



June 22, 2005

Mr. Charles Battaglia
Executive Director
Base Closure and Realignment Commission
2521 South Clark Street, Suite 600
Arlington, VA 22202

Dear Mr. Battaglia:

I accept your invitation for the Adjutants General Association of the United States (AGAUS) to participate in the BRAC Commission Hearing beginning at 1:00 p.m. on June 30, 2005 at the Georgia Tech Hotel and Conference Center. I am currently organizing our panel and coordinating testimony.

Details will be worked through Rory Cooper as you suggest. Do not hesitate to contact me with any questions. My office number is (402) 309-7100 and email address roger.lempke@ng.army.mil.

Sincerely,

A handwritten signature in black ink that reads "Roger P. Lempke". The signature is written in a cursive style.

ROGER P. LEMPKE
Major General
President, AGAUS

DEFENSE BASE CLOSURE & REALIGNMENT
COMMISSION

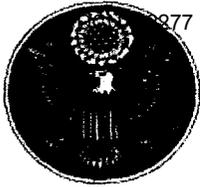
FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Under Secretary for Management Janet Hale	Charles Battaglia
COMPANY:	DATE:
DHS	6/17/2005
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
202 772-9646	2
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
202-205-4613	
RE:	YOUR REFERENCE NUMBER:
Request for testimony	

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

I look forward to the DHS participation at this upcoming hearing



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600
Arlington, VA 22202
Telephone: 703-699-2950

June 17, 2005

The Honorable Michael Chertoff
Secretary of Homeland Security
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Chertoff:

I request that you or your designee testify at the Base Closure and Realignment (BRAC) Commission's open hearing in Atlanta, Georgia on Thursday, June 30, 2005 at 1:00 P.M. The hearing will be held at the Georgia Tech Hotel and Conference Center.

Your input is vitally important to the process whereby we provide to the President, Congress, and American people an objective, thorough, accurate and non-partisan review and analysis of the list of installations that the Department of Defense (DoD) has recommended be closed or realigned. Integral to the Commission's review and analysis is the need to determine the impact of such closures and realignments on other federal agencies. Since the Commission understands that the Department of Homeland Security (DHS) is dependent upon the Department of Defense (DoD) for operational support, it is imperative that we fully comprehend how the BRAC recommendations may impact the DHS mission. DoD proposes closing Air National Guard (ANG) bases and realigning units to other locations. For example, Coast Guard air and sea units, and other tenant organizations, are located at ANG bases recommended for closure.

ANG officials will testify at the hearing on the impact of the recommendations on their mission. It is equally if not more important that we receive your agency's views on the operational and financial impact the proposed realignments and closures will have on DHS and homeland security.

In addition to your statement for the record, I request that you deliver oral testimony for about 20 minutes to be followed by a question and answer period. My point of contact for this hearing is Mr. Frank Cirillo at (703) 699 2903. Please feel free to contact us on any matter concerning the hearing.

Sincerely,

Anthony J. Principi
Chairman

Chairman: Anthony J. Principi

Commissioners: The Honorable James H. Bilbray, The Honorable Philip E. Coyle III, Admiral Harold W. Gehman Jr., USN (Ret), The Honorable Jim Hansen, General James T. Hill, USA (Ret), General Lloyd Newton, USAF(Ret), The Honorable Samuel K. Skinner, Brigadier General Sue Ellen Turner, USAF (Ret)

Executive Director: Charles Battaglia



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600

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Telephone: 703-699-2950

Date: June 22, 2005

To: Commissioners, Defense Base Closure and Realignment Commission

From: Chairman Anthony J. Principi 

RE: Commission Prodecures and Schedule

As we approach the voting phase of the Base Closure and Realignment process I have found it useful to review our current situation regarding recusals and voting requirements. A discussion of the results of my review follows.

Matters as they now stand are that four commissioners have recused themselves from participation in matters relating to installations in their home states. Commissioners Coyle and Gehman recused themselves, in accordance with ethics agreements they signed during the nomination process, because of BRAC-related activity in California and Virginia respectively. Commissioner Bilbray recused himself because of his long-time representation of Nevada in the Congress and other public offices. Commissioner Hansen recused himself with regard to Utah for the same reason.

Each of the commissioners made his recusal publicly at a Commission hearing held on May 19, 2005. As a result of these recusals, the commissioners cannot deliberate or vote on matters relating to installations in their home states or to installations in other states that are substantially affected by closures and realignments or installations in their home states. To avoid controversy and possible litigation "substantially affected" will be interpreted very conservatively.

The procedural rules adopted by the Commission at an open hearing on May 19, 2005, are, with one significant exception, the same as the rules that guided the previous three BRAC Commissions. Unlike in the past, however, a super majority of seven of nine commissioners is now required to add, realign, or increase the realignment of a base not included on the Secretary of Defense's list of bases to be closed or realigned.

With the exception of the seven-of-nine vote requirement, no guidance is provided in the BRAC statute for voting, such as what constitutes a quorum and majority. The Commission rules describe three situations in which **a majority of the commissioners serving** is required to conduct business. Only issues such as motions to extend meetings and adjourn are resolved by a simple **majority of commissioners present**. A majority of commissioners serving is therefore always five unless by resignation or other loss without replacement the total number of commissioners serving is reduced below nine.

The majority of the votes anticipated during Commission hearings to consider additions to the Secretary's list and conduct final deliberations will not be affected by recusals. All commissioners will be qualified to deliberate and vote.

Only one commissioner will be recused from most of the remaining votes. In only a very limited number of actions will two or three Commissioners be disqualified from deliberating and voting?

In a related matter, I have determined as a matter of policy that we will make the greatest reasonable effort to minimize the number of conflicts but permit recused commissioners as necessary to participate in regional hearings. Participation will be allowed even though the recused commissioners will be unable to deliberate and vote on all of the installations discussed at the hearings and site visits. Their direct exposure to as much information and as many concerned citizens as possible is recognized as being vitally important to the completion of the Commission task of open, fair, and comprehensive consideration of the final selection criteria, force-structure plan, and worldwide infrastructure inventory. Other commissioners and staff at the hearings and site visits will also gather data, so there is no real possibility that the recused commissioner could be seen as filtering the Commission's view of an installation.

I know that we are of like mind that the Commission and its individual members must be above reproach and free from any real or perceived bias. The actions of Commissioners Bilbray, Coyle, Gehman, and Hansen in limiting their participation in certain Commission actions reflect the importance they place on their personal integrity and the public trust. Their actions can only serve to enhance the reality and perception of the Commission as independent, open, and honest.

I know that you share my enthusiasm for this undertaking, but I also am confident that we all look forward to the successful completion of our work. We have conducted more than half of our initial site visits and public hearings, but two full months of focused effort remain. Hearings to receive testimony from the Department of Defense, Government Accountability Office, and others are scheduled for July 18 and 19. We will conduct our "adds" hearing on July 19. We will receive Congressional testimony on July 28 and 29, and testimony from the Secretary of Defense and Chairman, Joint Chiefs of Staff during the week of August 15. Final deliberations commence the week of August 22. At this point, we remain on schedule to deliver the Commission report to the President on September 8. Thanks to you all for your remarkable service.



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET
ARLINGTON, VA 22202
TELEPHONE: (703) 699-2950

Chairman: The Honorable Anthony J. Principi
Commissioners: The Honorable James H. Bilbray • The Honorable Philip E. Coye III • Admirable Harold W. Gehman, Jr., USN (Ret.) • The Honorable James V. Hansen
General James T. Hill, USA (Ret.) • General Lloyd W. Newton, USAF (Ret.) • The Honorable Samuel K. Skinner • Brigadier General Sue Ellen Turner, USAF (Ret.)
Executive Director: Charles Battaglia

June 6, 2005

DELEGATION OF AUTHORITY

TO: Files
FROM: Chairman
SUBJECT: Designation of the Records Official

1. As the Chairman of the Base Closure and Realignment (BRAC) Commission, I hereby delegate the authority to act as Records Official to Ms. Margaret (Marcy) Reborchick. She shall have the authority to serve as the Commission's Records Official and, in that capacity, to implement policies and procedures for the creation of a records management program, implement recordkeeping requirements, and monitor compliance with such requirements, as may be deemed necessary.
2. Ms. Reborchick shall also serve as Commission Librarian and Custodian of both the documentary library and e-library maintained by the Commission in locations as shall be designated by the Commission. She shall also serve as the official liaison with ANSER, and other independent contractors, agencies, and offices as may be necessary, regarding the maintenance and support of Commission library and e-library facilities. Additionally, she shall be responsible for coordinating record (whether documentary or electronic) retrieval, retention, preservation, archiving, transfers and related functions, and shall have official signatory authority over such matters. She shall also be involved, as may be necessary, in developing or modifying systems, processes, and procedures to ensure that adequate recordkeeping requirements are established and carried out.
3. The delegation may be further redelegated in writing, as necessary.

ANTHONY J. PRINCIPI
Chairman

June 6, 2005

MEMORANDUM FOR THE RECORD

TO: Chairman, Defense Base Closure and Realignment Commission

FROM: General Counsel

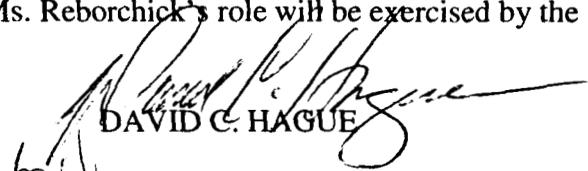
VIA: Executive Director

SUBJECT: Justification for Delegating a Records Official

1. The Federal Records Act, as amended and codified in Title 44 of the United States Code, places responsibility on agencies (including independent commissions) to adequately document their missions and functions, policies, procedures, decisions and transactions, and to preserve their historically valuable records. The National Archives and Records Administration (NARA), the Office of Management and Budget, and the General Services Administration share oversight of Federal Records Management Programs.

2. Accordingly, the 2005 Defense Base Closure and Realignment Commission needs to establish a Records Management Program to ensure that the legal, financial, evidentiary and historical transactions are recorded accurately and completely. We must document and preserve the historical and nationally important events that have taken place as a result of the work of the Commission. To that end, I am proposing that you delegate the responsibility to act as the Commission's Records Official to Ms. Reborchick, and sign the attached delegation of authority. She will be tasked with:
 - creating, managing, coordinating the records management program;
 - managing the Commission's library and e-library, critical to creating the Commission's public record;
 - working closely with ANSER contractors to ensure that the Commission's website accurately reflects the e-library sources that are made available to the public and Members of Congress, and finally,
 - coordinating record retention, archiving and retirement with her counterparts at Washington Headquarters Services (WHS) and NARA.

3. Ms. Reborchick will be supported in her role by Associate General Counsel, Ms. Rumu Sarkar. Oversight of Ms. Reborchick's role will be exercised by the Executive Director.



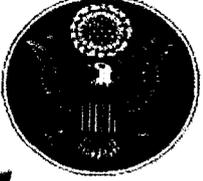
DAVID C. HAGUE

Executive Director
Chairman

Concur
Approved

198

Nonconcur
Disapproved



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600

Arlington, VA 22202

Telephone: 703-699-2950

June 21, 2005

*The Honorable Ted Stevens
United States Senate
522 Hart Senate Office Building
Washington, D.C. 20510*

Dear Senator Stevens,

Thank you for your and Senator Warner's letter of June 17, 2005, regarding the 2005 Defense Base Closure and Realignment (BRAC) Commission procedural rules. You have expressed concern about the affect of Commissioner recusals and certain Commission rules on the ability of the Commission to carry out its statutory duties.

I understand and share your concerns about the soundness, correctness, and integrity of the BRAC process. Your letter prompted me to closely re-examine Commission practice and procedures and to review our current situation. I have discussed matters at length with my Executive Director, General Counsel, and counsel from the Senate Armed Services Committee. Others have contributed to the dialogue, including several individuals who were intimately involved with the most recent amendments to the BRAC statute and past BRAC Commissions.

Matters as they now stand are that four Commissioners have recused themselves from participation in matters relating to installations in their home states. Commissioners Coyle and Gehman recused themselves, in accordance with ethics agreements they signed during the nomination process, because of BRAC-related activity in California and Virginia respectively. Commissioner Bilbray recused himself because of his long-time representation of Nevada in the Congress and other public offices. Commissioner Hansen recused himself with regard to Utah for the same reason.

Each of the Commissioners made his recusal publicly at a Commission hearing held on May 19, 2005. As a result of these recusals, the Commissioners cannot

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Executive Director: Charles Battaglia

Page 2

The Honorable Ted Stevens

deliberate or vote on matters relating to installations in their home states or to installations in other states that are substantially affected by closures and realignments or installations in their home states.

The procedural rules adopted by the Commission at an open hearing on May 19, 2005 are, with one significant exception, the same as the rules that guided the previous three BRAC Commissions. Unlike in the past, a super majority of seven of nine Commissioners is now required to add, realign, or increase the realignment of a base not included on the Secretary of Defense's list of bases to be closed or realigned.

As you noted in your letter, with the exception of the seven-of-nine vote requirement, no guidance is provided in the statute for voting; such as what constitutes a quorum or a majority. The Commission rules describe three situations in which a majority of the Commissioners serving is required to conduct business. Only issues such as motions to extend meetings and to adjourn are resolved by a simple majority of Commissioners present. A majority of Commissioners serving is always five unless by resignation or other loss without replacement the total number of Commissioners serving is reduced below nine.

You have proposed a recusal-based rule, with a majority determined by the number of Commissioners voting. The practical effect of such a rule is that when eight Commissioners vote, a majority would be five, the same as when nine Commissioners vote. When six or seven Commissioners vote, a majority would be four.

The majority of the votes anticipated during Commission hearings to consider additions to the Secretary's list and to conduct final deliberations will not be affected by recusals. Only one Commissioner will be recused from most of the remaining votes. In only a very limited number of actions will two or three Commissioners be disqualified from deliberating and voting.

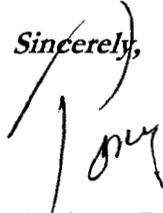
I know that we are of like mind that the Commission and its individual members must be above reproach and free from any real or perceived bias. The actions of Commissioners Bilbray, Coyle, Gehman, and Hansen in limiting their participation in certain Commission actions reflect the importance they place on their personal integrity and the public trust. Their actions can only serve to enhance the reality and perception of the Commission as independent, open, and honest.

Page 3

The Honorable Ted Stevens

I thank you again and assure you that the Commission will be able to carry out its statutory responsibilities as currently configured and with its adopted rules. We will scrupulously adhere to our controlling statute and rules and allow no breach of faith or trust.

Sincerely,



*Anthony J. Principi
Chairman*

It was a pleasure to see you & assistants. I hope you & family were very informative.



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June 21, 2005

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The Honorable John W. Warner

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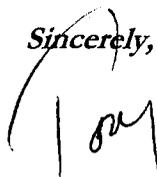
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The Honorable John W. Warner

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Sincerely,

A handwritten signature in black ink, appearing to read 'A. Principi', written over a faint circular stamp or watermark.

*Anthony J. Principi
Chairman*



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 General James T. Hill, USA (Ret.) • General Lloyd W. Newton, USAF (Ret.) • The Honorable Samuel K. Skinner • Brigadier General Sue Ellen Turner, USAF (Ret.)
 Executive Director: Charles Bozaglia

June 9, 2005

The Honorable Gordon England
 Deputy Secretary of Defense
 1010 Defense Pentagon
 Washington, D.C. 20301-1010

Dear Secretary England:

I thank you for attempting to streamline the information release process and to facilitate the review of the encompassing Base Closure and Realignment (BRAC) data for purposes of declassification.

With the clock ticking on the BRAC Commission's need to deliberate on the Secretary of Defense's recommendations of May 13, 2005, I want to take this opportunity to address two issues in particular that would greatly augment our efforts.

The first revolves around the Department of Defense's (DoD) need to complete the declassification process. I remain concerned that some classified information will continue to complicate the Commission's analysis process. Once again I urge that declassification be completed this week.

Secondly, the Commission Chairman has stated publicly on a number of occasions that its efforts will be fair and transparent. Therefore, I am equally concerned about the lack of availability of this classified information to the affected communities. Indeed, past BRAC Commissions have found that affected communities served as a valuable extension of the Commission staff by offering data and analysis that is not elsewhere available. We cannot expect those communities to make their case without access to all information.

In approximately 72 days I anticipate that the Commission will begin deliberating on each of DoD's recommendations in open forum. In the interim, we must still conduct 15 regional hearings not including regional hearings on any additional base closures or realignments the Commission may recommend.

I therefore urge that you direct implementation of the above in an intensified DoD effort so that the remaining time before the Commission's deliberations will produce informed results.

Anthony J. Principi
 Chairman



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Executive Director: Charles Battaglia

June 16, 2005

The Honorable Ted Stevens
United States Senate
522 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Stevens:

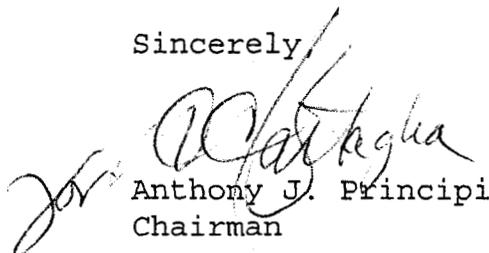
Thank you for your kind and generous hospitality during our visit to Alaska. The materials and insights that you, your staff, and your constituents provided to the Defense Base Closure and Realignment Commission will be vital to the formulation of well-informed and well-reasoned recommendations. I assure you that we on the Commission will do our utmost to ensure that every recommendation that goes forward to the President, and ultimately to Congress, is sound and sensible.

During our visit, you expressed a concern that the Commission's ability to fully consider some Department of Defense recommendations might be impaired by the fact that four of our Commissioners had recused themselves from deliberating or voting on recommendations that had a substantial impact on their home states.

I will meet with the Commission's Executive Director, General Counsel and others on Monday to review the basis and effect of the recusals, as well as the potential impact that the recusals might have on the Commission's work. I will advise you of the outcome of that meeting.

As requested, I have enclosed a copy of the ethics agreement that I and all of the other Commissioners signed as part of the vetting process prior to our nominations.

Sincerely,


Anthony J. Principi
Chairman

3/8/05

This ethics agreement reflects my understanding of, and agreement to follow, the following rules regarding my membership on the Base Realignment and Closure Commission (BRAC), if confirmed for such membership.

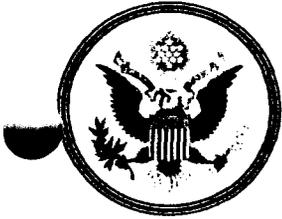
As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter that has a direct and predictable effect on my financial interests or those of any other person whose interests are imputed to me, unless I first obtain a written waiver, pursuant to section 208(b)(1), or qualify for a regulatory exemption, pursuant to section 208(b)(2). I understand that the interests of the following persons are imputed to me: my spouse, minor children, or any general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

Also, under 5 C.F.R. § 2635.502, I will not participate in any particular matter involving specific parties if a person or entity with whom I have a covered relationship is, or represents, a party, unless I am authorized to participate. Under the ethics rules, a Federal employee has a covered relationship with:

- Persons or entities with whom the employee has or seeks a business, contractual or other financial relationship that involves other than a routine consumer transaction;
- Members of the employee's household and relatives with whom the employee has a close personal relationship;
- Persons or entities for whom the employee's spouse, parent or dependent child is, to the employee's knowledge, serving or seeking to serve as an officer, director, trustee, general partner, agent, attorney, consultant, contractor or employee;
- Persons or entities for whom the employee has, within the last year, served as officer, director, trustee, general partner, agent, attorney, consultant, contractor or employee; or,
- Organizations, other than a political party, in which the employee is an active participant.

Additionally, in order to avoid an appearance of loss of impartiality that could arise from my participation in or representation of a state, local, or private-sector BRAC-related entity, I will not participate in any particular matter affecting that state, local or private-sector BRAC-related entity, or its geographic region, unless I am authorized to participate by BRAC's designated agency ethics official. This recusal will bar my participation in any particular matter regarding facilities whose forces, missions, or installations may be transferred to, as well as from, the geographic region of that state, local, or private sector BRAC-related entity.

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June 17, 2005

The Honorable Ted Stevens
United States Senate
522 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Stevens:

Thank you for your kind and generous hospitality during our visit to Alaska. The materials and insights that you, your staff, and your constituents provided to the Defense Base Closure and Realignment Commission will be vital to the formulation of well-informed and well-reasoned recommendations. I assure you that the Commission will do its utmost to ensure that every recommendation that goes forward to the President, and ultimately to Congress, is sound and sensible.

During our visit in Alaska, you expressed a concern that the Commission's ability to fully consider some Department of Defense recommendations might be impaired by the fact that four of our Commissioners have recused themselves from deliberating or voting on recommendations that have a substantial impact on their home states.

As you requested, I have enclosed a copy of the portion of the transcript from our May 19, 2005 public meeting where Commissioners Bilbray, Coyle, Gehman and Hansen announced their self-recusals. Each of the four Commissioners recused themselves in order to place the impartiality of the Commission beyond question. Commissioners Hansen and Bilbray recused themselves for reasons identical to those that caused Senator Dixon to recuse himself in 1995 when he served as Chairman of that Commission. Commissioners Gehman and Coyle recused themselves for similar reasons, but also in part as a consequence of the binding ethics agreements that all of the Commissioners signed during the vetting process associated with our nominations. I have attached a copy of that agreement.

Be assured that these recusals were not made lightly, but were the result of careful analysis. Nonetheless, I will meet with the Commission's Executive Director, General Counsel and others on Monday to review the basis and effect of the recusals, as well as the potential impact that the recusals might have on the Commission's work. I will advise you of the outcome of that meeting.

Sincerely,



Anthony B. Principi
Chairman

2 Enclosures

- 1) Extract of Transcript of the May 19, 2005 Public Meeting of the Base Closure and Realignment Commission
- 2) Ethics Agreement, March 8, 2005

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.

3/8/05

This ethics agreement reflects my understanding of, and agreement to follow, the following rules regarding my membership on the Base Realignment and Closure Commission (BRAC), if confirmed for such membership.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter that has a direct and predictable effect on my financial interests or those of any other person whose interests are imputed to me, unless I first obtain a written waiver, pursuant to section 208(b)(1), or qualify for a regulatory exemption, pursuant to section 208(b)(2). I understand that the interests of the following persons are imputed to me: my spouse, minor children, or any general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

Also, under 5 C.F.R. § 2635.502, I will not participate in any particular matter involving specific parties if a person or entity with whom I have a covered relationship is, or represents, a party, unless I am authorized to participate. Under the ethics rules, a Federal employee has a covered relationship with:

- Persons or entities with whom the employee has or seeks a business, contractual or other financial relationship that involves other than a routine consumer transaction;
- Members of the employee's household and relatives with whom the employee has a close personal relationship;
- Persons or entities for whom the employee's spouse, parent or dependent child is, to the employee's knowledge, serving or seeking to serve as an officer, director, trustee, general partner, agent, attorney, consultant, contractor or employee;
- Persons or entities for whom the employee has, within the last year, served as officer, director, trustee, general partner, agent, attorney, consultant, contractor or employee; or
- Organizations, other than a political party, in which the employee is an active participant.

Additionally, in order to avoid an appearance of loss of impartiality that could arise from my participation in or representation of a state, local, or private-sector BRAC-related entity, I will not participate in any particular matter affecting that state, local or private-sector BRAC-related entity, or its geographic region, unless I am authorized to participate by BRAC's designated agency ethics official. This recusal will bar my participation in any particular matter regarding facilities whose forces, missions, or installations may be transferred to, as well as from, the geographic region of that state, local, or private sector BRAC-related entity.



THE SECRETARY OF THE AIR FORCE
CHIEF OF STAFF, UNITED STATES AIR FORCE
WASHINGTON DC



07 JUN 2005

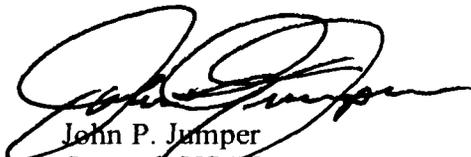
MEMORANDUM FOR CHAIRMAN, DEFENSE BASE CLOSURE AND REALIGNMENT
COMMISSION (HONORABLE ANTHONY J. PRINCIPI)

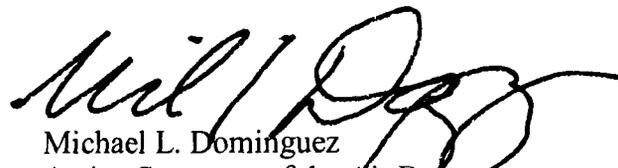
SUBJECT: Department of Defense Recommendation to Realign Eielson AFB, Alaska and
Grand Forks AFB, North Dakota

We would like to take this opportunity to provide you information on the U.S. Air Force vision for Eielson Air Force Base (AFB), Alaska and Grand Forks AFB, North Dakota and the significant role these installations will play as the Air Force implements its Future Total Force.

The Secretary of Defense accepted Air Force recommendations to realign, but not close, Eielson and Grand Forks AFBs. Our recommendations, while somewhat unusual as they did not permanently assign additional aircraft to these bases as part of realignment, considered the long-term military value of both installations. During our May 17, 2005 testimony to your commission, we attempted to convey our vision for these bases and the important contributions they will make to the Air Force's ability to confront the new and evolving threats of the 21st Century.

Attached are two papers describing this vision more clearly. We hope you and the members of the Base Realignment and Closure Commission will find this information helpful.


