

EXTRACT FROM THE TRANSCRIPT OF THE MAY 19, 2005 PUBLIC MEETING OF
THE BASE CLOSURE AND REALIGNMENT COMMISSION

ADMIRAL GEHMAN: Next item, administrative item. I'm going to say a few things about my prior involvement in BRAC-related activities and how those activities will impact my work as a commissioner. It's a matter of public record that I served for a time in a non-paid advisory capacity to the Governor of the Commonwealth of Virginia, helping the governor develop and understanding the BRAC process and devise an appropriate game plan for providing an input to the BRAC process at the state and local level. These activities, by the way, the activities of retired senior offense officials, working with local communities to assure the decisions of the Department of Defense and the BRAC Commission are informed by the best possible data are essential to the work of this Commission. This Commission would not be doing its job if we did not go out and get public input and listen very carefully to their insights, observations and criticisms. Once I was nominated to this Commission, I immediately resigned from the Governor of Virginia's Advisory Commission; but because of my prior work for the Governor of Virginia regarding the BRAC process, I believe that it's in the best interest of the Commission for me to recuse myself from any substantial participation for any decisions involving Virginia military facilities and from any substantial participation in any decisions involving any facilities which are proposed to be realigned in favor of the Commonwealth of Virginia. I understand that the law does not require me to take this step, but I believe that this recusal is necessary to ensure the public's confidence in the BRAC Commission's work. I don't want even the appearance of an impropriety to in any way affect the Commission's final recommendations. This process is far too important and involves far too many people.

MR. HANSEN: Thank you, Mr. Chairman. I too have a recusal. I've served the people of Utah for forty-two years; twelve years as a city councilman, eight years as a legislator, two years as speaker of the house, and my last twenty-two years as a member of Congress. My role now as a member of the Base Closure and Realignment Commission requires that I set aside any special interest in my home state to represent the nation as a whole. I must be beyond

challenge regarding my fairness and impartiality. Because of the importance of public confidence in our work and to avoid even the appearance of conflict of interest, I am recusing myself from substantial participation in any part of the BRAC process that should affect any installation in the State of Utah. Thank you, Mr. Chairman.

ADMIRAL GEHMAN: Thank you, Mr. Hansen. Mr. Bilbray.

MR. BILBRAY: Yes. Mr. Chairman, I have some of the same problems Congressman Hansen has. I advocated for the State of Nevada for many years as a member of the Nevada State Senate and in the United States Congress. Therefore, in advice of the Ethics Council to our Commission, I am recusing myself from any substantial work in regard to the State of Nevada in these particular deliberations.

ADMIRAL GEHMAN: Thank you very much. Anybody else? Mr. Coyle.

MR. COYLE: Thank you, Mr. Chairman. As you know, I served briefly on an advisory council formed by Governor Arnold Schwarzenegger, whose purpose was to help California communities understand and prepare for BRAC 2005. I resigned from that council as soon as I knew that I would be nominated to this commission. During my brief service on the council, I took no position one way or the other on which military base would be affected. Further, I did not participate in deliberations or votes resulting in recommendations or findings regarding specific California bases. Also, from what I've understood since leaving the council, the council made no recommendations regarding the closure or realignment of specific California bases. Nevertheless, I understand that my service on the council could be viewed as creating the appearance of a loss of impartiality regarding California. I've been a resident of California for most of my adult life; and all of our children were born or raised there. Accordingly, I will recuse myself from substantial participation relative to military installations in California. Mr. Chairman, it is my intent and commitment to conduct myself with integrity on the 2005 Defense Base Realignment and Closure Commission and to act in an independent, open, fair and impartial manner. Thank you.

ADMIRAL GEHMAN: Thank you very much. There's no more business. After a short recess, several members of the

Commission will be available to meet with the press. Thank you again, witnesses. Commission's adjourned.

