

MINUTES OF THE HOUSE FEDERAL & STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairperson Doug Mays at 1:40 p.m. on March 14, 2001 in Room 313-S of the Capitol.

All members were present except: Representative John Edmonds, Excused  
Representative Joann Freeborn, Excused  
Representative Broderick Henderson, Excused

Committee staff present: Russell Mills, Legislative Research Department  
Shelia Pearman, Committee Secretary

Conferees appearing before the committee:

David Brant, Securities Commissioner  
Representative Candy Ruff  
Cadet Rob Domitrovich, Leavenworth High ROTC  
Army ROTC Cadet William Gray Chuber, University of Kansas  
Doug Smith, Leavenworth High School Teacher  
George Petersen, Hunter Education Instructor  
Clint Riley, Department of Wildlife & Parks  
Scott Hattrup, Attorney  
Sandy Jacquot,, Kansas League of Municipalities  
David Cooper, Lenexa Senior Assistant City Attorney

Others attending: See attached list

Chairman opened the hearing on **HB 2563 - Securities commission, fees, creating investor education fund.**

Commissioner Brant explained **HB 2563** would establish an investor education fund similar to those of 12 other states for the purpose of providing consumer education regarding securities regulation and investments. Civil penalties collected in FY2000 was \$30,949 which is transferred to the State General Fund. (Attachment #1) No negative fiscal effect is foreseen.

Chairman Mays, a former securities commissioner, commented this bill would educate the public and assist in spotting fraud.

Hearing on **HB 2563** was closed.

Representative Cox moved that Committee recommend **HB 2563** favorable for passage. Representative Burroughs seconded the motion. Motion passed.

Chairman opened the hearing on **HB 2558 - Sport shooting ranges protection .**

Representative Ruff stated the shooting in a California's high school last week caused her to revise her opening statements about this bill. In introducing members of the Leavenworth Junior Reserve Officer Training Corps (ROTC.), she emphasized the young people taking part in the ROTC rifle team are taught about the importance of handling a rifle. They understand from the beginning the responsibility they assume. These students often come to the program with a background in hunting and have been taught safety by their parents, many of whom have used shooting ranges.

Cadet Domitrovich stated the ROTC improves a person's character both with and without weapons and motivates young people to become better citizens. Above all, this programs teaches safety, self-discipline, sportsmanship, respect for firearms, attention to detail, precision and determination. (Attachment #2) Shooting ranges provide individuals the opportunity to develop their firearms skills and motivates young people to be better citizens.

Mr. Smith emphasized the Range Protection bill represents responsible citizenship and firearms safety. After traveling the United States and the world as an Army officer, he chose to settle in Kansas as an educator and has taught his family to shoot on the range. He urged the committee not to take that right away from his children and his grandchildren (Attachment #3)

Mr. Peterson discussed his unofficial poll of 1500 Hunter Education instructors. Almost 500,000 graduates have participated in Hunter Education courses since its enactment in 1972. (Attachment #4) A map of the United States shows that 42 states have similar protective legislation. (Attachment #5) He also noted Margaret Murdoc of Topeka won the silver medal at the 1976 Olympics in Montreal as well as Kim Rhodes who won the first USA gold medal in the 1996 Olympics in Atlanta in the trap shooting event.

Mr. Riley addressed the committee on behalf of Secretary Steve Williams in support of **HB 2558**. He stated the department's role to provide safe and responsible hunting opportunities via continued availability of shooting ranges for public use is critical. (Attachment #6) He cited the rising demand for recreational and competitive shooting to enable individuals to hone their shooting skills.

As an attorney, a certified firearms instructor and NRA course instructor, Mr. Hatstrup expressed his support for **HB 2558**. He noted the need for this bill is due to population shift from rural to urban and the interest of individuals to learn and practice firearm safety. This bill would prohibit local governments from misusing the power of eminent domain to take an established shooting range for purposes of continuous operation as a shooting range. Often, the residential developments rise up near an already established shooting range. (Attachment #7)

Mr. Chuber believes non-protection of ranges would infringe on the Second Amendment right and expressed his personal growth resulting from his involvement with R.O.T.C. (Attachment #8)

Written testimony supporting **HB 2558** from David Lawrence, President of The First Santa Fe Trail Plainsmen Muzzleloading Club was distributed to committee members. (Attachment #9)

Ms. Jacquot opposed the bill due to the contradiction with typical nuisance and land use law. She discussed the nonconforming uses language in place since statehood which currently would not allow to rebuild the facility following a fire or natural disaster. (Attachment #10)

Mr. Cooper opposed the bill and stated any legislation that precludes the ability of local government to exercise its powers of eminent domain should be avoided. (Attachment #11) This bill also runs directly contrary to the common law doctrine that embraces the gradual elimination of nonconforming uses.

Written testimony opposing **HB 2558** from Ashley Sherard, Johnson County Administrator's Office was distributed to the committee. (Attachment #12)

The hearing on **HB 2558** was closed.

The committee meeting adjourned at 3:15 p.m. The next scheduled meeting is March 15, 2001.

# HOUSE FEDERAL & STATE AFFAIRS COMMITTEE

## COMMITTEE GUEST LIST

DATE: 3/14/01

NAME	REPRESENTING
Tom Burgess	KSA/NRA
Scott Hattrop	self
George Petersen	self
Gandy Jacquot	LKM
David M. Cooper	City of Lenexa
Pat Lehman	City of Lenexa
Steve Wasson	KS Securities Comm.
David Brant	Securities Commissioner
ANGELA CICHOCKI	KS SECURITIES COMM.
Tommy Hehen	HUNTER ED
Bill Chuber	ROTC KU
DOUGLAS R SMITH	SELF
Rick Fagan	JROTC Leavenworth HS
BRANDON WILLIAMS	JROTC LEAVENWORTH HIGH SCHOOL
Denise DeSodillo	JROTC Leavenworth H.S.
Robert Domitrovich	JROTC Leavenworth H.S.
Blair Herken	JROTC Leavenworth H.S.
Megan Williams	JROTC Leavenworth HS
Elizabeth A. Hruska	JROTC Leavenworth HS







# KANSAS

Bill Graves  
Governor

OFFICE OF THE SECURITIES COMMISSIONER

David Brant  
Commissioner

**TESTIMONY IN SUPPORT OF HOUSE BILL No. 2563**  
**Establish an Investor Education Fund**  
House Federal and State Affairs Committee

**DAVID BRANT**  
Securities Commissioner  
March 14, 2001

Mr. Chairman and members of the committee, thank you for this opportunity to testify in support of House Bill No. 2563 which would establish an Investor Education Fund.

Purpose  
Page 2, Line 2      The investor education fund shall be established and administered by the Commissioner for the purpose of providing for the education of consumers in matters concerning securities regulation and investments. Civil penalties collected under K.S.A. 17-1266a shall be credited to this fund. Payments may also be designated to be credited to this fund as a condition in settlements of cases arising out of investigations or examinations.

Sunset Review  
Page 2, Line 14      The new subsection (d) also requires a report, similar to a "sunset" review, on the Investor Education Fund to be submitted to the Governor and the Legislature after five years. This provision was modeled after a five year review required by K.S.A. 74-8108a for a KTEC small business financing program.

Fiscal Impact      No additional staffing costs would be required and investor education expenditures would be limited by the extent of receipts from fines and settlements.

Historically, the amount of fines has varied from year to year. Since 1996, fines have annually totaled between \$6,500 to \$70,600. The amount of fines collected in FY 2000 was \$30,949 and \$19,750 has been collected to date in FY 2001.

For FY2000, the agency transferred a total of \$6.6 million to the State General Fund and FY2001 receipts are again higher and ahead of budget projections.

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Use of Funds     The use of fines and settlements for investor education programs could significantly enhance the ability of the agency to inform Kansas investors about illegal investment schemes and unethical sales practices or investment advice. Since 1999, the agency now has a full-time Director of Investor Education. The agency's investor education efforts can be enhanced with additional funding:

- Agency Website
- Toll-free Helpline
- Pamphlets and Publications
- Statewide Yellow-Page Ads
- News Releases and Public Service Announcements
- Presentations to Schools and Service Clubs
- Information Booth for events such as the State Fair
- Investor and Industry Seminars
- Informational Video
- Informational mailings to the industry, retirees, and senior citizens

With additional funding, the agency can increase its support of the Kansas Council of Economic Education and of personal finance education in K-12 schools, curriculum, and teacher training.

Other States     Currently, 12 states, including the states of Delaware, Missouri, Utah, and Wisconsin, allow fines and settlements for securities violations to be used for investor education.

Conclusion     This proposal was endorsed on December 6, 2000, by the Commissioner's Advisory Council which is comprised of legislators, attorneys, and representatives from the securities industry.

Thank you for your consideration.

# Investment educator warns Kansans of scams

By Mike Surbrugg  
Globe Staff Writer

COLUMBUS, Kan. — A lot of time has passed since P.T. Barnum was credited with saying "a sucker is born every minute."

"The birth rate of suckers is (perennial) and there is no birth control," Angela C. Cichocki said during a gathering recently in Columbus. "Scams are not new; they are just faster and look more professional."

The director of investor education

for the Office of the Kansas Securities Commissioner visited the area recently to speak with seniors and others interested in learning about the potential pitfalls of investing.

None of the 26 members of her office gives advice on what to invest in. They do, however, help people steer clear of scams and fraud.

In 1911, Kansas became the first state to develop regulations governing the sale of securities, she said. Federal regulation began in 1933.

A security is any profit-sharing agreement and often involves the

buyer wanting to earn money from work done by others, she said.

Most individuals selling securities and other investments comply with laws and provide investors information needed to make investment decisions, she said.

"Any time somebody tries to sell you a security, ask to see their Central Registration Depository (CRD) federal regulation number," she said.

An individual needs to know his or her financial skills, goals, needs, risk tolerance and how much money he or she can afford to invest.

Investors should keep written records, stay informed and invest only in something suited to their needs, Cichocki said.

"You cannot afford to bet the whole farm on one investment," she said.

The broker or dealer is not to blame if the purchased securities or stock price goes lower with market trends.

However, fraud and abuse occur if investors are not given accurate information for transactions made without prior written authority from

the investor, not telling the truth about an offered securities, or for churning.

Churning means a broker making a lot of transactions for fees at the expense of the investor.

Each state has background information on brokers and dealers.

Investors with any problems should first write the broker, Cichocki said.

If it is not resolved, a letter should be sent to the broker's branch manager, then to the compliance department of the firm and then to the state

securities office.

"Pump and dump" is a scheme where promoters buy quantities of cheap stock they then promote to get the value to increase. They sell their own stock before the market collapses at the expense of later-arriving investors.

Internet trading has brought brave new worlds of opportunity for the scam artist, she said.

"We need to teach investment education in high school," she said.

Information about the Kansas securities program: (800) 232-9580.

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# 158 Commissioner warns students about dangers, laws of investing

Speakers address HCC, stress knowing fine print

By Wes Johnson  
The Hutchinson News

With the stock market soaring and plummeting almost daily, Kansas securities Commissioner David Brant offers these words of warning.

"The most dangerous animal on Wall Street isn't the bull or the bear," Brant said. "It's the bum steer. We're here to help you avoid the bum steer."

Brant was in Hutchinson last week speaking to macroeconomics students at Hutchinson Community College.

He said tumultuous times in the investment business make it all the more important for people to ask a lot of questions before turning over their hard-earned money to a broker or investment firm.

The Kansas Securities Commissioner investigates complaints of fraud or unethical investment practices. With a national database, the commissioner also offers background information about brokers or investment companies even if they're not in Kansas.

Brant's office typically receives 150

to 200 complaints a year from Kansas investors.

"About 20 or 30 of those are serious enough that it ends up in some kind of official action," Brant said. "We average about 14 criminal convictions a year - half against Kansans and half against others who are out of state."

His office currently is pursuing three high-profile cases in Kansas:

- An Abilene man is being investigated for allegedly bilking investors out of more than \$1 million.

- His clients just trusted him so much that they went along with whatever he told them," Brant said.

- Three weeks ago Brant's office shut down a Wichita businessman who allegedly was posting news alerts on the Internet involving penny stocks he owned.

"He was issuing these press releases over the Internet to entice people to invest in his stocks," Brant said. "We shut him down and seized his assets, including his home. We think people lost between \$500,000 and \$1 million."

- His office also is dealing with a case in the Kansas City area involving a "viatical" insurance investment plan. A company targeted AIDS patients, offering to give them cash

**'The most dangerous animal on Wall Street isn't the bull or the bear. It's the bum steer. We're here to help you avoid the bum steer.'**

- Kansas Securities Commissioner David Brant

up front to pay for their costly medicines if the patients agreed to sign over their life insurance policies to the company when they died.

The company sought investors, marketing it as a low-risk, high-yield opportunity, Brant said. One investor was a Kansas City woman who invested her entire \$225,000 in retirement savings.

"The good news for the AIDS patients is that the new cocktails are keeping them alive a lot longer than expected," he said. "But that's bad news for the investors because they're not getting the returns they thought they would, and may even lose it all."

Angela Cichoski, director of investor education at the Kansas Securities Commission, told the HCC students that Kansas was the first state in the country to enact laws governing the sale of securities.

"In the early 1900s investors in the United States were losing \$100 million a year through fraud," Cichoski said.

"These came to be known as 'blue-sky laws' because these wildcat investment promoters were selling nothing but blue sky. The name stuck and you still hear them called that today."

Kansas regulations took effect in 1911, followed by the Federal Securities Acts of 1933 and 1934 in response to the stock market crash of 1929.

Kansas required brokers and investment firms to apply for a revocable state license.

"That first year 550 applied for a license, but the state only approved 44," Cichoski said.

When investment fraud occurs, Cichoski said it may be possible for investors to recover some or all of their losses. She said broker misconduct generally falls into four categories, all of which can give an investor an avenue to reclaim lost funds.

Brokers must follow the "know your customer rule," Cichoski said. If a client wants to stay with low-risk

investments, a broker can't sell him on high-risk ventures.

Reputable brokers use an investor profile document that details what the investor's goals are and his willingness to take financial risks. The document can help protect both broker and client.

Brokers can't do unauthorized trading, Cichoski said. Unless a client gives power of attorney to his broker, the broker has a legal obligation to get a stock trade order from his client before he acts.

"Without the order the broker has no business doing business," Cichoski said.

Brokers cannot misrepresent stocks by exaggerating their potential for return, failing to reveal a stock's risks or failing to provide adequate details about the stock.

Cichoski said brokers also are barred from excessive trading in a client's portfolio to produce high commissions from each stock trade. The strategy is called "churning," she said.

"There is an inherent conflict of interest because brokers make money by charging commissions on broker-

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## Invest

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age deals," Cichoski said. "That process can be abused."

Despite the words of warning, one HCC student said he was looking forward to becoming a stock market investor.

Paul Erickson, 19, of Buhler, said his class was playing an investment game, using \$100,000 in fake money to invest over a 10-week period. Each student had \$10,000 to work with.

"It's not going very well," Erickson admitted. "I've invested \$7,000 of my \$10,000 in five technology stocks, but I've lost \$800 over the last seven weeks. But the way I see it, I'm gaining a lot from this experience so I'll do better when I start investing for real."

See INVEST / B2



KANSAS  
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## Securities Commissioner offers tips to online investors

Some 200 securities firms offer on-line brokerage services and there are an estimated 10 million-plus on-line accounts. On-line firms are spending hundreds of millions of dollars on advertising to attract new customers, many who are new to investing and the stock market.

Kansas Securities Commissioner David Brant says that this represents a radical change in the relationship between brokerages and their customers. "It is critical that investors understand what to expect as they invest on-line," said Brant. "As technology changes, educating investors is the key to empowering them to understand their choices and avoid mistakes."

*As technology changes, educating investors is the key to empowering them to understand their choices and avoid mistakes."*

David Brant, Kansas  
Securities Commissioner

Recent studies of on-line investing by the New York State Attorney General and the U. S. Securities and Exchange Commission highlight a number of complaints lodged by on-line investors, from delayed execution of orders to slow response times, inadequate customer support and possibly misleading advertising claims.

Brant, along with other members of the North American Securities Administrators Association (NASAA), which represents state and provincial securities regulators in the U.S., Canada and Mexico, offer the following tips to help on-line investors to think carefully about making an investment on-line.