John P. Jumper
General, USAF
Chief of Staff


Michael L. Dominguez
Acting Secretary of the Air Force

Attachments:

1. Background Paper on Eielson AFB
2. Background Paper on Grand Forks AFB

BACKGROUND PAPER

ON

REALIGNMENT OF EIELSON AIR FORCE BASE, ALASKA

PURPOSE

Provide Air Force Vision for Eielson Air Force Base (AFB) realignment and how this base will contribute to Air Force Future Total Force missions and initiatives.

DISCUSSION

Eielson AFB provides immediate and easy access to a vast airspace and range complex – a dwindling resource in other United States and overseas locations – about three times larger than the range and airspace complex available to Red Flag (the United States Air Force's largest aerial combat exercise hosted in Nevada). This is only a fraction of the huge amount of airspace that is temporarily established in Alaska for use during large, joint and international exercises. In a region of the world with rapidly expanding strategic importance and growing engagement strategy demands, access to this base is critical to the effective execution of future cooperative Cope Thunder joint and coalition readiness exercises. Cope Thunder, the largest air combat exercise in the Pacific, recently hosted Australia, Singapore, the United Kingdom, and Japan during a two-week exercise. Additionally, Eielson AFB's long summer daylight hours and close proximity to Army installations increases the opportunities to provide valuable training to our deploying Air Expeditionary Force units. Furthermore, the availability of heated hangars that the realignment will provide would significantly expand our ability to increase effective training and coalition building events into late fall and early spring months potentially increasing the overall number of events per year.

The realignment of Eielson AFB will also retain the capability to support PACAF and Alaska/NORAD operational missions accomplished by an Air National Guard refueling squadron (with a proposed Active Associate) as well as current search and rescue detachments. Keeping Eielson AFB open, as BRAC recommends, provides a strategic deployment location for any future contingency, while continuing to support DoD missions in the region.

We estimate nearly two-thirds of the remaining physical infrastructure at Eielson AFB would be retained in fully operational condition (including mission facilities, runway, taxiways, ramps, hangars, munitions storage, maintenance, power & heat plants, water & waste water systems, lodging, dining facility, etc.) to support the missions outlined above. The remaining third of Eielson AFB's facilities would be available to support surge requirements such as additional exercises and contingency deployments.

CONCLUSION

Realigning and retaining Eielson AFB ensures the Air Force has access to expansive cold weather facilities and ranges necessary for Future Total Force integration initiatives and Pacific Rim engagement strategies.

BACKGROUND PAPER

ON

REALIGNMENT OF GRAND FORKS AIR FORCE BASE, NORTH DAKOTA

PURPOSE

Provide Air Force Vision for Grand Forks Air Force Base (AFB), North Dakota realignment and how this base will contribute to Air Force Future Total Force (FTF) missions and initiatives.

DISCUSSION

Grand Forks AFB provides a strategic presence in the north central United States and received the highest UAV score of any Air Force location within the region. Establishing a cold weather UAV center is necessary to advance training and system development to ensure these vehicles can be operated worldwide, all weather, and under a wider set of operational circumstances – much like the conditions encountered in Operation ENDURING FREEDOM and Operation IRAQI FREEDOM. Vast amounts of airspace over limited populations make Grand Forks AFB well suited for this mission. We will work with the Federal Aviation Administration and the state of North Dakota to create operating airspace where appropriate and necessary. Furthermore, the University of North Dakota's Aerospace Studies program, which is located at Grand Forks, offers some unique opportunities to focus on the UAV efforts for the Air Force and other Services. North Dakota also gives us UAV location closer to the east coast without the difficult issues of jet route and air traffic avoidance and density. A snapshot of air traffic in North Dakota repeatedly shows few traffic deconfliction requirements – a valuable location for the future employment of remotely piloted vehicles.

Specifically, the Air Force strategic vision for Grand Forks AFB is to become a home to a "family of UAVs," with associated intelligence, surveillance, and reconnaissance support functions. In cooperation with the North Dakota Air National Guard (ANG), the Air Force would establish a Predator MQ-1 ANG unit with an Active Duty Associate unit to backfill F-16 retirements at Fargo's Hector Field. The initial configuration could be a split operation with the ground control and intelligence analysis functions operating at a location selected by the North Dakota ANG and with the airframes and launch recovery element located at Grand Forks AFB. Growth of this mission will include transition to the Predator MQ-9, eventually add the Global Hawk UAV with the Grand Forks Tanker realignment, and FTF emerging missions and associations at both locations.

CONCLUSION

Realigning and retaining Grand Forks AFB affords the Air Force the opportunity to take advantage of Future Total Force integration initiatives to capture highly skilled Airmen for emerging mission requirements. The decision to reduce force structure in North Dakota provides the opportunity to ramp up UAV capabilities.

THE SECRETARY OF THE AIR FORCE
CHIEF OF STAFF, UNITED STATES AIR FORCE
WASHINGTON DC

07 JUN 2005

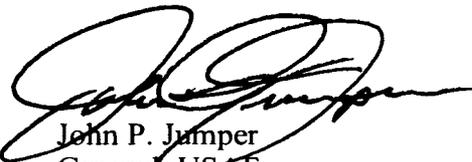
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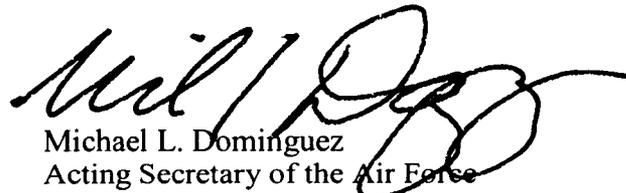
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BACKGROUND PAPER

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PURPOSE

Provide Air Force Vision for Eielson Air Force Base (AFB) realignment and how this base will contribute to Air Force Future Total Force missions and initiatives.

DISCUSSION

Eielson AFB provides immediate and easy access to a vast airspace and range complex – a dwindling resource in other United States and overseas locations – about three times larger than the range and airspace complex available to Red Flag (the United States Air Force's largest aerial combat exercise hosted in Nevada). This is only a fraction of the huge amount of airspace that is temporarily established in Alaska for use during large, joint and international exercises. In a region of the world with rapidly expanding strategic importance and growing engagement strategy demands, access to this base is critical to the effective execution of future cooperative Cope Thunder joint and coalition readiness exercises. Cope Thunder, the largest air combat exercise in the Pacific, recently hosted Australia, Singapore, the United Kingdom, and Japan during a two-week exercise. Additionally, Eielson AFB's long summer daylight hours and close proximity to Army installations increases the opportunities to provide valuable training to our deploying Air Expeditionary Force units. Furthermore, the availability of heated hangars that the realignment will provide would significantly expand our ability to increase effective training and coalition building events into late fall and early spring months potentially increasing the overall number of events per year.

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BACKGROUND PAPER

ON

REALIGNMENT OF GRAND FORKS AIR FORCE BASE, NORTH DAKOTA

PURPOSE

Provide Air Force Vision for Grand Forks Air Force Base (AFB), North Dakota realignment and how this base will contribute to Air Force Future Total Force (FTF) missions and initiatives.

DISCUSSION

Grand Forks AFB provides a strategic presence in the north central United States and received the highest UAV score of any Air Force location within the region. Establishing a cold weather UAV center is necessary to advance training and system development to ensure these vehicles can be operated worldwide, all weather, and under a wider set of operational circumstances – much like the conditions encountered in Operation ENDURING FREEDOM and Operation IRAQI FREEDOM. Vast amounts of airspace over limited populations make Grand Forks AFB well suited for this mission. We will work with the Federal Aviation Administration and the state of North Dakota to create operating airspace where appropriate and necessary. Furthermore, the University of North Dakota's Aerospace Studies program, which is located at Grand Forks, offers some unique opportunities to focus on the UAV efforts for the Air Force and other Services. North Dakota also gives us UAV location closer to the east coast without the difficult issues of jet route and air traffic avoidance and density. A snapshot of air traffic in North Dakota repeatedly shows few traffic deconfliction requirements – a valuable location for the future employment of remotely piloted vehicles.

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THAD COCHRAN, MISSISSIPPI, CHAIRMAN

TED STEVENS, ALASKA
ARLEN SPECTER, PENNSYLVANIA
PETE V. DOMENICI, NEW MEXICO
CHRISTOPHER S. BOND, MISSOURI
MITCH MCCONNELL, KENTUCKY
CONRAD BURNS, MONTANA
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BYRON DORTCH, NORTH DAKOTA
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RICHARD J. DURBIN, ILLINOIS
TOD JOHNSON, SOUTH DAKOTA
MARY L. LANDRIEU, LOUISIANA

United States Senate

COMMITTEE ON APPROPRIATIONS
WASHINGTON, DC 20510-6025
<http://appropriations.senate.gov>

J. KELLY KENNEDY, STAFF CHIEF OF STAFF
TERRENCE E. GANNON, MINORITY STAFF DIRECTOR

June 3, 2005

Mr. Anthony Principi
Chairman
Base Realignment and Closure Commission
2521 S. Clark Street, Suite 600
Arlington, Virginia 22202

Dear Mr. Principi:

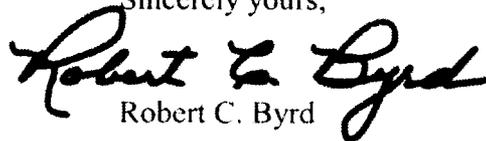
I have just hung up the telephone from our conversation, and I do thank you for returning my call. I know that you are very busy and appreciate your calling me during your travels.

As I stated in our conversation, and as we discussed before the Secretary of Defense's recommendations for base realignment and closure were released, I think that it is important for you to visit the West Virginia National Guard's 130th Airlift Wing and see first-hand the strengths of that unit which were ignored in the Secretary's recommendations. I know that your time is very limited, and your continued pledge to visit Charleston is appreciated. Please let me know at your earliest convenience when you would be able to schedule your trip to Charleston.

I shall be in further contact with you regarding the North Carolina field hearing, which I presently hope to attend. I look forward to talking with you soon.

With kind regards, I am

Sincerely yours,


Robert C. Byrd

RCB:er



12277

DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600

Arlington, VA 22202

Telephone: 703-699-2950

July 28, 2005

*The Honorable Jeb Bush
The Capitol
400 S. Monroe Street
Tallahassee, FL 32399-0001*

Dear Governor Bush:

During the Base Closure and Realignment Commission's Regional Hearing at New Orleans on 22 July, several members of the Florida delegation suggested relocating the Navy's east coast Master Jet Base, presently at Oceana Naval Air Station in Virginia, to Cecil Field. You, however, did not mention the possibility of such a move in your remarks.

If you do in fact support the move, the Commission would appreciate your written comments regarding this concept in order for the present Cecil Field complex to be considered as a potential alternative site. The Department of Defense and the Navy would require the removal of all the industrial and commercial activities (non-DoD related) presently operating at the Cecil Field complex so that the Navy Master Jet Base would be able to conduct continuous, unencumbered flight operations, training and other required military activities. Additionally, a suitable outlying field would be required to conduct high tempo flight operations.

Please advise the Commission whether the state and local governments have formal interest in the concept and would support, direct or comply with the foregoing conditions and any other restrictions (for example, environmental restrictions from building within the fence line, encroachment into clear zones or accident potential zones, etc.) that may arise should the BRAC Commission consider the relocation of the Navy's Master Jet Base to Cecil Field as a potential alternative. In addition, the Commission would be interested in knowing whether your office has communicated its interest in pursuing this concept with the Department of Defense or the Department of the Navy and the outcome of those communications.

Your timely response will help the Commission to better understand the feasibility of such an option prior to our final deliberations now scheduled for the week of August 22nd. Naturally, we will be reviewing operational and legislative issues regarding this consideration on a parallel track to your research and reply activity.

Sincerely,

*Anthony J. Principi
Chairman*

Chairman: Anthony J. Principi

Commissioners: The Honorable James H. Bilbray, The Honorable Philip E. Coyle III, Admiral Harold W. Gehman Jr., USN (Ret), The Honorable Jim Hansen, General James T. Hill, USA (Ret), General Lloyd Newton, USAF (Ret), The Honorable Samuel K. Skinner, Brigadier General Sue Ellen Turner, USAF (Ret)

Executive Director: Charles Battaglia



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Executive Director: Charles Battaglia

BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET, SUITE 600
ARLINGTON, VA 22202
PHONE: 703-699-2950
FAX: 703-699-2735



FACSIMILE TRANSMITTAL SHEET

TO: Governor Bell; ATTN Kevin Rasch	FROM: General Counsel
COMPANY: State of Connecticut	DATE: JULY 23, 2005
FAX NUMBER: (860) 524-7391	TOTAL NO. OF PAGES INCLUDING COVER: 2
PHONE NUMBER: (860) 524-7316	SENDER'S TELEPHONE NUMBER: See above
RE: FOIA request of July 15, 2005	SENDER'S FAX NUMBER: See above

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Filed 7/23 R. Hagen



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET, SUITE 600
ALEXANDRIA, VA 22202
TELEPHONE: 703-699-2950
FAX: 703-699-2975

July 23, 2005

Chairman:
The Honorable Anthony J. Principi

Commissioners:
The Honorable James H. Bilbray
The Honorable Philip E. Coyle III
Admiral Harold W. Gehman, Jr., USN (Ret.)
The Honorable James V. Hansen
General James T. Hill, USA (Ret.)
General Lloyd W. Newton, USAF (Ret.)
The Honorable Samuel K. Skinner
Brigadier General Sue Ellen Turner, USAF (Ret.)

Executive Director:
Charles Bettaglia

The Honorable M. Jodi Rell
Governor, State of Connecticut
Executive Chambers
Hartford, Connecticut 06106

Dear Governor Rell:

This is in response to your July 15, 2005 Freedom of Information request for access to and copies of any and all documents prepared by or for the 2005 Defense Base Closure and Realignment (BRAC) Commission or the United States Department of Defense (DoD) concerning the use of the Defense Base Closure and Realignment Act of 1990, as amended and codified at 10 U.S.C. Section 2687, to relocate, disband or move Air National Guard units from one state to another as part of the BRAC Commission's 2005 defense base closure and realignment recommendations.

The BRAC Commission is independent of the DoD and other Executive Branch agencies and consequently does not have access to any DoD documents other than those that are generally available to the public. However, BRAC-related documents of potential interest to you can be found on both the DoD and the BRAC Commission web sites.

A search of our files located no records responsive to your request other than the BRAC Commission white paper: *Discussion of Legal and Policy Considerations Related to Certain Base Closure and Realignment Recommendations* dated July 11, 2005, which I was told you already possess by a member of your staff.

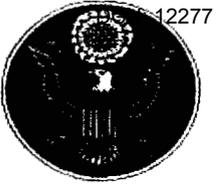
You may find interesting two memorandum recently released by the Congressional Research Service (CRS) concerning the realignment and closure of National Guard facilities. The memoranda are available on the CRS website.

We will consider your request to be continuing and will provide you with documents of the nature you have requested if and when we either prepare them or gain access to them.

Sincerely,

A handwritten signature in black ink, appearing to read "David C. Hague".

David C. Hague
General Counsel



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600
Arlington, VA 22202
Telephone: 703-699-2950

July 22, 2005

The Honorable Pete V. Domenici
United States Senate
Washington, D.C. 20510-3101

Dear Senator Domenici:

I am responding to your letter of July 13, 2005 in which you express concern about the effect of possible recusals on votes taken at hearings conducted by the Defense Base Closure and Realignment (BRAC) Commission.

Currently, four commissioners have recused themselves from participation in matters relating to installations in their home states. Commissioners Coyle and Gehman recused themselves, in accordance with ethics agreements they signed during the nomination process, because of BRAC-related activity in California and Virginia respectively. Commissioner Bilbray recused himself because of his long-time representation of Nevada in the Congress and other public offices. Commissioner Hansen recused himself with regard to Utah for the same reason. Both Commissioner Bilbray and Hansen recused themselves to avoid any appearance of loss of impartiality and with full realization that they were not required to do so by the ethics statute. As a result of their recusals, the four commissioners cannot deliberate or vote on matters relating to installations in their home states or to installations in other states that are substantially affected by closures and realignments or installations in their home states.

The affect of the recusals with regard to each installation being considered by the Commission has yet to be determined and will only be known once recommendations are fully developed through our review and analysis process. Only then will we know the reach and breadth of the recommendation. For example, if there is no mention of aircraft in a recommendation, or if the relocation site of aircraft is not specified, then no commissioners would be recused from voting on the installation unless it was located in one of the four states identified above.

While there is uncertainty at this time about who will able to vote on particular recommendations, please be assured that we will make every effort to ensure full participation in all votes by as many commissioners as possible.

Thank you for your letter and please let me know if you have further concerns.

Sincerely,

Anthony J. Principi
Chairman

Chairman: Anthony J. Principi

Commissioners: The Honorable James H. Bilbray, The Honorable Philip E. Coyle III, Admiral Harold W. Gehman Jr., USN (Ret), The Honorable Jim Hansen, General James T. Hill, USA (Ret), General Lloyd Newton, USAF (Ret), The Honorable Samuel K. Skinner, Brigadier General Sue Ellen Turner, USAF (Ret)

Executive Director: Charles Battaglia

BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET, SUITE 600
ARLINGTON, VA 22202
PHONE: 703-699-2950
FAX: 703-699-2735



FACSIMILE TRANSMITTAL SHEET

TO:	Scott Stuckey	FROM:	David Hague
COMPANY:	SASC	DATE:	JULY 14, 2005
FAX NUMBER:	202-228-0037	TOTAL NO. OF PAGES INCLUDING COVER:	2
PHONE NUMBER:		SENDER'S TELEPHONE NUMBER:	703-699-2953
RE:		SENDER'S FAX NUMBER:	703-699-2735

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Hard copy to follow by mail.

DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET
ARLINGTON, VA 22202
TELEPHONE: (703) 699-2950



Chairman: The Honorable Anthony J. Principi
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Executive Director: Charles Battaglia

July 14, 2005

Chairman:
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General Lloyd W. Newton, USAF (Ret.)
The Honorable Samuel K. Skinner
Brigadier General Sue Ellen Turner, USAF (Ret.)
Executive Director:
Charles Battaglia

The Honorable John W. Warner
United States Senate
225 Russell Office Building
Washington, D.C. 20510

Dear Senator Warner:

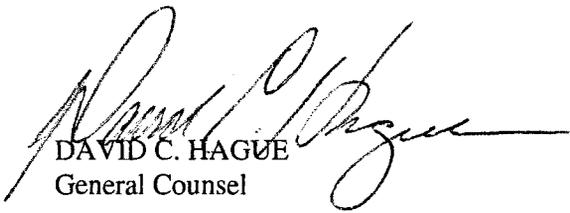
I wish to further inform you concerning the status of the Commissioners and staff members of the Defense Base Closure and Realignment (BRAC) Commission on ethics-related matters. I reported to you by letter of May 23, 2005, that the BRAC Commission was in compliance with the ethics review requirements mandated by statute and applicable regulations. Pursuant to that review, appropriate ethics waivers were issued, and recusals by certain Commissioners were entered into the record.

In response to the possibility of adding military installations that do not appear on the Secretary of Defense's list of recommendations for closures and realignments, an additional ethics review has now been completed. As a result, new ethics waivers have been issued in consultation with the Office of Government Ethics and the Department of Defense's Office of General Counsel. Except as noted in my letter to you of May 23, 2005, all Commission members remain able to participate fully in the BRAC process.

In addition, a rigorous ethics training program for all BRAC Commission staff members along with a full review of their financial disclosure statements has been completed. Thus, the Commission is now and will remain in full compliance with all mandatory ethics laws and regulations. Continued vigilance and self-reporting will ensure that any future conflicts of interest that may arise with respect to the Commissioners or staff members will be quickly identified and remedied.

You may be assured that the public integrity requirements of the Commission have been fully met.

Senator Levin has been informed by separate correspondence of the satisfactory completion of this ethics review.


DAVID C. HAGUE
General Counsel

BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET, SUITE 600
ARLINGTON, VA 22202
PHONE: 703-699-2950
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Brigadier General Sue Ellen Turner, USAF (Ret.)
Executive Director:
Charles Battaglia

The Honorable Carl Levin
United States Senate
269 Russell Office Building
Washington, D.C. 20510

Dear Senator Levin:

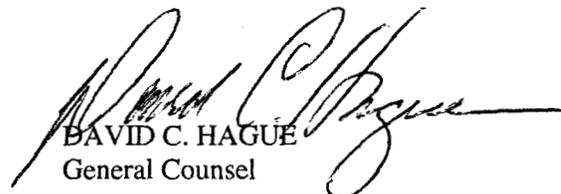
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DAVID C. HAGUE
General Counsel



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600

Arlington, VA 22202

Telephone: 703-699-2950

9 July 2005

Dr. Ruth A. David
President & Chief Executive Officer
Analytic Services, Inc.
2900 South Quincy St., Suite 800
Arlington, VA 22206

Dear Dr. David, *Ruth*

I have had the pleasure of observing and working on a daily basis with personnel from your ANSER organization now over the past two months. The purpose of this letter is to ensure that you and key ANSER leadership are aware of the responsiveness and overall professional performance of our BRAC Support Team, under the exceptional leadership of Chris Cole and his ANSER Team.

Even before the BRAC Commission stood up, and as we were in the throes of defining ourselves during those short and demanding weeks before the Base Closure List was released on May 13, ANSER's creativity and innovation in structuring this key Presidential Commission was over and above the demanding 1995 model. ANSER is an essential and irreplaceable element to supporting the Commissioners in their critical tasking and, most importantly, the American public and the President.

ANSER has come through with initiatives over and above the agreed upon statement of work contracted in late April. Major accomplishments included the production of a superlative website that now serves as the Commission's main conduit to the public, with over three million hits to date, to an innovative electronic Early Bird and a daily document update for staff review, and an E-Library reconfiguration to full-text availability to Congress and the public. If the BRAC Commission had to do it over again, we would contract all support activities to ANSER. You have a superlative organization, to include the special leadership and enthusiasm of Forrest Horton and Steve Bull. Congratulations to you and your team for a job well done.

Sincerely,

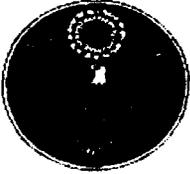
Charles Battaglia
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Executive Director

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DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600

Arlington, VA 22202

Telephone: 703-699-2950

July 1, 2005

The Honorable Donald H. Rumsfeld
Secretary of Defense
1400 Defense Pentagon
Washington, D.C. 20301-1000

Dear Secretary Rumsfeld:

As you are aware, before the Base Closure and Realignment Commission can even consider making a change in your recommendations that would add military installations for closure or realignment, or expand a realignment, we are required by Section 2914(d)(3) of the Defense Base Closure and Realignment Act of 1990, as amended, to seek an explanation from you as to why such actions were not included on your May 13, 2005 list. A series of issues on installations on which we seek such explanation is enclosed. No deliberation will be made on whether to include any of these installations for further study of closure or realignment until the Commission's open hearing of July 19, 2005. Therefore, we would greatly appreciate receipt of your explanation no later than July 18th.

In addition, we invite you or your representative to elaborate on these explanations at a public hearing to be held in the Washington, D.C. area at 8:30 a.m. on July 18, 2005.

If, at the July 19 hearing, seven or more Commissioners support adding an installation to your list for consideration, at least two Commissioners will visit each of the installations added to your list and public hearings will be conducted regarding them. While this is a requirement of law, the Commission's view is that such public hearings are not only mandatory, but also highly desirable.

At the Commission's final deliberations during the week of August 22, the vote of at least seven Commissioners will be required to effect any change in your recommendations that would close or realign an installation that you did not recommend for such closure or realignment, or expand a realignment that you recommended.

Your assistance in complying with this stringent timetable will be greatly appreciated.

Sincerely,

Handwritten signature of Anthony J. Principi in black ink.

Anthony J. Principi
Chairman

Enclosure

Chairman: Anthony J. Principi

Commissioners: The Honorable James H. Bilbray, The Honorable Philip E. Coyle III, Admiral Harold W. Gehman Jr., USN (Ret), The Honorable Jim Hansen, General James T. Hill, USA (Ret), General Lloyd Newton, USAF (Ret), The Honorable Samuel K. Skinner, Brigadier General Sue Ellen Turner, USAF (Ret)

Executive Director: Charles Battaglia

1. MARINE CORPS RECRUIT DEPOT SAN DIEGO, CA

ISSUE:

- Why was Marine Corps Recruit Depot (MCRD) San Diego, CA, not closed and consolidated with Marine Corps recruit training at MCRD Parris Island, SC?

ISSUE BACKGROUND:

- The Marine Corps operates two stand-alone recruit depots -- one on each coast. Consolidation of all recruit training to MCRD Parris Island generates training efficiencies, reduces excess capacity, and saves recurring costs due to fence-line closure of MCRD San Diego, and may generate offsetting revenues due to potential commercial development after a DoD property transfer. Consolidating recruit training at one location may theoretically increase operational risks; however, the Department of Navy and Air Force have successfully implemented similar transformational options experiencing little or no actual risk to recruit training while maintaining a surge capability. Military value of MCRD San Diego is lower than MCRD Parris Island partially due to encroachment and land constraints.

ASSOCIATED DOD RECOMMENDATIONS:

- None
-

2. NAVAL SHIPYARD PEARL HARBOR, HI

ISSUE:

- Why was the Naval Shipyard Pearl Harbor, HI, not closed and the ship depot repair function realigned to Naval Shipyard Norfolk, VA; Naval Shipyard Portsmouth, ME; and Naval Shipyard Puget Sound, WA?

