR

63

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of waived 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: RESOURCES
waived

**FISCAL NOTE(S) ATTACHED **
IN ACCORDANCE WITH AS 24.08.035
(see below)

3/11/88
Mr. President:

DATE TURNED INTO OFFICE 3-21-88

State Affairs Committee considered SSSJR 63

Opposing the closure of the Stikine Area Regional Supervisor's
Office of the United States Forest Service

and recommended:

[] replace with CS _____ [] same title
[] attached amendment(s) and [] new title

do pass

[] do not pass

[] no recommendation

[] individual recommendations

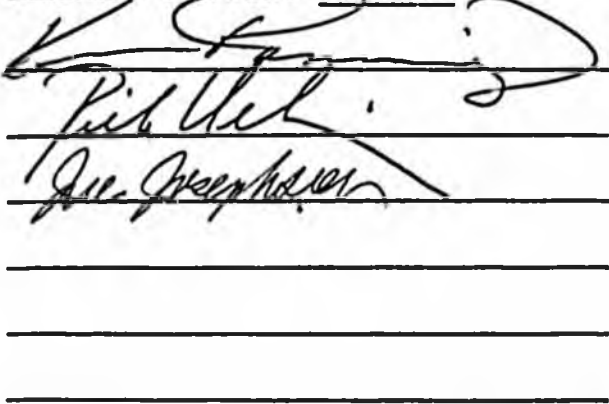
[] further referral to _____

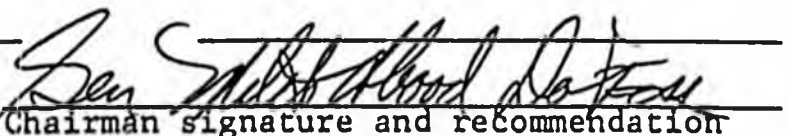
[] letter of intent adopted and attached

** Committee attached or [] adopted fiscal note(s)
 zero [] fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS




Chairman signature and recommendation

Committee Backup Attached

ALASKA STATE LEGISLATURE

Home Address
3813 Denali Street
Ketchikan, AK 99901
907-225-9082

While in Juneau
P.O. Box V
Juneau, AK 99811
907-465-3743

Senator Lloyd Jones

MEMORANDUM

TO: Senate members,
State Affairs Committee

FROM: Senator Lloyd Jones

RE: SJR 63

I introduced sponsor substitute for Senate Joint Resolution 63, Opposing the closure of the Stikine Area Regional Supervisor's Office of the United States Forest Service, because I wished to communicate with the Forest Service on the importance of this office.

The Department of Agriculture took a large budget cut to their Forest Service division in Alaska. The Forest Service is exploring ways of cutting service and is considering shutting down the Stikine Area Office in Petersburg. This office is not only critically important to the health of Petersburg's economy, but is necessary for local participation in the management of the Tongass National Forest.

Also, I have attached a graph showing the economic impact this office has on Petersburg.

This resolution is not controversial and, I hope, will be useful to demonstrate the Legislature's commitment to strong local economies. I thank the chairman and the committee for your full consideration.

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: SSSJR 63
PUBLISH DATE: 3/11/88

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: _____
Title: Opposing the closure of the Stikine BRU: _____
Area Regional Supervisor's Office of the U.S.F.S. _____
Sponsor: Jones Components: _____
Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Senate State Affairs Committee Phone: 465-4522
Division: _____ Date: _____
Approved by ~~Committee~~ Senator Mitch Abood Date: 3/21/88
Agency: Senate State Affairs Committee

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

POSITION	SALARY	ACTIVITIES					CHILDREN			SPOUSE EMPLOYMENT			REMARKS		
		FIRE DEPT.	EMT	SCOUTS	CHURCH	SPORTS	COMM. OFFICE	SERV. CLUB	PRE-SCHOOL	GRADE SCHOOL	HIGH SCHOOL	SCHOOL		MEDICAL	OTHER
Forester	140,000													52'	200,000 R
Nursery Tech	120,000				X										OH 80,000
Comp. Specialist	135,000				X				1						Rents
Engineer	135,000			X		X			3	1				X	20' 70,000 R
Mechanic	140,000				X										20' Rents
Personnel Officer	140,000				X										Rents Pb. Vac.
Personnel Specialist	135,000			X	X	X				1				X	20' OH 80,000
Transp. Planner	140,000									1					OH 24' 120,000
Budget	130,000									1					" "
Engineer	140,000				X			2						X	OH 130,000 Pos. Elim. 18' vacant
Budget Examiner	130,000														Rents
Landscape Architect	135,000														Rents
Purchase Agent	135,000							1	2					X	OH 70,000
B & F	130,000														Rents
Hydrologist	135,000														Rents
PIO	135,000				X									X	22' 120,000
Comp. Specialist	130,000				X				1						Rents
Soils Specialist	140,000								2	1			X		OH 18' 100,000
Forest Engineer	145,000						X	2					X		18' 120,000
Engineer	140,000														