When you invest on-line, be sure to:

1. Receive full disclosure prior to opening your account about the alternatives for buying and selling securities and how to obtain account information if you cannot access the firm's Web site.
  2. Understand that most likely you are not linked directly to the market, and that the click of your mouse does not instantly execute the trade.
  3. Receive information from the firm to substantiate any advertised claims concerning the ease and speed of on-line trading.
  4. Receive information from the firm about significant Web site outages, delays and other interruptions to securities trading and account access.
  5. Obtain information before trading about entering and canceling orders (market, limit and stop loss), and the details and risks of margin accounts (borrowing to buy stocks).
  6. Determine whether you are receiving delayed or real-time stock quotes and when your account information was last updated.
  7. Review the firm's privacy and Web site security policies and whether your name may be used for mailing lists or other promotional activities by the firm or any other party.
  8. Receive clear information about sales commissions and fees and conditions that apply to any advertised discount on commissions.
  9. Know how to, and if necessary, contact a customer service representative with your concerns and request prompt attention and fair consideration.
  10. Contact the Kansas Securities Commissioner to verify the registration/licensing status and disciplinary history of the on-line brokerage firm, or to file a complaint, if appropriate.
- For more information on this and other investor education topics? Kansas residents may call the Securities Commissioner at 1-800-232-9580, or visit the web site at [www.ink.org/public/ksecom](http://www.ink.org/public/ksecom).

■ Investor services at Kansas securities commissioner's office: (800) 232-9580; Web site, [www.ink.org/public/ksecom](http://www.ink.org/public/ksecom)

■ Investor services at the Missouri Division of Securities, (800) 721-7996; Web site, <http://mosl.sos.state.mo.us/sossec/complnt.html>

■ Investor information hot line at the Securities and Exchange Commission, (800) 732-0330; Web site, [www.sec.gov](http://www.sec.gov)

KANSAS CITY STAR  
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**State of Kansas  
Office of the Securities Commissioner  
Toll-Free Investor Services Helpline Advertising**

- Feist Publications, Inc. 2000-2001

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**Investments**

**Kansas Securities Commissioner**  
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Investor Services ..... **800-232-9580**  
[www.ink.org/public/ksecom](http://www.ink.org/public/ksecom)  
[ksecom@cjnetworks.com](mailto:ksecom@cjnetworks.com)

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Listed under the headings of Financial Planning Consultants and Investment Securities:

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"Investigate Before You Invest"  
Check the background of brokers and  
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618 S. Kansas Avenue.....**800-232-9580**



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## Before You Invest

Determine your investment goals, the amount of money you have to invest, and the degree of risk you can afford.

Contact the Kansas Securities Commissioner to check the background of the person and company offering the investment product or service.

Request written information which describes the investment. Pay special attention to how your money will be used, the commissions and fees paid to salespersons, and any conflicts of interest.

Before agreeing to any investment, consult someone you know who has knowledge of business or financial matters. Avoid those "too good to be true" sales pitches.

### DANGER SIGNALS

- ◆ Unsolicited calls from strangers.
- ◆ Claims of a "guaranteed" profit.
- ◆ Inconsistencies between the sales pitch and the written information.
- ◆ Suggestions to invest in speculative ventures or to take more risk than usual.
- ◆ Investments that you cannot find any written information about.
- ◆ Any high-pressure sales tactics.

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## When You Invest

Read all documents before signing anything, and have whatever you don't understand explained to you in writing.

Call upon your common sense to overcome that natural desire to make money.

Avoid investing on the basis of "inside information" or rumors of future company takeovers or announcements that may never happen.

Give accurate information to the salesperson concerning your financial situation and investment background.

When you have doubts about an investment, don't be pressured. Take your time.

### DANGER SIGNALS

- ◆ A request that you give your Social Security number over the telephone.
- ◆ Insistence on the use of a mail or delivery service other than the U.S. Mail to forward your payment or signature.
- ◆ Investment deals involving "prime" or "world" banks, or overseas funding sources.
- ◆ A reluctance to give you answers.
- ◆ Any high-pressure sales tactics.

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## After You Invest

Review all trading confirmations, reports, statements, and other status reports which you receive them.

Complain quickly and in writing to the investment firm if you believe there is a problem with your investment.

Complain quickly to the Kansas Securities Commissioner if you believe that you have been a victim of sales abuse, dishonest or unethical behavior, or fraud.

Keep good records of your investments including statements, reports, and documents that are sent directly to you. And, make a record or log of telephone conversations.

### DANGER SIGNALS

- ◆ An offer to "make up" any losses with a new investment opportunity.
- ◆ Failure to receive statements and records relating to your investment.
- ◆ A reluctance to let you sell out of an investment.
- ◆ A salesperson telling you "not to worry" about what's on a statement of your account.
- ◆ Any high-pressure sales tactics.



**Planning for the future,** saving money, and making careful investments are smart moves. However, some people offering investment opportunities may not have your best interests in mind. Securities fraud and unethical investment practices are serious problems.

All investments have risks. One purpose of the securities laws is to ensure that potential investors are given information concerning all risks before they make an investment decision. Many problems and losses can be avoided by taking the time to carefully review and evaluate possible investments.

If you need more information about a matter discussed in this brochure, or if you think that the securities laws may have been violated, you should contact the Kansas Securities Commissioner.

## Invest Wisely

Stay On  
"TRACK"

**T**ake time to check-out the broker.  
1-800-232-9580

**R**equest information in writing.

**A**void "too good to be true" pitches.

**C**omplain quickly and in writing.

**K**eep good records of investments.

The Office of the Kansas Securities Commissioner investigates complaints relating to fraud or dishonest practices in the offering and sale of investments and investment advice. Reporting a problem quickly is important as you may be able to help keep others from becoming victims.

Topeka Office:  
618 S. Kansas Avenue  
Topeka, KS 66603  
(785) 296-3307

Wichita Office:  
230 E. William, Suite 7080  
Wichita, KS 67202  
(316) 337-6280

Investor Services:  
Call toll free 1-800-232-9580  
[www.ink.org/public/ksecom](http://www.ink.org/public/ksecom)

# Advice for Kansas Investors



*"Investigate Before You Invest"*

Check the background of brokers and investment advisers by calling

**1-800-232-9580**

**Office of the Kansas  
Securities Commissioner**



## Online Trading vs. Investing

Due to the creation of online brokerage services and widespread public access to the Internet, individual investors are now able to buy, sell, and manage their own investments online-- without personalized guidance from a broker or an investment adviser.

Some investors use the Internet to trade frequently with the hope of profiting from a rapidly changing market. This strategy can be risky. Market volatility, inaccurate information about anticipated changes in prices, and delays in the execution of online trades may lead to financial losses.

Investors can also use the Internet to select and manage investments that meet long-term financial goals. Some investors conduct their own research and purchase all of their investments online without any professional guidance. Others consult a broker or an investment adviser for guidance in developing a plan and selecting suitable investments and then use the Internet as an alternative method of placing orders and tracking performance.

### A Word of Caution

Online investing can provide a "hands-on" learning experience for investors but it is not appropriate for everyone. It is important to remember that while online *trading* takes only a moment, online *investing* takes time. A sound knowledge of personal finance and an understanding of the potential risks are essential, especially when investors enter cyberspace.

## Tips for Online Investors

The following tips were developed by the North American Securities Administrators Association, Inc. to educate investors and help them to think carefully about online investing.

### Before beginning an online investment program, be sure to:

1. Receive **full disclosure** about the alternatives for buying and selling securities and obtaining account information if you cannot access the firm's website.
2. **Understand** that most likely, you are not linked directly to the market through your home computer, and that the click of your mouse does not instantly execute trades or cancel orders.
3. Receive information from the firm to **substantiate any advertised claims** concerning the ease and speed of online trading.
4. Receive information from the firm about significant **website outages, delays, and other interruptions** that may affect your ability to execute trades.
5. Obtain information about **entering and canceling orders** (market, limit, and stop loss), and the details and risks of margin accounts (borrowing to buy stocks).



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6. Determine if the stock quotes and account updates you receive are **real-time or delayed**.
7. Review the firm's **privacy and security policies**. Determine if your name will be used for mailing lists or other promotional activities by the firm or any other party.
8. **Receive clear information** about sales commissions, transaction fees, and conditions that apply to any advertised discount on commissions.
9. Know how to **contact a customer service representative** if problems occur. Request prompt attention and fair consideration. Be sure to keep good records to substantiate any problems that may occur.
10. Contact the **Office of the Kansas Securities Commissioner** to verify the registration status and disciplinary history (if any) of the online brokerage firm, or to file a complaint, if appropriate.

## The Internet: A New Tool for Financial Management

The Internet has become a round-the-clock source of financial products, services, and information. Online investing, or electronic trading, is also growing in popularity. As more investors explore the Internet for the purpose of financial management and investing, it is important to remember that it is just a tool. The basics of investing still apply-- even in cyberspace.

**Before you invest...**

Establish investment goals.  
Know what you are buying.  
Understand the risks.

**Did you know...**

**There are 160 brokerage firms that offer online trading services?**

**Electronic trades made through online brokerage accounts represent about 25% of all retail stock trades?**

Source: U.S. Securities and Exchange Commission

## Resources for Online Investors

The following resources may be helpful as you research investment products and services. Always consider the source of the information as you determine the accuracy and credibility of any information obtained online.

**Investing Online Resource Center**  
<http://www.investingonline.org>

**North American Securities Administrators Association, Inc.**  
<http://www.nasaa.org>

**U.S. Securities and Exchange Commission Investor Assistance**  
<http://www.sec.gov>

**National Association of Securities Dealers Regulation, Inc. Investor Resources**  
<http://www.nasdr.com>

**Office of the Kansas Securities Commissioner**

**Topeka Location:**  
618 S. Kansas Avenue  
Topeka, KS 66603-3804

**Wichita Location:**  
230 E. William, Ste. 7080  
Wichita, KS 67202-4003

**Investor Services:**  
1-800-232-9580

<http://www.ink.org/public/ksecom>

[ksecom@cjnetworks.com](mailto:ksecom@cjnetworks.com)

# Tips for Online Investors

**Office of the Kansas Securities Commissioner**



**Investor Education**

*The mission of the Office of the Kansas Securities Commissioner is to protect and inform Kansas investors, to promote integrity and full disclosure in financial services, and to foster capital formation.*

*Investigate before you invest.*

Motto

*"Primus In Patria"*

*Oldest Junior ROTC in the United States  
1917 - 2001*

**LEAVENWORTH HIGH SCHOOL  
ARMY JUNIOR RESERVE OFFICERS TRAINING  
CORPS (JROTC)**

Slogan

*"Others Before Ourselves"*

LEAVENWORTH HIGH  
ARMY JROTC  
2012 10th AVENUE  
LEAVENWORTH, KANSAS 66048  
(913) 684 - 1550 x230  
lhsjrote@hotmail.com

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**Cadet Captain Rob Domitrovich**

Purpose: To present Kansas legislators alternative information about Junior ROTC and shooting sports in high school JROTC programs.

Biographical Data: Three year Army JROTC cadet, varsity athlete in cross country, track, and competitive rifle shooting. Captain of caliber .22 rifle team two years. Cadet officer and battalion staff member. Eagle Scout, National Honor Society member, battalion staff officer in 275 JROTC cadet program, and 2001 appointee to the US Military Academy, West Point.

Junior ROTC Program.

- \* The mission of JROTC is "to motivate young people to become better citizens". We teach personal characteristics of responsibility, respect, integrity, and initiative. We do not teach, nor do we advocate, military tactics, aggression, militarism, violence, or traits that run counter to American values.
- \* The JROTC mission is accomplished through five developmental areas: Citizenship, Leadership, Academics, Physical Fitness and Socialbility. Our instruction consists of leadership training, management, first aid, map reading, weapons safety, drill and ceremonies, history, substance abuse awareness, communications skills, and life skills.
- \* JROTC reinforces positive behavior by allowing students to earn certificates, letters of commendation, ribbons, medals, varsity letters, monetary awards and scholarships.
- \* Our JROTC program is highly successful. Leavenworth High JROTC graduates are people like Mr. Reilly, Commissioner, US Parole Commission, Mr. Dix, owner of the Dix's Office Supply in Leavenworth, his daughter, Lieutenant Dondi Dix, Commander, US Army Reserve Finance Company, Leavenworth, Dr. Fred Green, professor of law, UMKC and former staff judge advocate for General Colin Powell, Leavenworth Sheriff's Department Deputy Sheriff Eric Boettcher, national rifle team award winner, Brigadier General Johnson, US Army (retired), Tina Delgadillo, Seaman recruit, US Navy, and hundreds of other productive citizens of all races, creeds, and socio-economic backgrounds.
- \* 60% of our JROTC cadets never enter military service but go on to become productive citizens in our community.
- \* The hallmark of our program is "leadership" and unselfish service to others.
- \* Our cadets are responsible for contributing approximately 1,200 hours of community service each year. This service is solicited by, planned by, organized by, and executed by JROTC cadets as part of their training.
- \* Our cadets learn skills which directly contribute to the community welfare. Our Search and Rescue Team is trained and certified by the county of Leavenworth. These cadets are on stand-by at all hours of the day to assist in emergencies and have been instrumental in finding lost people. These cadets are CPR trained and certified, some by the state of Kansas.
- \* Our cadets voluntarily teach classes on patriotism and respect to the US flag to elementary and middle school children each week. These children are then responsible for raising and lowering their school flags, performing other ceremonies at their schools, and honoring community veterans.
- \* Military drill is used to teach prompt obedience to lawful orders, discipline, and teamwork. Our drill teams are nationally ranked and our cadets demonstrate tremendous pride by working together as precision units. Spinning and throwing a ten pound demilitarized drill rifle takes concentration, discipline, and guts. Our team members learn tremendous confidence by doing so.
- \* Our competition rifle team has won 18 national rankings in the last twenty-two years. Our shooters are people like myself. As a varsity sport, our team has competed against numerous other teams around the country. They have earned scholarships and awards which have assisted them in furthering their education and assisting them in obtaining jobs.

Gun Safety.

- \* Our shooting program is a sport which teaches and reinforces self-discipline, sportsmanship, respect for firearms, attention to detail, precision, and determination.
- \* Safety is the key to our program. We have never had a shooting accident or injury since 1917.
- \* Safe firearms handling and shooting is fundamental to our program. Cadets are trained in the proper handling of firearms and are constantly supervised to insure strict compliance.
- \* Only cadets who have passed preliminary marksmanship instruction and demonstrated the ability to understand the seriousness of marksmanship are allowed to participate.
- \* Our competition shooting team has been nationally ranked and is very well respected.
- \* Our shooters have gone on to lead successful lives in a variety of different endeavors.

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# GOALS OF ARMY JROTC

## \* Respect

*Treating others with courtesy, esteem, and deference. Showing consideration or appreciation of others. Examples: Speaking to others in a polite manner. Using military courtesy. Helping those who are older, weaker, or unable to do things for themselves.*

## \* Reliability

*Demonstrating trustworthiness and dependability. Exercising self-discipline. Doing what is right without having to be told. Examples: Being on-time to formations and class. Being prepared. Turning in fund raiser money on-time. Doing what you say you will do!*

## \* Responsibility

*Being legally or ethically accountable for the welfare or care of others. Ability to act free from guidance of higher authority. Capable of making moral or rational decisions on one's own, thereby being answerable for one's behavior. Capable of being trusted or depended on. Example: Taking charge of a group of cadets as the senior in rank or grade. Making sure that your subordinates are given their awards that they earn.*

## \* Initiative

*Doing what is necessary without direction, prompting, or direct guidance from others. The power, ability, or instinct to begin and follow through energetically with a plan or task. Examples: Cleaning the classroom after your company has left without being asked to. Taking charge of a group of cadets at a community service project. Teaching subordinates a new skill or knowledge while waiting for class to start. Looking for something to do that will assist your leaders without being asked.*

## \* Leadership

*(FM 22-100, August 1999) Leadership is **influencing** people -- by providing **purpose, direction, and motivation** -- while operating to **accomplish the mission and improving the organization**. Examples: Leaders are willing to "take charge". Leaders set the example in attitude, behavior, personal appearance, work ethic, courtesy, and citizenship. Leaders always volunteer first! Leaders actively seek and take responsibility. Leaders show others how to do things and take time to learn new skills so that they can teach others. Leaders know the knowledge requirements in the Cadet Handbook better than others and are willing to teach it to those who don't know. **Leadership Excellence** is the slogan of ROTC and is what we are about!*

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**Leavenworth Army Junior Reserve Officers Training Corps  
The Oldest JROTC In the Nation**

**Twelve Great Reasons to Join JROTC**

1. JROTC teaches life skills such as leadership, physical fitness, first aid, writing, planning, time management, and decision making.
2. JROTC offers practical leadership opportunities not available in other academic courses.
3. Successful completion of JROTC offers the chance to enter any of the military services at advanced enlisted rank and pay. It offers the chance to validate college ROTC courses and enter at advanced cadet rank.
4. Successful completion of JROTC assists ROTC scholarship applicants earn valuable scholarships for college. Successful completion of JROTC assists in earning service academy appointments to West Point, the Air Force Academy, the Naval Academy, the Coast Guard Academy, and the Merchant Marine Academy.
5. JROTC is an alternative elective course open to all grade levels. It is an alternative to sophomore P.E.
6. JROTC cadets have the opportunity to attend the annual formal Military Ball and other quality social events.
7. JROTC promotes patriotism for our country and respect for authority.
8. JROTC provides structure and develops discipline for life-long attitudes and goals.
9. JROTC provides opportunities for cadets to become involved in the school and community through an extensive community service program.
10. JROTC offers a variety of school recognized activities which have competed at the national level, some are varsity sports:
  - \* Honor Guard With Arms
  - \* Honor Guard w/o Arms
  - \* Rifle Team
  - \* Rangers
  - \* Junior Guards
  - \* Color Guard
  - \* Drum, Fife, and Bugle Corps
11. JROTC offers the opportunity to attend a week-long leadership camp paid for by the Army.
12. JROTC provides the opportunity to perform in community and area ceremonies and events, representing the school and the Army.