ISSUE BACKGROUND:

- Four naval shipyards perform depot-level ship refueling, modernization, overhaul and repair work. There appears to be sufficient excess capacity in the aggregate across the four shipyards to close either Naval Shipyard Pearl Harbor or Naval Shipyard Portsmouth. Naval Shipyard Pearl Harbor is less efficient than Naval Shipyard Portsmouth, according to Department of Navy data and additional savings could be found from reduced unit costs at the receiving shipyards because of a higher volume of work. Naval Shipyard Pearl Harbor has low military value compared to other shipyards according to DoD analysis supporting the recommendation to close Naval Shipyard Portsmouth.

ASSOCIATED DOD RECOMMENDATIONS:

- DON-23: Close Naval Shipyard Portsmouth, ME

3. NAVAL AIR STATION BRUNSWICK, ME

ISSUE:

- What considerations were given to a complete closure of Naval Air Station Brunswick, ME, and what were the driving factors in deciding on realignment?

ISSUE BACKGROUND:

- Closure would appear to reduce excess capacity, may save approximately four times more than DoD's realignment recommendation and could open land to State or community development to offset economic impact.

ASSOCIATED DOD RECOMMENDATIONS:

- DON-18: Realign Naval Air Station Brunswick, ME
-

4. NAVY BROADWAY COMPLEX, SAN DIEGO, CA

ISSUE:

- Why was the Navy Broadway Complex, San Diego, CA, not considered for closure and realignment of existing functions to Naval Station San Diego, CA?

ISSUE BACKGROUND:

- Consolidating Navy activities in a more secure location at the Naval Station complex at 32nd Street could improve security and allow for future commercial development.

ASSOCIATED DOD RECOMMENDATION:

- None
-

5. REALIGNMENT OF NAVAL MASTER JET BASE

ISSUE:

- What consideration was given to the realignment of the Master Jet Base located at NAS Oceana, VA, to Moody AFB, GA? Was movement of the assets assigned to Moody AFB, GA to Cannon AFB, NM, considered and if so, what were the driving considerations not to do so?

ISSUE BACKGROUND:

- Realigning the Master Jet Base at NAS Oceana, VA, to Moody AFB, GA, would appear to alleviate the severe encroachment which affects NAS Oceana training and operations as well as operations at the outlying field, Fentress OLF. Moody AFB, GA, would appear to have the necessary room for expansion and suffers less encroachment. Cannon AFB, NM, would appear to have ample space and facilities to accommodate any aircraft currently operating or planned for movement to Moody AFB, NM.

ASSOCIATED DOD RECOMMENDATION:

- AF-6: Realign Eielson AFB
 - AF-32: Close Cannon AFB
 - AF-35: Maintenance realignment from Shaw AFB
 - E&T-14: Realignment of Undergraduate Pilot Training.
-

6. GALENA AIRPORT FORWARD OPERATING LOCATION (FOL), AK

ISSUE:

- Was any consideration given to merging the missions of Galena FOL, AK, and Eielson AFB, AK? Why does the United States need to maintain two FOLs in Alaska, given the current national security environment and 20-year threat assessment?

ISSUE BACKGROUND:

- Galena is one of two FOLs in Alaska that serve as alert bases for air intercept aircraft in support of North American Aerospace Defense Command (NORAD) missions. The requirement for maintaining two FOLs in Alaska may no longer be valid. The mission could be accomplished by maintaining one FOL and two Air Force bases in Alaska.

ASSOCIATED DOD RECOMMENDATIONS:

- AF-6: Eielson AFB, AK; Moody AFB, GA; and Shaw AFB, GA
 - AF-7: Kulis Air Guard Station, AK; and Elmendorf Air Force Base, AK
 - AF-18: Mountain Home Air Force Base, ID; Nellis Air Force Base, NV; and Elmendorf Air Force Base, AK
 - AF-43: Ellsworth Air Force Base, SD; and Dyess Air Force Base, TX
-

7. POPE AIR FORCE BASE, NC

ISSUE:

- What considerations drove the recommendation to realign, rather close Pope AFB NC, under Fort Bragg, NC? Are the joint operational synergies that exist between the XVIII Airborne Corps and the 43rd Airlift Wing/23rd Fighter Group able to be replicated from other locations?

ISSUE BACKGROUND:

- DoD appears to have determined that much of the benefits of the collocation of the joint forces that will operate together (CAS aircraft, operational planning staffs) are outweighed by the ability to schedule support as necessary through third parties.

ASSOCIATED DOD RECOMMENDATIONS:

- USA-8: Fort Gillem, GA
- USA-8: Fort McPherson, GA
- AF-35: Pope Air Force Base, NC, Pittsburgh International Airport Air Reserve Station, PA; and Yeager Air Guard Station, WV
- H&SA-35: Create Joint Mobilization Sites

8. GRAND FORKS AIR FORCE BASE, ND

ISSUE:

- What considerations drove the recommendation to realign rather than close Grand Forks AFB, ND? What is the number of UAVs planned for assignment to Grand Forks AFB, ND, and what is the timing of the potential deployment?

ISSUE BACKGROUND:

- While there is no "emerging mission" programmed within the BRAC timeline (2006-2011), there are indications that the Air Force is considering assigning UAVs to Grand Forks AFB, ND.

ASSOCIATED DOD RECOMMENDATIONS:

- AF-37: Grand Forks Air Force Base, ND
-

9. AIR NATIONAL GUARD

ISSUE:

- Were the Adjutants General and Governors of the States consulted in the re-allocation of aircraft, personnel, facilities and missions from their states? What impact does the realignment of the ANG have on the homeland defense and homeland security missions?

ISSUE BACKGROUND:

- Many of the Air Force's recommendations address Air National Guard installations. While only four of these installations will completely close, many Guard installations will lose aircraft and personnel leaving only an "expeditionary combat support" unit remaining, with several states losing their entire flying missions. Many of these aircraft will relocate to other locations, which may negatively impact personnel recruiting and retention as well as State and Homeland Security missions.

ASSOCIATED DOD RECOMMENDATION:

- Various
-

10. DEFENSE FINANCE ACCOUNTING SERVICE

- DFAS Buckley Annex, CO
- DFAS Columbus, OH
- DFAS Indianapolis, IN

ISSUE:

- Why were keeping DFAS Buckley Annex, CO, DFAS Columbus, OH, and DFAS Indianapolis, IN, open and closing the remaining DFAS sites the only scenario

considered? Why did DoD not consider other options, which could have avoided military construction costs and possibly produced a more cost effective option?

ISSUE BACKGROUND:

- Closing or realigning these installations may reduce operating and sustainment costs, balance mission and strategic redundancy requirements, eliminate excess capacity and avoid closing other DFAS installations that provide a lower locality pay and have an existing infrastructure for expansion without military construction or additional leasing.

ASSOCIATED DOD RECOMMENDATION:

- HSA-37: Defense Finance & Accounting Service
-

11. PROFESSIONAL DEVELOPMENT EDUCATION

- Naval Postgraduate School Monterey, CA
- Defense Language Institute Monterey, CA
- Air Force Institute of Technology Wright Patterson AFB, OH

ISSUE:

- What consideration was given to the closure or realignment of the Air Force Institute of Technology at Wright Patterson AFB, OH, and the Defense Language Institute at Monterey, CA, with Naval Postgraduate School at Monterey, CA, to create a consolidated professional development education center?

ISSUE BACKGROUND:

- Consolidating the Professional Development Education currently provided by the Air Force Institute of Technology, the Naval Postgraduate School, and the Army's Defense Language Institute would provide significant savings and efficiencies to the Department of Defense by (1) eliminating redundant support structure for advanced education, (2) reducing infrastructure; and (3) consolidating command and instructional staff.

ASSOCIATED DOD RECOMMENDATIONS:

- None
-

12. JOINT MEDICAL COMMAND HEADQUARTERS

- Navy Bureau of Medicine, Potomac Annex, DC
- Air Force Medical Command, Bolling AFB, DC
- TRICARE Management Authority, Leased Space, VA
- Office of the Army Surgeon General, Leased Space, VA

ISSUE:

- What consideration was given to establishing a Joint Medical Command Headquarters, through collocation of disparate Department of Defense Surgeons General, at the National Naval Medical Center, Bethesda, MD?

ISSUE BACKGROUND:

- Such a consolidation could eliminate 166,000 square feet of leased space within the National Capitol Region and enable the closure of the Potomac Annex, DC. The National Naval Medical Center, MD, has a higher military value ranking than present locations. Establishing a Joint Medical Command Headquarters would take advantage of the transformation of legacy medical infrastructure proposed in recommendation MED-4, which establishes the Walter Reed National Military Medical Center, Bethesda, MD.

ASSOCIATED DOD RECOMMENDATIONS:

- MED-4: Walter Reed National Military Medical Center, Bethesda, MD
- TECH-5: Co-locate Extramural Research Program Managers



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 SOUTH CLARKE STREET
APLINGTON, VA 22202
TELEPHONE: (703) 699-2950

26 APR 2005

Commissioners:
The Honorable James H. Bilbray
The Honorable Philip E. Covis III
Admiral Harold W. Gehman, Jr., USN (Ret.)
The Honorable James V. Hansen
General James T. Hill, USA (Ret.)
General Lloyd W. Newton, USAF (Ret.)
The Honorable Samuel K. Skinner
Brigadier General Sue Ellen Turner, USAF (Ret.)

Executive Director:
Charles Battaglia

The Honorable James H. Bilbray
KKB&R
3800 Howard Hughes Drive 7th Fl
Las Vegas, NV 89109

Dear Representative Bilbray:

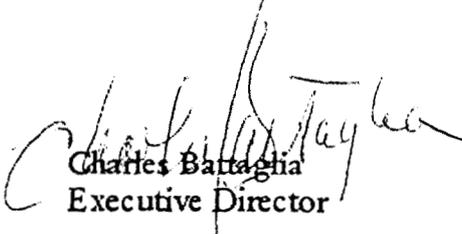
On behalf of the staff, I would like to extend you a formal welcome. We look forward to supporting you to the fullest extent possible for the unique challenge ahead, and to meeting you on Monday, May 2, 2005.

In an effort to assist in orienting you to the issues facing the Commission, the Chairman has requested that I provide you a copy of the law governing our activities, our schedule for May and some BRAC background reading material for your perusal. The hearings on May 3rd and 4th will provide the opportunity for more in-depth background briefings as well as the opportunity for your specific questions to be answered.

At the meeting on May 2nd at 5:00 pm, the Chairman will make some brief welcoming remarks and review the schedule through September 8, 2005. This will also be a time for you to meet the senior staff and to have a brief tour of the Commission office. At 7:00 pm, the Chairman proposes that we change the business venue to Ruth's Chris Steak House here in Crystal City and hopes that you will join him.

If you have any questions or any needs, please do not hesitate to contact me c.battaglia@wso.whs.mil.

Very respectfully,


Charles Battaglia
Executive Director



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 SOUTH CLARKE STREET
ARLINGTON, VA 22202
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26 APR 2005

Chair:
Honorable Anthony J. Principi

Commissioners:
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The Honorable Philip E. Conroy III
Admiral Harold W. Gehman, Jr., USN (Ret.)
The Honorable James V. Hansen
General James T. Hill, USA (Ret.)
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The Honorable Samuel K. Skinner
Brigadier General Sue Ellen Turner, USAF (Ret.)

Executive Director:
Charles Battaglia

Admiral Harold W. Gehman
3725 Lynnfield Drive
Virginia Beach, VA 23452

Dear Admiral Gehman:

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Very respectfully,


Charles Battaglia
Executive Director



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20 APR 2005

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The Honorable Samuel K. Slomer
Brigadier General Sue Ellen Turner, USAF (Ret.)

Executive Director:
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The Honorable James V. Hansen
399 Oak Lane
Farmington, UT 84025

Dear Representative Hansen:

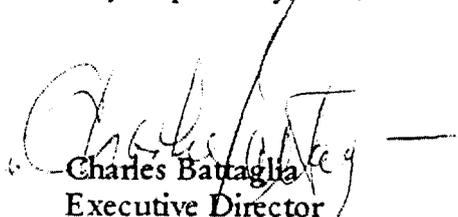
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Very respectfully,


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Executive Director



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 General Lloyd W. Newton, USAF (Ret.)
 The Honorable Samuel K. Skinner
 Brigadier General Sue Ellen Turner, USAF (Ret.)

Executive Director:
 Charles Battaglia

General James T. Hill
 439 Alhambra Circle
 Coral Gables, FL 33134

Dear General Hill:

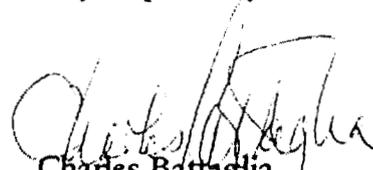
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If you have any questions or any needs, please do not hesitate to contact me c.battaglia@wso.whs.mil.

Very respectfully,


 Charles Battaglia
 Executive Director



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 SOUTH CLARKE STREET
 ARLINGTON, VA 22202
 TELEPHONE: (703) 699-2950

26 APR 2005

Chairman:
 Honorable Anthony J. Principi

Commissioners:
 The Honorable James H. Bliley
 The Honorable Philip E. Coyle III
 Admiral Harold W. Gehman, Jr., USN (Ret.)
 The Honorable James V. Hansen
 General James T. Hill, USA (Ret.)
 General Lloyd W. Newton, USAF (Ret.)
 The Honorable Samuel K. Skinner
 Brigadier General Sue Ellen Turner, USAF (Ret.)

Executive Director:
 Charles Battaglia

General Lloyd W. Newton
 C/O Pratt & Whitney
 400 Main Street M/S 181-37
 East Hartford, CT 06108

Dear General Newton:

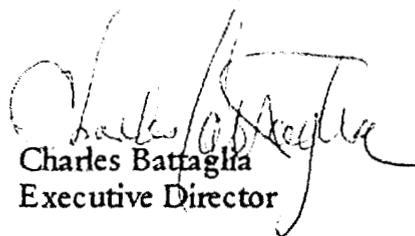
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 Executive Director



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 SOUTH CLARKE STREET
ARLINGTON, VA 22202
TELEPHONE: (703) 699-2950

26 APR 2005

From:
Honorable Anthony J. Principi

Commissioners:
The Honorable James M. Dickey
The Honorable Philip E. Cowie III
Admiral Harold W. Gehman, Jr., USA (Ret.)
The Honorable James V. Hansen
General James T. Hill, USA (Ret.)
General Lloyd W. Newton, USAF (Ret.)
The Honorable Samuel K. Skinner
Brigadier General Sue Ellen Turner, USAF (RM.)

Executive Director:
Charles Battaglia

General Sue Ellen Turner
1410 Rain Song
San Antonio, TX 78258

Dear General Turner:

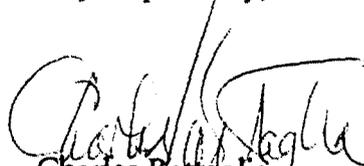
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Very respectfully,


Charles Battaglia
Executive Director



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 ARLINGTON, VA 22202
 TELEPHONE: (703) 699-2950

26 APR 2005

Chairman:
 The Honorable Anthony J. Principi

Commissioners:
 The Honorable James M. Bilbray
 The Honorable Philip E. Coyne III
 Admiral Harold W. Gehman, Jr., USN (Ret.)
 The Honorable James V. Hansen
 General James T. Hill, USA (Ret.)
 General Lloyd W. Newton, USAF (Ret.)
 The Honorable Samuel K. Skinner
 Brigadier General Sue Ellen Turner, USAF (Ret.)

Executive Director:
 Charles Battaglia

Mr. Samuel K. Skinner
 Greenberg Traurig, Suite 2400
 77 West Wacker Drive
 Chicago, IL 60601

Dear Mr. Skinner:

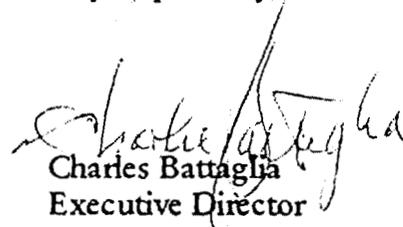
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Very respectfully,


 Charles Battaglia
 Executive Director



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 The Honorable James V. Marston
 General James T. Hill, USA (Ret.)
 General Lloyd W. Newton, USAF (Ret.)
 The Honorable Samuel K. Skinner
 Brigadier General Sue Ellen Turner, USAF (Ret.)

Executive Director:
 Charles Battaglia

26 APR 2005

Mr. Philip Coyle
 2139 Kew Drive
 Los Angeles, CA 90046

Dear Mr. Coyle:

On behalf of the staff, I would like to extend you a formal welcome. We look forward to supporting you to the fullest extent possible for the unique challenge ahead, and to meeting you on Monday, May 2, 2005.

In an effort to assist in orienting you to the issues facing the Commission, the Chairman has requested that I provide you a copy of the law governing our activities, our schedule for May and some BRAC background reading material for your perusal. The hearings on May 3rd and 4th will provide the opportunity for more in-depth background briefings as well as the opportunity for your specific questions to be answered.

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If you have any questions or any needs, please do not hesitate to contact me c.battaglia@wso.whs.mil.

Very respectfully,


 Charles Battaglia
 Executive Director



ADMINISTRATION AND
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

18 APR 2005

MEMORANDUM FOR MR. Carmen C. Battaglia

SUBJECT: Appointment of Designated Federal Officer (DFO) to the Defense Base Closure and Realignment Commission (BRAC 05)

In accordance with the provisions of Sections 10(e) and 10(f) of the Federal Advisory Committee Act, Public Law 92-463 (5 USC App II, 1982), you are hereby appointed as the Designated Federal Officer (DFO) for the Defense Base Closure and Realignment Commission (BRAC 05).

In your capacity as the DFO, you will:

- Call, attend and adjourn committee meetings;
- Approve agenda;
- Maintain required records on costs and membership;
- Ensure efficient operations;
- Maintain records for availability to the public; and
- Provide copies of committee reports to the Library of Congress


Howard G. Becker
Deputy Director

DCN: 12277

***** -JOURNAL- ***** DATE APR-26-2005 ***** TIME 16:25 *****

NO.	COMM.	PAGES	FILE	DURATION	X/R	IDENTIFICATION	DATE	TIME	DIAGNOSTIC
01	634	000/001	001	00:00:00	XMT	997036969437	APR-21	09:15	000000000000
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06	OK	004	006	00:01:05	RCU		APR-25	13:23	0407C0000A070
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08	OK	002	008	00:00:18	XMT	992027073304	APR-26	16:20	2007A2000BDB0

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BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET
ARLINGTON, VA 22202
TELEPHONE: 703-699-2950
FAX: 703-699-2735



FACSIMILE TRANSMITTAL SHEET

TO: Dan Else	FROM: Charles Battaglia
COMPANY: Library of Congress	DATE: 4/26/2005
FAX NUMBER: 202-707-3304	TOTAL NO. OF PAGES INCLUDING COVER: 2
PHONE NUMBER:	SENDER'S TELEPHONE NUMBER: 703-699-2952
RE:	SENDER'S FAX NUMBER: 703-699-2735

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:



DBR 12277

DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 SOUTH CLARKE STREET
ARLINGTON, VA 22202
TELEPHONE: (703) 699-2950

April 26, 2005

Chairman:
The Honorable Anthony J. Principi

Commissioners:
The Honorable James H. Bilbray
The Honorable Philip E. Coville III
Admirable Harold W. Gehman, Jr., USN (Ret.)
The Honorable James V. Hansen
General James T. Hill, USA (Ret.)
General Lloyd W. Newton, USAF (Ret.)
The Honorable Samuel K. Stinner
Brigadier General Sue Ellen Turner, USAF (Ret.)

Executive Director:
Charles Battaglia

*Mr. Daniel H. Else
Specialist in National Defense
Congressional Research Service
Library of Congress
Washington, D.C. 20540-7210*

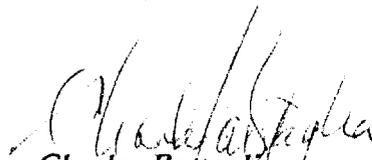
Dear Mr. Else:

I write to confirm your appearance and presentation to the Base Closure and Realignment Commission's hearing at 9:30 am, Tuesday, May 3, 2005 in House Cannon 334.

Since this hearing will serve to orient and update BRAC Commissioners, your presentation should focus on the law and criteria governing the BRAC and the BRAC Commission as well as lessons learned from past BRACs and issues facing the 2005 Commission.

Your presentation should be approximately 45 minutes followed by a question and answer period. If you have any further questions, do not hesitate to contact me at 703-699-2952.

Sincerely,


*Charles Battaglia
Executive Director*

Lai, Shirley, Ctr, WSO-BRAC

From: Battaglia, Charles, CIV, WSO-BRAC
Sent: Tuesday, April 26, 2005 2:53 PM
Subject: Letter of Invitation to Testify to Congressional Research Service
Attachments: Ltr to CRS on May 3 hrg, Req to Testify.doc

Shirley, pls prep the attached ltr on letterhead for my signature and fax to Dan Else, CRS 202-707-3304



Ltr to CRS on May 3
hr, Req t...



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET
ARLINGTON, VA 22202
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General James T. Hill, USA (Ret.) • General Lloyd W. Newton, USAF (Ret.) • The Honorable Samuel K. Skinner • Brigadier General Sue Ellen Turner, USAF (Ret.)
Executive Director: Charles Battaglia

May 25, 2005

Chairman:
The Honorable Anthony J. Principi
Commissioners:
The Honorable James H. Bilbray
The Honorable Philip E. Coyle III
Admirable Harold W. Gehman, Jr., USN (Ret.)
The Honorable James V. Hansen
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General Lloyd W. Newton, USAF (Ret.)
The Honorable Samuel K. Skinner
Brigadier General Sue Ellen Turner, USAF (Ret.)
Executive Director:
Charles Battaglia

The Honorable John W. Warner
United States Senate
225 Russell Office Building
Washington, D.C. 20510

Dear Senator Warner:

The ethics review mandated by statute and regulation of the members of the Defense Base Closure and Realignment (BRAC) Commission has been completed. Appropriate ethics waivers have been made in consultation with the Office of Government Ethics and the Department of Defense's Office of the General Counsel. Except as noted below, all Commission members are able to participate fully in the BRAC process.

During an open hearing on May 19, 2005, four members recused themselves from participation in matters relating to installations in their home states. In each instance, those recusals extend to installations in other states that are affected by closures and realignments of installations in the commissioner's home state. The commissioners took these actions to avoid any appearance of a lack of impartiality and to enhance the public's confidence in the integrity of the BRAC process.

Commissioners Coyle and Gehman recused themselves because of their participation in BRAC-related activity in California and Virginia respectively. Commissioner Bilbray and Hansen recused themselves because of their long-time representation in the Congress and other public offices of Nevada and Utah respectively. As a result of their recusals, the commissioners cannot deliberate or vote on matters relating to installations in their home states or to installations in other states that are substantially affected by closures and realignments of installations in their home states.

The commissioners' financial statements were first reviewed incident to their confirmation by the Department of Defense General Counsel. I thoroughly reviewed them again after receiving the list of recommended closures and realignments from the Secretary of Defense.

I focused primarily on (1) real estate holdings in locations that may be affected by potential BRAC-related realignments or closures; (2) holdings in environmental remediation companies that may have long-term contractual relationships with potential BRAC locations; (3) financial holdings and interests in companies with active contracts on military installations that were listed by the Secretary of Defense for possible realignments and/or closures that may give rise to a financial conflict of interest; and (4) personal and business relationships that may cause an actual or apparent loss of impartiality. I will conduct a similar review with regard to installations not on the Secretary's list that the Commission might consider, and inform you accordingly.

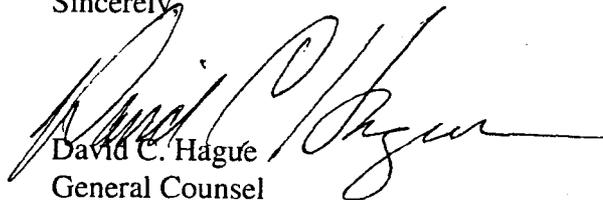
The Commissioners who recused themselves from certain matters will not participate in the deliberation or voting regarding those matters. Even so, it is not expected that the Commission will ever lack the quorum necessary to conduct its business, including the possible addition of installations to the Secretary's list, an action that as you know would require seven votes.

A rigorous ethics review and training program of all Commission staff members has also been completed. Continued vigilance and self-reporting will ensure that if any additional conflicts of interest arise with the Commissioners or staff members they will be quickly identified and appropriate remedial action will be taken.

You may be assured that the public integrity requirements of the Commission have been fully met.

Senator Warner has been informed by separate correspondence of the satisfactory completion of the ethics review of the members of the BRAC Commission.

Sincerely,


David C. Hagué
General Counsel



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET
ARLINGTON, VA 22202
TELEPHONE: (703) 699-2950

Chairman: The Honorable Anthony J. Principi
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Executive Director: Charles Battaglia

May 25, 2005

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General Lloyd W. Newton, USAF (Ret.)
The Honorable Samuel K. Skinner
Brigadier General Sue Ellen Turner, USAF (Ret.)
Executive Director:
Charles Battaglia

The Honorable Carl Levin
United States Senate
269 Russell Office Building
Washington, D.C. 20510

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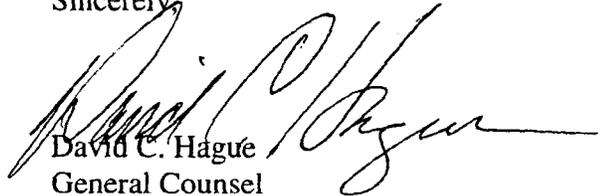
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The Honorable Samuel K. Stinner
Brigadier General Sue Ellen Turner, USAF (Ret.)

