

TESTIMONY OF  
BRIGADIER GENERAL JACKIE HUBER  
NORTH DAKOTA NATIONAL GUARD  
BEFORE THE  
SENATE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE  
14 JANUARY 2021  
SENATE BILL 2117

Good morning Mr. Chairman, I am Brigadier General Jackie Huber, the Deputy Adjutant General for the North Dakota National Guard (NDNG). I am here today to testify in support of Senate Bill 2117. This bill contains an update to Subsections 1 and 2 of Title 37-01, relating to death benefits for National Guard members while serving on State Active Duty (SAD).

North Dakota National Guard Soldiers and Airmen are being called up on a regular basis to support State missions. In the last 12 years, our members have conducted missions responding to floods, fires, blizzards, protests, tornados, search and rescue, civil disturbance, and a pandemic. The NDNG has provided over 80,000 personnel days in support of the COVID response, of which only 4,219 were in a SAD status. Responses last for various lengths of time and present various levels of risk. Risk is inherent to our occupation, which our members know, understand, and accept. We accept risks and work hard to mitigate risk to ensure our members are performing their duties in the safest possible way. However, as we are often on the front lines, mitigations can only go so far.

It is because of the increased use and risk we are requesting the authority, to pay a \$10,000 state death gratuity for a National Guard service member whose death occurred during the performance of their SAD duties. The \$10,000 death gratuity would be funded out of the emergency funding which necessitated the SAD response.

To frame the issue and provide justification, if a service member were in a federal status their designated beneficiary would receive a \$100,000, federally funded, death gratuity. For example, a service member currently supporting the COVID-19 response is in a federal, Title 32 status. If any of them were to die of any cause while on Title 32 status, their beneficiary would receive a \$100,000 death gratuity. If that same individual were to be on SAD status, based on current state benefits, following an investigation, a \$10,000 state funded death gratuity is paid directly to the funeral service provider.

We ask for your approval of the language in SB 2117, authorizing the timely payment of a \$10,000 death gratuity directly to the family of a NDNG member killed while performing their SAD duties.

I will stand by for any questions.