**Army JROTC Cadets Of Today Are the Leaders of Tomorrow!**

**Want A Challenge? Join Us!**

**For More Information Call (913) 684 - 1550 X230**

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Leavenworth High School  
Army Junior Reserve Officers Training Corps - J.R.O.T.C.  
*"Others Before Ourselves"*

10 March 2001

Dear Parents, Guardians, and Prospective Cadets,

I am taking this opportunity to write a letter to those students interested in entering Leavenworth High School in 2001 and their parents/guardians in regards to our Junior ROTC program. This is a unique program that is only offered at selected high schools. Our program is very unique in that it was the very first high school level ROTC established in the United States. ROTC has been here officially since 1917. The Leavenworth Cadet Corps goes back further, to 1897, when the students themselves requested that Fort Leavenworth establish a military training program at the high school.

The mission of high school JROTC is to *"motivate young people to become better citizens"*. Everything that we do in the classroom and on our extracurricular teams supports this mission. We offer students numerous opportunities to develop leadership skills, practice good citizenship, and learn respect for others. We teach, and reward, service to others. Students learn and reinforce self-discipline, confidence, teamwork, patriotism, and self-esteem if they actively participate in our program.

Many people confuse Junior ROTC with senior ROTC taught in colleges and universities. While there are similarities, there are many differences as well. Our mission is different from that of the college-level programs. College level (senior) ROTC specifically prepares young people to become junior leaders in our nation's military forces. We do not. We use a military structure and format in our program but JROTC students *do not have to enter the military!* Junior ROTC students incur absolutely no service obligation! We teach life skills such as teamwork, first aid, writing skills, public speaking, organizational skills, leadership/management, planning, map reading, U.S. history, courtesy, flag etiquette, firearms safety, marksmanship, and drug education. *We do not teach military tactics* nor do we play "wargames". Our course of instruction complements the standard high school academic curriculum. Many of our students leave our program and never serve in the military but always return to say how much the skills we taught them have helped in other areas of their lives.

JROTC is an elective course offered to all students in grades 9 through 12. Our annual enrollment is normally 15 - 20% of the student body. Students may enroll in JROTC at any grade level. We have seniors enroll sometimes to get the "military" experience prior to graduating and entering the armed forces. Because we live in a military community, we frequently receive transfer students. We attempt to move them to the level of their peers as quickly as possible. This means that a student who enters as a first year LET (Leadership Education and Training) 1 cadet, can be advanced each academic quarter, depending upon their grades and aptitude. They cannot pass the LET level for their appropriate grade; e.g., a sophomore cannot go higher than a LET 2 level. However, a junior entering JROTC can advance to LET 3 level by mid-year. It's up to the cadet and how hard they wish to work to advance. There are no "social promotions" . . . they must earn them!

The JROTC program of instruction is offered every day, all three class periods. Due to block scheduling, students will alternate attendance with their classes being on Monday Wednesday and Friday one week and Tuesday and Thursday the next. Our students are involved in all activities throughout the school including varsity sports, band, vocal music, drama, and student government to name a few. We have a widely representative group of students with some who are the very best academically and others who are doing just enough to get by. In JROTC we challenge them all to do the very best they can in all endeavors and we reward their effort. We stress the importance of academics in their future success and

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their advancement in our program is tied to their efforts in other areas of school work. They do not have to be honor roll students to succeed in our course but we do ask that they try their best in their other classes in order to be eligible to participate in our extracurricular activities. Our activities, such as the honor guards, color guards, and rifle team, are varsity sports. We follow the same strict academic guidelines other sports must follow for eligibility.

JROTC is a highly disciplined classroom experience that offers students the opportunity to progress through the various ranks from cadet private to cadet colonel over the course of the four year program. A number of our students continue what they have learned in JROTC after graduation by enlisting in the military service. We have several cadets enter U.S. service academies (Army - Navy - Air Force academies) every year where their education is completely paid for by the government. A number of our graduates earn very valuable three or four year college ROTC scholarships every year. JROTC offers our applicants to these senior ROTC programs an excellent head start and accelerated advancement. JROTC is not a course for students who do not have any self-discipline! We do not exist to take "behavior disorder" students and make them behave. Parents should be aware that if a student has discipline problems, we are not the military and do not have the tools to "fix" behavior problems. We can reinforce and teach self-discipline, but if a student doesn't have the desire to try, we cannot make them.

Although the military branches (Army -Navy/Marines - Air Force) support all the Junior ROTC programs, they do not require the students to pay anything back. The Army provides the bulk of the funding for our program. The uniform, shoes, and accessories are issued at no cost to the students but they must be returned at the end of the year. Cadets may keep all of their awards. The only mandatory cost to the student is the \$6 awards fee that is paid at registration time. JROTC students are required to wear their uniform to class at least one time during the week on a designated uniform inspection day, either Wednesday or Thursday. Additionally, cadets are expected to take part in several mandatory ceremonies in uniform. These are: Leavenworth Veterans Day parade, the annual Retreat parade, and Awards Night.

High School students who successfully complete our program may enlist in the military services at the pay grade of E3 based upon our recommendation. This provides a significant increase in pay for a young person getting started in the military and shows how much the military values our program. I know because I began my military career as a Private E3 after taking Army JROTC in high school.

JROTC is intended to challenge every cadet in five different areas. These areas are citizenship, leadership, scholarship, physical fitness, and social skills. Here's how we do this:

- a. **Citizenship.** Cadets have the opportunity to participate in volunteer activities that support the local community. They donate hundreds of hours of their time to assist various worthy organizations throughout the area. For example, our color guard presents the national flag at many sporting events, leads parades in Leavenworth, represents our unit in ceremonies around the state, and supports Fort Leavenworth's ceremonies
- b. **Leadership.** This is one of the most beneficial and widely offered skills of all. Cadet begin by first learning how to be followers. They then learn how to organize and get other cadets work as a team by first working in their assigned squads. They fill basic positions such as squad leader where they can teach customs, courtesies, and teach drill to five or six other cadets. They are rewarded by after passing skills tests and being recommended for promotions due to demonstrated abilities. They must perform their duties and earn their promotions in order to advance in rank. Additionally, we have a number of special teams and activities which are extracurricular and provide outstanding vehicles for leadership development. These activities are:



- (1) Honor Guard w/o Weapons. Unarmed drill team. Nationally ranked team that travels to competitions in, and out of, the state.
  - (2) Honor Guard w/Weapons. Armed drill team which uses M1903A3 drill rifles. Nationally ranked team that travels to competitions in, and out of, the state.
  - (3) Color Guard. Specially trained group that competes in special drill events and represents the school in over 75 area ceremonies annually.
  - (4) Rifle Team. Competitive, national ranked team which fires caliber .22 target rifles. Travels to matches in, and out of, state.
  - (5) Rangers. Outdoor, adventure training unit that is specially trained by the county for search and rescue. Conducts orienteering, endurance marches, bike rides, rappelling, first aid, CPR, and water survival training. Certified by the county and state.
  - (6) Drum, Fife, and Bugle Corps. Field music detachment that supports the JROTC battalion. The only public school military band in the country.
  - (7) Cadet Chorus. Vocal group that performs patriotic music. The Army paid for the group to go to Los Angeles several years ago and it represents JROTC at a number of local events.
  - (8) Junior Guard Cadre. Cadet junior leaders who provide the leadership for the middle school "Junior Guards"; those students who raise the flags and help with ceremonies at their respective schools.
- c. Scholarships. Junior ROTC offers assistance to those students who are striving for academic excellence by assisting them in the application for, completion of, and review of applications for senior ROTC scholarships or service academy appointments. We can assist in the preparation of the student for interviews, assist in the preparation of scholarship packets, and assist in obtaining interview appointments, an integral part of the acceptance process. In a typical school year, about 25-30% of our graduating seniors apply for ROTC scholarships. Of these, approximately 75% are earn some type of scholarships with 25% receiving multiple scholarships! At any one time, we have several graduated JROTC cadets at West Point, the Air Force Academy, or the Naval Academy. They all do very well wherever they go and are sought for their experiences they gained here in this program.
- d. Physical Fitness. Cadets are encouraged to stay in good physical condition. We require that they participate in marching drill and physical fitness training. From November through April, they participate in physical fitness classes once a week where they are taught the importance of staying in shape, participate in team-building games, perform stretching exercises, and practice for an end-of-year physical fitness competition called "Cadet Challenge".
- e. Social. We teach manners, respect, and courtesy. These are an important part of socialization skills. The highlight of the year is the Military Ball held at the old Fort Leavenworth Officer's Club, now the FCC. The ball is open to all enrolled cadets in good standing. A major fundraiser conducted by the cadets pays for this event. Normally, 80-90% of all cadets attend. In January, a cadet officer's "Dining-In" is conducted. This is an annual event is primarily conducted for the benefit of the senior leaders and teaches them about an old military social tradition.

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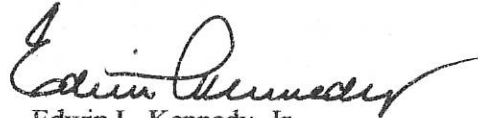
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Selected juniors, and all seniors, are afforded a chance to attend our summer leadership camp. This camp is an Army required event for all cadets seeking senior leadership positions in the corps of cadets. The camp is normally conducted the week prior to school registration. It consist of numerous activities to include: team building exercises, rappelling, water survival / safety, leadership classes, physical fitness training, LET skills competition, and helicopter orientation rides. The camp reinforces and teaches skills to the cadets that are necessary to run the cadet battalion during the year. It provides a time for the seniors to bond and form closer friendships with those they will be working with. Additionally, it provides the military instructors a chance to observe cadets outside of the classroom in situations requiring the cadets to demonstrate good interpersonal relations and leadership abilities.

Rewards and benefits are numerous. Cadets who excel will receive letters of commendation, certificates, uniform ribbons, medals, varsity letters, and recommendations. All of these are important for those seeking post-graduation employment and scholarships. We frequently provide these incentives to cadets in class and during the annual Awards Night ceremonies in the spring. What we cannot give the cadets is a sense of self-satisfaction from belonging to JROTC. They get this themselves.

JROTC is a major part of the educational process at Leavenworth High School and we are confident that we can have a positive impact on our cadets' development. If you have any questions or concerns, feel free to contact any of the four instructors at the high school by calling 684-1550 X230 or email us at [lhsjrotc@hotmail.com](mailto:lhsjrotc@hotmail.com). Please feel free to come visit us and watch what we do!

*Cadets Today — Leaders of Tomorrow!*



Edwin L. Kennedy, Jr.  
Lieutenant Colonel, U.S. Army (retired)  
Senior Army Instructor

Just A Few Leavenworth High Army JROTC Graduates

- \* Dr. Fred Green, Professor of Jurisprudence, UMKC, Kansas City, former Judge Advocate to General Colin Powell (former cadet brigade executive officer)
- \* Mrs. Amy Sloan, Teacher, Leavenworth High School (former cadet battalion staff officer)
- \* 1LT Dondi Dix, Commander, Reserve Finance Company, Leavenworth (former cadet battalion commander)
- \* Mr. Ralph Dix, Dix Office Supplies, Leavenworth (former cadet battalion commander)
- \* Mr. George Harris, Department of the Army Civilian, Fort Leavenworth, Commander, 368th Finance Battalion, U.S. Army Reserve lieutenant colonel (former captain of the rifle team)
- \* Mr. Eric Boettcher, Deputy Sheriff, Leavenworth Sheriff's Department (national award rifle team member)
- \* Staff Sergeant Chris Wallingford, Kansas Army National Guard (formerly Leavenworth Police Department)
- \* Seaman Recruit Tina Delgadillo, U.S. Navy (former national award rifle team member)
- \* Private First Class Wayne Wright, U.S. Marine Corps (former honor guard commander)
- \* Miss Suzanna Snyder, college student, Fort Lewis College, Durango, Colorado (former rifle team member)
- \* Miss Katie Dombert, college student, Auburn University (former cadet battalion commander)
- \* Mr. Kevin Gebhardt, Graduate K-State, Deputy Sheriff, Osage County (former rifle team member)
- \* Mr. Scott Hagemeister, Graduate K-State, Police Officer, Riley County

*and hundreds of other successful young people who completed this program to become productive citizens!*

# Soldiers

The Official U.S. Army Magazine

July 2000

## The Army Maneuver Support Center

Serving in JROTC  
Bridge Builders



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# Still Serving in JROTC

Story and Photos by  
SPC Christopher J. Dunphy

**T**HEY retained their uniforms, rank and pay, but for many Junior Reserve Officer Training Corps instructors at Leavenworth High School in Leavenworth, Kan., making the transition from soldier to teacher took some time.

CSM Alexander Evans said his thoughts in his first few days as an instructor were something like, "I'm the sergeant major here and these students are under my supervision and will do what I want." Well, it didn't work that way.

Evans said he realized very quickly that his rank meant nothing by itself in

the JROTC environment.

"I learned," he said, "to take all the things it took for me to become sergeant major — the personality, the leadership techniques and all the things gathered from life's experiences — and focus them on influencing the kids to do what I want, rather than telling them."

Instructor 1SG James Robben agrees that the transition can be a bit rocky.

"You have to earn the respect of these kids," he said. "Because no matter what your rank is, they just don't care. What they do care about is whether you're a good teacher and care about their education."

"Once they have that answer —

once the students know you really do care about them as people — you'll do just fine. But if you think you can use your rank as a lever, you won't last long in JROTC," he said.

## Becoming an Instructor

Soldiers joining the JROTC program must have retired honorably from active military service, have reached the rank of sergeant first class or higher, and must pass an extensive and intense interview process with the school where they'll be working.

"A lot of people misunderstand our role," said Evans. "We are teachers who've had to meet the same requirements as any other teacher in this

school. Our certification is based on our military record and an interview that also takes into account our experience working with youth."

## The Mission

"We motivate those young people to become better citizens," Evans said. "We do that through a regimented program of instruction put out by Cadet Command at Fort Monroe, Va., covering such 'basic areas of development' as leadership, communication, physical fitness and community service."

And like the military, instructors award ribbons

**CSM Alexander Evans conducts an early morning class for JROTC cadets at Leavenworth High School.**



*"Overall, you can't top this as a second career. But you've got to love the kids. If you don't, you can't lead them."*



Leavenworth sophomore Kristina Reed helps position junior Kristi Macey's cap before an early-morning JROTC inspection.

and certificates to students who best exemplify these traits and to those who achieve perfect class attendance, good appearance and good conduct, and who participate in special teams such as the color guard, "rangers" and drum-and-bugle corps.

"I love what we do, because we get to do fun things like camping," said cadet Jessica Jones, a sophomore who plans to follow in her father's footsteps by joining the Army.

Approximately 40 percent of Leavenworth's JROTC cadets are family members of active or retired military.

"The stuff we do is great," said cadet Stephen Jeselink. "There's a small group of us rangers and none of us look at this as something that's just fun. All the things we do in JROTC give us more to build on for our futures, whether in the Army or not."

Ranger commander and senior Steven Glanzer agrees, although he definitely plans to enlist.

"I joined JROTC and the rangers because I wanted to commit to something," he said. "The program teaches drill and ceremony, living a healthy lifestyle, how to socialize with

people, good study habits — nobody slouches in this program. If I do, the sergeant major is there to chew me out."

Robben emphasizes that though the JROTC program is sponsored by the military, the focus is not to get the students to enlist.

"Unlike the senior ROTC program, where a cadet must eventually sign a contract with the Army, our students can attend JROTC for four years and graduate with no military obligation," he said.