Executive Director:
Charles Battaglia

May 31, 2005

The Honorable Gordon England
Acting Deputy Secretary of Defense
1000 Defense Pentagon
Washington, D.C. 20301-1000

Dear Secretary England:

Thank you for your e-mail advising that you will provide the BRAC Commission with access to the classified versions of the outstanding information requested including the minutes reflecting the Department's deliberative record and the data underpinning its recommendations by the close of business on May 31, 2005. Further, I understand from your draft letter to Senator Warner that the public will have access to all of the unclassified information by Saturday, June 4. May I presume that this includes the information that is being made available to the Commission and the Congress in classified form on May 31?

To ensure that the public will have ready access to all of this information in a timely manner, it is the Commission's position that the Department of Defense should release the information directly on June 4th and not the Commission. The Commission would access the information from the DoD website.

Any further delay in the June 4th availability of outstanding BRAC-related information will negatively impact the Commission's ability and schedule in evaluating the recommendations presented by Secretary Rumfeld on May 13, 2005.

I greatly appreciate your concerns for not revealing classified information and your consideration of this request.

Sincerely,

Anthony Principi
 Chairman



DCN: 12277

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2521 SOUTH CLARK STREET, SUITE 600
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Sincerely,

Anthony Principi
Chairman

**DEPUTY SECRETARY OF DEFENSE**1010 DEFENSE PENTAGON
WASHINGTON, DC 20301-1010

May 27, 2005

The Honorable John Warner, Chairman
Committee on Armed Services
United States Senate
Washington, D.C. 20510-6060

Mr. Chairman
Dear Chairman Warner:

As a follow up to our phone conversation yesterday and your correspondence of May 26, this letter outlines the manner in which DoD is meeting the requirements of the law governing the transparency of the BRAC process.

A list of the Department's closure and realignment recommendations was delivered to the Commission and Congress on May 13, three days in advance of the statutory May 16 deadline. Additionally, a summary of the selection process that resulted in the recommendations, including a justification for each recommendation, was included in Volume 1 of the Department's BRAC report. This information was due to the Commission and to the Congress within seven days. It was delivered to the Commission and to the Congress and posted on the Department's BRAC website on May 13.

In addition to the Department's initial legal submission, to further support the Commission's and the public's understanding of the Department's recommendations, the Department has already provided significant information including:

- the classified force structure plan (Volume 2);
- reports by the Military Departments and the Joint Cross Service Groups (Volumes 3 through 12);
- 222 recommendation binders containing the Department's analysis of each recommendation against all eight selection criteria;
- Cost of Base Realignment Action Model with static data;
- installation imagery of bases to be visited; and
- testimony to the Commission by senior DoD officials.

The Department is also preparing to submit, early next week, the minutes reflecting its deliberative record and the extensive volume of data underpinning its recommendations. The statute does not establish a time by which the Department must make this information available to the Commission and Congress, but we will make it available by close of business on May 31.

As with prior rounds of BRAC, because this supplementary information includes classified material that requires appropriate handling, the Department is establishing handling procedures for this supplementary information.



Unlike prior BRAC rounds, however, the extent of this supplementary information is unprecedented in terms of volume, level of detail, and electronic access. The volume alone is vastly larger than that collected in prior BRAC rounds. Accordingly, the Department has established handling procedures appropriate to the size and sensitivity of the database.

During prior BRAC rounds, the Commission and the congressional defense committees established reading rooms in which files of this supporting data were maintained. Some of this supplementary data in previous BRAC rounds was classified, and that is true with this BRAC round, too.

During our discussions with committee staffs in the period leading up to the completion of the Department's recommendations, committee staffs expressed a desire to include as much of the supplementary data in electronic form as feasible, which we are doing. Because the data are only in digital form, unlike prior BRAC rounds, the fully aggregated database is temporarily classified SECRET while we proceed with the process of disaggregating and declassifying substantial portions of it.

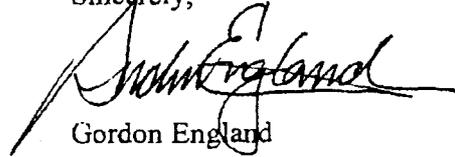
We intend to declassify as much of it as possible and to make it available to the public. We believe the full volume of data available to the Congress, the BRAC Commission, and the public will be substantially greater than was made available in prior BRAC rounds.

The plan for making available the supplemental BRAC information is as follows:

- The BRAC Commission, members of Congress, and their respective staffs with SECRET clearances will have access to the entire digital database accessible on computers in a secure reading room in Crystal City near the BRAC Commission offices by Tuesday evening, May 31. Consistent with prior BRAC rounds, we are also working with Congressional staff to establish a similar secure reading room on Capitol Hill.
- The public, through the BRAC Commission, will have access to all unclassified information by Saturday, June 4.
- DoD will expedite interim SECRET clearances as required for Commission and Congressional staff.
- As with previous BRAC rounds, the Department, Commission, and Congress will have appropriate handling procedures for any information that remains classified.

Thank you again for the opportunity to bring you up to date on this matter. Please let me know if I may be of further assistance as we go forward.

Sincerely,



Gordon England

Cc: Senator Byrd Representative Edwards
Senator Cochran Representative Hunter
Senator Feinstein Representative Lewis
Senator Inouye Representative Murtha
Senator Levin Representative Obey
Senator Stevens Representative Skelton
 Representative Walsh
 Representative Young



Office of the Assistant Secretary of Defense: Legislative Affairs

Legislative Update

Release of additional BRAC information

The Department of Defense is making additional BRAC information available for review by the BRAC Commission and Congress.

- In compliance with the BRAC statutes, the Department of Defense provided its recommendations to the BRAC commission and Congress on May 13th. Additionally, the following data has been provided to the Commission and Congress:
 - The classified force structure plan (Volume 2 of the Department's recommendation);
 - Reports by the Military Departments and the Joint Cross Service Groups (Volumes 3-12);
 - 222 BRAC recommendation binders, containing the Department's analysis of each recommendation against all eight selection criteria;
 - Cost of Base Realignment Action Model with static data;
 - Installation imagery of bases to be visited; and
 - Testimony to the Commission by senior DoD officials.

To further support the Commission's and the public's understanding of the Department's recommendations, the Department is preparing to submit a general database pertaining to all U.S. facilities by close of business on May 31st.

- The volume of this supplementary data is more than 100 times greater than for previous BRAC rounds.
- As in previous base realignment and closure rounds, the Department is establishing handling procedures for the general database.
 - The database is entirely digital and contains some classified information. For that reason, the entire database must be treated as classified while DoD continues to process of declassifying substantial portions of it.
- DoD staff will make the entire digital database accessible on computers in a secure reading room in Crystal City near the BRAC Commission offices. We plan to have this material available by Tuesday evening, May 31st. Consistent with prior BRAC rounds, we are working with Congressional staff to establish a similar secure reading room on Capitol Hill.
- The entire digital database will be made available to the commission, to Members of Congress, and to Congressional staff with "SECRET" clearances.



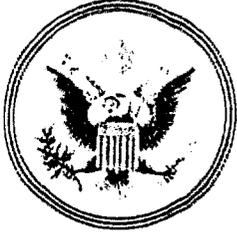
Office of the Assistant Secretary of Defense: Legislative Affairs

Legislative Update

- The public, through the BRAC Commission, will have access to all unclassified information by Saturday, June 4.
- Unlike previous BRAC rounds, the Department will have a simultaneous process of rapid declassification of information on the database as appropriate should community representatives desire such information and should it be determined to be eligible for rapid declassification.
- The Department believes the full volume of data available to the Congress, the BRAC commission, and the public will be substantially greater than was made available in prior BRAC rounds.

Defense Base Closure and Realignment Commission

2521 S. Clark Street, Suite 600
Arlington, VA 22202
Telephone: 703-699-2950



Chairman:
The Honorable Anthony J. Principi

April 19, 2005

Commissioners:
The Honorable James M. Brien
The Honorable Philip E. Canine
Admiral Harold W. Gehman, USN (Ret)
The Honorable James V. Harter
General James E. O'Day, USA (Ret)
General David W. Newton, USAF (Ret)
The Honorable Samuel P. Walker
Brigadier General Peter E. Wright, USAF (Ret)

Executive Director:
Charles Battaglia

The Honorable Porter J. Goss
Director of Central Intelligence
Central Intelligence Agency
Washington, D.C. 20505

Dear Mr. Director:

On May 3, 2005, the military Base Closure and Realignment Commission will commence hearings in preparation for the announcement by the Secretary of Defense in mid May of his 2005 list of bases and facilities for closure and realignment.

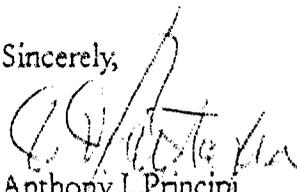
The Commission requests that you, the Chairman of the National Intelligence Council, the Director of the Defense Intelligence Agency and the Assistant Secretary of State for Intelligence and Research provide an unclassified worldwide threat briefing to the Commission at 1:30 PM on May 3rd in House Cannon 334.

The purpose of the briefing is to allow Commission members to assess the long term threat vis a vis DoD's Force Structure planning.

The Commission would appreciate receiving a copy of your unclassified statement for the record by noon Monday, May 2nd in hard copy and electronic format (CD).

My point of contact for this hearing is my Executive Director, Charles Battaglia at 703-699-2952.

Sincerely,


Anthony J. Principi
Chairman

Defense Base Closure and Realignment Commission

2521 S. Clark Street, Suite 600
Arlington, VA 22202
Telephone: 703-699-2950



Chairman:

The Honorable Anthony J. Principi

April 19, 2005

Commissioners:

The Honorable James H. Baker
The Honorable Frank E. Lucas
Admiral Harold W. Bushman, USN (Ret)
The Honorable James V. Murtagh
General James L. Jones, USA (Ret)
General Lloyd W. Newton, USAF (Ret)
The Honorable Thomas J. Sisk
Brigadier General Sue Ellen Turner, USAF (Ret)

Executive Director:

Charles Battaglia

The Honorable Donald Rumsfeld
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Mr. Secretary:

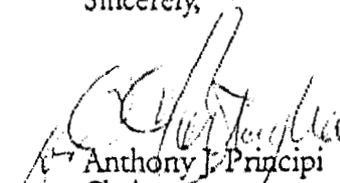
On May 3 and 4, 2005, the Base Closure and Realignment Commission will conduct its first series of hearings in accordance with the attached schedule.

It is requested that you or your representative brief the Commission on Wednesday, May 4 on your Global Posture Review and the Force Structure Plan in open and closed session in House Cannon 334. At the open hearing, the Commission would also be interested in learning the guidance you have provided for the Quadrennial Review.

The Commission would appreciate receiving a copy of your unclassified statement for the record by noon Monday, May 2nd in hard copy and electronic format (CD).

My point of contact for this hearing is my Executive Director, Charles Battaglia at 703-699-2952

Sincerely,


Anthony J. Principi
Chairman

Attachment
A/S

Defense Base Closure and Realignment Commission

2521 S. Clark Street, Suite 600
Arlington, VA 22202
Telephone: 703-699-2950



Chairman:

The Honorable Anthony J. Principi

April 19, 2005

Commissioners:

The Honorable James H. Bilbray
The Honorable Philip E. Canine
Admiral Harold W. Gehman, USN (Ret)
The Honorable James V. Hansen
General James L. Hoopes, USAF (Ret)
General Lloyd W. Newton, USAF (Ret)
The Honorable Samuel K. Skinner
Major General Sue Ellen Turner, USAF (Ret)

Executive Director:

Charles Battaglia

General Richard B. Myers
Chairman, Joint Chiefs of Staff
999 Joint Chiefs Pentagon
Washington, D.C. 20318
Attn: Colonel Barron

Dear General Myers:

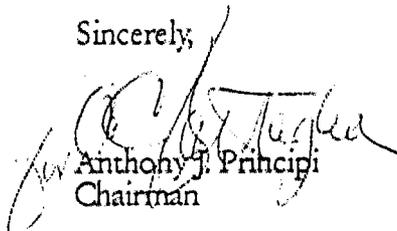
On May 3 and 4, 2005, the Base Closure and Realignment Commission will conduct its first series of hearings in accordance with the attached schedule. When the Secretary of Defense submits his list of realignments and closures, the Commission will receive testimonies commencing May 16.

In preparation for these testimonies, it is requested that you or your representative brief the Commission on the Force Structure Plan in open and closed session at 9:30 am - 12:30 pm on May 4, 2005 in House Cannon 334.

The Commission would appreciate receiving a copy of your unclassified statement for the record by noon Monday, May 2nd in hard copy and electronic format (CD).

My point of contact for this hearing is my Executive Director, Charles Battaglia at 703-699-2952

Sincerely,



Anthony J. Principi
Chairman

Attachment
A/S



ADMINISTRATION AND
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

18 APR 2005

MEMORANDUM FOR MR. Carmen C. Battaglia

SUBJECT: Appointment of Designated Federal Officer (DFO) to the Defense Base Closure and Realignment Commission (BRAC 05)

In accordance with the provisions of Sections 10(e) and 10(f) of the Federal Advisory Committee Act, Public Law 92-463 (5 USC App II, 1982), you are hereby appointed as the Designated Federal Officer (DFO) for the Defense Base Closure and Realignment Commission (BRAC 05).

In your capacity as the DFO, you will:

- Call, attend and adjourn committee meetings;
- Approve agenda;
- Maintain required records on costs and membership;
- Ensure efficient operations;
- Maintain records for availability to the public; and
- Provide copies of committee reports to the Library of Congress

A handwritten signature in black ink, appearing to read "Howard G. Becker".

Howard G. Becker
Deputy Director

Defense Base Closure and Realignment Commission

2521 S. Clark Street, Suite 600
Arlington, VA 22202
Telephone: 703-699-2950



Chairman:
The Honorable Anthony J. Principi

April 19, 2005

Commissioners:
The Honorable James M. Brennan
The Honorable Philip A. Burton
Honorable Harold W. Greenan, Jr.
The Honorable James V. Hansen
General David W. Newton, USAF (Ret.)
The Honorable Benjamin L. Cardin
Honorable Robert J. Dole, USA (Ret.)

Executive Director:
Charles Battaglia

The Honorable Porter J. Goss
Director of Central Intelligence
Central Intelligence Agency
Washington, D.C. 20505

Dear Mr. Director:

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The Commission requests that you, the Chairman of the National Intelligence Council, the Director of the Defense Intelligence Agency and the Assistant Secretary of State for Intelligence and Research provide an unclassified worldwide threat briefing to the Commission at 1:30 PM on May 3rd in House Cannon 334.

The purpose of the briefing is to allow Commission members to assess the long term threat vis a vis DoD's Force Structure planning.

The Commission would appreciate receiving a copy of your unclassified statement for the record by noon Monday, May 2nd in hard copy and electronic format (CD).

My point of contact for this hearing is my Executive Director, Charles Battaglia at 703-699-2952.

Sincerely,

Anthony J. Principi
per
Anthony J. Principi
Chairman

Defense Base Closure and Realignment Commission

2521 S. Clark Street, Suite 600
Arlington, VA 22202
Telephone: 703-699-2950



Chairman:
The Honorable Anthony J. Principi

April 19, 2005

Commissioners:
The Honorable Charles H. Hays
The Honorable Patrick J. Leahy
Admiral Harold W. Gehring, USN (Ret)
The Honorable James M. Inhofe
General James M. Conaway, USAF (Ret)
General Lloyd W. Newton, USAF (Ret)
The Honorable William J. Crayton
Major General Robert G. Turner, USAF (Ret)

Executive Director:
Charles Battaglia

The Honorable Donald Rumsfeld
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

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It is requested that you or your representative brief the Commission on Wednesday, May 4 on your Global Posture Review and the Force Structure Plan in open and closed session in House Cannon 334. At the open hearing, the Commission would also be interested in learning the guidance you have provided for the Quadrennial Review.

The Commission would appreciate receiving a copy of your unclassified statement for the record by noon Monday, May 2nd in hard copy and electronic format (CD).

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Sincerely,

Anthony J. Principi
Chairman

Attachment
A/S

Defense Base Closure and Realignment Commission

2521 S. Clark Street, Suite 600
Arlington, VA 22202
Telephone: 703-699-2950



Chairman
The Honorable Anthony J. Principi

April 19, 2005

Commissioners:
The Honorable James M. Blumenthal
The Honorable Philip B. Boyd
The Honorable Mark V. Foxworth
The Honorable James V. Bryant
The Honorable John J. Baker
The Honorable W. Newton USAF (Ret)
The Honorable Samuel T. Swasey
Major General Bruce A. Barr

Executive Director
Charles Battaglia

General Richard B. Myers
Chairman, Joint Chiefs of Staff
999 Joint Chiefs Pentagon
Washington, D.C. 20318
Attn: Colonel Barron

Dear General Myers:

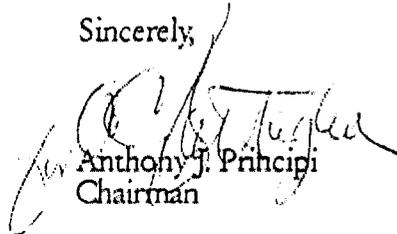
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In preparation for these testimonies, it is requested that you or your representative brief the Commission on the Force Structure Plan in open and closed session at 9:30 am - 12:30 pm on May 4, 2005 in House Cannon 334.

The Commission would appreciate receiving a copy of your unclassified statement for the record by noon Monday, May 2nd in hard copy and electronic format (CD).

My point of contact for this hearing is my Executive Director, Charles Battaglia at 703-699-2952

Sincerely,


Anthony J. Principi
Chairman

Attachment
A/S



ADMINISTRATION AND
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

18 APR 2005

MEMORANDUM FOR MR. Carmen C. Battaglia

SUBJECT: Appointment of Designated Federal Officer (DFO) to the Defense Base Closure and Realignment Commission (BRAC 05)

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In your capacity as the DFO, you will:

- Call, attend and adjourn committee meetings;
- Approve agenda;
- Maintain required records on costs and membership;
- Ensure efficient operations;
- Maintain records for availability to the public; and
- Provide copies of committee reports to the Library of Congress

A handwritten signature in cursive script, appearing to read "Howard G. Becker".

Howard G. Becker
Deputy Director



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 SOUTH CLARK STREET, Suite 600

ARLINGTON, VA 22202

TELEPHONE: (703) 699-2950

Fax Number : (703) 699-2735

Chairman:
The Honorable Anthony J. Principi

Commissioners:
The Honorable James H. Blibray
The Honorable Philip E. Coyne III
Admiral Harold W. Gehman, Jr., USN (Ret.)
The Honorable James V. Hansen
General James T. Hill, USA (Ret.)
General Lloyd W. Newton, USAF (Ret.)
The Honorable Samuel K. Stinner
Brigadier General Sue Ellen Turner, USAF (Ret.)

Executive Director:
Charles Battaglia

May 6, 2005

*The Honorable Michael L. Dominguez
Acting Secretary of the Air Force
1000 Defense Pentagon
Washington, DC 20330-1670*

Dear Mr. Secretary:

In anticipation of our receipt of the Base Closure and Realignment recommendations, the Commission requests that you and the Air Force Chief of Staff provide testimony at 9:30 am, Tuesday, May 17, 2005 in Senate Dirksen G50 in which you outline the extent of the recommendations as they affect the Department of the Air Force, the military value to be achieved as well as your view of the impact on other criteria to include environment and economic.

In addition, the Commission would appreciate testimony by you or your representatives on the methodology that was employed to arrive at the recommendations.

The Commission would appreciate receiving a copy of your statement for the record by noon Friday, May 16th in hard copy and electronic format (CD). Further, we would appreciate it if your staff would make available at the start of the hearing 100 copies of your statement for the record.

My point of contact for this hearing is my Executive Director, Charles Battaglia at 703-699-2952.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony J. Principi".

Anthony J. Principi
Chairman



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600

Arlington, VA 22202

Telephone: 703-699-2950

July 1, 2005

The Honorable Donald H. Rumsfeld
Secretary of Defense
1400 Defense Pentagon
Washington, D.C. 20301-1000

Dear Secretary Rumsfeld:

As you are aware, before the Base Closure and Realignment Commission can even consider making a change in your recommendations that would add military installations for closure or realignment, or expand a realignment, we are required by Section 2914(d)(3) of the Defense Base Closure and Realignment Act of 1990, as amended, to seek an explanation from you as to why such actions were not included on your May 13, 2005 list. A series of issues on installations on which we seek such explanation is enclosed. No deliberation will be made on whether to include any of these installations for further study of closure or realignment until the Commission's open hearing of July 19, 2005. Therefore, we would greatly appreciate receipt of your explanation no later than July 18th.

In addition, we invite you or your representative to elaborate on these explanations at a public hearing to be held in the Washington, D.C. area at 8:30 a.m. on July 18, 2005.

If, at the July 19 hearing, seven or more Commissioners support adding an installation to your list for consideration, at least two Commissioners will visit each of the installations added to your list and public hearings will be conducted regarding them. While this is a requirement of law, the Commission's view is that such public hearings are not only mandatory, but also highly desirable.

At the Commission's final deliberations during the week of August 22, the vote of at least seven Commissioners will be required to effect any change in your recommendations that would close or realign an installation that you did not recommend for such closure or realignment, or expand a realignment that you recommended.

Your assistance in complying with this stringent timetable will be greatly appreciated.

Sincerely,

Anthony J. Principi
Chairman

Enclosure

Chairman: Anthony J. Principi

Commissioners: The Honorable James H. Bilbray, The Honorable Philip E. Coyle III, Admiral Harold W. Gehman Jr., USN (Ret), The Honorable Jim Hansen, General James T. Hill, USA (Ret), General Lloyd Newton, USAF (Ret), The Honorable Samuel K. Skinner, Brigadier General Sue Ellen Turner, USAF (Ret)

Executive Director: Charles Battaglia



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET, SUITE 600
ALEXANDRIA, VA 22202
TELEPHONE: 703-699-2950
FAX: 703-699-2975

23 MAY 2005

Chairman:
The Honorable Anthony J. Principi

Commissioners:
The Honorable James H. Blibray
The Honorable Philip E. Coyne III
Admiral Harold W. Gehman, Jr., USN (Ret.)
The Honorable James V. Hansen
General James T. Hill, USA (Ret.)
General Lloyd W. Newton, USAF (Ret.)
The Honorable Samuel K. Skinner
Brigadier General Sue Ellen Turner, USAF (Ret.)

Executive Director:
Charles Battaglia

The Honorable Alberto R. Gonzales
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Ave., N.W.
Washington, D.C. 20530-0001

Dear Attorney General Gonzales:

As Chairman of the Base Closure and Realignment Commission I request your opinion regarding the legal authority of the Secretary of Defense to effect changes to National Guard and Air National Guard units and installations. The Commission is severely constrained in formulating its recommendations to the President as to which military installations should be closed or realigned without a clear understanding of the Secretary's authority.

Title 10, United State Code, Section 18238 and Title 32, United States Code, Section 104 (c) require permission of the governors of the states in which National Guard and Air National Guard units and installations are located before they may be "changed" or "relocated or withdrawn." I am not aware of any authority that clearly indicates contrariwise.

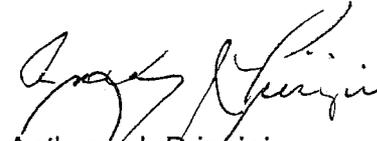
I ask for your opinion on this issue: does the Federal government, acting through the Defense Base Closure and Realignment Act of 1990, as amended, possess the authority to carry out the proposed realignments and closures of Army National Guard and Air National Guard installations in the absence of a consultative process with the governors of the various states? If not, what measures would be necessary to satisfy the consultation requirement?

We need to know whether the National Guard and Air National Guard units and installations that the Secretary has recommended be closed or realigned will, if the Commission concurs with those recommendations, be closed or realigned within the statutory time limits. Will the litigation being contemplated by various state attorneys

general, or other intervening legal proceedings, delay the process or abort it completely?

In order that we might fulfill our duty under the Defense Base Closure and Realignment Act of 1990, as amended, we must test the recommendations of the Secretary of Defense against the selection criteria and force-structure plan that he used in developing his list of military installations to be closed or realigned. Upon determining that the Secretary deviated substantially from the selection criteria and force-structure plan we can remove installations from his list. After making the same determination and meeting other statutory requirements we can add installations to his list. We are also authorized to make other changes to the list, such as privatization-in-place, as alternatives to actions proposed by the Secretary.

While all installations must be evaluated independently, many decisions that the Commission must make are interrelated. The process is involved and complex. Timely action is critical for the expected military value on which the closure or realignment is based to be realized. The legal opinion I have requested of you will provide the Commission the reasonable certainty needed to make informed decisions regarding not only the National Guard and Air National Guard installations being considered for closure or realignment, but also the many other installations affected by those decisions.



Anthony J. Principi
Chairman

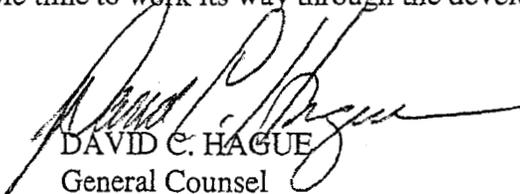
BRAC/GC/dch
May 23, 2005

MEMORANDUM FOR THE CHAIRMAN
DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

Subj: SECDEF AUTHORITY TO EFFECT CHANGE ICW NG AND ANG FACILITIES

Encl: (1) Ltr from Chairman to AG of U.S.