POSITION	SALARY	ACTIVITIES							CHILDREN			SPOUSE EMPLOYMENT			REMARKS		
		FIRE DEPT.	FIRE EM	SCOUTS	CHURCH	SPORTS	COMM. OFFICE	SERV. CLUB	PRE-SCHOOL	GRADE SCHOOL	HIGH SCHOOL	SCHOOL	MEDICAL	OTHER		BOAT	
Reception	125,000															70,000	
Secretary	125,000				X											20'	Rents
1 Engineer	140,000																180,000 *
2 Engineer	140,000			X	X	X			1	1	2			X		22'	100,000 *
Hydrologist	140,000				X						1					18'	100,000
Biologist	145,000			X	X	X				2	1						120,000
Engineer	140,000			X		X			1	2				X		18'	100,000 *
Dispatcher	130,000																Rents
Personnel Secretary	125,000													X			150,000
Administ. Officer	140,000							X			1			X			Rente
3 Engineer	140,000										1			X		24'	180,000 *
Resrc. Clk	135,000				X									X		24'	140,000
Ecologist	140,000			X	X	X				2	2					24'	100,000
Staff Timber	145,000	X					X	X			1		X			18'	100,000
Engineer	140,000																Rents *
Biologist	140,000				X												R. vacant
Archeol.	140,000																Rents
Skipper	150,000				X							X					180,000
Planning	140,000				X				2			X					100,000
Forester	140,000				X				2					X		18'	Rents
Forester	140,000				X												Rents
4/ Engineer	140,000																Rents *
Comp. Tech	135,000				X									X			Rents
Nurs. Tech	140,000																Rents
Hydrologist	135,000				X				2					X			Rent

TOTAL POSITIONS VACATED

67 *Use 50 definite*

TOTAL SALARY GONE

\$ 2.5 MILLION *2.0 definite*

TOTAL FIRE DEPT.

2

TOTAL EMT GONE

4

TOTAL SCOUTING

12

TOTAL CHURCH MEMBERS

40

TOTAL EX CUR. SPORTS

12

TOTAL COMMUNITY OFFICERS

4

TOTAL SERVICE CLUB MEMBERS

5

PRE-SCHOOL MEMBERS

32

GRADE SCHOOL MEMBERS

21

HIGH SCHOOL MEMBERS

21

SPOUSE EMPLOYMENT

SCHOOL -- 6

MEDICAL -- 5

OTHER -- 26

BOATS LEAVING PS6

33

NUMBER AND VALUE OF HOUSES ON THE MARKET

36 HOUSES, AT 3.617 MILLION

TOTAL AIR TAXI OPERATION REVENUE LOST (APPROX.)

\$200,000 (FS CONTRACTS, AND SMALL AMOUNT OF PERSONAL TRAVEL.)

REVENUE LOST FROM PMP & L (Petersburg Municipal Power & Light).

TOTAL LOST \$00,000.00

- \$50,000.00 A LOSS FROM INDUSTRIAL

- \$30,000.00 A LOSS FROM RESIDENTIAL LOAD

- 500,000 KILOWATT HOURS LOST TOTAL SYSTEM AND THESE HOURS WILL NOT ONLY AFFECT PMP & L BUT ALSO THE FOUR DAM POOL AND THE ALASKA POWER AUTHORITY.