But if the student does express a military interest, instructors are ready to help. "We're often asked by recruiters to provide a written recommendation for students who want to enlist," said Robben.

Due to the student's JROTC experience, he or she can enter military service with a rank as high as private first class, and Robben said many ROTC graduates earn appointments to the military academies.

"This is my 10th year here," he said. "And every year we've had at



Cadets line up for a uniform inspection; the inspections are held on the one day a week when cadets are required to wear their uniforms.



Student ranger commander Steven Glanzer inspects the equipment of fellow ranger John Reynolds before the team sets off on a 20-mile hike.

least four kids go to the academies" he said.

## The Greatest Reward

"Watching the children develop makes it all worthwhile," said Evans. "The greatest reward you get is when they come back five or six years later and say, 'You were so right, sergeant major. I'm glad I went through this program.'"

Evans said he wishes more schools had programs like JROTC — which reinforce core values needed for development.

Both Evans and Robben recommend JROTC as a new career after active duty.

"Overall," said Evans, "you can't top this as a second career. But you've got to love the kids. If you don't, you can't lead them."

"This is not for people who can't work with kids," Robben agreed. "But who are you primarily working with in the military but young people?" □





Chance of storms  
Today's expected  
high: 94

# THE LEAVENWORTH TIMES

Friday, Aug. 13, 2000

Northeast Kansas leading news source



Times photo/Jeffrey Hamilton

Leavenworth High School JROTC senior Rob Domitrovich demonstrates how to cross a single rope bridge as Air Force junior ROTC students from Kansas City, Kan., look on Thursday during the Pioneer Leadership Camp at the Hunt Lodge on Fort Leavenworth.

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# JROTC programs join together

Leavenworth, Washington programs participate in camp at Fort Leavenworth

by JOHN RICHMEIER  
Times Staff Writer

"Jointness" was a word being thrown around Thursday among some at Hunt Lodge at Fort Leavenworth.

This is a buzzword that is popular in the Department of Defense these days when talking about military operations, according to retired Air Force Lt. Col. Rick McKee.

He used the word Thursday to describe activities shared by students from Washington High School in Kansas City, Kan., and Leavenworth High School.

McKee is the senior instructor of the Air Force junior ROTC program at Washington High School. His students were invited to take part in the Pioneer Leadership Camp. The camp provided a week of activities for high school seniors who are enrolled in the Army JROTC program at Leavenworth High School.

"This gives them the chance to learn some leadership skills," retired Army Lt. Col. Ed Kennedy said of the camp.

Kennedy, the senior Army instructor of the Leavenworth JROTC, said the camp is held every summer before the start of school.

Thursday marked the first time the Leavenworth cadets had been joined by the students from Washington High School.

"They've invited us before but we've never been able to do anything together," McKee said.

He said Thursday's activities had gone well and hoped more joint events can be held in the future.

"There's so many things our units should be doing together," he said.

He said the missions of the two groups are very similar. They are trying to build better American citizens.

Both McKee and Kennedy said their programs are not only for people who want to go into the military. The instructors said the skills students receive in their programs can help them in other areas of life.

Kennedy said about 20 seniors from Leavenworth attended the leadership camp.

This is the majority of the seniors enrolled in the JROTC program. He said the week-long camp helps many seniors with the transition from being followers to leaders, something with which some students have trouble.

The week-long camp also helps the Leavenworth's JROTC instructors determine which leadership positions the seniors will fill.

"It's our chance to choose who we want to run the battalion this year," Kennedy said.

The seniors were interviewed at the beginning of the week and were assessed by the instructors during the activities that followed. The activities included survival swimming and saber drills.

"Repelling (Wednesday) was a lot of fun," said Leavenworth senior Rick Fagan.

The Leavenworth seniors traveled to the Theodore Naish Scout Reservation in Bonner Springs to rappel down a wall.

Kennedy said the camp also gave the four seniors who are new to his program the opportunity to bond with some of their fel-

See Both on page A8

## Both schools benefited from activities

Continued from page A1

low students.

One of the four new seniors, T.J. Chiles, taught cadets how to make a rope bridge Thursday.

"This allows him to get some credibility with the others," Kennedy said.

Chiles said he learned rope bridging while in a JROTC program in Hawaii. He is thus far impressed by the Leavenworth program because he said more is expected of him.

McKee said 15 juniors and seniors from Washington High School were at Fort Leavenworth Thursday. Despite being only 45 minutes away, McKee said Thursday marked the first time most of his students had been to the fort. Cadets from his program did march in Leavenworth's Veterans Day Parade last year.

Thursday morning, skills stations were set up at various points at Fort Leavenworth. The cadets visited each station in teams and had to complete a task before they could move onto the next one.

The stations tested the cadets' knowledge on things like first aid and map reading. Some of the stations visited by the Air Force JROTC students differed from those used by the Leavenworth seniors. Kennedy said the stations were a 1/4 mile to half mile apart.

"It's a physical fitness contest as well," he said.

He said the station activities had to be completed by teams. The faster students of each group could not race ahead and complete all of the activities.

"It forces them to work together," Kennedy said.

After the skills stations contest came the rope bridging instruction. Chiles and a few other cadets gave a demonstration on how to make a one-rope bridge. Such a bridge would be used to cross a body of water such as a stream.

The cadets tied a rope to two trees near Hunt Lodge. If there had been water, the group's best swimmer would have taken one end of the rope to the other side.

The cadets made their own rope harnesses and attached themselves

to the rope that had been tied to the trees. They then worked their way across the rope while hanging by their hands and feet.

After the demonstration, the students broke for lunch during which each student prepared a military Meal Ready to Eat, or MRE.

Rope bridging contests were then held. Later in the day, the students went to Sherman Army Airfield and took rides on a National Guard helicopter.

Kennedy said he felt obliged to arrange for helicopter rides for the Washington High School students. In May, McKee arranged for Kennedy's cadets to ride on an Air National Guard KC-135 tanker plane.

McKee thought Thursday's activities benefited the students from both schools.

"You've got to learn to live with each other, work with each other and play with each other," he said.

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# Leavenworth JROTC learns marksmanship from big guns

## Members of Army Marksmanship Training Unit visit LHS

By JOHN RICHMEIER  
Times Staff Writer

Many people may not realize that Leavenworth High School has a shooting range. Retired Lt. Col. Ed Kennedy, senior army instructor of the Leavenworth junior ROTC program, said it is the only public school range he knows of in Kansas.

Kennedy said the range was initially used to help prepare students for the military but weapons safety is the main thing taught there now.

The JROTC program at the high school has a competitive rifle team but Kennedy said he can only teach them so much.

He was pleased when he was

contacted by Army Maj. Stephen Goff and 1st Lt. Kim Howe. Goff and Howe, who are married, are members of the Army Marksmanship Training Unit, Fort Benning, Ga. This unit competes in national and international competitions and promotes marksmanship.

The couple told Kennedy they would be in the area and offered to work with his JROTC students.

"I can only teach my level," he said. "They're way above my level."

Goff is an international rifle shooter with the Army Marksmanship Unit and has won several team and individual medals in international competitions. Howe said her husband almost made the Olympic team this year.

"He's won tons of stuff," Kennedy said. "He's really impressive."

Howe is also an international rifle shooter and has been a mem-

ber of various national teams and won several championships.

"We were able to get two for the price of one," Kennedy said.

He said the couple actually offered their instructional services free of charge.

"I couldn't pay for this level of instruction," Kennedy said.

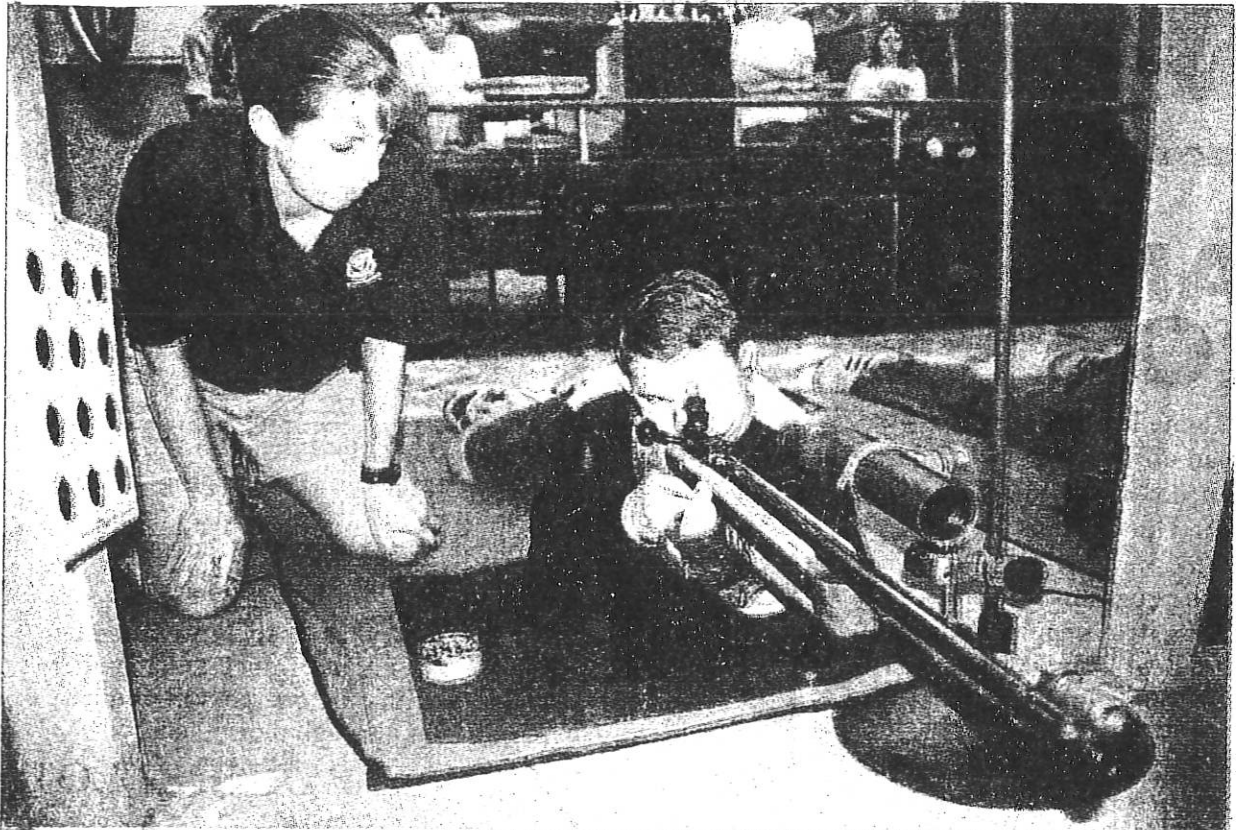
Goff, who graduated from Leavenworth High School in 1976, said he was a member of the JROTC rifle team.

He said working with students from today's rifle team fits in with his Army unit's mission of promoting marksmanship.

He said shooting is like any other sport. It requires discipline and team camaraderie. Unlike some sports, he said anybody can participate in shooting no matter his or her physical stature.

"A lot of it is just mental concentration," Goff said.

See Army on page A14



Times photo by Jeffrey Hamilton  
Kim Howe teaches Jonathan Reynolds proper form for prone shooting Tuesday during a JROTC class at Leavenworth High School. Howe is a first lieutenant and an international rifle shooter with the U.S. Army Marksmanship Unit, Fort Benning, Ga.

# Army supplies program with guns

Continued from page A1

Goff and Howe first met with JROTC students during a class period Tuesday morning. After school, the couple met with three returning members of the rifle team and students who have interest in joining this year.

"It's really interesting to meet somebody who does this for a living," said junior Tiffany Hansen.

Hansen is not a member of her school's rifle team but said she has an interest in the program.

After school, Goff and Howe gave a brief slide presentation on the prone position. This is a shooting position in which marksmen lay on their stomachs.

Today and Thursday, the couple will work with students on shooting in kneeling and standing positions. Goff said standing is generally the most difficult because it requires the most movement.

During their presentation, the couple told the students that some colleges and universities offer scholarships for shooters.

"Shooting is an NCAA sport, believe or not," Goff said.

Kennedy later said he has a book that lists what colleges and universities have shooting programs and if they offer scholarships.

"If (the students) do well here, there are a lot of places they go," he said.

After the presentation, the couple went to the basement shooting range with the students and began observing the returning rifle team

members as they shot at targets.

Kennedy said the rifle team members use Anschutz rifles which are considered "the best target rifles in the world for normal competition." The rifles were purchased by the school.

The rifles use only aperture or "iron", sights, according to Goff. Shooters use spotting scopes on stands to help them see their targets.

The Army has supplied the

JROTC program with Remington and Winchester rifles that Kennedy said are used for basic marksmanship training. The Army also supplies the .22 caliber ammunition that the students fire.

Kennedy said the shooters wear stiff leather to hold their bodies in place once they take their positions. They wear gloves to keep their body pulses from moving the rifles.

# FORT LEAVENWORTH LAMP

September 7, 2000

## Army's top shooters train JROTC cadets

Sgt. Chris Dunphy  
Staff Writer

Students belonging to the Leavenworth High School Junior ROTC program's rifle team received some expert tips on marksmanship from two of the Army's best last year.

husband and wife team Maj. Stephen Goff and 1st Lt. Kim Howe, members of the U.S. Army Marksmanship Training Unit at Fort Benning, Ga., offered free clinics to the students to help refine their shooting skills. The clinics took place in the JROTC shooting range located in the basement of the school.

Goff, whose unit competes in marksmanship competition at both the national and international level, said his visit to the school had two purposes.

"What we're doing here is a two-part mission: One, it's a recruiting trip in order to speak to the JROTC classes and let them know about opportunities in the Army. And two, it's a marksmanship clinic specifically for the Leavenworth rifle team," he said.

Goff, a 1976 graduate of Leavenworth High School, said he asked to come to the school. See **SHOOTERS**, Page 12

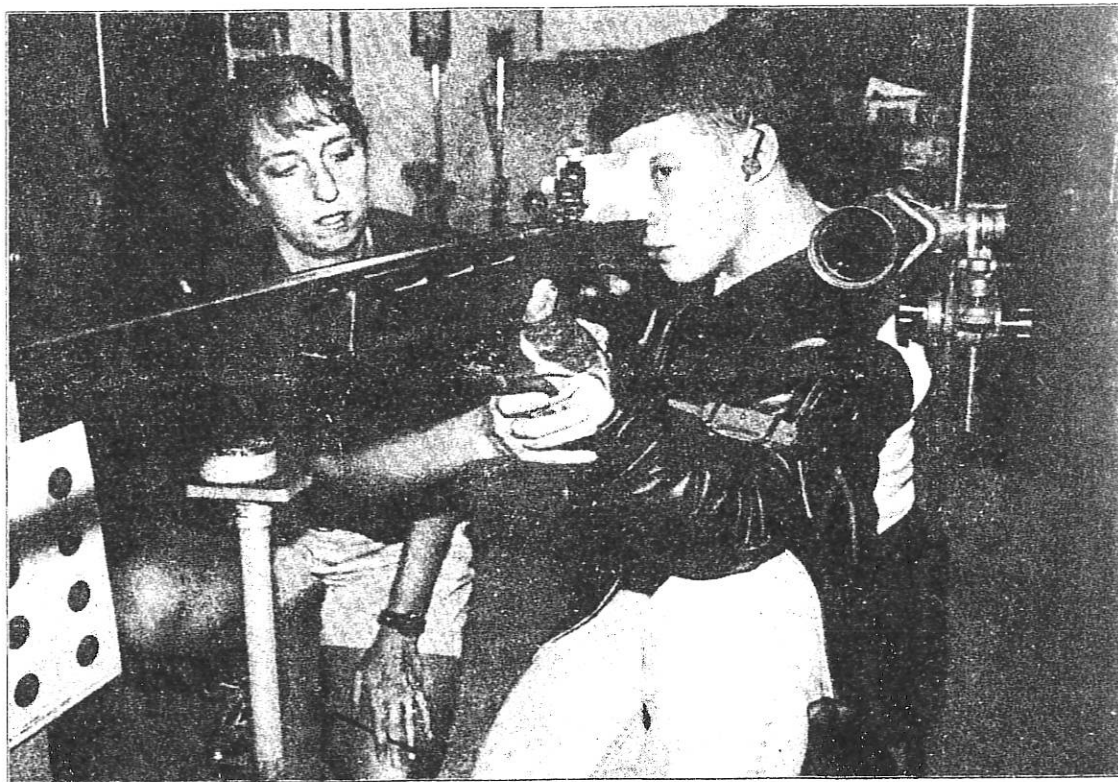


Photo by Sgt. Chris Dunphy

1st Lt. Kim Howe, a member of the U.S. Army Marksmanship Training Unit, instructs Joff Reynolds, of the Leavenworth High School Junior ROTC program.