1. The enclosed letter from you to the U.S. Attorney General requests his legal opinion regarding the authority of the Secretary of Defense to close, realign, or otherwise change the status of National Guard and Air National Guard facilities. Two provisions of the United States Code referenced in the enclosure indicate that the Secretary can take such actions only with the consent of the governor of the state in which the facility is located. The BRAC statute, as amended, arguably gives the Secretary authority to effect such changes. Other statutes may also be interpreted to give him that authority and/or limit the ability of state governors to interfere in actions by the Secretary. I have not, however, identified any unquestionable authority to support the Secretary's belief that he has the subject authority.
2. I have sought information from DoD General Counsel about any position they have taken on the issue but have received no reply. I have had better fortune in my contact today with the Congressional Research Office. Their American Law Division is preparing an opinion on the issue due for release to interested parties in the Congress this week. I am told that we will likely be able to get a copy of the opinion. We are also checking with the National Guard Bureau legal office to determine if they have developed a position on the issue that they are willing to provide to us.
3. You will recall that Under Secretary Wynne stated in this testimony last week that DoD believes the matter to have been settled in the 1995 BRAC. Others mentioned at the hearings that the process and decisions had been coordinated with state adjutants general. That involvement and concurrence may be deemed tantamount to approval by governors, especially if the adjutants general have delegated authority to act in such matters.
4. A favorable response to your request of the Attorney General for an opinion seems unlikely. He will probably have the same concern DoD appears to have about providing executive branch legal support to the independent (of the legislative and executive branches) BRAC Commission. He may also have already advised the President on the issue and be unwilling to divulge information he considers protected by the attorney-client privilege. If he is willing to issue an opinion, it will probably take considerable time to work its way through the development and release process.


DAVID C. HAGUE
General Counsel

ANTHONY J. PRINCIPI

August 8, 2005

The President
The White House
Washington, DC 20500

Dear Mr. President:

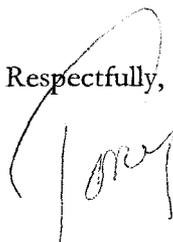
I understand Senator Olympia J. Snowe, Chair, Senate Small Business Committee, has submitted the name of Scott Denniston to be considered for the position of Deputy Administrator, Small Business Administration. I have know and worked with Scott for over 15 years while on the Senate Veterans Affairs Committee, Deputy Secretary of Veterans Affairs, Chairman of the Congressional Commission on Veterans Transition Assistance, and as Secretary of Veterans Affairs.

I know Scott to be a very knowledgeable, dedicated, and an enthusiastic supporter of the Nation's small businesses. He was responsible for the Transition Commission's recommendations to Congress regarding a entrepreneurship program for our Nation's veterans. While I was Secretary he was instrumental in working toward the passage of Public Laws 106-50 and 108-183 dealing with veteran entrepreneur issues. He work closely with Administrator Safavian at Office of Federal Procurement Policy in crafting Executive Order 13360, which you signed on October 20, 2004 supporting service-disabled veteran entrepreneurs. Scott is a tireless advocate for veteran small business owners and established at VA the Center for Veterans Enterprise to provide assistance to veterans wishing to start and grow small businesses.

I know he is very dedicated to your policies of assisting the Nation's small businesses to be the driving force in our economy. He would be an outstanding Deputy Administrator for the Small Business Administration.

Thank you for your consideration.

Respectfully,



Anthony J. Principi

cc: Liza Wright



DCN: 12277

DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET, SUITE 600
ARLINGTON, VA 22202
TELEPHONE: 703-699-2950
FAX: 703-699-2735

Chairman:
The Honorable Anthony J. Principi

Commissioners:
The Honorable James H. Billrey
The Honorable Philip E. Coyle III
Admiral Harold W. Gehman, Jr., USN (Ret.)
The Honorable James V. Hansen
General James T. Hill, USA (Ret.)
General Lloyd W. Newton, USAF (Ret.)
The Honorable Samuel K. Skinner
Brigadier General Sue Ellen Turner, USAF (Ret.)

Executive Director:
Charles Battaglia

May 31, 2005

The Honorable Gordon England
Acting Deputy Secretary of Defense
1000 Defense Pentagon
Washington, D.C. 20301-1000

Dear Secretary England:

Thank you for your e-mail advising that you will provide the BRAC Commission with access to the classified versions of the outstanding information requested including the minutes reflecting the Department's deliberative record and the data underpinning its recommendations by the close of business on May 31, 2005. Further, I understand from your draft letter to Senator Warner that the public will have access to all of the unclassified information by Saturday, June 4. May I presume that this includes the information that is being made available to the Commission and the Congress in classified form on May 31?

To ensure that the public will have ready access to all of this information in a timely manner, it is the Commission's position that the Department of Defense should release the information directly on June 4th and not the Commission. The Commission would access the information from the DoD website.

Any further delay in the June 4th availability of outstanding BRAC-related information will negatively impact the Commission's ability and schedule in evaluating the recommendations presented by Secretary Rumfeld on May 13, 2005.

I greatly appreciate your concerns for not revealing classified information and your consideration of this request.

Sincerely,

Anthony Principi
Chairman

Draft of 27 May 05

Earl, Robert, CIV, OSD

To: Battaglia, Charles, CIV, WSO-BRAC
Subject: BRAC Data

Charlie:

Secretary England has sent the e-mail and attachment below directly to Tony. I just wanted to send you one as well, as a back-up to ensure you all received it today.

Bob

From: Gordon England, Acting Deputy Secretary of Defense
To: Chairman Principi
Subject: BRAC Data

Dear Tony,

During the past few days there has been some uncertainty regarding the availability of BRAC data for the Commission, Congress and the public. The attached letter clarifies this situation and hopefully will be helpful to you and to the other members.

Gordon



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May 27, 2005

The Honorable John Warner, Chairman
Committee on Armed Services
United States Senate
Washington, D.C. 20510-6060

Dear Chairman Warner:

As a follow up to our phone conversation yesterday and your correspondence of May 26, this letter outlines the manner in which DoD is meeting the requirements of the law governing the transparency of the BRAC process.

A list of the Department's closure and realignment recommendations was delivered to the Commission and Congress on May 13, three days in advance of the statutory May 16 deadline. Additionally, a summary of the selection process that resulted in the recommendations, including a justification for each recommendation, was included in Volume 1 of the Department's BRAC report. This information was due to the Commission and to the Congress within seven days. It was delivered to the Commission and to the Congress and posted on the Department's BRAC website on May 13.

In addition to the Department's initial legal submission, to further support the Commission's and the public's understanding of the Department's recommendations, the Department has already provided significant information including:

- the classified force structure plan (Volume 2);
- reports by the Military Departments and the Joint Cross Service Groups (Volumes 3 through 12);
- 222 recommendation binders containing the Department's analysis of each recommendation against all eight selection criteria;
- Cost of Base Realignment Action Model with static data;
- installation imagery of bases to be visited; and
- testimony to the Commission by senior DoD officials.

The Department is also preparing to submit, early next week, the minutes reflecting its deliberative record and the extensive volume of data underpinning its recommendations. The statute does not establish a time by which the Department must make this information available to the Commission and Congress, but we will make it available by close of business on May 31.

As with prior rounds of BRAC, because this supplementary information includes classified material that requires appropriate handling, the Department is establishing handling procedures for this supplementary information.

Unlike prior BRAC rounds, however, the extent of this supplementary information is unprecedented in terms of volume, level of detail, and electronic access. The volume alone is vastly larger than that collected in prior BRAC rounds. Accordingly, the Department has established handling procedures appropriate to the size and sensitivity of the database.

During prior BRAC rounds, the Commission and the congressional defense committees established reading rooms in which files of this supporting data were maintained. Some of this supplementary data in previous BRAC rounds was classified, and that is true with this BRAC round, too.

During our discussions with committee staffs in the period leading up to the completion of the Department's recommendations, committee staffs expressed a desire to include as much of the supplementary data in electronic form as feasible, which we are doing. Because the data are only in digital form, unlike prior BRAC rounds, the fully aggregated database is temporarily classified SECRET while we proceed with the process of disaggregating and declassifying substantial portions of it.

We intend to declassify as much of it as possible and to make it available to the public. We believe the full volume of data available to the Congress, the BRAC Commission, and the public will be substantially greater than was made available in prior BRAC rounds.

The plan for making available the supplemental BRAC information is as follows:

- The BRAC Commission, members of Congress, and their respective staffs with SECRET clearances will have access to the entire digital database accessible on computers in a secure reading room in Crystal City near the BRAC Commission offices by Tuesday evening, May 31. Consistent with prior BRAC rounds, we are also working with Congressional staff to establish a similar secure reading room on Capitol Hill.
- The public, through the BRAC Commission, will have access to all unclassified information by Saturday, June 4.
- DoD will expedite interim SECRET clearances as required for Commission and Congressional staff.
- As with previous BRAC rounds, the Department, Commission, and Congress will have appropriate handling procedures for any information that remains classified.

Thank you again for the opportunity to bring you up to date on this matter. Please let me know if I may be of further assistance as we go forward.

Sincerely,

Gordon England

Cc:	Senator Byrd	Representative Edwards
	Senator Cochran	Representative Hunter
	Senator Feinstein	Representative Lewis
	Senator Inouye	Representative Murtha
	Senator Levin	Representative Obey
	Senator Stevens	Representative Skelton
		Representative Walsh
		Representative Young



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600

Arlington, VA 22202

Telephone: 703-699-2950

September 23, 2005

Colonel Maritza S. Ryan, U.S. Army
Department of Law
United States Military Academy
646 Swift Road
West Point, NY 10996-1905

Dear Colonel Ryan:

I want you to know how much I appreciate the assistance provided to us by Lieutenant Colonel Kevin Govern. We were in need of an outside perspective on the base closure and realignment (BRAC) process, and through the good offices of Gary Solis, were put into contact with Kevin. Our expectations of quality assistance were fulfilled and needs fully met.

Kevin proved to be a remarkably quick study, creative thinker, and accomplished writer. He responded within days of his visit to our offices with a well-developed, artfully written strategic overview of the BRAC process. He expanded and refined his work in later submissions based upon additional material we were able to provide to him. I was very impressed by his clear thinking and fast action.

Thank you for permitting Lieutenant Colonel Govern to work with us. Although I have never doubted the rigor and overall excellence of instruction at West Point, seeing Lieutenant Colonel Govern's work confirms my belief that the Army's future leaders are in good hands.

Sincerely,

A handwritten signature in black ink, reading "Anthony J. Principi". The signature is written in a cursive, flowing style.

Anthony J. Principi
Chairman

Chairman: Anthony J. Principi

Commissioners: The Honorable James H. Bilbray, the Honorable Philip E. Coyle III, Admiral Harold W. Gehman Jr., USN (Ret), the Honorable Jim Hansen, General James T. Hill, USA (Ret), General Lloyd Newton, USAF (Ret), the Honorable Samuel K.

Skinner, Brigadier General Sue Ellen Turner, USAF (Ret)

Executive Director: Charles Battaglia

CHRISTOPHER H. SMITH
4TH DISTRICT, NEW JERSEY

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Congress of the United States
House of Representatives

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**AFRICA, GLOBAL HUMAN RIGHTS
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OPERATIONS SUBCOMMITTEE**
CHAIRMAN

**COMMISSION ON SECURITY AND
COOPERATION IN EUROPE**
CO-CHAIRMAN

June 16, 2005

Chairman Anthony Principi
BRAC Commission
2521 South Clark Street
Suite 600
Arlington, VA 22202

Dear Chairman Principi:

As a follow-up to our recent telephone conversation, I am enclosing two background memos prepared by the *Friends of Navy Lakehurst* that address two of the specific issues I raised during your visit to New Jersey on June 3, 2005. I appreciate your offering to meet before the end of this month, to discuss these matters in greater detail.

As you know, the DOD recommendation for Lakehurst Naval Air Engineering Station is to modestly realign Lakehurst and include it in a new joint base facility with Fort Dix and McGuire Air Force Base. While the community believes that this is a positive recommendation, we do believe there are minor refinements the BRAC Commission can advance through its report to enhance the value of this recommendation for the community, the DOD, the base, and the taxpayer:

1) Joint Basing. In working with *Friends of Navy Lakehurst*, it is my hope that the BRAC Commission will validate DOD's recommendation for Joint Basing and support formation of the Joint Bases defined in the May 13 report. Additionally, we urge you to consider building upon the recommendation and giving it direction as well as a greater probability of meeting its goals by establishing a Joint Basing Office in OSD. DOD hopes to achieve enormous savings by consolidating installations that share common boundaries and execute similar maintenance, contract and other base functions. This will be a new and in some cases dramatic "experiment" and we believe a Joint Basing office is very much needed to provide policy and process guidance to address the many issues that will come up in the first few years of the joint basing model. The Joint Basing office would also be key to precluding any possibility of inconsistent management of the 12 Joint Bases that could result from their distribution across individual services;
(Enclosure 1)

2) Successful Implementation of Fleet Readiness Centers. Similarly, it is our hope that the BRAC Commission will endorse the Navy recommendation to establish Fleet Readiness Centers to achieve efficiencies and savings in Aviation Maintenance. Still, to achieve even greater efficiencies, we strongly recommend that a seventh FRC be named for the in-service maintenance of the Aircraft Launch & Recovery Equipment and Aviation Support Equipment (ALRE/SE) commodities. The enclosed *Friends of Navy Lakehurst* analysis of the Industrial

Chairman Principi
Page Two
June 16, 2005

JCSG commodity approach reveals that no commodity grouping was made available to capture the maintenance activities for ALRE/SE. As an example, activities currently performing maintenance on Catapult and Arresting Gear systems (the two missions unique to Navy Lakehurst) and components therein have been, we believe, misaligned to the Aircraft FRCs or simply left out of the FRC recommendation entirely. Thus through its report, we hope the BRAC Commission will clarify and improve upon the FRC approach and name a seventh Fleet Readiness Center to be located at the Joint Base McGuire/Dix/Lakehurst. (Enclosure 2).

I thank you, Mr. Chairman, for your always conscientious and personal attention to matters of critical importance to our national security, military operations and veterans. I have asked my Chief of Staff, Mary McDermott Noonan, to follow-up with your staff to determine what time is mutually convenient for this meeting.

 Sincerely,


CHRISTOPHER H. SMITH
Member of Congress

enclosures

1. Recommendations for Successful Joint Basing

Background and Analysis: The Secretary of Defense has repeatedly defined the principal purpose of BRAC 2005 as Joint Transformation. With this point in mind, the process used in this BRAC included more Joint analysis than in any past round, and has resulted in recommendations that will require a more transformational implementation approach than seen previously. One of the significant Joint recommendations included in the DOD report is the formation of Joint Bases at select locations where multiple, single-service facilities exist in close proximity to each other. This recommendation is the product of the Headquarters, Support, and Administration (HSA) Joint Cross Service Group and is provided as one consolidated recommendation that includes 25 current sites that will be formed into 12 future Joint Bases. The HSA section of the BRAC report summarized the challenge in getting to this point in the Military Value Analysis section:

*“Because the efforts of the HSA JCSG represent seminal Joint functional analysis, there were many challenges associated with the data and subsequent analyses. Since many of these functions currently operate independently and differently across the MILDEPs and DOD entities, there is a great potential for increased efficiency and effectiveness of these operations. However, the same **current operational characteristics offer significant challenges in terms of data collection and comparison, as each entity currently reports based on its particular method of operation**”.*

The actual HSA JCSG recommendation for Joint Basing includes a Payback section that states:

“The total estimated one-time cost to the Department of Defense to implement this recommendation is \$50.6M. The net of all costs and savings to the Department during the implementation period is a savings of \$601.3M. Annual recurring savings to the Department after implementation are \$183.8M with an immediate payback expected. The net present value of the costs and savings to the Department over 20 years is a savings of \$2,342.5M”.

Further review of the HSA JCSG recommendation indicates that management of the Joint Bases to be established will be distributed across the services. There is no apparent attempt to provide overarching policy, process, or oversight and it is judged that this recommendation does not sufficiently support the Department’s stated goal of Joint Transformation, nor does it go far enough to overcome the challenges of operating independently and differently across the services, as stated by the HSA JCSG. Most importantly, this report cites this recommendation as a \$2B+ idea that will have no single organization accountable for achieving the projected savings or efficiencies.

Recommendation: To achieve the Joint Transformation so critical to our National Security and the significant cost savings and efficiencies cited in the BRAC report, it is imperative that a Joint Basing Office be established at OSD. This Joint Basing Office shall be responsible for consistent Installation Management policy and process across the Joint Bases, achieving the projected cost savings from establishment of the twelve recommended Joint Bases, and further developing Joint Basing as model for the future of Installation Management across DoD.

2. Successful Implementation of Fleet Readiness Centers

Background and Analysis: The Navy approach to Fleet Readiness Centers (FRCs) is Transformational and has excellent potential to achieve the projected efficiencies and savings. The six FRCs proposed will reduce the total number of sites performing aviation maintenance, integrate Intermediate and Depot levels of Maintenance into a single process, and establish single performance accountability across geographically dispersed sites.

While the six proposed FRCs appear to be purely regional consolidations it is clear that the Industrial JCSG has approved an operating model that consolidates along product lines, as well. The Industrial JCSG Maintenance sub-group section of the BRAC report states that:

"The maintenance sub-group determined the best approach was to assess military value for both depot and intermediate maintenance and combat field support/intermediate maintenance functions at the commodity group level."

Further, it states:

"It was felt the commodity group approach would maximize jointness and enhance efficiencies and effectiveness."

Analysis of the Industrial JCSG commodity approach reveals that no commodity grouping was made available to capture the maintenance activities for ALRE/SE. For example, activities currently performing maintenance on Catapult and Arresting Gear systems and components have been misaligned to the Aircraft FRCs or left out of the FRC recommendation entirely.

It is fully understandable how this may have occurred considering the volume of information being handled, the short turn around times required, and the multiple dimensions being considered in this BRAC process. This issue should not detract from the transformational nature of the Navy's FRC approach. It is pointed out as an opportunity to adjust the final configuration.

A similar association could have been made for ALRE/SE Research, Development, Acquisition, Test, and Evaluation (RDATE) capabilities considered under purview of the Technical JCSG. It is noteworthy that the unique nature of this commodity group was affirmed by Technical JCSG and documented in the BRAC report on page 37. For the recommendation to Establish Centers for Fixed Wing Air Platform RDATE it states:

"Lakehurst will be retained as a dedicated RDATE facility for Aircraft Launch & Recovery Equipment and Aviation Support Equipment."

Recommendation: In order to achieve all the stated objectives of the Navy's transformation to Fleet Readiness Centers, it is imperative that in-service maintenance for the unique Naval commodity ALRE/SE follow suit and be included into the FRC operating model. This seventh Fleet Readiness Center will be responsible for all locations performing Intermediate and Depot maintenance of this commodity, accountable for achieving ALRE/SE Readiness objectives, and have the Command collocated with ALRE/SE RDATE at Lakehurst, the acknowledged Center of Excellence for ALRE/SE.

The ALRE/SE FRC should be composed of the following as a minimum:

- ALRE Manufacturing and Depot Repair @ Lakehurst
- Voyage Repair Teams @ Mayport/Norfolk/North Island
- ALRE/SE In-service Engineering and Logistics @ Lakehurst /Jax /Cherry Point/North Island
- Fleet Technical Reps @ Multiple Fleet Sites (CAFSU/ASIR/EASU)
- SE AIMDs at multiple sites
- SE Rework Facility @ Solomon's Island



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

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July 28, 2005

*The Honorable Jeb Bush
The Capitol
400 S. Monroe Street
Tallahassee, FL 32399-0001*

Dear Governor Bush:

During the Base Closure and Realignment Commission's Regional Hearing at New Orleans on 22 July, several members of the Florida delegation suggested relocating the Navy's east coast Master Jet Base, presently at Oceana Naval Air Station in Virginia, to Cecil Field. You, however, did not mention the possibility of such a move in your remarks.

If you do in fact support the move, the Commission would appreciate your written comments regarding this concept in order for the present Cecil Field complex to be considered as a potential alternative site. The Department of Defense and the Navy would require the removal of all the industrial and commercial activities (non-DoD related) presently operating at the Cecil Field complex so that the Navy Master Jet Base would be able to conduct continuous, unencumbered flight operations, training and other required military activities. Additionally, a suitable outlying field would be required to conduct high tempo flight operations.

Please advise the Commission whether the state and local governments have formal interest in the concept and would support, direct or comply with the foregoing conditions and any other restrictions (for example, environmental restrictions from building within the fence line, encroachment into clear zones or accident potential zones, etc.) that may arise should the BRAC Commission consider the relocation of the Navy's Master Jet Base to Cecil Field as a potential alternative. In addition, the Commission would be interested in knowing whether your office has communicated its interest in pursuing this concept with the Department of Defense or the Department of the Navy and the outcome of those communications.

Your timely response will help the Commission to better understand the feasibility of such an option prior to our final deliberations now scheduled for the week of August 22nd. Naturally, we will be reviewing operational and legislative issues regarding this consideration on a parallel track to your research and reply activity.

Sincerely,

*Anthony J. Principi
Chairman*

Chairman: Anthony J. Principi

Commissioners: The Honorable James H. Bilbray, The Honorable Philip E. Coyle III, Admiral Harold W. Gehman Jr., USN (Ret), The Honorable Jim Hansen, General James T. Hill, USA (Ret), General Lloyd Newton, USAF (Ret), The Honorable Samuel K. Skinner, Brigadier General Sue Ellen Turner, USAF (Ret)

Executive Director: Charles Battaglia



N: 12277

DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600

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August 2, 2005

The Honorable Lisa Murkowski
United States Senate
Washington, DC 20510-3101

Dear Senator Murkowski:

Thank you for your letter of July 13, 2005 expressing your concern about the impact of recusals on Commission voting and the ability of the Commission to carry out its statutory duties.

I understand and share your concerns about the soundness, correctness, and integrity of the Base Realignment and Closure (BRAC) process. I have once again closely re-examined Commission practice and procedures and reviewed our current situation, including the status of the four commissioners who have recused themselves from voting in certain circumstances.

As you noted, Commissioners Coyle and Gehman recused themselves in accordance with ethics agreements they signed during the confirmation process because of BRAC-related activity in California and Virginia respectively. Commissioner Bilbray recused himself because of his long-time representation of Nevada in the Congress and other public offices. Commissioner Hansen recused himself with regard to Utah for the same reason.

The recusals were made publicly at a Commission hearing held on May 19, 2005. As a result of their recusals, the commissioners cannot deliberate or vote on matters relating to installations in their home states or to installations in other states that are substantially affected by closures and realignments of installations in their home states. The decisions of the commissioners to selectively recuse themselves were voluntary and fully informed. Commissioners Coyle and Gehman chose to honor the ethics agreements they had signed. Media accounts notwithstanding, Commissioners Bilbray and Hansen understood and continue to understand that their recusals are entirely voluntary and not required by the ethics statute or by any binding precedence.

The actions of Commissioners Bilbray, Coyle, Gehman, and Hansen in limiting their participation in certain Commission actions reflect the importance they place on their personal integrity and the public trust. Their actions can only serve to enhance the reality and perception of the Commission as open, honest, and totally independent.

I thank you again and assure you that the Commission will be able to carry out its statutory responsibilities as currently configured and with its adopted rules. Please be assured that we will continue to be guided by a well-grounded understanding of the law and of our responsibility to fulfill the mandate that guides our actions, that is to be open and thorough in our deliberations and fair and resolute in our decisions.

Sincerely,

Anthony J. Principi
Chairman

Chairman: Anthony J. Principi

Commissioners: The Honorable James H. Bilbray, The Honorable Philip E. Coyle III, Admiral Harold W. Gehman Jr., USN (Ret), The Honorable Jim Hansen, General James T. Hill, USA (Ret), General Lloyd Newton, USAF (Ret), The Honorable Samuel K. Skinner, Brigadier General Sue Ellen Turner, USAF (Ret)

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Executive Correspondence

LISA MURKOWSKI
DCN 4669
ALASKA

MAJORITY DEPUTY WHIP

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CHAIRMAN, SUBCOMMITTEE ON
WATER AND POWER

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CHAIRMAN, SUBCOMMITTEE ON
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July 13, 2005

The Honorable Anthony J. Principi
Chairman
Defense Base Closure and Alignment Commission
2521 South Clark Street
Arlington, Virginia 22202

Dear Mr. Principi:

As the 2005 BRAC round proceeds, I am increasingly concerned about the effect that recusals by several members of the Defense Base Realignment and Closure (BRAC) Commission will have upon the Commission's ability to fulfill the important public trust responsibilities expected of them under applicable laws and regulations. By way of example, I understand that one Commissioner may have to abstain from most of the votes but his failure to fully participate will not affect the requirement that a majority of the seated Commissioners must affirmatively vote to take a base off of the BRAC list. Other Commissioners have expressed their intention to abstain from specific votes. It is in the public's interest that every Commissioner participates in the deliberations of the BRAC Commission as fully as the law allows. Ideally, no BRAC Commissioner should be forced to recuse him or herself from participating in any issue before the Commission.

At the Commission's public meeting on May 19, 2005, Commissioners Bilbray, Coyle, Gehman and Hansen announced that they would recuse themselves from certain decisions of the BRAC Commission. It is my understanding that Commissioners Coyle and Gehman engaged in certain activities related to the 2005 BRAC round prior to their appointment to the BRAC Commission that required each to recuse himself under an Ethics Agreement that all of the Commissioners signed as a condition of appointment. There seems to be little controversy over their decisions given the circumstances.

