



STATEMENT OF
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JOINT FORCE HEADQUARTERS
PENNSYLVANIA AIR NATIONAL GUARD
BEFORE THE
HOUSE JUDICIARY COMMITTEE
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Thank you. I am Lieutenant Colonel Kris Kollar and I serve as the military personnel officer for the Headquarters, Pennsylvania Air National Guard. I recently returned from a deployment with the Air Guard to Ali Air Base, Iraq and I want to describe some of the issues that can affect our deploying airmen and soldiers.

First, just a word about the Pennsylvania National Guard. The Pennsylvania Army and Air National Guard is one of the largest and most deployed National Guard forces in the United States. Our Pennsylvania Army National Guard is home to the 28th Infantry Division (Mechanized), the oldest continuing serving division in the U.S. Army, and the 213th Area Support Group, as well as important combat aviation units, schoolhouses and training facilities, such as Fort Indiantown Gap. The 213th Area Support Group just recently returned from a one-year deployment to Iraq and large elements of the 28th Infantry Division have deployed in the past, and as you've heard, the 56th Stryker Brigade Combat Team, about 4,000 strong, is preparing to mobilize next month and deploy in a few months.

In the Air National Guard, we have three major flying wings: the 171st Air Refueling Wing, based at Pittsburgh International Airport, the 193rd Special Operations Wing, based at Harrisburg International Airport, and the 111th Fighter Wing at Willow Grove Naval Air Station, as well as a number of operations and support groups based at Fort Indiantown Gap, State College and Johnstown.

All-in-all, the Pennsylvania Army and Air National Guard have about 19,000 personnel, and, as General Wagner observed, about 17,000 have mobilized or deployed to support operational missions at home and abroad since September 11, 2001. As we speak today, the 111th Fighter Wing has personnel and aircraft deployed to Bagram Air Base, Afghanistan in support of Operation Enduring Freedom. The 193rd Special Operations Wing regularly deploys personnel and aircraft to Southwest Asia and refuelers from the 171st Air Refueling Wing are

also active in supporting the war fight. Our engineers, RED HORSE, and other operational personnel have also deployed. When you look at the Guard nearly everyone has deployed at least once, and large numbers have deployed two, three and sometime even more time.

Overseas deployments, by their very nature, are a cause of stress for our personnel and their families. As General Wagner observed, the armed forces have done a good job of focusing on family issues. Our personnel are required to prepare Family Care Plans and to make firm, enforceable arrangements for care of their minor children during deployments. We also rely on Family Readiness Groups and family support groups to help our personnel and their families deal with the stress of deployments.

Let me give you a couple of examples where child custody issues have arisen in the Army and Air National Guard. You've heard about the cases from other states, and we have been fortunate here in Pennsylvania that there have been no horror stories here. But, all the same, I have seen reports of several instances where child custody issues have involved military deployment issues. In an on-going case in the 193rd Special Operations Wing, the spouse of one of our airmen, has argued that he should be denied shared custody because of his being away from home on deployments and should only have visitation rights and not shared custody. This case is complicated because one spouse lives in Pennsylvania while the other is in Maryland. All the same, it seems clear to the servicemember that his military service is being used against him in this matter.

In cases involving personnel receiving legal assistance from the 213th Area Support Group during their recent deployments, there were a couple of cases where non-custodial, non-military parents waited until the soldier deployed to seek to change the custody to themselves. Family law issues are the most frequently raised issues in legal assistance settings. When someone tries to overturn family care arrangements set forth in the family care plans, it is a major stressor for our personnel.

While deployed to southern Iraq, I experienced my own personal child custody challenges when working through our local Domestic Relations Office. Although the facts of my own circumstances are not germane to this proceeding I can attest first hand, to the exceptional difficulty the deployed Airman and Soldier experiences when confronted with child custody issues. Iraq is a world away from central Pennsylvania, and the distance exponentially complicated my ability to deal with the legal system and former spouse. Serving one's Nation and Commonwealth during a military deployment should not put single moms and dads who happen to also be, Soldiers and Airmen, at a disadvantage

I believe Pennsylvania servicemembers appreciate all the support they have received from the Pennsylvania General Assembly. Thank you for considering legislation to address difficult and sometimes sensitive child custody issues in a fair and reasonable way. I will be followed by Dennis Guise, Chief Counsel, DMVA.