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# Shooters (Continued from Page 1)

school as a way of “giving back” to the JROTC program.

“This is one of two opportunities I’ve had to come back here and help the team,” he said, “and it works out great because it just happens to be my unit’s mission to do so.”

Goff said he arranged the visit with the JROTC senior instructor, retired Lt. Col. Ed Kennedy, to occur at the beginning of the school year.

“We wanted to do it early in the school year when the kids are just starting back,” Goff said, “to provide a little bit of my expertise, and get them off on the right foot starting off the season.”

“Primarily, the students we’re working with here are returning students from last year,” he added, “so they already have a lot of experience. We’re here to try and refine their positions and shooting skills and bring them to the next level.”

Goff and Howe’s assistance was greatly appreciated by both the JROTC staff and cadets.

“They (Goff and Howe) work at the Olympic level every day representing our country and our Army at national and international-level matches,” said Kennedy. “They can fix problems and recommend techniques to our shooters that only come from years of high-level competition experience. I do not have enough money in my



Photo by Sgt. Chris Dunphy

**Maj. Stephen Goff, a member of the U.S. Army Marksmanship Training Unit, adjusts the stock of JROTC shooter Rob Domitrovich III during a recent seminar. “I’ve seen a great difference so far in our shooting,” said Domitrovich.**

budget to pay for the clinics they ran for us.”

“I’ve seen a great difference so far in our shooting,” said Rob Domitrovich III, captain of the rifle team, on the third day of

the clinic. “They teach us to change our gun position to help us get our bone structure correct and help us to continue to excel in the shooting field. When we did the prone position they just tweaked my rifle a little

bit and I shot almost a perfect target.”

“They’re teaching us better techniques,” agreed John Reynolds, pointing specifically to his improvements in his trigger squeeze. “I’d been butterflying the trigger and letting off too early.”

“I always have fun shooting,” he added. “I’ve been doing it since I was little but you enjoy it even more when you do it well.”

The past few days have been a good experience for Goff as well, he said. Seeing the JROTC students of today he is reminded of what it was like when he was a Leavenworth cadet, and what made the JROTC experience so memorable.

“It was the cohesiveness, the camaraderie, the fun of the collective group that made you want to be a part of (JROTC),” he said. “You were able to learn a lot of interesting things like first aid, map reading, basic marksmanship — things that were new and different from your other classes — and you did it with a group of people that had a lot of the same interests.

“As I’m standing here 24 years later, I see that though the faces change, I still see the same organization, and the same fun that the kids are having sitting in class and listening to their instructors,” he said.

“They’re all great kids, which is another one of the things that never seems to change. They always seem to have a great quality of people in the program, and I continue to see that today.”

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# Take responsibility for action

Continued from page A1

## Knowing to do the right thing

### Retired Army Colonel speaks to LHS junior ROTC students

By JOHN RICHMEIER  
Times Staff Writer

Retired Army Col. Fred Green said things have changed since he attended high school in Leavenworth.

In the 1950s, the junior ROTC program at Leavenworth High School was mandatory for all sophomore boys. Girls were not allowed in the program.

Green said many boys stayed in the program after their sophomore year.

"We all faced the draft in those days," he said.

He said most high school boys planned their futures around some sort of military service.

The retired colonel returned to Leavenworth High School Friday morning to speak to some of the school's current JROTC seniors about doing what is right.

Green, who now lives in Prairie Village, works as the director of international summer programs at the School of Law, University of Missouri Kansas City.

He went to work for the univer-

sity in 1994 after 31 years of federal service. Service in the Army took him to such places as Vietnam and Germany. He eventually served as the legal counsel to Col-in Powell while the general served as the chairman of the Joint Chiefs of Staff.

"It was a wonderful opportunity to see how our government works at the highest levels," he said.

While serving as counsel to the general, Green said his job was to do whatever Powell asked of him. Green quickly pointed out, however, that Powell never asked him to write a legal opinion simply to support a position.

On every issue, Powell questioned Green about what the law dictated and then asked what was the right thing to do.

Green told the high school students that doing what is legally and morally right is a standard that should be followed in daily life.

The retired colonel said Powell, like most military officers, was neutral in politics before retiring from active duty.

"We are a neutral officers corps in politics," Green said, "but we should not be neutral on what is right."

See Take on page A7

He said there are political elements at the top of the Department of Defense that may not always tell the truth.

Green believes that U.S. presidents did not get candid military advice during the Vietnam War.

"Army leadership was not living up to its own standards," he said.

Green said most people feel they know right from wrong. He said it is important that they be able to act on this sense.

He told the seniors that the best test of whether or not they should do something is if their mothers would be proud of their actions if they were reported in the newspaper.

He said the seniors will not always have the time to think through situations in such a way. This is when conscience becomes important.

Green said military institutions have tried to define honor as never lying, cheating, stealing or tolerating those who do.

"It's not quite that easy of course," he said.

He said honor and duty requires people to do the right thing when no one is looking.

Green told the students that it can also be tough for them to do the right thing when the "whole world is watching" and they stand to lose something. He said the best leaders will do the right thing even it means falling on their swords.

Green said he had many stories he could tell and gave the seniors examples of people who did the right thing. He told of a friend in high school who admitted to a misdeed after he learned that Green was wrongfully suspected of being the culprit. The friend was suspended for three days.

"That's character," Green said. "That's what knowing to do the right thing is. That's taking responsibility for your actions."

Green also told of a woman officer who turned in military personnel for drug use even though this implicated herself in another wrongdoing that could be military career. Green said this was a superb act of self sacrifice.

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# *LHS teacher honored for Korean War service*



After presenting Leavenworth High School teacher Robert Semple with a certificate of appreciation on behalf of the President of the Republic of Korea, Lt. Col. Hyunhaeng Cho salutes the ex-Navy man during the JROTC assembly at Leavenworth High School.

By **JOHN RICHMEIER**  
Times Staff Writer

Robert Semple said veterans of the Korean War who returned from the conflict simply went on with their daily lives.

Semple said the veterans did not ask for any special recognition. Half a century later, however, the Leavenworth High School teacher was recognized for his service during the "Forgotten War."

Semple, 70, was presented with a Korean War Service Medal Friday at the annual junior ROTC assembly at Leavenworth High School.

"As a young 20-year-old, Robert Semple, left his home in Warrensburg, Mo., to join the U.S. Navy," said Cadet Capt. Blair Herken, executive officer of the JROTC's corps of cadets.

"Stationed off the coast of Korea, Mr. Semple did his patriotic duty by serving the United States during time of conflict," Herken continued. "His duty done, he left the Navy, but we have not forgotten the sacrifices

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# Teacher honored to be recognized

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people like Mr. Semple." Herken said it wasn't until last year that the U.S. government finally approved a medal that was awarded to Korean War veterans in 1990 by the people of South Korea.

Col. Hyunhaeng Cho, Korean liaison officer at the Command General Staff College, presented such a medal to Capt. Graig Gordon, a representative of the U.S. Navy element at Fort Leavenworth.

The captain then presented the medal to Semple. They shook hands and Gordon offered Semple a letter.

On behalf of the president of the Republic of (South) Korea, Cho presented Semple with a letter of appreciation.

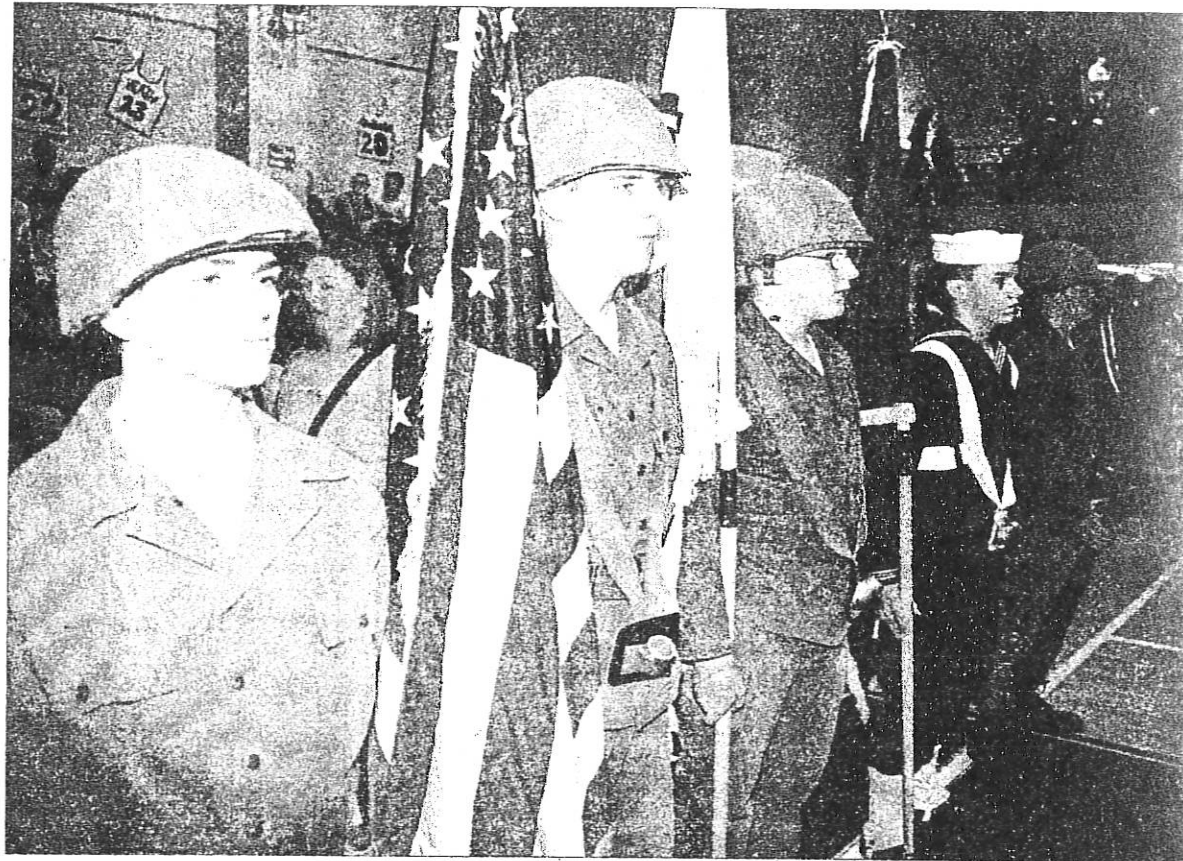
Al Riner, a member of the American Legion and Veterans of Foreign Wars, presented Semple with a medallion that was created for the 50th anniversary of the Korean War.

"I was totally shocked and surprised," Semple said.

"I said I had known that he was going to receive the honor, he would have worn a coat and tie. He generally wears these items to

has recently been on medical leave and had only returned to school to present "tacky ties" to visiting students who received awards for the first semester. In the 1980s, the teacher started the tradition of awarding old ties to students who performed well. Semple, who has been teaching since 1956, said he was very honored and honored to have been recognized at Friday's assembly. Leavenworth High School Principal Jim VanMaanen said Semple was able to achieve a wonderful balance of structure and warmth in his classroom. He has a rapport with his students but at the same time meets high expectations.

He's probably one of the most respected teachers in the history of Leavenworth High School," VanMaanen said.



Leavenworth High School JROTC cadets Duke Calfas, Rick Fagan, Patrick Nordahl, Greg Bockrath and Andrew Duncan wear uniforms from the Korean War era Friday during an assembly to honor special guest Robert Semple who served in the Navy off the coast of Korea.

an War veteran, Friday's assembly commemorated the 50th anniversary of the start of the war.

A color guard of five cadets dressed in Army and Navy uniforms from the Korean War era. They held the flags of the United States and Republic of Korea while the U.S. national anthem was sung by the cadet chorus.

Cadets also carried flags that represented the countries that fought against the communists forces during the Korean War.

"Although war was never declared officially, the Korean War was as much a real war as any fought before in our history," Herken said. "Lasting just over three years, thousands of young soldiers, Marines, airmen and sailors died in defense of free-

Retired Lt. Col. Ed Kennedy, senior army instructor of the JROTC, said the purpose of the annual assembly is to inform the high school's student body about the JROTC program and show off its competitive teams.

The program's honor guard without weapons, honor guard with weapons and the drum, fife and bugle corps performed during the assembly.

Cadet 2nd Lt. Brandon Williams also provided information about the JROTC's ranger platoon which he commands.

"The rangers are a specially trained group of cadets who must demonstrate physical fitness, academic and leadership abilities," Williams said. "The rangers perform a very valuable community

worth by augmenting the combat search and rescue operations."

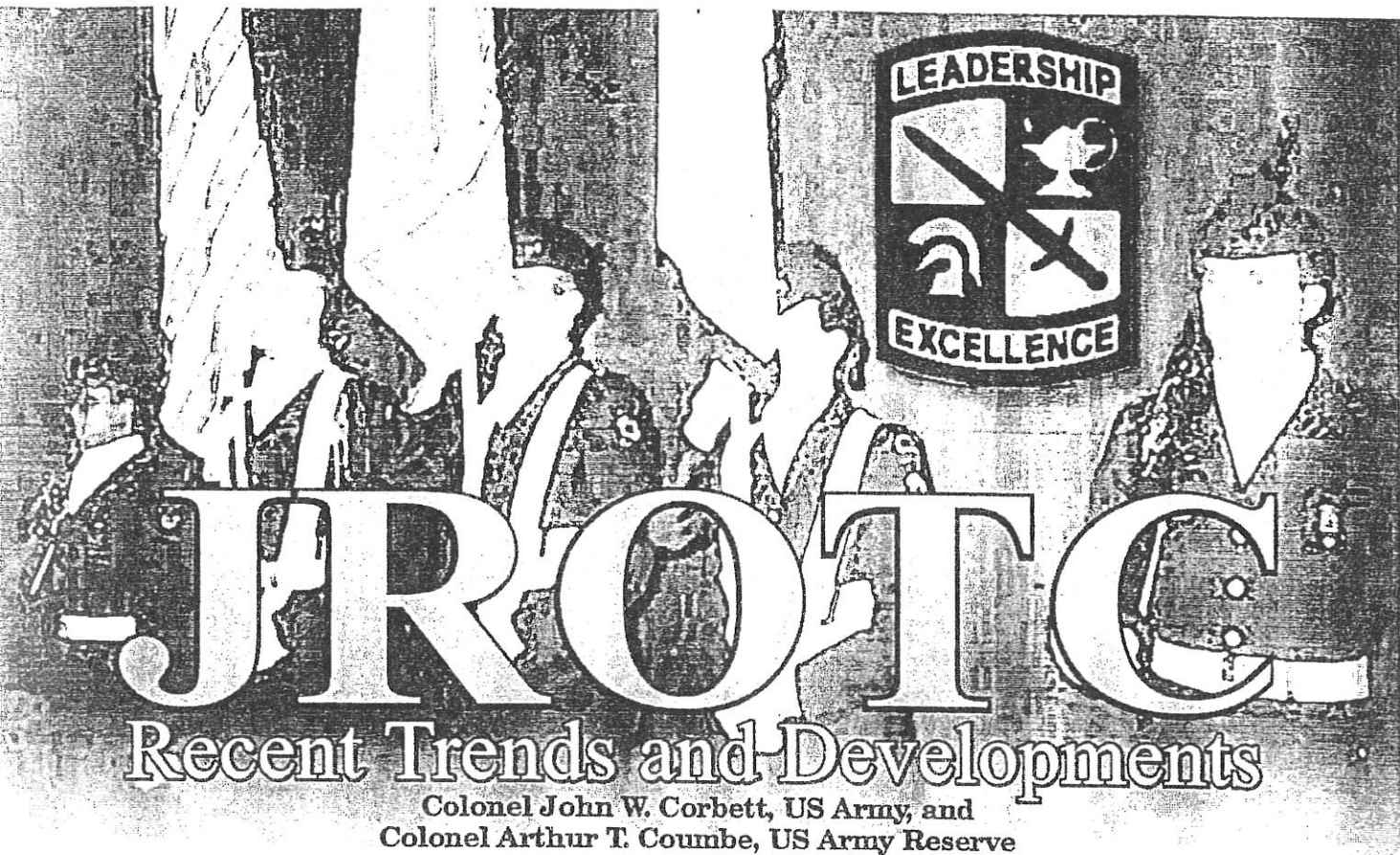
Cadet Capt. Liz Hruska, JROTC adjutant, provided information about the rifle team. Marksmanship awards were presented to members of the team by its commander, Cadet Capt. Domitrovich.