Commissioners Bilbray and Hansen, on the other hand, appear to have recused themselves from decisions involving their home states solely because they formerly served in elective office from those states.¹ I am particularly concerned about the voluntariness of Commissioner Bilbray's decision.

¹ Letter from Anthony J. Principi, Chairman, BRAC Commission to the Honorable Ted Stevens, United States Senate, June 17, 2005 and enclosed Extract of Transcript of the May 19, 2005 Public Meeting of the BRAC Commission, March 8, 2005. Commissioner Hansen indicated that he would recuse himself from

Executive Correspondence
DCN 4669

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Media accounts indicate that Commissioner Bilbray made this decision after consultation with the BRAC Commission's counsel.² However, one article suggests that Commissioner Bilbray was given little choice in the matter. This article quotes Commissioner Bilbray as stating, "I was kind of shocked when our counsel advised me to recuse." Commissioner Bilbray spoke to the reporter who wrote this story immediately after the May 19th Commission meeting at which he announced his recusal.³

Questions about the voluntariness of Commissioner Bilbray's recusal arose once again at the BRAC Commission's Alaska Regional Hearing on June 15, 2005. An article that appeared the day prior to the hearing cast doubt on whether the Commissioner's recusal applied to the proposed removal of fighter aircraft from Eielson AFB to Nellis AFB. In that article, Bilbray was quoted as follows:

I'm going to do what's right for the country...I think the people in Alaska will find that I'll be very fair in this matter. And if I don't think those planes should go to Nellis, I'll be one of the first to say that.

The article goes on to quote Commissioner Bilbray as follows, "I think Nellis needs more planes like a hole in the head; they've got so many there already."⁴

The following day, Commissioner Bilbray said he would recuse himself from BRAC Commission votes related to the proposed transfer of F-16 aircraft to Nellis AFB, again on the advice of the Commission's counsel. However, he continued to insist that he had no intention of favoring his home state in his work on the BRAC Commission. Quite the contrary, Commissioner Bilbray suggested that he was favorably disposed to keeping the F-16 aircraft at Eielson AFB.

I've been leaning against the recommendation to realign Eielson...I could very well have been a 'no vote' that they cancelled out.

I feel bad for the people of Alaska...I've been very sympathetic to those bases.⁵

substantial participation in any portion of the BRAC Commission that would affect any installation in the State of Utah on the grounds that he has held public office in Utah for forty-two years, 22 of which as a member of Congress. Commissioner Bilbray indicated that he was recusing himself from any work "in regard to the State of Nevada in these particular deliberations," "in advice of the Ethics Council (sic) to our Commission."

² Sam Bishop, Bilbray Mulls Recusal for Eielson Votes, Fairbanks Daily News-Miner, June 14, 2005.

³ Samantha Young, Ex-Congressman Quits Work Involving State Military Sites, Las Vegas Review-Journal, May 20, 2005.

⁴ See, note 2.

⁵ R.A. Dillon, BRAC Commission to Take Second Look at Recusals, Fairbanks Daily News-Miner, June 16, 2005. (Emphasis added)

Executive Correspondence
DCN 4669

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These news media accounts also suggest that the BRAC Commission staff was confused about the applicable ethics rules. On June 14, Commission spokesman Jim Schaefer was quoted as saying that he didn't believe Commissioner Bilbray needed to recuse himself on the Eielson issue. Schaefer said, "From what I've heard he's not planning to."⁶

On June 15th, Schaefer is quoted as saying that "Commission bylaws mandate that commissioners abstain from voting on issues that directly affect their home states." Bilbray, on the other hand, contended that the recusal decision followed questions from the media about his impartiality.⁷

You were quoted in the June 15 story as indicating that "the Commission would meet with its legal counsel [the following week] to review the recusal process." That article also quotes you as saying that "If we keep recusing people every time there's a potential minor conflict we're going to run into trouble."⁸ I fully expected that this meeting would include all of the Commissioners. I was disappointed to learn that you were the only Commissioner present.⁹

On June 21, 2005, following the meeting with counsel, you wrote Senators Stevens and Warner, that the previously announced recusals would remain in effect.¹⁰ My counsel, who was briefed on the outcome of the meeting by the BRAC Commission's General Counsel, informs me that the recusals by Commissioners Bilbray and Hanson were not withdrawn in deference to a precedent established by former Senator Dixon from Illinois who served on a prior BRAC Commission that has since sunsetted.

However worthy the precedent, and that in itself is debatable, it is not the law. I am informed that BRAC Commission is a chartered federal advisory committee, subject to the Federal Advisory Committee Act. The Commission's charter specifies that the Commissioners are "Special Government Employees" (SGEs). Contrary to the statements of the Commission's spokesperson, neither the Commission's charter, the procedural rules it has adopted, nor the Commission's principal governing legislation, the Defense Base Closure and Realignment Act of 1990, specify the conflict of interest or impartiality rules governing members of the BRAC Commission.

BRAC Commissioners, as SGEs, are subject to the mandates of federal ethics laws and the US Office of Government Ethics (OGE) government-wide ethics regulations. The OGE government-wide ethics regulations require that SGEs abstain from voting on matters before federal advisory committees on which they cannot cast an

⁶ See, note 2.

⁷ See, note 5.

⁸ Id. (Emphasis added)

⁹ See, note 1.

¹⁰ Letter from Anthony J. Principi to the Honorable John W. Warner, United States Senate, June 21, 2005.

Executive Correspondence
DCN 4669

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impartial vote.¹¹ However, these regulations define partiality in terms that would not require Commissioner Bilbray to abstain from any decision solely because his home state might win or lose in the vote.

The regulations require that an SGE abstain from participating in "particular matters" in which the SGE, a member of his or her household, or a person with which he or she has a "covered relationship" has a "direct and predictable financial interest." These matters must involve "specific parties"¹² Moreover, the SGE must only abstain if "a reasonable person with knowledge of the relevant facts would question his impartiality." These regulations do not require that an individual disqualify himself simply because a member of the press or the public might subjectively believe he is partial.¹³

Recognizing that it is impossible to predict all conceivable fact situations in regulations, the OGI¹⁴ encourages SGEs who are concerned that other circumstances would raise a question of impartiality to consult an Ethics Counselor.¹⁴ The regulations enumerate a series of factors to be considered by the Ethics Counsel in determining whether an individual's participation in a government decision "outweighs the concern that a reasonable person may question the integrity of the agency's programs and operations."¹⁵ The Ethics Counselor is expected to weigh the appearance that the government employee's decisions will be driven by his or her financial interest (or the financial interests of a related party) against the need for the employee to participate in the decision.¹⁶

The government-wide ethics regulations provide a roadmap for evaluating questions of impartiality, real or perceived. These regulations do not require a person to abstain from the performance of his or her official duties absent a showing that the individual, a family member or a close associate will benefit financially from the government employee's decisions. To the best of my knowledge, nobody has suggested that Commissioner Bilbray, his family members, or those associated with him, have any financial stake in the outcome of the BRAC Commission's deliberations.

Commissioner Bilbray's protestations in the media do not inspire confidence that he was offered the choice of following the government-wide ethics regulations or electing

¹¹ 5 C.F.R. 2635.501 - 502 (2005).

¹² See, 5 C.F.R. 2637.102(a) (7) (2005) for definitions of "specific matters" and "specific parties". DoD guidance, note 13, observes that "DoD advisory committees usually focus on policy-level issues and do not consider particular matters involving specific parties."

¹³ See, Standards of Conduct Office, DoD General Counsel, Keeping Committees Clear of Ethical Problems: An Ethics Guide for Designated Federal Officials of DoD Advisory Committees (February 10, 2004) (discussion of conflicts of interest), An Advisory Guide for Consultants and Advisory Committee Members at the Department of Defense (February 10, 2004) (discussion of impartiality), Employees' Guide to the Standards of Conduct (October 2002) at 8.

¹⁴ 5 C.F.R. 2637.501(a) (2005)

¹⁵ 5 C.F.R. 2635.502(d). (2005)

¹⁶ 5 C.F.R. 2635.502(d) (1)-(5).

Executive Correspondence
DCN 4669

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a more restrictive position as a matter of conscience. Weeks after reading Commissioner Bilbray's comments in the newspaper, I am still troubled by the Commissioner's protest that his possible vote against the realignment of Eielson AFB – a vote against the interests that supposedly disqualified him – would be “cancelled out,” presumably by the Commission's attorneys.¹⁷ I am left with the impression that the Commission's attorneys characterized the decision made by Senator Dixon some years back as the applicable law and “advised” Commissioner Bilbray to follow it.

Section 5(b) (3) of the Federal Advisory Committee Act sets forth Congress' expectation that the advice and recommendations of the advisory committee “will not be inappropriately influenced by the appointing authority...but will instead be the result of the advisory committee's independent judgment.”¹⁸ The arbitrary exclusion of committee members from participation in Commission decisions by staff members who are employed by the supporting agency necessarily raises an inference of interference.

The General Services Administration's Federal Advisory Committee Act regulations, at the suggestion of OGE,¹⁹ enumerate the specific responsibilities of an agency that supports an advisory committee to assure that the committee functions in an ethical fashion. These responsibilities include, “assur[ing] that the interests and affiliations of advisory committee members are reviewed for conformance with applicable conflict of interest statutes, regulations issued by the...OGE, including any supplemental agency requirements, and other Federal ethics rules.”²⁰

While advisory committees are also subject to other applicable laws, regulations and agency policies,²¹ my staff has not identified any authority to support the proposition that a BRAC Commissioner who once served, but no longer serves in elective office, must abstain from decisions that possibly could benefit or burden his home state.

Following the Commission's return from Fairbanks, my counsel suggested to the BRAC Commission's General Counsel that it might be helpful to seek a written “second opinion” on this critically important issue from the OGE or the Office of Legal Counsel of the United States Department of Justice. I think this is a fine suggestion and hope that you are taking advantage of the opportunity to have a fresh pair of eyes evaluate whether the advice given to Commissioner Bilbray, and perhaps to other Commissioners, was

¹⁷ See, note 5.

¹⁸ 5 U.S.C. Appendix. Although the language of Section 5(b)(3) establishes standards for legislation to create new advisory committees, the General Services Administration (which promulgates government-wide standards for the operation of federal advisory committees under authority granted in Section 7(c)) has interpreted it as a congressional mandate that advisory committees function independently of their appointing authorities. See, Final Rule, Federal Advisory Committee Management, 66 Fed. Reg. 37731 (July 19, 2001).

¹⁹ Id.

²⁰ 41 C.F.R. 102-3.105(h) and Appendix A to Subpart C (Point IV).

²¹ 41 C.F.R. 102-3.125(c) and Appendix A to Subpart C (Point VI)

Executive Correspondence
DCN 4669

-6-

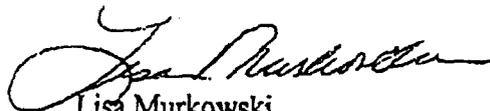
unjustifiably restrictive. This written opinion needs to be completed before the Commissioners begin reviewing the staff recommendations.

Please understand that I share the Commission's desire to operate above reproach and free from any real or perceived bias. However, I would respectfully submit that it is just as egregious to arbitrarily exclude an unbiased Commissioner from full participation as it is to permit a Commissioner with a direct and substantial financial interest in the outcome of a decision to fully participate.

In formulating this letter I found the observations of Jack Maskell, a Legislative Attorney for the Congressional Research Service, in a report entitled, "Entering the Executive Branch of Government: Potential Conflicts of Interest With Previous Employments and Affiliations" (March 23, 2003), quite illuminating, and I have enclosed a copy of the report for your review. I would specifically direct your attention to the "Note on General 'Impartiality,' Alleged 'Bias,' and Past Affiliations or Activities" which begins on page CRS-17 and concludes on page CRS-19. Mr. Maskell's analysis, which defines impartiality as the absence of a financial conflict of interest, suggests that the Commission's attorneys got this decision wrong in a very big way.

I appreciate your thoughtful consideration of this views expressed in this letter and look forward to your reply.

Sincerely,



Lisa Murkowski
United States Senator

Enclosure

cc: BRAC Commission Members

Executive Correspondence
DCN 4669

703 699 2735



BRAC Commission

JUL 14 2005

Received

Office of Senator Lisa Murkowski
Fax Transmission



Fax: (202) 224-5301 • Voice: (202) 224-6665



TO: Hon. ANTHONY J. PRINCIPAL
C/O CHARLES V. BATTAGLIA

FROM: NATHAN BERGERBEST FOR SEN. MURKOWSKI

PAGES: 28

MESSAGE: URGENT



DCN: 12277

DEPARTMENT OF DEFENSE
NATIONAL DEFENSE UNIVERSITY
WASHINGTON, D.C. 20310-0166

CTNSP 8FT
ADM HAL GEHMAN
CHARLIE BATTAGLIA

REPLY TO
ATTENTION OF:

NDU-CTNSP

29 June 2005

The Honorable Anthony J. Principi
Chairman, Base Realignment and Closure Commission
2521 South Clark Street, Suite 600
Arlington, VA, 22202.

Dear Mr. Chairman:

The Center for Technology and National Security Policy has been in touch with Commissioner Hal Gehman to see if our experience in the area of Science and Technology (S&T) can be useful to the Base Realignment and Closure (BRAC) Commission. The Center employs several very senior scientists, including former directors of each Service Defense Lab (see list attached). We have also conducted the so-called Section 913 study on the relevance of the Defense Labs. Admiral Gehman and the Commission staff encouraged us to prepare a letter with our views on the impact of BRAC recommendations on the Defense Labs. Our review considered only the potential impact of the BRAC recommendations on DOD S&T programs.

We are in general pleased with the discretion shown in recommending relocations and closures regarding S&T. Efficiencies in consolidation are often overshadowed by a loss of key personnel and by a loss of the innovation brought about by diversity. The DOD S&T workforce has also become somewhat fragile due to previous BRAC closures and the outsourcing of the expertise the DOD requires to participate in the global S&T enterprise. While we did have a few concerns (given below), we found positive recommendations for relocation as well. For example the consolidation of sensors related S&T from Hanscom and Rome to Wright Patterson Air Force Base should strengthen the Air Force sensor program even though a few senior S&T personnel may be lost. Similarly, the actions proposed for the Naval Air Warfare Center, China Lake; Naval Surface Warfare Center, Dahlgren; and Naval Surface Warfare Center, Indian Head accomplish a long sought after Navy objective of rationalizing the S&T programs among those locations. In addition, there are positive steps being taken in the cross-service area. These include the realignment and consolidation of several service gun and ammunition activities to the Integrated Weapons and Specialty Site for Guns and Ammunition to be located at Picatinny Arsenal. The concerns mentioned above are detailed below:

1. The future will be characterized increasingly by the globalization of science and technology. While the United States will continue to be a major force in science and technology, its share of the world's program will decline. In such a world the DOD would be wise to move toward greater engagement and diversity regarding science and technology. The BRAC recommendations indicate some worrisome trends in this regard. For example, the co-location of DOD science and technology funding organizations at Bethesda and the removal of DOD contingents from other government locations could reduce the diversity of DOD science and technology efforts and hamper the coordination of DOD science and technology with efforts funded by other government agencies. Such an outcome would not be in the best long-term interests of DOD.

2. Though figures vary from location to location, data from the last BRAC round indicate that on average only about 25-30 percent of scientists and engineers assigned to relocate actually do so, and many of those who do relocate subsequently leave the government.¹ If this BRAC round results in a similar proportion of resignations, it would mean a very serious loss of technical talent. In this regard, the proposed closure of Fort Monmouth and the relocation of the Communications and Electronics Research, Development and Engineering Center (CERDEC) to Aberdeen Proving Ground and the relocation of the CERDEC Night Vision and Electronics Sensors Directorate from Fort Belvoir to Aberdeen are troubling. Also, because of the need to construct new facilities at Aberdeen (there is no core of C4ISR expertise or culture there) the consolidation would take several years. During this time, again based on past experience, there could be a serious slump in productivity in an area where maintaining a vigorous S&T program is of national importance for combating terrorism as well as for the network-centric operations of the Army's Future Combat System.

As a concluding observation, even at the S&T level it is important to facilitate the concept of "Jointness." It is important to keep this in mind as S&T activities move from one location to another as a result of BRAC decisions. The establishment of the proper infrastructure is often a key to enabling "Joint" activities at the S&T (and higher) level. For example, C3 is an area that clearly requires "Joint" S&T work. By its very nature, C3 is a distributed activity and need not be conducted at only one location. However, "Joint" geographically distributed work in this area requires deliberate infrastructure investments and planning. While not equivalent to C3 from a warfighter's perspective, a successful example in this regard is the

¹ Michael L. Marshall, "Defense Laboratories and Military Capability: Headed for a BRACdown?" *Defense Horizons* #4 (Washington, DC: National Defense University Press, July 2004). Also based on data supplied by Army Research Laboratory for early 1990s BRAC consolidation at Adelphi, Maryland.

DOD High-performance Computing Program. This is a cross-Service activity that is distributed among a number of DOD laboratories and selected universities. The program has been very valuable in modernizing and facilitating computing for DOD S&T purposes. It has also facilitated "Joint" activity among the laboratories. However, without infrastructure investments, coordination and planning, the program would not have been successful. The time to consider the necessary investments is the time at which moves are decided upon. Such planning may therefore be relevant to BRAC decisions.

The above considerations are called to your attention in the hope that they may contribute to the very thorough inquiry that your Commission will perform regarding the BRAC recommendations. We would be pleased to discuss these matters with you should you so desire.

Sincerely,



Hans Binnendijk,
Director
Center for Technology and
National Security Policy
The National Defense University

Attachment

Senior Scientists at the Center for Technology and National Security Policy

Dr. Timothy Coffey
Former Director of Research, Naval Research Laboratory

Dr. Richard Chait
Former Director of Army Research and Laboratory Management

Dr. Donald Daniel
Former Deputy Assistant Secretary of the Air Force for Science, Technology and Engineering

Dr. John Lyons
Former Director of the National Bureau of Standards and former Director of the Army Research Laboratory

Dr. Elihu Zimet
Former Head of the Expeditionary Warfare Science and Technology Department, Office of Naval Research



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600

Arlington, VA 22202

Telephone: 703-699-2950

September 28, 2005

TRANSMITTAL MEMORANDUM

TO: Chairman

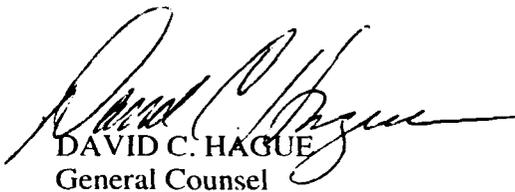
FROM: Office of the General Counsel

SUBJECT: Certification of Hearing Transcripts

Enclosed please find a certification page for your signature certifying that the hearing transcripts have been duly reviewed and corrected, where necessary, for the following hearings before the 2005 Defense Base Closure and Realignment (BRAC) Commission:

- May 16 - 19, 2005 (Department of Defense witnesses);
- June 21, 2005 (Rapid City, ND);
- June 23, 2005 (Grand Forks, SD);
- August 11 and 20, 2005 (Department of Defense witnesses);
- August 24 -27, 2005 (Final Deliberations).

A copy of these transcripts has been reviewed by members of the Commission's Legislative, Office of the General Counsel and Review and Analysis staff, as appropriate. Please execute the certification page as this will permit the issuance of certified transcripts on the BRAC Commission's webpage and dissemination to the general public.


DAVID C. HAGUE
General Counsel

Chairman: Anthony J. Principi

Commissioners: The Honorable James H. Bilbray, The Honorable Philip E. Coyle III, Admiral Harold W. Gehman Jr., USN (Ret), The Honorable Jim Hansen, General James T. Hill, USA (Ret), General Lloyd Newton, USAF (Ret), The Honorable Samuel K. Skinner, Brigadier General Sue Ellen Turner, USAF (Ret)

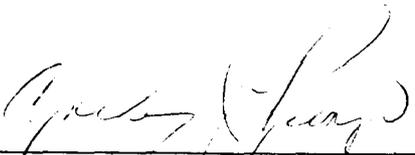
Executive Director: Charles Battaglia

CERTIFICATION

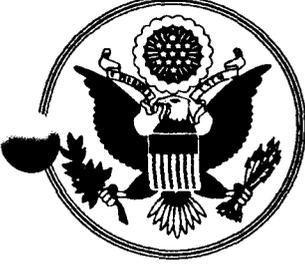
I, ANTHONY J. PRINCIPI, as Chairman of the 2005 Defense Closure and Realignment (BRAC) Commission, do hereby certify that the hearing transcripts identified by date below, are true and correct, having been duly reviewed and revised, as appropriate, by the Commission as of the 29th day of September, 2005.

- May 16, 2005;
- May 17, 2005;
- May 18, 2005;
- May 18, 2005 (Part II);
- May 19, 2005;
- June 21, 2005;
- June 23, 2005;
- August 11, 2005;
- August 20, 2005;
- August 24, 2005;
- August 24, 2005 (Part II);
- August 25, 2005;
- August 25, 2005 (Part II);
- August 26, 2005;
- August 26, 2005 (Part II);
- August 27, 2005.

Dated: 9/29/05



ANTHONY J. PRINCIPI



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600

Arlington, VA 22202

Telephone: 703-699-2950

September 29, 2005

General Michael W. Hagee
 Commandant of the Marine Corps
 Headquarters, U.S. Marine Corps
 2 Navy Annex, Room 2118
 Washington, DC 20380-1775

Dear General Hagee:

The 2005 Defense Base Closure and Realignment Commission has completed its first phase and submitted its report to the President. The report is now before the Congress and appears to be on course for final acceptance and the beginning of implementation of the Commission recommendations by late October. The BRAC process has been demanding, with little respite. The Marines have on two occasions come to the rescue, providing much needed morale support and inspiration.

On August 19th most of the Commission members and staff attended the Evening Parade at Marine Barracks, 8th and I. Master Sergeant Milo Lucio, USMC, Retired, the Barracks Protocol Officer, made all of the arrangements, missing no detail. The Marines were, well Marines, I need to say no more – we could not have asked for a more perfect evening or a more dramatic demonstration of pride and precision.

Last night, Master Sergeant Kurt Dupuis, USMC and four other Marine musicians from the U.S. Marine Band provided musical support at a Commission awards ceremony. They transformed the event into an especially memorable occasion, foremost with their music but also by their outstanding appearance and deportment.

Thanks to all of the 8th and I Marines, but please convey my special appreciation to Master Sergeant Lucio, Master Sergeant Dupuis, and the other Marine musicians.

Sincerely,

Anthony J. Principi
 Anthony J. Principi
 Chairman

Chairman: Anthony J. Principi

Commissioners: The Honorable James H. Bilbray, the Honorable Philip E. Coyle III, Admiral Harold W. Gehman Jr., USN (Ret), the Honorable Jim Hansen, General James T. Hill, USA (Ret), General Lloyd Newton, USAF (Ret), the Honorable Samuel K.

Skinner, Brigadier General Sue Ellen Turner, USAF (Ret)

Executive Director: Charles Battaglia



Office of the Assistant Secretary of Defense: Legislative Affairs

Legislative Update

Release of additional BRAC information

The Department of Defense is making additional BRAC information available for review by the BRAC Commission and Congress.

- In compliance with the BRAC statutes, the Department of Defense provided its recommendations to the BRAC commission and Congress on May 13th. Additionally, the following data has been provided to the Commission and Congress:
 - The classified force structure plan (Volume 2 of the Department's recommendation);
 - Reports by the Military Departments and the Joint Cross Service Groups (Volumes 3-12);
 - 222 BRAC recommendation binders, containing the Department's analysis of each recommendation against all eight selection criteria;
 - Cost of Base Realignment Action Model with static data;
 - Installation imagery of bases to be visited; and
 - Testimony to the Commission by senior DoD officials.

To further support the Commission's and the public's understanding of the Department's recommendations, the Department is preparing to submit a general database pertaining to all U.S. facilities by close of business on May 31st.

- The volume of this supplementary data is more than 100 times greater than for previous BRAC rounds.
- As in previous base realignment and closure rounds, the Department is establishing handling procedures for the general database.
 - The database is entirely digital and contains some classified information. For that reason, the entire database must be treated as classified while DoD continues to process of declassifying substantial portions of it.
- DoD staff will make the entire digital database accessible on computers in a secure reading room in Crystal City near the BRAC Commission offices. We plan to have this material available by Tuesday evening, May 31st. Consistent with prior BRAC rounds, we are working with Congressional staff to establish a similar secure reading room on Capitol Hill.
- The entire digital database will be made available to the commission, to Members of Congress, and to Congressional staff with "SECRET" clearances.



Office of the Assistant Secretary of Defense: Legislative Affairs

Legislative Update

- The public, through the BRAC Commission, will have access to all unclassified information by Saturday, June 4.
- Unlike previous BRAC rounds, the Department will have a simultaneous process of rapid declassification of information on the database as appropriate should community representatives desire such information and should it be determined to be eligible for rapid declassification.
- The Department believes the full volume of data available to the Congress, the BRAC commission, and the public will be substantially greater than was made available in prior BRAC rounds.



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET, SUITE 600
ARLINGTON, VA 22202
TELEPHONE: 703-699-2950
FAX: 703-699-2735

Chairman:
The Honorable Anthony J. Principi

Commissioners:
The Honorable James N. Bilbray
The Honorable Philip E. Coyne III
Admiral Harold W. Gehman, Jr., USN (Ret.)
The Honorable James V. Hansen
General James T. HRL, USA (Ret.)
General Lloyd W. Newton, USAF (Ret.)
The Honorable Samuel K. Skinner
Brigadier General Sue Ellen Turner, USAF (Ret.)