*Re purchase building
contract: 5th year
of a 20 year
contract.*

*Cost of moving personnel
@ \$25,000 per
household.*

SJR

65

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 2/24/84 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER:

**FISCAL NOTE(S) ATTACHED **
IN ACCORDANCE WITH AS 24.08.035
(see below)

2/12/83
Mr. President:

DATE TURNED INTO OFFICE 2/22/84

State Affairs Committee considered SJR 65

over-the-horizon backscatter radar systems

and recommended:

- replace with CS _____ same title
- attached amendment(s) and new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____
- letter of intent adopted and attached

** Committee attached or adopted fiscal note(s)
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Signature]

[Signature]

 Chairman signature and recommendation

Committee Backup Attached

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: SJR 65
PUBLISH DATE: 2/12/88

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Relating to over-the-horizon
backscatter radar systems
Sponsor: Coghill
Requestor: _____

Agency Affected: _____
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Senate State Affairs Committee
Division: _____
Approved by: Senator Mitch Abood
Agency: Senate State Affairs Committee

Phone: 465-4522
Date: _____
Date: 2-29-88

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF FORESTRY

STEVE COWPER, GOVERNOR

400 WILLOUGHBY AVENUE
JUNEAU, ALASKA 99801
PHONE: (907) 465-2491

February 17, 1988

Jon Ferguson, Project Manager
Alaska Corps of Engineers
Headquarters Alaskan Air Command
Elmendorf Air Force Base, Alaska 99506-5001

Dear Mr. Ferguson:

On October 20, 1987, we received a copy of a letter which Col. Barry Thompson, Deputy Chief of Staff/Plans, Alaska Air Command, sent to Senator Ted Stevens, United States Senate, Washington, D.C., concerning the State Division of Forestry's request for specifications on any wood products that will be used in the Over-the-Horizon Backscatter Project. In this letter Col. Thompson indicated you would send us these specifications when they became available. Are these specifications now available?

With Governor Cowper's renewed emphasis on diversified economic development in Alaska, use of local wood products for construction and operation of new military facilities takes on added importance. In keeping with the Governor's new policies, the State is prepared to provide information and research on opportunities which support economic development through the use of local wood. We are interested in working with your staff to develop bid specifications that would allow Alaska's forest products industry to compete effectively in upcoming procurements of building materials for the Backscatter Radar project.

Wood supply contracts provide a strong economic stimulus to wood harvesting and transportation activities in the forest products industry. We are particularly interested in working with your engineering personnel in developing the specifications for wood products to be used in fencing material necessary for protection of the facilities. Specifications for lumber in construction and operation of the facilities should allow Alaska white spruce to compete with "Douglas Fir," "Southern Pine," etc. It has been our experience with government contracts that Alaska white spruce is not considered because of the way the contract language is written, even though Alaska white spruce meets or exceeds the structural characteristics of most species, including Douglas Fir, Southern Pine and Hem-Fir.

We would appreciate your consideration of our concerns when drafting these procurement documents.

We believe that the U.S. Air Force, through the Alaska Corps of Engineers, has the opportunity to stimulate and diversify our already depressed economy. A project of this magnitude can have a significant impact on local and state economic development.

We will be awaiting your reply.

Sincerely,



John Galea
State Forester

cc: Steve Cowper, Governor
Ted Stevens, U.S. Senator
Don Young, U.S. Representative
Judith M. Brady, Commissioner
Anthony Smith, Commissioner
Jan Faiks, State Senator
Richard Eliason, State Senator
Fred Zharoff, State Senator
Jack Coghill, State Senator
Sam Cotten, State Representative
Dick Shultz, State Representative
Drue Pearce, State Representative
Col. Jim Lee, Program Director
Col. Jack Lennox, Deputy Director
Capt. Bill Godfrey, ARS Program Manager
Capt. Karla Moyer, Asst. ARS Program Manager
Paul Sitkus, Civil Engineering
Maj. Miles Carlson, Environmental Policy and Assessment
Maj. John Ross, OTH Program Monitor
Lt. Col. Bill Peterson, Director of Programs
Maj. Carol Randal, OTH-B Program Manager
Mr. Jim Hostman, Chief Environmental Planning
Mr. Stan Lawrence, Engineer Project Manager
Capt. Bob Morris, Public Affairs
Dr. Sid Everett, EIS Project Leader
Mr. Bob Marshall, Facilities Manager
Dr. Jamie Maughan, EIAP Coordinator
Mr. Stephen Hope, ARS EIAP Coordinator
Mr. Jim Chambers, Alaska Liaison
Mr. Ernie Woods, Chief Real Estate
Angie Gori, Real Estate
Bob Welch, Real Estate
Larry Reeder, Regulatory
Bill Roberts, Chief Appraisal

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF FORESTRY

STEVE COWPER, GOVERNOR

PO BOX 7 005
ANCHORAGE ALASKA 99510
PHONE 190715612020

9-3100

June 10, 1987

Lt. Col. William R. Peterson
Director of Programs
Dept. of the Air Force
HDQ1 Alaska Air Command
Elmendorf Air Force Base, Alaska 99507-5001

Dear Lt. Col. Peterson:

Having received a copy of your letter to Senator Murkowski from his office and based on our phone conversation we would like to clarify our letter of February 25, 1987 to you concerning the over-the Horizon Backscatter Radar construction project.

