



Alaska State Legislature House and Senate Democrats

WEB: <http://www.akdemocrats.org>
CONTACT: Geran Tarr
PHONE: (907) 269-0169
FAX: (907) 269-0172
EMAIL: Geran_Tarr@legis.state.ak.us

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Lawmakers suggest uses for Homeland Security grant

Ellis & Berkowitz say \$2 million jet doesn't follow protocol

ANCHORAGE – Anchorage – Senator Johnny Ellis (D-Anchorage) and Representative Ethan Berkowitz (D-Anchorage) sent a letter to Governor Murkowski, asking him to spend \$2 million of the Homeland Security grant to the state against terrorist attacks, not a jet.

The letter points out the money could go to preparing the state, in event of a terrorist attack. Some key points include:

- According to the Homeland Security Grant guidelines, special purpose aviation equipment must be used primarily for homeland security objectives;
- The jet would be a poor choice to respond to the state's natural disasters, like earthquakes and major wildfires;
- There are more critical needs, like first responder radios for Anchorage's police officers and firefighters

The full text of the letter is below.

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Alaska State Legislature

Official Business, State Capitol, Juneau, Alaska, 99801

July 28, 2004

Dear Governor Murkowski:

We are writing to you in hopes of clarifying some misinformation that you may have received regarding the use of Alaska's 2004 Office for Domestic Preparedness grant funding. We strongly oppose the purchase of a \$2 million fixed wing aircraft for your use and believe the funds would be better spent equipping Alaska's first responders, improving state communication interoperability and enhancing security for Alaskan's critical infrastructure.

In 2004, Alaska was allocated nearly \$20 million by the Office for Domestic Preparedness. As you know, the Office of Homeland Security requires that 80% of those funds be passed to local jurisdictions. Two million dollars represents a significant percent of Alaska's overall allocation – surely there are other ways to spend this money that would better protect America's largest state.

The 2004 Office for Domestic Preparedness Homeland Security Grant Guidance Section 14 on page 17 clearly states:

"14. CBRNE* Aviation Equipment – This category allows for the purchase of special-purpose aviation equipment **where such equipment will be utilized primarily for homeland security objectives** and permissible program activities, and provides that the **local units of government** certified that it has an operation aviation unit and that the costs for operations and maintenance of such equipment will be paid from non-grant funds. Aviation equipment is defined as fixed-wing aircraft, helicopters, and air-safety containers for **CBRNE* prevention response, mitigation or remediation**. Allowable costs include the purchase of customary and special navigational, communications, safety, and operational equipment necessary for **CBRNE* prevention, response and/or recovery**.

Prior to obligating funds for this category of equipment, grantees must obtain a waiver from Department of Homeland Security Secretary through ODP by first consulting with their DHS&EM project manager and providing detailed justification for obligating funds in this category, and receiving approval to obligate funds."

**Chemical, Biological, Radioactive, Nuclear, Explosive*

The purchase of an aircraft for which the primary use is unlikely to involve actual homeland security incidents would seem to conflict this very specific federal grant guidance.

It is our understanding that under the current proposal, Alaska State Troopers would manage aircraft operations. The jet is envisioned for use on an as-need basis for homeland security duties but would also be dispatched during natural disasters and to perform common public safety tasks such as the transport of prisoners to out-of-state facilities. This proposal is objectionable on a number of levels. Please consider the following:

- According to the newly approved National Incident Management System (NIMS,) the Federal Bureau of Investigations is the lead law enforcement agency for all suspected terrorist incidents. As such, state troopers would likely only play a peripheral role during the response to a terrorist threat. Though some Alaska communities such as rural villages lack their own local law enforcement officers, it is unlikely that any of these extremely isolated areas would be the target of terrorism. Therefore, in terms of response, \$2M would be better invested in equipment for first responders such as local police, fire fighters or paramedics.
- Though state troopers perform a vital law enforcement role, they are unqualified to participate in (let alone lead) a CBRNE response. Specifically, state troopers lack the experience, training and even minimal PPE's (personal protective gear) necessary to safely navigate a chemical, biological, radioactive, nuclear or explosive device incident. Placing state troopers in this type of role would expose them to extreme hazards and would likely result in additional loss of life. In terms of first responder protections, \$2M would be better invested in basic training and at least some type of protective gear for troopers.
- However, CBRNE training for state troopers seems unnecessary in view of Alaska's state and regional CBRNE response teams:
 - Anchorage Fire Department regional HAZMAT response team (45 trained technicians)
 - Fairbanks regional HAZMAT team
 - Juneau regional HAZMAT team (currently in development)
 - Valdez HAZMAT team (currently in development)
 - The Weapons of Mass Destruction Civil Support Team (CST) – a full time, federally funded National Guard unit established under Presidential Decision Directive 39. The CST organization is designed for response to local, regional and state terrorism events or incidents suspected to involve Weapons of Mass Destruction. The 103rd CST is stationed at Fort Richardson, Alaska.
- Finally, not only is a state trooper jet unnecessary and inappropriate for response to manmade threats to Alaska, it is also an extremely poor choice for response to Alaska's natural disasters.
 - Alaska is located in one of the most seismically active regions in world. In the event of a major earthquake, it is very likely that runways will be rendered useless or that air towers may be destroyed (as occurred at Anchorage Airport in 1964.)
 - During major wildfires, smoke and runway disruptions are common and could prevent fix-wing access.
 - And, obviously, for eight or nine months of the year, snow and ice could impede safe landing for such a craft in the more remote regions of Alaska.

We strongly encourage you to reconsider your proposal to purchase a fix-wing aircraft with Alaska's 2004 ODP grant allocation. There are more critical security investments to be made. For example, the Municipality of Anchorage has committed to radio interoperability by 2006. Current total project estimates for the cost of infrastructure and first responder radios exceeds \$14 million. Interoperable communication systems are Anchorage's highest homeland security priority.

In addition, the Port of Anchorage's need for grant assistance is growing exponentially. The deployment of the Stryker Brigade in Alaska during 2005 will further add to the Port's need for additional security capabilities, as will the deployment of the United States Coast Guard's Marine Safety and Security Team during the latter months of 2004. Indeed, it is due in no small part to its importance to the military that the Port of Anchorage is increasingly seen as a strategic asset that needs to be protected. Specific equipment and facility improvements that the Port of Anchorage needs assistance with today, in order of descending priority, are;

- Physical security enhancement equipment
 - Vehicle security inspection building
 - Impact resistant gates
- CBRNE incident response vehicles
 - Mobile command post
- CBRNE logistical support equipment
 - Light sets
- Interoperable communications equipment
 - Land mobile, two-way in-suit communications equipment

Thank you for your attention to this important matter.

Sincerely,



Senator Johnny Ellis
(D) Anchorage
Senate Minority Leader



Representative Ethan Berkowitz
(D) Anchorage
House Minority Leader

cc: Mr. Asa Hutchinson, Under Secretary for Border and Transportation Security
Mr. Michael Brown, Under Secretary for Emergency Preparedness and Response
Ms. Suzanne Mencer, Director, Office for Domestic Preparedness
Mr. Andrew Mitchell, Deputy Director, Office for Domestic Preparedness
Mr. John Pennington, Region X Director, Federal Emergency Management Agency
General Craig Campbell, Commissioner, AK Division of Emergency Services and Homeland Security
Mr. Tom Burgess, Homeland Security Director, Alaska Dept. of Emergency Services and Homeland Security
Alaska State Representative Ralph Samuels