EXTRACT FROM THE TRANSCRIPT OF THE MAY 19, 2005 PUBLIC MEETING OF
THE BASE CLOSURE AND REALIGNMENT COMMISSION

ADMIRAL GEHMAN: Next item, administrative item. I'm going to say a few things about my prior involvement in BRAC-related activities and how those activities will impact my work as a commissioner. It's a matter of public record that I served for a time in a non-paid advisory capacity to the Governor of the Commonwealth of Virginia, helping the governor develop and understanding the BRAC process and devise an appropriate game plan for providing an input to the BRAC process at the state and local level. These activities, by the way, the activities of retired senior offense officials, working with local communities to assure the decisions of the Department of Defense and the BRAC Commission are informed by the best possible data are essential to the work of this Commission. This Commission would not be doing its job if we did not go out and get public input and listen very carefully to their insights, observations and criticisms. Once I was nominated to this Commission, I immediately resigned from the Governor of Virginia's Advisory Commission; but because of my prior work for the Governor of Virginia regarding the BRAC process, I believe that it's in the best interest of the Commission for me to recuse myself from any substantial participation for any decisions involving Virginia military facilities and from any substantial participation in any decisions involving any facilities which are proposed to be realigned in favor of the Commonwealth of Virginia. I understand that the law does not require me to take this step, but I believe that this recusal is necessary to ensure the public's confidence in the BRAC Commission's work. I don't want even the appearance of an impropriety to in any way affect the Commission's final recommendations. This process is far too important and involves far too many people.

MR. HANSEN: Thank you, Mr. Chairman. I too have a recusal. I've served the people of Utah for forty-two years; twelve years as a city councilman, eight years has a legislator, two years as speaker of the house, and my last twenty-two years as a member of Congress. My role now as a member of the Base Closure and Realignment Commission requires that I set aside any special interest in my home state to represent the nation as a whole. I must be beyond

challenge regarding my fairness and impartiality. Because of the importance of public confidence in our work and to avoid even the appearance of conflict of interest, I am recusing myself from substantial participation in any part of the BRAC process that should affect any installation in the State of Utah. Thank you, Mr. Chairman.

ADMIRAL GEHMAN: Thank you, Mr. Hansen. Mr. Bilbray.

MR. BILBRAY: Yes. Mr. Chairman, I have some of the same problems Congressman Hansen has. I advocated for the State of Nevada for many years as a member of the Nevada State Senate and in the United States Congress. Therefore, in advice of the Ethics Council to our Commission, I am recusing myself from any substantial work in regard to the State of Nevada in these particular deliberations.

ADMIRAL GEHMAN: Thank you very much. Anybody else? Mr. Coyle.

MR. COYLE: Thank you, Mr. Chairman. As you know, I served briefly on an advisory council formed by Governor Arnold Schwarzenegger, whose purpose was to help California communities understand and prepare for BRAC 2005. I resigned from that council as soon as I knew that I would be nominated to this commission. During my brief service on the council, I took no position one way or the other on which military base would be affected. Further, I did not participate in deliberations or votes resulting in recommendations or findings regarding specific California bases. Also, from what I've understood since leaving the council, the council made no recommendations regarding the closure or realignment of specific California bases. Nevertheless, I understand that my service on the council could be viewed as creating the appearance of a loss of impartiality regarding California. I've been a resident of California for most of my adult life; and all of our children were born or raised there. Accordingly, I will recuse myself from substantial participation relative to military installations in California. Mr. Chairman, it is my intent and commitment to conduct myself with integrity on the 2005 Defense Base Realignment and Closure Commission and to act in an independent, open, fair and impartial manner. Thank you.

ADMIRAL GEHMAN: Thank you very much. There's no more business. After a short recess, several members of the

Commission will be available to meet with the press. Thank you again, witnesses. Commission's adjourned.

