

**Main Identity**

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**From:** \*Jim Jobkar\* <Jim\_Jobkar@admin.state.ak.us>  
**To:** <jon.devore@sba.gov>  
**Cc:** <Ken\_Browning@admin.state.ak.us>; <deidre.huber@gsa.gov>; <janet.johnson@sba.gov>  
 <marjorie\_vandor@law.state.ak.us>; <patrick.lamb@gsa.gov>; <peggy.lowndes@gsa.gov>  
 <Kenneth.Dodds@sba.gov>; <susan.roggenkamp@sba.gov>; <james.parker@sba.gov>  
**Sent:** Tuesday, February 27, 2001 4:07 PM  
**Subject:** Re: FW: Bering Sea Eccotech

Mr. Devore

The Property Distribution Document that you are referring to was canceled in October, 2000. No money has been exchanged. We are not obligated to transfer to Clearwater Group.

Since Clearwater Group and their parent company AHTNA Inc. are currently being investigated by the U.S. Inspector General and other federal investigative agencies for non-compliance issues (misuse of Federal Surplus Property), the State of Alaska does not believe it is prudent or in the best interests of the state to facilitate the transfer of the M/V ex-Competent to Clearwater, Inc., particularly in light of the present circumstances.

We have a request for donation from another competing agency, Bering Sea Eccotech. We have confidence in their ability to use the property as required under program guidelines. We will proceed with the transfer to Bering Sea Eccotech.

Sincerely,

Jim Jobkar

jon.devore@sba.gov wrote

Dear Ladies and Gentlemen:I am confused by Mr.. Browning's communications. I also know that SBA is making sincere efforts to address the issues of the 8(a) Surplus property program. But if GSA's position is as Ms. Huber related to me in our conversation on last Friday that the M/V Ex Competent predates the "freeze" on the program and the transfer to the SBA 8(a) program has already occurred and SBA has completed an SF 122 and certified that Clearwater, Inc. is an eligible 8(a) firm and the State of Alaska and Clearwater, Inc. have agreed on the terms of the Property Distribution Document which has been completed, then why is GSA or the State of Alaska not completing the transfer to Clearwater, Inc.?Thank you for addressing my concerns. Respectfully, Jon DeVore District Counsel

-----Original Message-----

**From:** Ken Browning [mailto:Ken\_Browning@admin.state.ak.us]  
**Sent:** Monday, February 26, 2001 10:13 AM  
**To:** jon.devore@sba.gov; Deidre Huber; Janet Johnson; Jim Jobkar; Margie Vandor; Pat Lamb; Peggy Lowndes  
**Subject:** Re: FW: Bering Sea Eccotech

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Mr. DeVore

A SF 122 does not certify what donee, 8 (a) contractor, is receiving the property. The letter from the SBA that states the 8 (a)'s status in the program is the certification. The SF 122 transfers property from a federal agency to a federal agency only. Please feel free to contact me with any further questions.  
Ken Browning

jon.devore@sba.gov wrote:

Ms. Vandor and Mr. Browning,

Under what legal authority is the State GSA altering the prior executed SF 122 that designated Clearwater, Inc. the recipient of the M/V Ex Competent?

SBA has not executed a SF 122 that certifies Bering Sea Ecotech.

To alter a prior executed SF 122 is a serious matter with legal consequences in my legal opinion. Certainly from the SBA's perspective such a change is not authorized at this time.

Further, if the program was on hold pending resolution of policies issues between the Federal GSA and SBA as you had previously related, how can the State GSA now transfer the vessel? Please be aware the SBA and GSA are attempting to resolve these matters.

Thank you for your attention to these matters.

Respectfully,

Jon DeVore  
District Counsel

-----Original Message-----

From: Ken Browning [mailto:Ken\_Browning@admin.state.ak.us]

Sent: Friday, February 23, 2001 3:32 PM

To: janet.johnson@sba.gov; jon.devore@sba.gov

Subject: Bering Sea Eccotech

Hi Janet,

A note to inform you that we are prepared to complete the transfer of the dry dock Ex-Competent early next week to the eligible 8 (a) contractor Bering Sea Eccotech. We will complete the distribution document in the beginning of the week. As you know this transfer has to be completed as soon as possible now as the property is very close to the end of the time frame and will be returned to the Navy. We have informed Bering Sea Eccotech that the property is being transferred to them and they are prepared to complete this transfer during the

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beginning of next week.  
Ken Browning

Jim Jobkar  
Property Manager  
Ofc: 907-257-9632  
Fax: 907-278-0352

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