The sponsors of the cadet companies were also introduced. The sponsors are high school students who assist with social events in the JROTC battalion and are invited to participate in extracurricular activities conducted by the cadets.

In addition to the six company sponsors, it was announced that Wenfei Xie had been voted by the cadets as the battalion sponsor.

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*Some people think that the Army is no longer hiring, or that if it is, its real missions are long gone. Those attitudes flow from the growing disconnect between the military and the rest of society. A 30-second spot during the Super Bowl may tell part of the soldiers' story, but reconnecting the military with society means people with military experience meeting people without it. The expanding Junior ROTC program turns soldiers into teachers and provides training and adventure for high school youth, while opening their eyes to the exciting opportunities beyond.*

**T**HE JUNIOR RESERVE OFFICERS' Training Corps (JROTC) is flourishing. Enjoying strong support at both the national and local levels, it boasts a larger enrollment and encompasses more high schools than ever in its 85-year history. In fact, the Army cannot accommodate all of the institutional applicants for the program. Midway through 2000, more than 300 secondary schools were on the waiting list for new units, and that list was growing weekly. Geographically, JROTC stretches around the world. It is now offered in all 50 states, the District of Columbia, Puerto Rico, American Samoa, Guam and overseas in Department of Defense (DOD)-operated schools for military dependents.<sup>1</sup>

#### Post-Cold War Growth

Between 1992 and 2000 enrollment nearly doubled while unit strength rose by 60 percent due to an expansion President George H. Bush announced on 24 August 1992. Bush described JROTC as "a great program that boosts high school completion rates, reduces drug use, raises self-esteem and gets these kids firmly on the right track."<sup>2</sup> The Fiscal Year 1993 National Defense Authorization Act raised the maximum allowable number of JROTC units DOD-wide from 1600 to 3500.<sup>3</sup>

Bush's expansion plan called for the Army to boost its institutional base from 875 to 1682 units between 1992 and 1997. Operation *Young Citizen*, the US Army Cadet Command named the plan, proceeded as scheduled until March 1995 when the expansion stalled at its existing level of approximately 1370 schools. Fiscal shortfalls stopped program growth 305 schools short of the original expansion goal.

A special effort was made to bring in institutions that, according to DOD criteria, qualified as educationally or economically disadvantaged schools. Institutions in these categories, many of which were rural and

inner-city schools, could receive up to five years of special financial assistance if they agreed to host a JROTC unit. Overall, about 35 percent of the institutions added to the program between 1992 and 1995 benefited from such aid.

Operation *Young Citizen* also had ambitious geographic distribution objectives and emphasized establishing units across the northern states (particularly New England) where JROTC was underrepresented. By 1995 institutional representation across this northern belt had risen by more than 100 percent. Another *Young Citizen* goal was to have a JROTC program in every state. It met this goal in September 1995 by establishing a unit in White Mountains High School, Whitefield, Vermont.<sup>4</sup>

Today, JROTC is on the verge of another round of growth. In July 1999 Secretary of the Army Louis Caldera announced the start of a second post-Cold War expansion with the goal of adding 275 units by 2005. The current plan is to add 50 high schools in school year 2000-01 and approximately 45 more each year for the next five years.

### JROTC Support

With the collapse of the Soviet Union and Warsaw Pact, the need for a huge US Army receded. At the same time, pressures built to use the military in ways that would help meet some of the United States' domestic needs. One of the most articulate and influential voices advocating a wider societal role for the US Armed Forces was Senator Sam Nunn of Georgia. Nunn urged that the "military's spectrum of capabilities" be reinvigorated to address urgent social problems such as the lack of role models for young people. In his opinion, the "hard-working, disciplined" men and women of the Armed Forces could "serve as a very powerful force among our young people—especially where family structures are weakened by poverty, drugs and crime." He viewed JROTC as one instrument through which the services could interact with the inner-city youth.<sup>5</sup>

While leaders like Nunn helped create a supportive environment for JROTC growth, it was Chairman of the Joint Chiefs of Staff General Colin Powell who focused DOD's attention and resources on the expansion. Powell characterized JROTC as the "best opportunity for the Department of Defense to make a positive impact on the Nation's youth." He felt that junior programs would be particularly valuable in the inner cities, especially after the Los Angeles riots in April 1992. He visited the site of the disturbances and came away convinced that JROTC, with its emphasis on responsible citizenship and respect for authority, would help dissuade young people from destructive behavior and guide them along more productive paths.<sup>6</sup>

National-level support for expansion was bound up with the difficult recruiting environment of the late 1990s. A booming economy with its abundance of entry-level jobs, coupled with an increased percentage of high school students continuing on to college, has cut deeply into the Army's traditional recruiting market of noncollege-bound high school graduates. Although JROTC is not intended as a recruiting program, surveys indicate that approximately 42 percent of every JROTC graduating class expects to establish some connection with one of the military services. Surveys also indicate that JROTC cadets are five times more likely than their contemporaries to join the military.

Some of this recruiting success among JROTC graduates can be attributed to enhanced cooperation between JROTC instructors and re-

*With the collapse of the Soviet Union and Warsaw Pact, the need for a huge US Army receded. At the same time, pressures built to use the military in ways that would help meet some of the United States' domestic needs. . . . Senator Sam Nunn of Georgia urged that the "military's spectrum of capabilities" be reinvigorated to address urgent social problems such as the lack of role models for young people.*

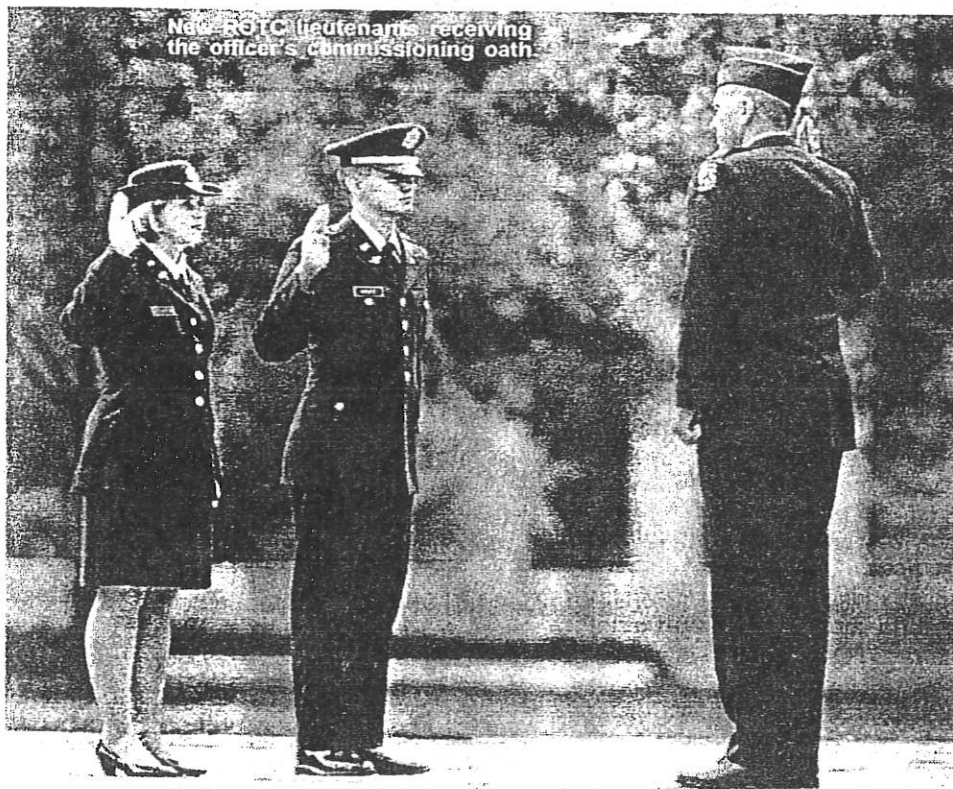
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## Former LHS JROTC Cadets



New JROTC lieutenants receiving the officer's commissioning oath.

*Although JROTC is not intended as a recruiting program, surveys indicate that approximately 42 percent of every JROTC graduating class expects to establish some connection with one of the military services. Surveys also indicate that JROTC cadets are five times more likely than their contemporaries to join the military.*

cruiters. Cadet Command now works more closely with the US Army Recruiting Command (USAREC) than it did in the past, facilitating USAREC's work by outlining career options to students, emphasizing that military service is an honorable calling and providing incentives that reinforce JROTC instructors' efforts. DOD allows a student who has completed two years of JROTC to enlist as an E-2; a three-year program participant can enlist as an E-3.<sup>7</sup>

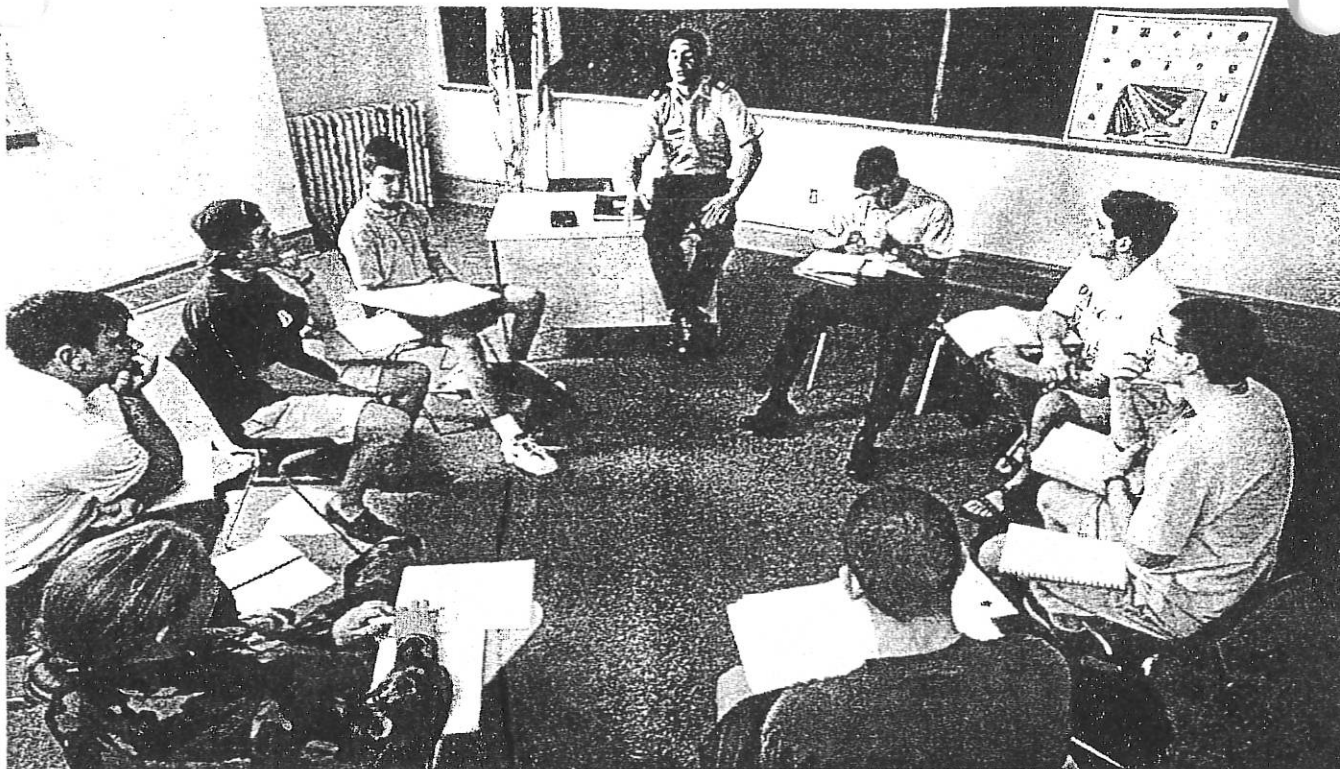
However, the formal, overt efforts are not primarily responsible for the high accession rates. Many cadets join JROTC because they want to enlist in the military. This propensity is nurtured through their interaction with instructors in the classroom and in a variety of informal settings. For many of these cadets, JROTC instructors are the most important adult role models in their lives—they project an image more powerful than any advertising campaign or recruiting pitch.

Transcending and fueling both rounds of expansion were concerns senior defense officials and prominent academicians shared about the Army's shrinking "footprint" in society. The post-Cold War drawdown, with its personnel reductions, base closings and college ROTC unit closings, had lowered the Army's visibility. It seemed to some that the Army was shrinking to the point of social irrel-

evance. As channels of interaction and involvement between the services and the public disappeared, public support for and understanding of the military appeared to erode. These conditions made outreach a critical function. Sociologist Charles Moskos advised the Army to "maximize the number of young people . . . who pass through a military experience."<sup>8</sup> JROTC, centered in the Nation's secondary school system, offers one of the few avenues through which the services can directly interact with an important segment of the larger society.<sup>9</sup>

Parents and school officials at host sites provide the most decisive support for program expansion, thus creating a demand for new programs. This support is attributable largely to the program's salutary effects on students and host institutions. Principals indicate that having a JROTC program reduces disciplinary problems in their schools. Key performance measures indicate that cadets attend class more frequently, are less likely to drop out of school and are more likely to graduate than their peers. According to Moskos, JROTC cadets have a 10- to 15-percent higher graduation rate than their peers in the same high school. Cadets also demonstrate slightly better academic performance than their contemporaries in the general school population (GPA 2.8 versus 2.6, SAT 823 versus 821 and ACT 20.5 versus 19).<sup>10</sup>





### The Program of Instruction

From the Army's standpoint, the program's effectiveness is evaluated against the objectives that support the mission, which is "to motivate young people to be better citizens." Supporting objectives include:

- Promoting citizenship.
- Developing leadership.
- Enhancing communication skills.
- Strengthening self-esteem.
- Providing the incentive to live drug free.
- Learning to appreciate the military services and their accomplishments.
- Improving physical fitness.
- Promoting high school graduation.
- Learning to work as a team member.

The program of instruction includes citizenship, leadership, communications, military history, drug awareness and physical fitness. Teamwork, improved self-esteem and high school graduation derive from the total program and JROTC instructors' active mentorship and guidance. Compounding variables prevent precise measurement; yet it is undeniable that JROTC, fielded as a dollar-sharing partnership between the federal and local levels, produces positive results.<sup>11</sup>

Since 1992 the US Army Cadet Command has taken various steps to improve program administration and instruction—steps that its senior leaders believe have strengthened the program's local popularity. Former ROTC Commander Major General Wallace Arnold spearheaded the first expansion because he recognized the need to bolster JROTC's organizational infrastructure to accommodate the growth in unit strength. Arnold fortified the Director of Army Instruction's (DAI's) position to manage the program at the school district level. He also introduced a training and orientation program for JROTC instructors to ensure that all instructors understood program goals. In the mid-1990s the US Army Cadet Command streamlined, centralized and standardized program administration by cutting JROTC staff at the three ROTC region headquarters

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*Some claim that JROTC is an instrument for militarizing the Nation's youth, little more than a thinly veiled recruiting device. Critics also say it promotes guns and violence as means to resolve conflicts and has an inappropriate curriculum that indoctrinates impressionable high school students with nationalistic and martial ideals rather than teaching them to think critically.*

and enlarging the staff at the national headquarters.<sup>12</sup>

The US Army Cadet Command is also upgrading its instructional technology. Parts of the instructors' orientation course are currently being converted to a web-based format. In addition, a number of interactive, multimedia instructional modules are being prepared for cadets' use. These web-based modules will supplement, not replace, participatory instruction. Revising the curriculum to bring it in line with current needs and educational trends has been another priority.

Over the past several years, a special effort has been made to align the program with three national educational strategies—the National Education Goals, the Secretary of Labor's Commission on Achieving Necessary Skills and the President's Summit. The latest leadership education and training materials have added staff rides and blocks of instruction on etiquette, nutrition, conflict resolution, multicultural diversity, geography, the environment and service learning opportunities. Embedded in instructional modules are programs on learning styles, skills mapping, authentic assessments and portfolios. Self-paced texts have recently been adopted to resolve scheduling conflicts and facilitate home schooling.