EXTRACT FROM THE TRANSCRIPT OF THE MAY 19, 2005 PUBLIC MEETING OF
THE BASE CLOSURE AND REALIGNMENT COMMISSION

ADMIRAL GEHMAN: Next item, administrative item. I'm going to say a few things about my prior involvement in BRAC-related activities and how those activities will impact my work as a commissioner. It's a matter of public record that I served for a time in a non-paid advisory capacity to the Governor of the Commonwealth of Virginia, helping the governor develop and understanding the BRAC process and devise an appropriate game plan for providing an input to the BRAC process at the state and local level. These activities, by the way, the activities of retired senior offense officials, working with local communities to assure the decisions of the Department of Defense and the BRAC Commission are informed by the best possible data are essential to the work of this Commission. This Commission would not be doing its job if we did not go out and get public input and listen very carefully to their insights, observations and criticisms. Once I was nominated to this Commission, I immediately resigned from the Governor of Virginia's Advisory Commission; but because of my prior work for the Governor of Virginia regarding the BRAC process, I believe that it's in the best interest of the Commission for me to recuse myself from any substantial participation for any decisions involving Virginia military facilities and from any substantial participation in any decisions involving any facilities which are proposed to be realigned in favor of the Commonwealth of Virginia. I understand that the law does not require me to take this step, but I believe that this recusal is necessary to ensure the public's confidence in the BRAC Commission's work. I don't want even the appearance of an impropriety to in any way affect the Commission's final recommendations. This process is far too important and involves far too many people.

MR. HANSEN: Thank you, Mr. Chairman. I too have a recusal. I've served the people of Utah for forty-two years; twelve years as a city councilman, eight years as a legislator, two years as speaker of the house, and my last twenty-two years as a member of Congress. My role now as a member of the Base Closure and Realignment Commission requires that I set aside any special interest in my home state to represent the nation as a whole. I must be beyond

challenge regarding my fairness and impartiality. Because of the importance of public confidence in our work and to avoid even the appearance of conflict of interest, I am recusing myself from substantial participation in any part of the BRAC process that should affect any installation in the State of Utah. Thank you, Mr. Chairman.

ADMIRAL GEHMAN: Thank you, Mr. Hansen. Mr. Bilbray.

MR. BILBRAY: Yes. Mr. Chairman, I have some of the same problems Congressman Hansen has. I advocated for the State of Nevada for many years as a member of the Nevada State Senate and in the United States Congress. Therefore, in advice of the Ethics Council to our Commission, I am recusing myself from any substantial work in regard to the State of Nevada in these particular deliberations.

ADMIRAL GEHMAN: Thank you very much. Anybody else? Mr. Coyle.

MR. COYLE: Thank you, Mr. Chairman. As you know, I served briefly on an advisory council formed by Governor Arnold Schwarzenegger, whose purpose was to help California communities understand and prepare for BRAC 2005. I resigned from that council as soon as I knew that I would be nominated to this commission. During my brief service on the council, I took no position one way or the other on which military base would be affected. Further, I did not participate in deliberations or votes resulting in recommendations or findings regarding specific California bases. Also, from what I've understood since leaving the council, the council made no recommendations regarding the closure or realignment of specific California bases. Nevertheless, I understand that my service on the council could be viewed as creating the appearance of a loss of impartiality regarding California. I've been a resident of California for most of my adult life; and all of our children were born or raised there. Accordingly, I will recuse myself from substantial participation relative to military installations in California. Mr. Chairman, it is my intent and commitment to conduct myself with integrity on the 2005 Defense Base Realignment and Closure Commission and to act in an independent, open, fair and impartial manner. Thank you.

ADMIRAL GEHMAN: Thank you very much. There's no more business. After a short recess, several members of the

Commission will be available to meet with the press. Thank you again, witnesses. Commission's adjourned.



THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

1700 NORTH MOORE STREET SUITE 1425
ARLINGTON, VA 22209
703-696-0504

ALAN J. DIXON, CHAIRMAN
COMMISSIONERS:
AL CORNELLA
REBECCA COX
GEN J. B. DAVIS, USAF (RET)
S. LEE KLING
RADM BENJAMIN F. MONTOKA, USN (RET)
MG JOSUE ROBLES, JR., USA (RET)
WENDI LOUISE STEELE

STATEMENT OF CHAIRMAN DIXON ON RECUSAL

Washington, D.C.