Executive Director:
Charles Bettaglin

May 19, 2005

*The Honorable Cathy McMorris
U.S. House of Representatives
1708 Longworth House Office Building
Washington, DC 20515*

Dear Ms. McMorris,

I am following up on my letter to you of May 11, 2005 in which I expressed my appreciation to you for the BRAC materials you so kindly sent to me.

After an intense week of immersion in BRAC business, I more fully appreciate the responsibility I have undertaken. This is truly a massive endeavor of great importance to individuals, states, and foremost, the nation.

I am committed to giving utmost effort to be fair and objective about all issues we must consider. I will evaluate every military installation that the Secretary of Defense has recommended for closure or realignment using the statutory criteria and the force-structure plan as my guides.

My commitment is total. I look forward to this opportunity to again serve my country.

Again, thank you for your letter and the material you provided which I have included in the public record of our proceedings.

Sincerely,

A handwritten signature in cursive script, appearing to read "James H. Bilbray".

James H. Bilbray



DCN: 12277

DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET, SUITE 600
ARLINGTON, VA 22202
TELEPHONE: 703-699-2950
FAX: 703-699-2735

Chairman:
The Honorable Anthony J. Principi

Commissioners:
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The Honorable James V. Hesse
General James T. Hill, USA (Ret.)
General Lloyd W. Newton, USAF (Ret.)
The Honorable Samuel K. Skinner
Brigadier General Sue Ellen Turner, USAF (Ret.)

Executive Director:
Charles Battaglia

May 19, 2005

Governor Rick Perry
Office of the Governor
P.O. Box 12428
Austin, Texas 78711-2428

Dear Governor Perry,

I am following up on my letter to you of May 11, 2005 in which I expressed my appreciation to you for the BRAC materials you so kindly sent to me.

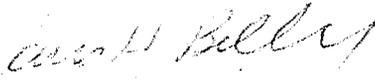
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Sincerely,


James H. Bilbray

James H. Bilbray



DCN: 12277

DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET, SUITE 600
ARLINGTON, VA 22202
TELEPHONE: 703-699-2950
FAX: 703-699-2735

Chairman:
The Honorable Anthony J. Principi

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The Honorable James V. Hansen
General James T. Hill, USA (Ret.)
General Lloyd W. Newton, USAF (Ret.)
The Honorable Samuel K. Skinner
Brigadier General Sue Ellen Turner, USAF (Ret.)

Executive Director:
Charles Battaglia

May 19, 2005

Governor Mark R. Warner
Executive Office Building, 3rd Floor
1111 East Broad Street
Richmond, Virginia 23219

Dear Governor Warner,

I am following up on my letter to you of May 11, 2005 in which I expressed my appreciation to you for the BRAC materials you so kindly sent to me.

After an intense week of immersion in BRAC business, I more fully appreciate the responsibility I have undertaken. This is truly a massive endeavor of great importance to individuals, states, and foremost, the nation.

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My commitment is total. I look forward to this opportunity to again serve my country.

Again, thank you for your letter and the material you provided which I have included in the public record of our proceedings.

Sincerely,

James H. Bilbray



James H. Bilbray

Nevada State Senate (1981-1986)
U.S. Congress (1987-1995)
U.S. Security Policy Advisory Committee (2000-2001)
Advisory Board of the Export Import Bank (1995-1996)
Board of Visitors USAF Academy (1990-1992)
Board of Visitors USMA (1995-1999)
University of Nevada Board of Regents (1968-1973)
North Atlantic Assembly (NATO) (1989-1995)
Member California-Nevada High Speed Train Commission (2005-2008)
Member 2005 Base Closure and Realignment Commission (BRAC)

May 11, 2005

Hon. Cathy McMorris
1708 Longworth HOB
Washington, DC 20515

Dear Representative McMorris,

I received today the material sent to the BRAC Office. I will review this material after the Secretary makes public the list, which hopefully does not Fairchild on the list. Having been a member of Congress when they removed a fighter wing from my district, I know you need this like a whole in your head. I am available at the number on this letterhead if you need to speak to after the list is published.

JAMES H. BILBRAY



James H. Bilbray

Nevada State Senate (1981-1986)
U.S. Congress (1987-1995)
U.S. Security Policy Advisory Committee (2000-2001)
Advisory Board of the Export Import Bank (1995-1996)
Board of Visitors USAF Academy (1990-1992)
Board of Visitors USMA (1995-1999)
University of Nevada Board of Regents (1968-1973)
North Atlantic Assembly (NATO) (1989-1995)
Member California-Nevada High Speed Train Commission (2005-2008)
Member 2005 Base Closure and Realignment Commission (BRAC)

Dear Governor Perry,

I am in receipt of the material that you send me re the Texas military bases. I appreciate the information and will review them diligently. Hopefully any hurt to Texas will be mild if none at all.

Sincerely,

JAMES H. BILBRAY



James H. Bilbray

Nevada State Senate (1981-1986)
U.S. Congress (1987-1995)
U.S. Security Policy Advisory Committee (2000-2001)
Advisory Board of the Export Import Bank (1995-1996)
Board of Visitors USAF Academy (1990-1992)
Board of Visitors USMA (1995-1999)
University of Nevada Board of Regents (1968-1973)
North Atlantic Assembly (NATO) (1989-1995)
Member California-Nevada High Speed Train Commission (2005-2008)
Member 2005 Base Closure and Realignment Commission (BRAC)

May 11, 2005

Dear Governor Warner,

I am in receipt of the BRAC information you sent me. My daughter and son-in law, who lived in Virginia until a little over a year ago, tell me great things about you. Hopefully someday some of us in Nevada will be able to vote for you on a national level. I will do whatever I can to help. Hopefully the Secretary does not have any Virginia instillations on the list.

Sincerely,

JAMES H. BILBRAY

DCN: 1221



James H. Bilbray

Nevada State Senate (1981-1986)
U.S. Congress (1987-1995)
U.S. Security Policy Advisory Committee (2000-2001)
Advisory Board of the Export Import Bank (1995-1996)
Board of Visitors USAF Academy (1990-1992)
Board of Visitors USMA (1995-1999)
University of Nevada Board of Regents (1968-1973)
North Atlantic Assembly (NATO) (1989-1995)
Member California-Nevada High Speed Train Commission (2005-2008)
Member 2005 Base Closure and Realignment Commission (BRAC)

May 11, 2005

Dear Sir/Madam,

The Chairman has forward to me your material re the Puget Sound Naval Shipyard. I will review the same if this facility is on the DOD list of proposed closures. Be assured that I will keep an open mind on this matter.

Sincerely,

JAMES H. BILBRAY

BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET, SUITE 600
ARLINGTON, VA 22202
PHONE: 703-699-2950
FAX: 703-699-2735



FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Mayor Yoichi Iba	Chairman A. Principi
COMPANY:	DATE:
The City of Ginowan	July 1, 2005
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
+81-98-892-7022	2
PHONE NUMBER:	SENDER'S TELEPHONE NUMBER:
+81-98-893-4444	703-699-2950
RE:	SENDER'S FAX NUMBER:
	703-699-2735

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Attached is Chairman Principi's response to Mayor Yoichi Iba's June 17, 2005 Letter. An email has also been sent to your office.

Thank you!!

-Katie Long
(Chairman Principi's Executive Asst)



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600

Arlington, VA 22202

Telephone: 703-699-2950

July 1, 2005

*Mr. Yoichi Iha
Mayor
The City of Ginowan
1-1-1 Nodake, Ginowan City
Okinawa, Japan*

Dear Mayor Yoichi Iha:

I am responding to your letter of June 17, 2005, regarding Marine Corps Air Station, Futenma. You have requested that the Defense Base Closure and Realignment Commission consider moving the air station to a location outside of Japan.

The purpose of the Defense Base Closure and Realignment Act of 1990 (Public Law 101-510), as amended, is to "... provide a fair process that will result in the timely closure and realignment of military installations inside the United States (emphasis added)." The Commission has no authority with regard to United States military installations in Japan or other countries.

Although unable to respond favorably to your request, I will, by copy of this letter, provide your letter to the Commandant of the Marine Corps for his information and further response as deemed appropriate.

Sincerely,

*Anthony J. Principi
Chairman*

Copy w/encl to: Commandant of the Marine Corps

Chairman: Anthony J. Principi

Commissioners: The Honorable James H. Bilbray, The Honorable Philip E. Coyle III, Admiral Harold W. Gehman Jr., USN (Ret), The Honorable Jim Hansen, General James T. Hill, USA (Ret), General Lloyd Newton, USAF (Ret), The Honorable Samuel K. Skinner, Brigadier General Sue Ellen Turner, USAF (Ret)

Executive Director: Charles Battaglia

DCN: 12277

BASE CLOSURE AND REALIGNMENT COMMISSION

2521 SOUTH CLARK STREET, SUITE 600

ARLINGTON, VA 22202

PHONE: 703-699-2950

FAX: 703-699-2735



FACSIMILE TRANSMITTAL SHEET

TO:	KEITH BREWER	FROM:	DAN CUMMIS
COMPANY:	BRAC	DATE:	20JUN05
FAX NUMBER:	202 228-0037	TOTAL NO. OF PAGES INCLUDING COVER:	18
PHONE NUMBER:	202 224-9684	SENDER'S TELEPHONE NUMBER:	703 699-2974
RE:	COMMON PRINCIPLES OFFICE		

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

**Senate Armed Services Committee
Questions for the Record
Hearing on 3/15/05, #05-21**

**To consider the following nominations: Anthony J. Principi to be a Member of the Defense
Base Closure and Realignment Committee
Witness: Principi**

Senator John Warner

Independence of the Commission

1. Mr. Principi, the Base Realignment and Closure (BRAC) Commission will receive the Secretary of Defense's recommendations for closures and realignments on May 16. From that date until you submit your recommendations to the President by September 8, 2005, the Commission will be under intense pressure from all types of groups to influence your decisions. If confirmed and appointed as Chairman, what measures will you take to ensure the proceedings of the Commission will result in independent decisions free from outside influence?
 - A. Every prospective candidate for a staff position will be interviewed to ensure that he/she has the requisite knowledge, experience, expertise, commitment and impartiality to serve on the Commission's staff. Politics or political influence will not be tolerated. I will make a commitment to ensure that the Commission's work is free from political influence or motivations, that potential conflicts of interests are addressed adequately, and that the BRAC process is independent, fair, equitable and open. I will also ensure that all BRAC Commissioners and staff are adequately trained, briefed and otherwise conform to all ethics and related requirements.

Quality of Life Considerations

2. Mr. Principi, one of the BRAC criteria refers to the ability of the infrastructure in local communities to support forces, missions, and personnel. Much of what a local community provides to military personnel can be characterized as quality of life issues, such as schools, housing, and local services. In anticipation of BRAC, many State and local communities have undertaken funding initiatives and programs specifically to improve the quality of life for military personnel. How do you plan to address quality of life issues and particularly the efforts of local communities in your assessment?
 - A. The ability of local communities to support forces, missions and personnel is one of the criteria identified in the BRAC legislation as an important consideration in making recommendations for realignments and closures by the Department of Defense. I am encouraged to learn that local communities do value military presence and are striving to ensure the highest quality of life possible for our servicemen and women. Moreover, I will take these efforts into consideration in providing local community representatives the opportunity to voice their concerns to the Commission. I trust that our efforts in this

regard will ensure that local communities affected by recommended BRAC closures and realignments will be provided with an opportunity to be heard. It is my hope that in the end, we will build a consensus by and through the BRAC process.

Force Structure Decisions

3. Mr. Principi, pursuant to section 2912 of the BRAC law, in February 2004, the Secretary of Defense certified that the 2005 round of BRAC recommendations will result in annual net savings for each of the Military Departments beginning not later than fiscal year 2011. It is anticipated that the Secretary of Defense will recommend BRAC proposals to relocate or consolidate major force units, such as army divisions, aircraft wings, and naval aircraft carriers, within the United States. In assessing the Secretary's recommendations for these relocations, how will the Commission quantify the savings from major force unit relocation?
 - A. The Secretary of Defense is obligated to provide the projected savings and underlying justification data that support the recommendations he makes to the BRAC Commission. The BRAC Commission will analyze this data, and compare it with other data, including that provided by the affected communities.

Conduct of the Commission

4. Mr. Principi, the BRAC process was established by Congress to ensure base closure and realignment recommendations are reviewed and assessed as fairly and objectively as possible by an independent commission. In your opinion, what policies of conduct and procedures should the Commission adopt to preserve the integrity of the process beyond any shadow of doubt?
 - A. As a preliminary matter I intend to stress the importance of the objectivity, impartiality and openness throughout the BRAC process, and I will establish internal guidelines and policies that effectuate this commitment to fairness and openness. I will ensure that the other Commissioners and staff members remain free from political pressures and conflicts of interest. I will work carefully and diligently to see that conflicts of interest are avoided so that there will be no reason to question the appearance of impartiality of BRAC Commissioners and staff.

Commissioner Visits

5. Mr. Principi, BRAC law requires that two Commissioners must visit those installations that were not part of the Secretary's recommendations, but were added for consideration of closure or realignment by the Commission. BRAC law does not stipulate any requirements for visits by Commissioners to bases recommended by the Secretary of Defense, yet I'm sure the communities affected by these recommendations will want to

have an opportunity to talk to the Commission. If confirmed as a BRAC member and appointed as Chairman, do you anticipate establishing a policy or requirement for Commissioner visits to those installations included in the Secretary's list?

- A. While it will not be possible for every Commissioner to visit the installations named in the Secretary of Defense's recommendations in light of the time constraints faced by the BRAC Commission, I will ensure that at least one Commissioner (and also where, appropriate, members of the BRAC staff) visits major installations and communities in order to meet with military, state and local officials along with interested members of the public. In addition, the Commission will hold regional hearings in locations designed to encourage maximum participation by affected communities so that elected officials, local leadership and the public may be afforded an opportunity to testify before the Commission.

Recusals from Commission Activities

6. Mr. Principi, in your answers to the committee's advance policy questions, you agreed to abide by specific procedures for recusal or divestiture. Has the White House or Department of Defense (DoD) asked you to sign any other type of agreement regarding recusals or divestitures due to conflicts of interest? If so, please provide a copy of any agreement you have signed.
- A. The White House did request me to sign an ethics agreement that addressed conflicts of interest and other issues. It is my understanding that other BRAC Commissioners will be asked to sign the same or a similar agreement, and I will be pleased to provide you with a copy of my agreement as long as the White House Counsel's Office does not have any objection. I plan to ensure that all financial and other conflicts of interest that may arise during the course of my service on the Commission, should I be confirmed, are addressed appropriately and in a timely fashion so as not to jeopardize the mission of the BRAC Commission.

Senate James Inhofe

Staffing

7. Mr. Principi, in every committee and commission worth its salt, it is supported by a very able and dedicated staff. I note in your answers to the committees advanced questions, your first action will be to hire a staff director and that your staff will be impartial, professional, and free of political influence. However, you have another very important challenge with the staff. You must hire staff who are knowledgeable in the areas highlighted in the selection criteria. For example, you must have someone who understands the military value, environmental impact, economic impact, etc. How do you plan to ensure you have the right staff with the right stuff?
 - A. The BRAC Commission will need to address many important and complicated challenges very quickly with a three-month timeframe established by statute. Therefore, this work can only be completed by talented individuals, and I consider myself personally, and the BRAC Commission more generally, to be extremely fortunate in drawing from a very talented pool of applicants and candidates, including staff members from previous BRAC Commissions and GAO detailees.

8. Mr. Principi, where will you look to get impartial individuals?
 - A. As I have mentioned earlier in this context, I consider the impartiality of the BRAC Commission to be a top priority and I will seek to ensure that in both the hiring and in the completion of the BRAC Commission's statutory duties that impartiality is exercised at all times by both the Commissioners and the BRAC staff. As I indicated above, the Commission will seek to hire former BRAC Commission staff members and GAO detailees.

9. Mr. Principi, this BRAC is unique in several ways. For the first time cross-Service teams will take a functional approach in an effort to combine Service functions in a joint way where it makes sense. So, they will look at Service recommendations in areas like depots and force the removal of the traditional Service stovepipes to give this BRAC a more joint feel. How do you intend to make sure you have staff with the requisite expertise in these functional areas?
 - A. I am aware of the functional areas in the BRAC 2005 and will seek staff with the expertise and experience in those areas.

Depots

10. Mr. Principi, as you may know one of my major concerns is with the preservation of our military industrial base. In the last administration there was a lot of talk about privatizing public depots. Congress passed several laws to prevent this from happening thus preserving our core capabilities in the depots. The best known law was probably 50/50 where we said that no more than 50 percent of the total amount spent on depot level maintenance could be on the private side of the equation. We felt that it was important to preserve our depots. I think the recent war and the surge capability required and demonstrated by the depots proved our point. I think the recent acquisition of more and more American businesses by foreign companies further makes the point that we cannot afford to give up these valuable assets. It is a matter of national security. When this administration came to power, it began to put money into the depots and the payoff has been amazing. Efficiency has increased in many cases over 200 percent. Are you familiar with the 50/50 legislation? Do you agree that this BRAC cannot violate existing laws such as the 50/50 law?
- A. While I am not familiar with the law that you refer to, I am aware that this issue was raised in connection with the 1995 BRAC round. I am cognizant of the role that the private sector plays in depot maintenance, and should the same issue be relevant to the 2005 BRAC round, I will take the matter under advisement.
11. Mr. Principi, are you familiar with the amazing efficiencies realized by the public depots in recent years?
- A. I am not, but soon will be.

Live Fire Ranges

12. Mr. Principi, another valuable resource in this country is its ranges. You may be familiar with the fight I led, and lost, to preserve the Vieques range in Puerto Rico. With environmental concerns, urban sprawl, community encroachment, and other factors, our live fire ranges are becoming extinct in this country. Add to that, the fact we are redeploying over 90,000 soldiers from overseas bases. This combination tells me we cannot afford to lose any more ranges. Are you aware of these concerns? How do you intend to evaluate our need for preserving ranges for military value and our need to realign and close bases for efficiency?
- A. I recognize the availability of ranges is an integral part of military training. Any consideration of retaining or closing ranges will, therefore, be measured on the basis of the DoD's recommendations and the statutory criteria.

Senator Susan Collins

Regionalization of Facilities

13. Mr. Principi, one of the great strengths of our Armed Forces is its geographic diversity. Having installations stretching across the country provides a whole host of benefits, including reach, coverage, surge capability, and rapid response. Having installations grouped together in only a few regions substantially increases our vulnerability and could even raise the likelihood of a terrorist attack, for example, in one area. Further, in this day and age, threats can come from any direction. Finally, it's important that every part of our country participate in our national defense. Do believe that there is strong value in ensuring that there are active duty facilities in each region of the country?

[Answer Already Received]

Homeland Defense

14. Mr. Principi, the goal of our Armed Forces is to defeat enemies before they reach our shores. However, as we experienced on 9/11, we need to be prepared to deal with threats within our borders, as well. The Department of Defense is taking on an increasing role in homeland defense missions. How will the BRAC Commission ensure that homeland defense requirements and capabilities will be considered during its deliberations?

[Answer Already Received]

Total Force Structure

15. Mr. Principi, I read in your pre-hearing policy questionnaire that, in your opinion, the key elements of Amilitary value in BRAC criteria include Atotal force structure to include Guard and Reserve components and maximizing joint base utilization to facilitate joint warfighting, training and readiness. Specifically, what do you mean by a Atotal force structure contribution@?

[Answer Already Received]

16. Mr. Principi, what is your opinion on the value and utility of Joint Armed Forces Reserve Centers and providing a one stop shop for various Services Guard and Reservists to train in one location?

[Answer Already Received]

Senator Saxby Chambliss

Core Logistics Capability

17. Mr. Principi, in Title X of the U.S. Code, there is a statutory requirement for the Department of Defense to maintain a core logistics capability. The Department is limited to spending no more than 50 percent of its depot-level maintenance and repair funds to contract for the performance of this workload. The Department of Defense published comments in the Federal Register that state that it is inappropriate to include statutory constraints in the selection criteria because they are too varied and numerous. The Department goes on to assure us that this absence of statutory constraints should not be construed as an indication that the Department will ignore these or any other statutory requirements in making its final recommendations. Part of the Commission's role will be to ensure that all statutory requirements are met. As you select your staff, I would encourage you to select those that have the requisite knowledge of these laws to ensure we do maintain a core logistics capability and the required bases and facilities needed to conduct depot-level maintenance. Now I know that DOD is required to evaluate all installations equally, but can you tell us how you will reconcile this evaluation requirement with existing statutory imperatives and congressional intent that would preclude discarding our depot capabilities?
- A. Thank you for encouraging me to choose able legal staff --- I fully intend to do so. Concerning the depot-level maintenance issue, this Commission has no interest in violating the intent of the 50/50 statute (Title 10 U.S. Code 2466) which ensures that no more than 50% of any Service's depot-level maintenance funds are spent with a non-federal workforce, or the underlying statute which requires the DoD to maintain an organic source for core logistics workload. We will carefully work within the data available to the Commission to ensure that any depot-level maintenance currently performed at an organic installation recommended for realignment or closure will be relocated to another organic installation within the remaining DoD infrastructure.

Cost Savings

18. Mr. Principi, the fifth criteria for consideration by BRAC relates to the extent and timing of potential costs and savings and an analysis of the amount of time required for the perceived savings to exceed the costs of closing a base. This criterion is designed to ensure that bases are not closed unless there is a clear basis for significant savings in the near term. What are your views on the maximum amount of time that should pass after a base closes before significant cost savings are realized?
- A. The cost/savings profile of each recommendation must be evaluated within the context of all the evaluation criteria rather than compared to arbitrary or even statistically-derived metrics. Recommendations with higher than average costs or extended payback periods may actually be furthering and supporting transformational initiatives that profoundly

affect future military value. A discrete evaluation of only the cost profiles of these transformational recommendations would be incomplete and reduce the effectiveness of the Commission's decisions. While a shorter payback period is preferred, the Commission is best served to address costs and savings as part of a holistic evaluation of the recommendation. In doing so, the Commission is capable of determining the acceptability of the projected time that will pass after a base closes before significant cost savings are realized.

19. Mr. Principi, can you give us your assurances that a base will not be closed simply to meet a quota as opposed to the result of a thorough analysis of cost savings?
- A. You have my assurance that each recommendation will be assessed in accordance with the criteria specified by law.
20. Mr. Principi, how will you ensure that closing a base will actually result in financial savings great enough to justify the disruption of current operations while we are at war?
- A. The BRAC law establishes quite clearly the parameters under which the Commission must exercise its responsibilities.

Senator Carl Levin

Comprehensive Review of Force Structure

21. Mr. Principi, last September when DOD submitted its "Strengthening U.S. Global Defense Posture" report to Congress, then-Under Secretary of Defense Feith stated in the introduction to that report that "the Defense Department will incorporate its projected overseas posture changes into the BRAC 2005 process." In addition, last year the Army started using emergency authorities to buy temporary buildings to station the first of the new so-called modular brigades. The Army provided a series of information papers to committee on July 28, 2004 stating that, with respect to these 10 new brigades, Permanent stationing for all units will be fully addressed through the BRAC 2005 process. Do you believe the Commission must consider all major force structure changes, including the basing for forces to be relocated from overseas back to the United States and the permanent stationing of the Army's new modular brigades, in order to ensure that the Commission takes account of all relevant factors that would affect closure and realignment decisions?
- A. I believe that the Commission must consider all major force structure changes.

Internet Access to Materials

22. Mr. Principi, do you plan, if confirmed, to make your materials available through the internet so that interested communities and citizens across the Nation can access it?
- A. Making the BRAC process open and accessible to the public and to Members of Congress is an important priority for me. To this end, I plan on making hearings open to the public with the transcripts of the hearings made available on an electronic format through a website that will be set up for the public and the BRAC Commission's use. Further, I plan on posting public comments and letters in an electronic format on this website so that the public is able to communicate effectively and openly with the Commission.

Interpretation of Selection Criteria

23. Mr. Principi, the selection criteria for the 2005 round are essentially the ones used in the past three rounds, and are intentionally broad. The statutory criteria do not attempt to capture every nuance that might apply to every possible type of installation or facility. In the statement of managers on the conference report on the fiscal year 2005 defense authorization bill, Congress stated that: The conferees expect that the Secretary shall adhere, to the maximum extent possible, to responses in the analysis of comments to the draft selection criteria, as published in the Federal Register on February 12, 2004, including the incorporation of elements of military value, such as research, development, test, evaluation, maintenance, and repair facilities for weapon systems; and the interaction with a highly skilled local work force and local industrial and academic institutions. If the yardstick the Commission must use in evaluating the Secretary's recommendations is whether the Commission feels the Secretary adhered to or deviated from the force structure plan and the selection criteria, do you believe that requires the Commission to interpret the criteria the way DOD interpreted the criteria?
- A. The BRAC Commission is required by statute to review and analyze the recommendations forwarded to it by the Secretary of Defense based on the final selection criteria you refer to. The Secretary is also required to fully justify, by submitting certified data to the Commission, the rationale for making those recommendations. However, Section 2903 of the BRAC statute specifies that the Commission may change such recommendations if it determines that Secretary deviated substantially from the force structure plan and the final criteria in making such recommendations. Therefore, there may be differences in the way the Secretary applies or interprets the final selection criteria and the way in which the BRAC Commission considers the same criteria. I believe this possibility may have been anticipated by Congress in giving the BRAC Commission the ability to make changes to the Secretary's recommendations.
24. Mr. Principi, do you believe the Commission should consider the Department of Defense responses to the public comments about the selection criteria to be relevant information

that provides additional guidance about the meaning and interpretation of the selection criteria that should be taken into account when the Commission evaluates the Secretary's list of recommended closures and realignments?