In conjunction with its counterparts in the US Air Force and Navy, the US Army Cadet Command has also developed interservice, cross-indexed drill and marksmanship manuals. An interservice manual on orienteering is currently being compiled. These efforts are significant because of the impact on training and the improved interservice cooperation they represent.<sup>13</sup>

#### **JROTC Opponents**

The program does have opponents. Some claim that JROTC is an instrument for militarizing the Nation's youth, little more than a thinly veiled recruiting device. Critics also say it promotes guns and violence as means to resolve conflicts and has an inappropriate curriculum that indoctrinates impressionable high school students with nationalistic and martial ideals rather than teaching them to think critically. Others contend that the program does not positively affect college enrollments or employment potential. In fact, some argue that it actually hurts disadvantaged youth. According to them, by obligating a host institution to share costs, JROTC diverts resources away from programs that might help deprived young people qualify for higher education or employment. Some even question the Army's claims of success, attributing the impressive statistics more to carefully screening applicants than to anything inherent in the program.<sup>14</sup>

These contentions misrepresent the program's focus. The US Army Cadet Command does not regard or represent JROTC as a vehicle to morally and educationally uplift hard-core delinquents. Rather, the program is designed for youth seeking direction and a sense of belonging. Many of them are not high academic achievers and do not plan to attend college. In the main, they are students who could go either way—they could go on to become productive and responsible citizens or join the ranks of the alienated and disaffected. The command is convinced that which way they eventually go depends on their high school role models and experiences.

Other critics believe that the military should play little or no role in civilian affairs. To them, subsidizing a program like JROTC only diverts time, attention and resources from more pressing priorities. The

Active-duty officers and noncommissioned officers train cadets in tactical skills ranging from marksmanship to land navigation.



US Army

money spent on providing military role models and mentors for high-risk youth, in their opinion, could be better used on improving readiness or modernizing America's aging arsenal.<sup>15</sup>

Still others see a misplaced emphasis on tradition, display and the military's external trappings. One retired Army general asserted that the "backbone" of JROTC was "training right out of 1895: rifles, trinket-laden uniforms, drill and ceremonies, plus a modicum of physical fitness." Like many others, he wanted the Army to "raise cadet sights above winning drill competitions to computer-aided skill acquisition"<sup>16</sup>

Although the Army JROTC has recently begun to move in the direction the general suggested, most students do not participate in the program to enhance their academic skills or future marketability. They want the sense of belonging and purpose it gives them. This sense of belonging results from working on community-service projects, supporting school events, participating in drill competitions or engaging in various other unit activities. Often done in uniform under military supervision, these team-building activities obviate feelings of alienation that afflict so many adolescents. While drilling, wearing uniforms and adhering to military customs and courtesies might seem irrelevant or counterproductive to some observers, experience shows that they help to create a sense of identity many cadet contemporaries either lack or get from nonproductive groups such as gangs.

### Prospects

If history is any guide, JROTC's bright future could quickly change. Many uniformed resource managers looking at a program's fiscal bottom line rather than its long-term but unquantifiable effects on civil-military relations and the moral development of the Nation's youth will undoubtedly continue to view JROTC as an expensive luxury. And officers who feel the Army should avoid involvement in civilian projects will continue to regard it as a diversion from the Army's principal mission. Congressional backing for JROTC, while solid at present, is extremely susceptible to changing budget priorities.

Support for the program has been most intense and most enduring at the local level. It was a grassroots movement that fueled program growth in the mid-1990s, and it is a grassroots movement that is propelling the

*The latest leadership education and training materials have added staff rides and blocks of instruction on etiquette, nutrition, conflict resolution, multicultural diversity, geography, the environment and service learning opportunities. Embedded in instructional modules are programs on learning styles, skills mapping, authentic assessments and portfolios. Self-paced texts have recently been adopted to resolve scheduling conflicts and facilitate home schooling.*

*The US Army Cadet Command does not regard or represent JROTC as a vehicle to morally and educationally uplift hard-core delinquents. Rather, the program is designed for youth seeking direction and a sense of belonging. . . . In the main, they are students who could go either way—they could go on to become productive and responsible citizens or join the ranks of the alienated and disaffected.*

expansion today, as evidenced by the ever-growing list of school principals and superintendents asking for new units. If JROTC maintains the gains it has made in the post-Cold-War era, it will undoubtedly be this local support base that is largely responsible. *MR*

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*Colonel Arthur T. Coumbe, US Army Reserve, is the command historian, US Army Cadet Command, Fort Monroe, Virginia. He received a B.S. from the US Military Academy, a Ph.D. from Duke University and is a graduate of the Army Management Staff College. As a US Army Reserve officer, he served in various command and staff positions, including deputy commander, 902d Military Intelligence (MI) Group, Fort Meade, Maryland; and commander, 260th MI Battalion, Miami, Florida. He served as an adjunct faculty member at the University of California at Berkeley, Florida State University, St. Leo College and Thomas Nelson Community College. He has authored numerous articles and books on Army ROTC history and the Franco-Prussian War of 1870-71.*

*Colonel John Corbett is the G1, Third US Army, Fort McPherson, Georgia. He received B.A.s from Indiana University and Murray State University and an M.S. from Butler University. He is a graduate of the US Army Command and General Staff College and the US Army War College. He has served in various command and staff positions in the Continental United States, Europe and Central America, including secretary of the Joint Staff, United States Southern Command, Quarry Heights, Panama; chief, Regimental Branch, Office of the Deputy Chief of Staff for Personnel, Washington, DC; Colonels' Assignment Officer, US Army Personnel Command, Alexandria, Virginia; and Adjutant General, US Army Training and Doctrine Command, Fort Monroe, Virginia.*



# THE LEAVENWORTH TIMES

Sunday, Feb. 4, 2001

## Leavenworth High School Junior ROTC members go recruiting



Times photo/Jeffrey Hamilton

First Lt. Denise Delgadillo leads the "Yellow Ribbons," honor guard without weapons, in a drill Friday morning during a Leavenworth High School JROTC assembly at Patton Jr. High School on Fort Leavenworth. The JROTC Drum, Fife, and Bugle Corps as well as the "Yellow Legs," honor guard with weapons.

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State Affairs

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## Students finish three-school tour Friday

By JOHN RICHMEIER

Times Staff Writer

Members of Leavenworth High School's Junior ROTC program don't believe in wasting time when it comes to recruiting.

They have already visited Leavenworth's middle schools and Fort Leavenworth's Patton Junior High School in an effort to convince next year's freshman to join their ranks. JROTC cadets also held an assembly at Leavenworth High School last month to inform the school's student body about their program.

The JROTC students finished their three-school recruiting tour Friday with an assembly at Patton. Cadets told Patton students that they wanted to clear up some misconceptions the junior high school kids may have had about JROTC.

"First of all, being in JROTC in no way obligates you to join the Army," said Cadet Sgt. Heidi

Bockrath.

She said JROTC students wear uniforms, which are furnished to them free of charge, only once a week.

Cadet Lt. Col. Megan Williams, battalion commander, said the JROTC program will provide opportunities for advancement for those who want to join the military. It's possible for former cadets to enlist at a higher rank.

JROTC can also increase a student's chances for receiving ROTC college scholarships.

"Even if you have no desire to join the military," Williams said, "the Leavenworth High School Corps of Cadets is a great way to meet people and become involved in activities."

Fort Leavenworth Superintendent Tom Devlin said he recognized the faces of a number of cadets who appeared in Friday's assembly as those of former Patton students.

Students from Patton's junior guard opened the ceremony by presenting the colors. Students carrying the American and Kansas flags entered the gymnasium

flanked by two fellow Patton cadets who carried wooden rifles. The color guard moved to the center of the gym's floor and the Pledge of Allegiance was then recited.

JROTC cadets work with junior guards at local middle and elementary schools. The junior guards raise and lower flags at their schools and provide color guards for their schools' activities.

During the assembly, the high school cadets provided information about their JROTC program. Bockrath said 250 Leavenworth High School students participate in the program.

Cadet Capt. Erica Hornbrook said the JROTC program at Leavenworth High School is the oldest in the nation, dating back to 1917.

High school cadets also told of the apprehension they had when they joined JROTC.

"As a sophomore, I was a little concerned about joining JROTC, as many of you may be," said Cadet Command Sgt. Maj.

**See JROTC on page A5**

# JROTC members involved in activities

Continued from page A1

Andrew Duncan. "However, I quickly found out that by joining this organization, I became part of a group of students that share the same interests that I do and who really care about each other."

Duncan, who is now in his second year in JROTC, also said that the program's four instructors care about how students do and are willing to help with any problems they may have.

Things in JROTC may seem strange at first, according to Cadet 1st Lt. Denise Delgadillo.

She said students will eventually grow accustomed to standing at attention during roll call and answering "yes sir" and "yes ma'am" to classmates who are cadet officers.

"Soon it becomes part of the daily routine," she said.

Delgadillo is the commander of the JROTC's honor guard without weapons, or Yellow Ribbons. The group was one of the drill teams that performed Friday for the Patton students.

Members of the Patton audience seemed impressed by the JROTC honor guard with weapons. An occasional "ooh" and "ahh" could

be heard as the honor guard members, or Yellow Legs, traded rifles by tossing them through the air.

Hornbrook said the group's origins can be traced to when JROTC students formed a bugle corps in the 1920s. The corps later evolved into the JROTC band, which was the only band at Leavenworth High School for a period.

Cadet Capt. Rob Domitrovich encouraged future Leavenworth High School students to join the JROTC rifle team which has won about 20 national championships during the last 28 years.

Cadet Master Sgt. Brandon Williams encouraged students to rappel down a 50-foot tower, participate in a 20-mile road march and take a 40-mile bike ride as members of the cadet rangers.

Duncan told the Patton students that as JROTC cadets, they would still have time for other activities at the high school.

"In fact, our cadets are encouraged to be involved throughout the school and play an active role not only in sports but also in student government, peer mediation and student council," Duncan said.

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**DOUGLAS R. SMITH**  
 Social Studies Educator  
 3800 Lakeview Drive  
 Leavenworth, KS 66048  
 (913) 651-5170

### KANSAN BY CHOICE

My name is Douglas Raymond Smith. I want to thank you for allowing me to appear in support of the Range Protection Bill. I speak to you today as a concerned citizen from Leavenworth, as a professional educator, and as a parent and grandparent.

The title of my written statement, Kansan by Choice, underscores why I appear before you today. I was born and raised in Ottumwa, Iowa, a place not very different from Leavenworth, Kansas. While I was growing up, I couldn't wait to see the world. Uncle Sam gave me that opportunity. I served for twenty years as an Army officer. My family and I lived all over the United States and in Europe. We lived in North Carolina, in Colorado, in California, and in Kansas. After all that looking around, when it came time to retire, my wife and I decided to settle in Kansas. We had been to both coasts, to the mountains, and to the big cities. When it came time to settle down – we decided that the heartland of America was where we wanted to make our home. We made that choice because the solid values of citizenship and family found in the mid-west, found right here in Kansas, are what we wanted most to pass on to our children. In fact, we wanted to contribute to the entire community. We do that as teachers. My wife teaches Art in Lansing. I teach Law and American History at Leavenworth High School.

Now you may ask, what does this have to do with the Range Protection Bill? My answer is this: The Range Protection Bill represents those same values from the heartland; values that America ought to stand for. The Bill represents fair play; it represents responsible citizenship and firearms safety; it represents the future.

The Range Protection Bill represents fair play for ranges. It does so by providing the same protection any property owner has a right to expect against the encroachment of new neighbors. New neighbors who decide, after the fact, that they don't like what you are doing – what you have been legally doing – on your own property. In that regard, it seems to me that ranges are no different from airports. If you decide to move in next door to an airport, you ought not to complain about the noise. The airport was there first. That's fair play.

The Range Protection Bill represents responsible citizenship and firearms safety. It does so by safeguarding the continued operation of ranges as places where Kansas hunters and recreational shooters can practice safe and responsible firearms use.

Most importantly, the Range Protection Bill represents the future of safe and responsible firearms use. More and more, as the family farm and the woods next door become a thing of the past, the range is where Americans - hunters, recreational shooters, and even law enforcement officers - learn to shoot. I taught my wife, my son, and my daughter to shoot at the range. Please do not deny my children a place to teach my grandchildren to shoot safely and responsibly.

It comes down to whether or not you share with me the values of the heartland. If you believe in fair play, if you believe that ranges support the safe and responsible use of firearms, and most importantly, if you believe that ranges provide a shooting future for young Kansans – then you will support the Range Protection Bill as I do. Thank you.

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Date 3/14/2001

Attachment No. 3

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**TESTIMONY REGARDING House Bills 2558  
BEFORE THE HOUSE FEDERAL & STATE AFFAIRS COMMITTEE,  
March 14,2001**

*Good Morning Chairman Mays, and Members of the House Federal & State Affairs Committee, my name is George Petersen and I am a representative of the Kansas Second Amendment Society; however, I am giving this testimony as a Kansas Hunter Education Instructor.*

*I appreciate the opportunity to make these brief comments to the Committee on House Bills 2558. Although I am one of approximately 1500 volunteer Kansas Hunter Education Instructors my comments reflect my feelings on this bill.*

*As you are aware the Hunter Education requirement was mandated by the legislature to affect all of those hunters born on or after July 1, 1957. The program became mandatory in 1972 and we have graduated almost 500,000 students since that date. I have been teaching for over 25 years in this program, and I am also a National Rifle Association firearms instructor, and a National Muzzleloading Rifle Association firearms instructor. Although the Kansas Hunter Ed program does not require live firing, it is STRONGLY recommended and wherever possible we do offer live firing for the students. Without range facilities many students cannot experience the opportunity to live fire under the guidance of trained instructors. Where will these untrained students receive supervised safety training when these ranges are forced to close by the encroachment of the suburban community. We need to protect these ranges and House Bill 2558 is certainly a positive step in this direction. Forty states currently have such legislation in place. Lets keep a place open for the training of our youth by protecting the existing ranges.*

*We should remember that the first gold medal in the Sidney Olympics this last summer was won by a young lady from the USA in air rifle competition. Kim Rhodes won the first USA gold medal in the Atlanta Olympics in the trap shooting event in 1996, and we cannot forget Topeka's' Margaret Murdoc who shared the gold in small bore rifle in the 1976 Olympics in Montreal. Without ranges how could the young ladies have developed their skills? We have many young, very skilled shooters in this state. Let's give them a protected range to develop to their full potential and maybe they will be on the victory stand in future Olympics Competition.*

*Safety training and education allows the youth to learn the safe way to handle and respect firearms.*

*Thank you for taking the time to listen to my comments. I will try to answer any questions you may have. .*

House Fed. &  
State Affairs

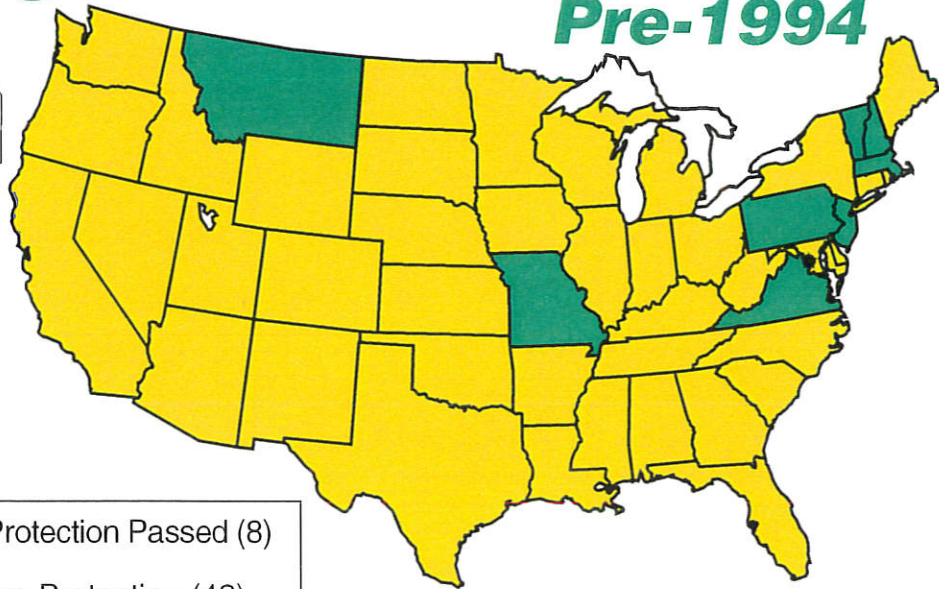
Date 3/14/2001

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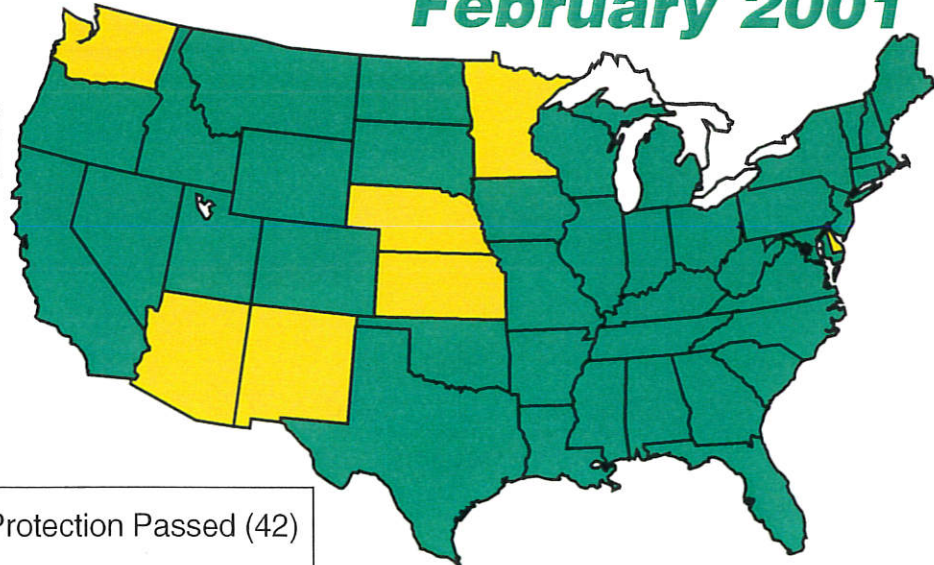
# Range Protection Statutes Pre-1994



- Range Protection Passed (8)
- No Range Protection (42)

Since 1994, the number of states that have enacted shooting range protection legislation has increased more than 5-fold, jumping from eight to 42, as shown in these maps.