The State of Alaska was not in any way trying to get "special" consideration for the use of its forest products in the construction of the radar facilities. We wanted to point out that contract specifications should allow for Alaskan wood use where applicable. Contract specifications dictating the use of "Douglas Fir" or "Southern Pines" would not assist our industries or economy. Further, the idea that "treated" material could not be supplied by industry in Alaska is not valid. Presently we have no treating facilities "pressure" or double diffusion, but have been able to supply to the market treated wood products by cooperative efforts with "lower 48" industry. If contract specifications for dimensional lumber refer to "treated" products we may even be able to interest industry in investing in a double-diffusion treatment facility here in Alaska. Twenty miles of eight foot fence could be the catalyst for the capitol investment necessary to provide a treatment facility. Power generation facilities necessary for the project should consider an alternate fuel source as backup to oil or gas, which could be provided from local forest biomass. This resource could easily be provided by local industry in emergency situations.

We believe the wood resources of Alaska are yet untapped and your careful consideration of contract specification in the construction and operation of this project could initiate further economic diversification in Alaska.

Sincerely,

David E. Wallingford

DAVID E. WALLINGFORD
Assistant State Forester
Resource Management

cc: Steve Cowper, Governor
Ted Stevens, U.S. Senator
Frank Murkowski, U.S. Senator
Don Young, U.S. Representative
Judith M. Brady, Commissioner
Anthony Smith, Commissioner
Jan Faiks, State Senator
Richard Eliason, State Senator
Joe Josephson, State Senator
Fred Zharoff, State Senator
Jack Coghill, State Senator
Sam Cotten, State Representative
Dick Shultz, State Representative
Dave Pearce, State Representative

COMMITTEES:
VETERANS' AFFAIRS (RANKING MEMBER)
ENERGY AND NATURAL RESOURCES
FOREIGN RELATIONS
INDIAN AFFAIRS
INTELLIGENCE

United States Senate

WASHINGTON, DC 20510
(202) 224-6888

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JUNEAU
U.S. FEDERAL BUILDING
BOX 1647, 99803
(907) 885-7400

February 12, 1988

Colonel James A. Lee
OTH-B System Program Office
Hanscom AFB, MA, 01731

Dear Colonel Lee:

I've just returned from Alaska, and I wanted to pass along some observations on a subject we've discussed before: the critical importance of working with local entities on the Alaska OTH-B project.

I know, for instance, that a contract for a subsistence study is out for bid. The Air Force would be wise to utilize the vast amount of local talent available for such an endeavor. In fact, if past experience is any guide, you'll find it impossible to complete a worthwhile subsistence survey without the complete cooperation of the local people - the kind of cooperation an outside entity is unlikely to get.

The same situation exists with the archeological surveys to be undertaken. There is an inherent mistrust of outsiders and their motives - a consequence of history and other factors you're aware of. Therefore, you must involve, and rely upon local people if you expect a good result.

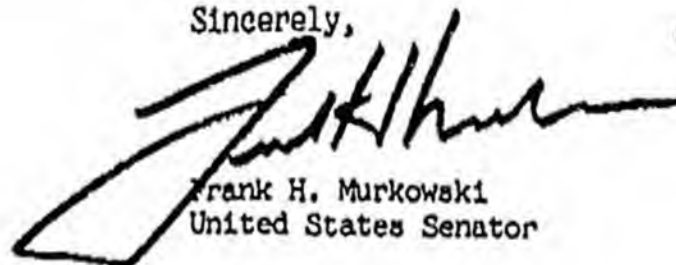
Our common goal - keeping the project moving ahead on schedule - depends on extraordinary local involvement and participation. This is clearly one of those cases where "going the extra mile" now will pay big dividends to both the Air Force and the taxpayer down the road.

Some of your best sources of information about the local situation continue to be Dick Shultz and Jack Coghill. If you continue to maintain close contacts with their offices, and follow their advice, this project will move ahead smoothly.

Next time you're in Washington, please set some time aside to brief David Garmen of my staff on your activities. I'll also try to sit in if I can.

I look forward to seeing you again.

Sincerely,



Frank H. Murkowski
United States Senator