May 10, 1995

-1-

LADIES AND GENTLEMEN, I BELIEVE THIS IS THE APPROPRIATE TIME TO MAKE A BRIEF STATEMENT REGARDING BASES ON WHICH I HAVE RECUSED MYSELF FROM PARTICIPATION.

IT WAS MY PRIVILEGE FOR 42 YEARS TO SERVE THE CITIZENS OF ILLINOIS AS AN ELECTED OFFICIAL. FOR 20 OF THOSE YEARS, I SERVED IN STATEWIDE OFFICES. CLEARLY, MY RELATIONSHIP WITH THE PEOPLE OF MY HOME STATE IS A SPECIAL ONE OF WHICH I AM VERY PROUD.

AT THE SAME TIME, HOWEVER, I DO NOT WISH THAT RELATIONSHIP EVER TO CLOUD THE WORK OF THIS COMMISSION. I WISH TO INSURE THAT THERE IS NO CHANCE OF EVEN AN APPEARANCE OF LOSS OF IMPARTIALITY IN THE PERFORMANCE OF MY OFFICIAL DUTIES.

FOR THAT REASON, I WILL RECUSE MYSELF FROM PARTICIPATION IN ANY PART OF THE BASE CLOSURE PROCESS THAT AFFECTS ANY ILLINOIS INSTALLATION, EVEN THOUGH SUCH A RECUSAL IS NOT REQUIRED BY THE ETHICS STATUTES THAT GOVERN US.

DCN: 12219

-2-

HOWEVER, THOSE STATUTES DO REQUIRE RECUSAL WHEN ANY COMMISSIONER HAS A DIRECT FINANCIAL INTEREST THAT COULD BE AFFECTED BY A BASE CLOSURE OR REALIGNMENT. I FIND MYSELF IN SUCH A SITUATION ON THE ARMY PROPOSAL TO DISESTABLISH ITS AVIATION-TROOP COMMAND.

SO I WILL RECUSE MYSELF ON THE ATCOM PROPOSAL, AND ON ANY OTHERS THAT MAY BE RELATED TO ATCOM.

HAVING SAID THAT, WE ARE NOW READY FOR THE STAFF PRESENTATION ON THE O'HARE AIR FORCE RESERVE UNIT.



GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE

WASHINGTON, D.C. 20301-1600

19 MAR 1991

Honorable Sam Nunn
Chairman, Committee on Armed Services
United States Senate
Washington, D.C., 20510

Dear Mr. Chairman:

I have worked closely with your Committee's professional staff in the review of the financial interests of persons nominated by the President to serve on the Department of Defense Base Closure and Realignment Commission. Andrew S. Effron, General Counsel, and Patrick A. Tucker, Minority Staff Director and Counsel, have been very helpful in this process.

With their cooperation, we have developed a procedure to permit several highly qualified individuals to serve on the Commission notwithstanding their interests in companies that do business with the Department of Defense. The purpose of the procedure outlined below is to permit the Commission to benefit from the expertise of these individuals without seeking their advice on any matters in which they may have financial interests. We share the concern of the staff that there be neither impropriety nor appearance of impropriety.

The procedure is as follows:

1. As soon as the Secretary of Defense publishes his list of proposed closures and realignments, my office will review again the financial interests of each member of the Commission and will identify any of those interests that may be affected by the implementation of the Secretary's plan. Each member will be interviewed at that time to determine the steps that are appropriate to remedy any potential conflicts. The more likely alternatives are recusal by the member or waiver by the Secretary, using his authority under section 208 of title 18, United States Codes. We will ensure that all necessary remedial steps are accomplished.
2. We will advise you when that review has been accomplished and also will inform you of all of the remedial steps that were taken.

3. We will perform a similar review, with corrective action and notification to your Committee, with respect to any additional installation that comes under serious scrutiny by the Commission for closure or realignment.

I believe this is a sound procedure, one that will satisfy the concerns both of this Department and of your Committee. I appreciate the assistance of the Committee's staff in the development of this approach.

Sincerely,

A handwritten signature in black ink, appearing to read "Terrence O'Donnell", with a long horizontal line extending to the right.

Terrence O'Donnell