# February 2001



- Range Protection Passed (42)
- No Range Protection (8)



STATE OF KANSAS  
DEPARTMENT OF WILDLIFE & PARKS

Office of the Secretary  
900 SW Jackson, Suite 502  
Topeka, KS 66612-1233  
785/296-2281 FAX 785/296-6953



HOUSE BILL NO. 2558

Testimony Provided to  
House Committee on Federal and State Affairs  
March 14, 2001

The Kansas Department of Wildlife and Parks is aware of many success stories, as well as controversies, surrounding the placement and operation of shooting range facilities. Among other avenues of involvement, Secretary Steve Williams currently serves as Chair of the Hunting Education and Shooting Sports Committee of the International Association of Fish and Wildlife Agencies, and therefore is exposed to shooting range issues across the nation. In the department's role to provide outdoor recreation in Kansas, including safe and responsible hunting opportunities, the continued availability of shooting ranges for public use is critical. Consequently, our department supports the passage of HB 2558.

State agencies, private industry, and private organizations have made tremendous strides in the past few years to address concerns about shooting ranges. The amount of scientifically-based studies and information for range construction and operation available at this time is unprecedented. Organizations such as the National Shooting Sports Foundation, National Rifle Association, International Hunter Education Association, and numerous others have invested significant dollars into safe range development plans. Consequently, our department stands ready to use that information to develop accepted operation practices, as would be required by this legislation.

Concerning the need for shooting range facilities, our department believes a few facts are clear. The demand for recreational and competitive shooting facilities is on the increase nationwide. The number of non-traditional shooters is also increasing. Hunters continue to search for safe facilities to hone their shooting skills prior to hunting seasons. In addition, there is a growing trend to include live-firing exercises in the traditional hunter education curriculum in order to best prepare young hunters. Finally, shooters simply need safe and adequate facilities to shoot, and in the absence of such facilities, they may use inappropriate areas. Although prohibited, we are aware of informal "shooting ranges" on some public lands. We also know that many unsafe shooting scenarios occur on private land with no regulation. These public and private areas are unlikely to meet the rigid standards that state agencies or private organizations can recommend, and therefore they can lead to undesirable results.

We conclude that well-designed shooting ranges serve a valuable role in teaching safe firearm handling, developing responsible hunters, and providing recreation. HB 2558 provides a mechanism to address safe range operation and long-term viability of shooting range facilities. Consequently, we offer our support for passage of this legislation.



Statement before the Kansas House Fed. & State Aff's Committee  
in support of HB 2558, March 14, 2001

**Scott G. Hatstrup** (*Univ. of Kansas*: B.G.S., 1989; J.D., 1995) is an attorney practicing in Lenexa, Kansas. He is also a certified firearms instructor and competitive shooter.

HB 2558 in its current form protects law-abiding hunters, sportsmen, law enforcement personnel, and all other firearms users by protecting safe shooting ranges from encroachment and nuisance lawsuits, and I therefore **support** it.

Shooting ranges in the state of Kansas are covered by local zoning laws, if any, when they are first put in place. They would continue to so be governed. However, at present, there are no standards for how a range must operate after being established. HB 2558 establishes the Kansas Department of Wildlife and Parks as the state authority for those range operation standards, and directs the department to adopt generally accepted operation practices for established shooting ranges. Once those standards are in place, a shooting range in conformance therewith is protected from nuisance or noise lawsuits which are aimed at shutting it down.

The need for this bill comes about because many long-time established shooting ranges in this state are being encroached upon by urban development. The new residents to an area often complain of the noise caused by normal shooting activities. Most of these new residents have been in the area for less than five to ten years and are complaining about shooting ranges, some of which have been established for over fifty years. This provision protects the property rights of the first comers to the land.

Nowhere in this bill does it stop lawsuits for unsafe practices at ranges, or for projectiles leaving the range area and causing damage elsewhere. Any such criticisms are misplaced.

Additionally, the bill prohibits local governments from misusing the power of eminent domain to take an established shooting range for purposes of continuous operation as a shooting range. In this way, the bill protects the private property rights of owners, most of whom are loose-knit associations of shooters who cannot afford to fight the almost unlimited resources of the government. Local governments that need to have shooting ranges for law enforcement training should either build their own, or continue to contract with private ranges, as is done now.

The continuous existence of safe shooting ranges close to urban centers is necessary in order to assure that the thousands of sportsmen and hunters who venture afield each year have a safe place to practice their sport. The department of wildlife and parks issues thousands of licenses each year to hunters who help control excess game populations in this state which might otherwise eat crops, be struck by cars along the highways of this state, or simply starve to death due to overpopulation. These Kansas citizens deserve a safe environment close to their homes where they may practice. Otherwise, the danger to others afield during hunting season is unreasonable.

I urge your support for HB 2558. The bill as written protects preexisting property rights and helps assure the safety of everyone involved in hunting sports.

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Date 3/14/2001

Attachment No. 1

Page 1 of 1

My name is William Gray Chuber and I am a student at Saint Mary College in Leavenworth. I am also a contracted Army ROTC cadet at the University of Kansas. I graduated in 1999 from Immaculata High school, also in Leavenworth. While in high school I earned the Boy scouts of America's highest award The Eagle Scout Badge. It is with this back ground that I come before you today.

I come from a long line of gun owners. I have had exposure to weapons ever since I was a young boy. My father and Grandfather both of whom were in the military, were the first to introduce my brother and I to the world of firearm sports. As I grew older I joined Cub scouts and learned basic gun safety with air rifles, under the close supervision of my scout leaders and father. I soon advanced into boy scouts and was able to earn both shotgun archery merit badges and attend hunter education classes. However I would not have been able to gain as much knowledge as I have without the use of a range, which provided me a safe place for supervised hands on training.

Coming to our capital today fills me a sense of duty and honor. As a citizen of Kansas I feel it is my duty to voice my opinion on matters that could affect this state's gun owners. It is also my duty to as an Army ROTC cadet to uphold the Constitution of the United States. Any new bill that infringes on the Second Amendment must not be made into law. The second Amendment states, "A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed. All who are involved with this debate should look at the reasons why the Second Amendment was created in the first place. The founders of our nation had just fought off the ties of an oppressive government. They also believed that the right of self-defense is a natural right, and that it can not be justifiably taken away by any government body. The right of every human being to protect himself from man or beast has not changed over the past two hundred year, and neither should the right to bear arms.

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State Affairs  
Date 3/14/2001  
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**THE FIRST SANTA FE TRAIL PLAINSMEN**  
**Muzzleloading Club**  
**211 Rice Road, Topeka, KS 66607**

February 5, 2001

House Federal and State Affairs Committee  
Re: HB 2558

Representative Doug Mays, Chairman,

Dear Chairman Mays and Committee Members,  
My name is David Lawrence and I am the current President of The First Santa Fe Trail Plainsmen Muzzleloading Club located approximately seven miles SE of Overbrook, Ks. The fifty members of the club have expressed their support of HB 2558 and hope that you will pass this bill out of the committee favorably. Our range is used by not only the club members but also serves as a place where Boy Scout troops and other youth groups such as 4-H clubs can come and receive instruction in the safe handling and shooting of muzzleloading firearms. Our club has several members who have been trained as muzzleloading instructors by the National Muzzleloading Rifle Association. These instructors also teach in the Kansas Hunter Education program. Safe ranges will continue to disappear without the enactment of HB 2558.

As owners of firearms, we also hope that either HB 2564 or some bill of a similar nature can also be passed favorably by your committee.

Thank you for your attention to this request.

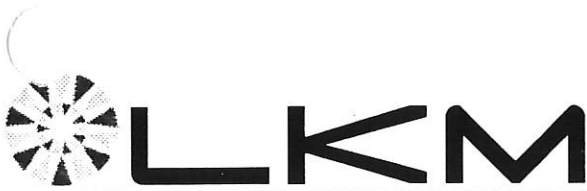
Respectfully,



David Lawrence, President  
First Santa Fe Trail Plainsmen

House Fed. &  
State Affairs  
Date 3/14/2001  
Attachment No. 9  
Page 1 of 1





League of Kansas Municipalities

300 SW 8th Avenue  
Topeka, Kansas 66603-3912  
Phone: (785) 354-9565  
Fax: (785) 354-4186

TO: House Federal and State Affairs Committee  
FROM: Sandra Jacquot, Director of Law/Legal Counsel  
DATE: March 14, 2001  
RE: Opposition to HB 2558

Thank you for allowing the League this opportunity to testify in opposition to HB 2558. Specifically, the League opposes HB 2558 because of its preemptive nature and the fact that it contradicts typical nuisance and land use law that has been in place in Kansas since statehood. Prohibiting the use of nuisance and certain land use laws sets a very bad precedent that we believe is unwise.

Nuisance law exists to protect the health, safety and welfare of the public. To legislate to protect the public is known as the "police power" of state and local government. The police power of local government is used when an otherwise lawful use becomes hazardous to the general welfare of the public. We believe that to preempt all local nuisance ordinances sets a very bad precedent and would allow activities that are potentially harmful to the health, safety and welfare of the public to continue without the ability of government at the local level to regulate the activity. Essentially this legislation excuses a variety of nuisance behaviors when they are undertaken as part of a "sport shooting range" or "range" in the state. Further, it goes far beyond the current nonconforming use statute. Nonconforming uses are allowed to continue when zoning is placed on a property or the property and use exist prior to the modification of a zoning ordinance. The current nonconforming use statute provides that when a structure is destroyed it cannot be rebuilt as a nonconforming use. This bill, however, allows that despite damage to any structure involved at a sport shooting range, it may be rebuilt and the use may continue if done within one year of the damage.

HB 2558 would also allow a nonconforming use, which may well be in violation of local nuisance ordinances and noise control ordinances, to legally expand or increase the size and scope of the facilities and activities which may further increase the hazard to the general public. We would suggest that this is an unwise piece of legislation. We hope that the Committee will conclude that it is not in the best interests of the public to statutorily allow nuisances that may adversely affect the health, safety or welfare of the public.

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State Affairs  
Date 3/14/2001  
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Opponent

**TESTIMONY BEFORE THE KANSAS HOUSE OF REPRESENTATIVES  
FEDERAL AND STATE AFFAIRS COMMITTEE**

**HB No. 2558**

**Presented by David M. Cooper  
Senior Assistant City Attorney  
City of Lenexa**

Honorable Representative Mays and Committee Members:

The City of Lenexa is strongly opposed to HB 2558, because it severely restricts state and local regulation of sport shooting ranges. The bill essentially attempts to "grandfather" sport shooting ranges from any state or local regulation from both an operational and land use standpoint. This bill causes the City particular concern because it establishes special treatment for a specific land use, exempting that use from the City's exercise of its police powers in regulating inherently dangerous and harsh land uses. If this proposed bill is approved and sport shooting ranges are essentially grandfathered from further local zoning control, what is to preclude other special interest groups and land uses from seeking similar protections? This bill is a strong departure from the basic foundation upon which Home Rule is established. The Kansas Legislature has long recognized the importance of the constitutionally granted home rule powers to cities. Locally elected officials are in the best position to make decisions of local concern and are most accountable for decisions that affect citizens in the communities in which they live.

This legislation is unnecessary. There has been no showing of any abuse of these land use decisions by municipal entities. Moreover, landowners currently have protection from arbitrary or capriciously applied municipal regulations. But what rights and protection do local citizens have when this type of state regulation is implemented?

As a practical matter, the majority of gun club operations affected by this legislation were established in what were then rural areas. Many of these areas did not have noise regulations in existence at the time the use was established. The City believes there are approximately 50 operations in Kansas that have at least minimum facilities that are eligible to obtain insurance through the NRA for operation of a shooting range. Of these 50, approximately 20 are professional gun club operations. The remaining operations are generally individuals who have designated a portion of their property for target shooting, with perhaps a bench and a few other minor improvements. Under this proposed legislation, these "mom and pop" operations would also be exempt from regulation.

However, unlike the professional gun clubs, these operations were not built to any standards, nor do they adhere to any generally accepted operation practice.

Therefore, this legislation will effectively permit many gun clubs to operate without any noise regulation, and while doing so, be immune from suit. The noise at the property line associated with gun clubs can be significant and routinely exceeds permitted and safe noise levels. Government is charged with exercising its police powers to provide for the public order, peace, health, safety, welfare and morals. Cities routinely adopt zoning regulations, including performance standards addressing noise, odor, vibration, light levels, landscaping, etc. in an effort to protect the general health and safety of the public. To permit a land use, such as a gun club, to operate without any noise regulation, would be potentially detrimental to citizens' health.

Moreover, pursuant to the other provisions of this bill, the operation could intensify and even expand its current operation, thereby increasing the existing noise level, and still be afforded immunity from suit. Proponents of the bill would argue that surrounding residences, established after the gun club, knowingly assumed the risk of such noise. The City would argue that at a minimum, these residents were entitled to rely upon the City's noise standards and regulatory authority at the time they purchased their homes.

This proposed bill also runs directly contrary to the common law doctrine that embraces the gradual elimination of nonconforming uses. Well established law provides that the original nature and purpose of a nonconforming use must remain unchanged. Thus, an operation constituting a nonconforming use cannot be expanded as of right.

The proposed bill also includes a prohibition on the use of eminent domain on property that has a permanently located shooting range when such use for which the property to be taken would be either a shooting range or recreational activity. Any legislation that precludes the ability of local government to exercise its powers of eminent domain for a public purpose should be avoided. The eminent domain procedures act as set out in Chapter 26 of the State Statutes, establishes the parameters in which local government can use its eminent domain powers, including payment for the land taken. Eminent domain is necessary for the City to ensure the proper and orderly growth and development of a City or County.

The City respectfully requests that the Committee decline to afford this bill a favorable recommendation.





Johnson County, Kansas

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COUNTY ADMINISTRATOR'S OFFICE

To: The Honorable Doug Mays, Chairman  
Members, House Federal and State Affairs Committee

From: Ashley Sherard  
Intergovernmental Relations Manager

Date: March 14, 2001

Subject: **HB 2558 – Civil Immunity for Sport Shooting Ranges**

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I would like to express the Johnson County Commission's opposition to HB 2558, which provides civil immunity to persons who operate or use sport shooting ranges against certain state and local laws, rules, and ordinances, including noise and nuisance regulations.

The Commission opposes this bill because, in an attempt to carve out special protections for sport shooting ranges, it preempts local governments' traditional regulatory and enforcement authority. We believe communities are best served when local officials are allowed to conduct the business of their jurisdiction in a manner that best reflects residents' values and standards and best benefits that community. To this end, we believe it is critical that longstanding principles of local control, a cornerstone of Kansas government, be respected and retained.

In addition, we have very strong concerns regarding the poor precedent that would be set by this bill. Nuisance and noise ordinances exist to protect the health, safety and welfare of the general public. HB 2558 sets a precedent, however, of allowing activities that may be potentially harmful to the public to continue without the ability of local government to regulate that activity.

Further, HB 2558 goes beyond current nonconforming use statutes to extend special protections to sport shooting ranges, including allowing such ranges to expand the size and scope of their facilities and activities and to rebuild structures that have been damaged or destroyed. We believe these special protections are unwarranted and unjustified.

Because it would preempt local regulatory and enforcement authority and create a poor precedent that potentially risks the health and safety of the general public, the Johnson County Commission respectfully urges you to reject HB 2558. Thank you for your time and consideration.

House Fed. &  
State Affairs  
Date 3/14/2001  
Attachment No. 12  
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