- A. I have not seen the DoD responses to the public comments about the selection criteria and, therefore, cannot comment on it at this time.

Senator Edward Kennedy

Base Proximity to Academic/Industrial Centers

25. Mr. Principi, as you know, the decisions that you will make will influence the Department of Defense and our national security for years to come. As part of that process, you will review the recommendations for closure and realignment of not only bases, but also labs and technical centers. These labs and technical centers provide the intellectual foundation that allows our military to maintain its extraordinary advantage in technology. Many of us are concerned, however, that the BRAC criteria overlooks the unique values of these centers of innovative and advanced technology. Many experts have highlighted the value of regional technology clusters as the best way to stimulate innovation and establish valuable partnerships between the federal government, industry, and academic research. The proximity of these centers strengthens the capabilities of the Defense Department's labs and accelerates the process of moving new technology out of the labs and into the hands of our troops. This type of innovation has been the engine of both our national economic growth, and our military superiority. I know, for example, that the great synergy created by the close proximity of Massachusetts Institute of Technology (MIT) and the defense industry to the Natick Soldier Center has been of great benefit in the development of nanotechnologies for our troops. How important do you feel it is to keep Department of Defense centers of innovation close to academic and industrial centers of innovation?
- A. The proximity of DoD centers of research and development to academic and industrial centers is very important.

Loss of Expertise

26. Mr. Principi, most technical employees will not move to a new location following a BRAC decision to close a base, so the Department will lose valuable scientific and technical expertise when the base is closed. Do you think the BRAC criteria adequately value this potential cost of consolidating bases?
- A. The question the Commission must address is whether the Defense Secretary's recommendations adequately account for this cost.
27. Mr. Principi, how does the Department plan to reconstitute this expertise that is lost when a major center is moved to a very different part of the country?
- A. This is a question that the Commission will pose in its analysis.
28. Mr. Principi, how do you assess the effect of such a move on the mission?

- A. The law is quite clear. If the moves enhance military value and the Defense Secretary has not substantially deviated from the force structure plan and selection criteria, then the Commission would most likely approve the recommendations.

Senator Joseph Lieberman

Balancing Responsibilities

29. Mr. Principi, how do you plan to balance your new employment responsibilities as a Vice President of Pfizer, Corp. with those associated with being the Chairman of the Base Closure and Realignment Commission?
- A. I plan to resign from my position with the Pfizer Corporation.

Additions to BRAC List

30. Mr. Principi, what process will you use as a BRAC commissioner to systematically evaluate whether or not bases that have not been recommended for closure or realignment should be added to the list?
- A. The process for adding installations to the list provided by the Secretary will be arduous and complete. The staff will review the Secretary's recommendation to determine if the DoD analysis was complete and, more importantly, if it was accurate. For example, was the proper weighting assigned to all elements; were all installations treated equally; and was the data used accurate? The staff will also conduct independent analysis of the information obtained during base visits and regional hearings, and other public input. Additionally, the staff will consider the GAO report to be submitted on July 1, 2005, in determining if other installation candidates should be considered in addition to those on the Secretary's list. The staff will then recommend applicable installations to the Commissioners who will make the final determination in accordance with the statute. Please be aware that adding an installation to the Secretary's list allows the Commission to analyze and visit that installation; it does not automatically result in the closure or realignment of that installation. I should mention that, in past BRAC rounds, the communities were a valuable extension of the BRAC staff in that they often provided creditable analysis which complemented and supplemented BRAC staff analysis.

Availability of Information

31. Mr. Principi, will the BRAC Commission make available to the general public (in electronic media) all information provided by the Secretary of Defense and Secretary of the Navy including but not limited to:
- a. Base Structure Data Base (BSDB)
 - b. Cost of Base Realignment Actions (COBRA) Model and all associated data
 - c. Naval Audit Service (NAVAUDSVC) Independent Audit Reports
 - d. Meeting Minutes and Associated Materials from all meetings of:
 - i. Infrastructure Evaluation Group (IEG)

- ii. Infrastructure Analysis Team (IAT)
- iii. Department of the Navy (DON) Analysis Group (DAG)
- iv. Functional Advisory Board (FAB)
- v. Joint Cross-Service Group (JCSG)
- e. DON BRAC Information Transfer System (DONBITS) data files
- f. Data Calls (including all supplemental/corrections requests):
 - i. DON Capacity Data Call
 - ii. DON Military Value Data Call
 - iii. DON COBRA/Scenario Data Call
- g. Installation Visualization Tool (IVT) Data and associated materials

- A. The Commission will make available to the general public in electronic media or hard copy all information provided by the Department of Defense, except classified information.

Evaluation Metrics

- 32. Mr. Principi, what metrics will you use to compare and evaluate the bases recommended for and not recommended for closure or realignment against the eight BRAC selection criteria?
 - A. The basic metrics used to accept or reject those installations recommended by the Secretary will largely focus on the DoD and BRAC analyses which will be independently conducted. Those analyses will ultimately be compared with the force-structure plan and final selection criteria as spelled out in statute. Additionally, the Commission will consider and review those metrics provided by representatives of the affected communities. In the end, the Commissioners will be presented the analysis and recommendations of the DoD, communities and Commission staff in making the final determinations. A vital factor is the overall, professional judgment of the Commissioners in the final determination
- 33. Mr. Principi, since individual data calls have been sent to multiple tenant commands that are collocated on bases and installations, how will you evaluate the synergy of these multiple organizations in evaluating recommendations for closure or realignment?
 - A. Comparing disparate data will certainly be a challenge to our staff. They will ultimately be required to review many of the individual questions asked of each organizational element, along with the associated metric available in the answer set. Comparing these answer sets and adjusting for differences will allow for apples to apples analysis by our staff.
- 34. Mr. Principi, in some cases, the military value of a base is enhanced by the local presence of a large private firm (e.g., shipyard) that did not receive any data calls and may not have

been factored into a base closure or realignment recommendation. How will you ensure that the BRAC Commission ensures that such relevant information is not overlooked in your deliberations?

- A. The availability of non-governmental services which may affect military value will be carefully considered during base visits by Commissioners and staff, analysis of all the relevant facts and by community meetings and presentations. All appropriate factors will be weighed in our deliberations.
- 35. Mr. Principi, among the other considerations in the BRAC selection criteria are economic impacts and environmental remediation costs. How will the BRAC Commission utilize economic impact data provided by host States/communities, and how will the BRAC Commission determine actual environmental remediation costs, since these costs are significantly affected by the future reuse of the facility which is at best currently unknown?
 - A. I note for the record that Congress has amplified the selection criteria for environmental impact and that the DoD, in response to such amplified criteria, has widened its analysis and the scope of its recommendations accordingly. The criteria being employed by the 2005 BRAC Commission includes, for example, the impact of costs related to potential environmental restoration, waste management and environmental compliance activities. While environmental-related criteria are not the sole criteria to be used in the BRAC process, it is a significant factor nonetheless. Economic impact data provided by host states/communities will also be evaluated against the information provided by the DoD.

Regional Public Meetings

- 36. Mr. Principi, do you intend to hold regional public meetings, and if so, how many BRAC Commissioners will be present at each public meeting and how much time will a community have to make its appeal?
 - A. I intend to hold as many regional hearings as may be deemed adequate to provide public outreach and input. This, along with base site visits and public input from other sources, will provide the Commissioners and me, if I am confirmed, with a good overview of the impact, militarily, economically and in terms of the human factors that the closure and realignment process will play. While it may not be possible for me to predict with any degree of reliability the number of regional hearings and visits that may be required, I will work to ensure that at least three Commissioners are present at regional hearings. Further, local communities will be allocated adequate time to present issues, questions and evidence for the BRAC Commission to consider.

37. Mr. Principi, do you intend to have BRAC Commissioners visit each base that is recommended for closure or realignment, and during these visits will the BRAC Commissioners meet with representatives from the local/host community?
- A. While it may not be possible to visit every facility in light of the time constraints faced by the BRAC Commission, I fully intend to ensure that major base site visits and the regional hearings are organized so that the public and local leaders have an adequate opportunity to reach out to the BRAC Commission and make their concerns known to it. BRAC Commissioners will participate in all regional hearings and as many site visits as possible.

Senator Daniel Akaka

Previous Experience

38. Mr. Principi, you stated in your answers to the advance policy questions that you were the minority staff director for this committee at the outset of the 1993 BRAC and that you were involved in hearings and site visits for that round of BRAC. You also state that you faced similar challenges as Secretary of Veterans Affairs (VA) when conforming VA's legacy infrastructure to the changes in 21st century healthcare. What lessons have you learned from these experiences that will assist you as Chairman of the 2005 BRAC Commission?
- A. My experience has shown that every organization must right-size itself from time to time to reflect changes in policies, requirements, technologies, etc. I have also learned that these changes affect peoples' lives in profound ways and that their concerns must be factored in.

Information Requests

- 39 Mr. Principi, you state in your answers to the advanced questions that you will seek all relevant information from the Department of Defense and you state that you have been assured that all requests will be honored. Should information not be provided to you from the Defense Department, will you inform Congress of this problem?
- A. Yes, Mr. Senator, I will certainly keep you and the Congress fully advised of such problems, should they occur.

DCN: 12277

Brent, Sharee, CTR, WSO-BRAC

From: McDowell, Matthew [Matthew.McDowell@mail.house.gov]
Sent: Wednesday, July 13, 2005 3:09 PM
To: 'sharee.brent.ctr@wso.whs.mil'
Subject: Meeting Request

Sharee,

Congressman Turner was hoping that Mr. Battaglia could meet with him to discuss some follow-up information on his testimony in Buffalo concerning the Massachusetts proposal and HANSCOM. Possible dates: July 19 (1pm-2pm; 2:30-4:15pm); July 20 (11am-12pm; 1:45pm-3:15); July 21 (11am-12pm; 1pm-4:15pm); July 22 (10:15am-11:30am; 1pm-2pm; 2:30-4:15pm); July 26 (10:45am -noon; 1pm-2pm; 2:30-5pm); July 27 (9:15am-10:15am; 11am-noon; 1:30pm-2:30pm; 3pm-4pm; 4:45pm-5:45pm); July 28 (9:00am-10:15; 11am-noon; 1pm-2pm; 2:30pm-3:30pm; 4pm-5pm). Please let me know what works. Thanks,

Matthew McDowell
Scheduler
Congressman Michael Turner (OH 3rd)
1740 Longworth House Office Building
Washington, D.C. 20515
Phone: (202) 225-6465
Fax: (202) 225-6754

7/13/2005

DCN: 12277

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7/13/2005

DCN: 12277

Brent, Sharee, CTR, WSO-BRAC

From: Astin, Amy [Amy.Astin@mail.house.gov]
Sent: Wednesday, July 13, 2005 2:55 PM
To: 'Sharee.brent.ctr@wso.whs.mil'
Subject: Rehberg mtg request
Attachments: BRAC 2005.ppt

Hi Sharee,

This is the presentation -- which may be delivered by two Gt. Falls community leaders -- we will finalize this with you when we nail down a date.

If Commissioner Hansen isn't going to be available for a few weeks, we'd like to meet with appropriate staff in the meantime and then have the Congressman follow up with Commissioner Hansen when he is available. We would like to determine when a meeting can take place -- (even if that is a ways out) as soon as possible. Just establishing the meeting date is an extremely time sensitive thing for us right now. Like I said, even if the meeting cannot take place for a few weeks -- nailing down the date is my boss's top priority because a lot of other things hinge upon this.

I very much appreciate your assistance with this request.

Thanks,
Amy

Amy Astin
Legislative Assistant
Congressman Denny Rehberg, R-MT
202.225.3211

7/13/2005



RECEIVED

07132005

CONGRESSMAN DENNY REHBERG

STATE OF MONTANA
516 CANNON HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-3211
(202) 225-5687 FAX

DATE: July 12, 2005 Commissioner Hansen
TO: Deirdre Walsh cc Sheri Brent
FAX NUMBER: 703.699.2735

NUMBER OF PAGES INCLUDING COVER SHEET: 2

FROM:

- CONGRESSMAN DENNY REHBERG
- AMY ASTIN
- JASON BEGGER
- APRIL BLANKENSHIP
- KATIE BRACKIN
- ERIK IVERSON
- OTHER _____
- BRAD KEENA
- JAY MARTIN
- DAVID FAITH
- JAIME RAMSEY

COMMENTS: mtg. request - per my com
Thanks for your help! ☺
Amy

Congress of the United States
House of Representatives
Washington, DC 20515

July 11, 2005

The Honorable James Hansen
BRAC Commission
2521 South Clark St., Ste. 600
Arlington, VA 22202

Dear Mr. Hansen:

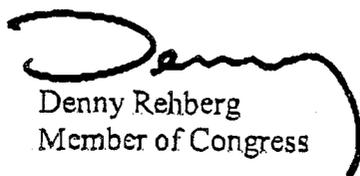
Jim

I would like to extend my congratulations to you on your appointment to the Base Realignment and Closure Commission. Your leadership of the House Resources Committee and our association on that panel afford me a unique appreciation of your qualifications for this weighty assignment. I wish you well as you continue in the critical work of the coming weeks and have no doubt you will make decisions in the best interest of our great country.

At this time I would like to offer up a valuable resource for your evaluation of two Montana military installations. Thus I respectfully request a meeting with you in my Washington, D.C. office at your earliest convenience to discuss the Montana Air National Guard Station and Malmstrom Air Force Base. Both installations are located in Great Falls, and Great Falls community stakeholders have worked together to craft a proposal based on careful military analysis—one that presents some viable options to BRAC decision-makers. I think this proposal is worthy of your consideration and would very much appreciate the opportunity to discuss this with you.

I genuinely appreciate your consideration of this request. My staff will be following up on this invitation shortly.

Sincerely,


Denny Rehberg
Member of Congress

CONGRESSMAN DENNY REHBERG

STATE OF MONTANA
516 CANNON HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-3211
(202) 225-5687 FAX

DATE: July 12, 2005
TO: ~~Debbie Walsh~~ Commissioner Hansen
 to Show Brent

FAX NUMBER: 703.699.2735

NUMBER OF PAGE

FROM:

CONGRESSMAN
 JAMIE ASTIN

- JASON BEGGEI
- APRIL BLANKI
- KATIE BRACKI
- ERIK IVERSON
- OTHER

COMMENTS:

Thanks

Congressman Kenny He
Meeting with
Carmy Patton & Assoc

R/Anne Lira

lm

7/13/05
Amy -
2:05 PM
Hoff -
202-226-7985

RECEIVED
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Congress of the United States
House of Representatives
Washington, DC 20515

July 11, 2005

The Honorable James Hansen
BRAC Commission
2521 South Clark St., Ste. 600
Arlington, VA 22202

Dear Mr. Hansen:

Jim

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Denny Rehberg
Member of Congress

DCN: 12277



DEPARTMENT OF THE NAVY

COMMANDER,
U.S. FLEET FORCES COMMAND
1582 MITSCHER AVE, SUITE 250
NORFOLK, VA 23551-2487

22 July 2005

The Honorable Anthony J. Principi
Chairman, Defense Base Closure and
Realignment Commission
2521 South Clark Street
Arlington, VA 22202

Dear Chairman Principi:

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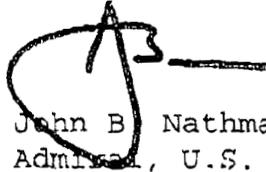
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Sincerely,



John B. Nathman
Admiral, U.S. Navy

DCN: 12277

JUL 19 2005

Received



Congressman Tim Ryan

Representing Ohio's Seventeenth Congressional District

FAX TRANSMISSION

To: Sharee Brent

Phone:

Fax: 703-699-2735

Date:

Number of Pages: 5

Re:

From:

Tim Ryan

Erin Isenberg

David Machak

Mary Anne Walsh

Shandell Jamal

Sterling McPherson

Sean Buchanan

Ryan Keating

Jennifer Moore

Barb Ewing

Tom Koroni

John Stephan

Wil Harris

Rick Leonard

Dean Thomas

Debbie Hayes

Pat Lowry

Matthew Vadas

Pearlette Wigley

Comments:

<p>Washington, D.C.: 222 Cannon House Office Building Washington, D.C. 20515 Phone: (202) 225-5261 Fax: (202) 225-3719</p>	<p>Warren: 197 W. Market St. Warren, OH 44481 Phone: (330) 373-0074 Fax: (330) 373-0098 Toll-Free: 1-800-856-4152</p>
<p>Youngstown: 241 Federal Plaza West Youngstown, OH 44503 Phone: (330) 740-0193 Fax: (330) 740-0182</p>	<p>Akron: 1030 E. Tallmadge Ave. Akron, OH 44310 Phone: (330) 630-7311 Fax: (330) 630-7314</p>

Congress of the United States

DCN: 12277

Washington, DC 20515

BRAC Commission

JUL 19 2005

Received

July 18, 2005

Anthony J. Principi, Chairman
Defense Base Closure and Realignment Commission
2521 S. Clark Street, Suite 600
Arlington, VA, 22202

Re: Youngstown Air Reserve Station

Dear Chairman Principi:

We are writing to express our strong support for the U.S. Department of Defense's recommendation to preserve and expand the Youngstown Air Reserve Station (YARS), and we urge you and your colleagues on the Defense Base Closure and Realignment Commission (BRAC) to concur with the Pentagon's findings.

As Members of the Congressional delegation representing this region, we are monitoring the BRAC process closely because YARS is important to our nation's military strength and we want to ensure that the base remains an active part of the region's economy and infrastructure.

This Air Reserve base is vitally important to the Mahoning and Shenango Valleys, and its value to Northeast Ohio and Western Pennsylvania is evidenced in numerous ways over the last few years – including community investment of more than \$36 million in airport improvements and \$7.8 million in public infrastructure improvements (road, water and sewer) around the facility. This investment is above the \$84 million invested by the US Department of Defense in the Air Reserve Station itself over the same period.

As stated above, our support for DOD's recommendation for the YARS could not be stronger; however, we know that the BRAC Commission is still reviewing the Pentagon's recommendations and may well add or delete bases to the final list submitted to the President. With this in mind, we want to correct and clarify several facts related to YARS that will further emphasize the value and contribution of this installation to our national military capability.

Military Compatibility Index Airlift: Corrections/Additions

Ramp Space – An error was made in reporting that YARS only has 129,286 square yards of aircraft parking ramp. In fact, per the property inventory, the actual figure is almost

DCN: 12277

139,000 square yards. An official amendment is being submitted to the US Department of Defense (DoD) through the Air Force Reserve Command (AFRC). When the corrected data is applied YARS earns 1.49 points for criteria #8 (from 0 pts as currently assigned) and 8.98 points for criteria #1235 (from 5.98 points currently assigned) – a difference of 4.49 additional points.

Proximity to Drop Zones/Landing Zones – The Youngstown-Warren Regional Airport currently has both an official Drop Zone and an official Landing Zone that were not recognized in this process. This data is also used to calculate the scores for two criteria: #1248 Proximity to DZ/LZ; and #1249 Airspace Attributes of DZ/LZ. When the corrected data is applied YARS, earns 8.58 points for criteria #1248 (from 7.13 pts as currently assigned) and 3.48 points for criteria #1249 (from 2.88 points currently assigned) – a difference of 2.05 additional points. Again, an official amendment is being submitted through the AFRC.

Level of Mission Encroachment – Although the YARS received nearly full MCI value for criteria #1207 Level of Mission Encroachment, it did not receive credit for a Local Joint Use Coordinating Board that is now in place. On October 15, 2004, the Board of Trumbull County Commissioners created an Airport Zoning Board and an associated Airport Zoning Commission, pursuant to Ohio Revised Code Sections 4561 and 4563, to prevent future encroachment at the facility. When the corrected data is applied YARS earns 1.66 points for criteria #1207 (from 1.64 pts as currently assigned) – a difference of 0.02 additional points.

As a result of these corrections and additions, the MCI Airlift score for the Youngstown Air Reserve Station should increase by 6.56 points, making the final score 46.65 (from 40.09 as currently assigned).

Military Compatibility Index Airlift: Additional Issues

Low Level Training Routes - Criteria #1246 Proximity to Low Level Routes Supporting Missions is one where the YARS scored poorly -- earning just 1.68 of a possible 13.98 points. Yet an objective analysis shows that the YARS has a very significant infrastructure for low-level training that is widely used, if unrecognized by the MCI Airlift process. While the MCI Airlift looked only at IR/VR routes within 150 nautical miles, the YARS has an 88,000 square mile Low Altitude Tactical Navigation Area (LATN) that includes the YAK West, Star Camp, YAK East and Swordfish LATN areas. Within that area, the 910th Airlift Wing has 12 low level routes they fly on a recurring basis – plus others they use on a more limited basis. That equals the number of official IR/VR routes whose entry and/or exit points are within 150 nautical miles that was measured by the MCI Airlift criteria.

Training Resources – Exceptional training opportunities are afforded at the Youngstown-Warren Regional Airport by minimum levels of aviation congestion (MCI Criteria #1242 ATC Restrictions to Operations), accessibility to thousands of square

miles of unrestricted air space, two runways (9002 feet and 5003 feet) and an assault runway. These amenities make it an ideal site for Touch and Go Landings, and Practice Instrument Approaches (ILS, COR, NDB, Airport Surveillance Radar, and Airborne Radar Approaches). Additionally, the Airport is also installing permanent Night Vision Goggle (NVG) Compatible Lighting on both the main and assault runways. This project is scheduled for completion in 2005 and will enable the FAA tower to quickly configure the airport for NVG operations when required.

To demonstrate its value as a training site, units from across the region travel to YNG for practice. This includes Air Force Reserve units from Pittsburgh, Willow Grove (PA), General Mitchell (Milwaukee), and Niagara Falls, as well as Air National Guard units from Pittsburgh, Akron, Mansfield (OH), Yeager (Charleston, WVA) and Martinsburg (WVA).

Manning – As the DoD's only full-time, fixed-wing, aerial spray capability, the 910th completed over 2,319 flying hours, airlifting more than 2,959 tons of cargo and 6,425 passengers on missions throughout the world in 2004. In addition to its current missions of flying troops, supplies and equipment into and out of Iraq and Afghanistan, the 910th has been a major participant in various military and humanitarian efforts, including demonstrating their aerial spray capability for insect control in the wake of natural disasters. The 910th Airlift Wing also participates in joint service exercises supporting active duty forces in airborne training, operates facilities supporting Naval and Marine Corps reservists and other federal agencies, and assists military and other federal government air traffic to the region.

Consistent with the region's overall commitment to the nation's war on terror and our military, YARS consistently sees exceptional personnel levels. As of July 1, 2005, the manning of the 910th is at 99.8 percent, the retention rate is 97.5 percent and recruiting levels are at 94 percent of their goal for FY05.

Weather – Because YARS experiences fewer than 250 days annually when the prevailing weather is better than 3000'3 Nautical Miles, it received 0 points for criteria #1271. However, in reality, flight operations have not been negatively affected by weather conditions. According to the FAA Control Tower, the Youngstown-Warren Regional Airport has not been closed for weather-related conditions in the last decade. Other comparable facilities received between 0.5 and 0.75 for this criteria. A more salient question would have been on how many days the weather affected aviation activity at the airport.

Thank you for the opportunity to share with you our support and commitment to the Youngstown Air Reserve Station, and to clarify and correct data related to the base, its infrastructure and operations.

DCN: 12277

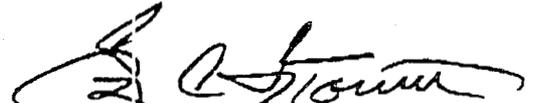
We understand the magnitude of the task the Commission must perform and very much appreciate your outstanding service to our nation's military. If you have additional questions about the Youngstown Air Reserve Station and its capacity for expansion, please contact Mary Anne Walsh, Chief of Staff for Congressman Tim Ryan at 202-225-5261.

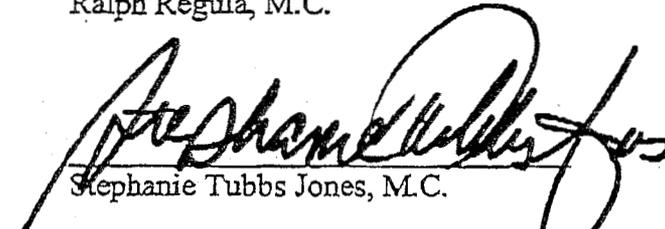
Sincerely,


Michael DeWine, U.S.S.


Tim Ryan, M.C.


Ralph Regula, M.C.


Steve LaTourette, M.C.


Stephanie Tubbs Jones, M.C.


Ted Strickland, M.C.

Date: 20 JUL 05		Number of pages including cover sheet: 3	
To: ATTN: SHARAF BEND	Phone: 703-699-0735	Fax #: 703-699-0735	
From: FLEET FORCES COMMAND FRODT OFFICE	Phone: (UNCLAS) 757-836-5887	Fax #: (UNCLAS) 757-836-5887	
Subject:		Remarks:	

FAX COVER SHEET

Commander, U.S. Fleet Forces Command
 1562 Mischer Ave, Suite 250
 Norfolk, VA 23551-2487

Brent, Sharee, CTR, WSO-BRAC

From: Meyer, Jennifer, CIV, WSO-BRAC
Sent: Friday, July 22, 2005 4:56 PM
To: Brent, Sharee, CTR, WSO-BRAC
Subject: Re: LETTER FROM ADMIRAL NATHMAN

Please give to charlie.

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

From: Brent, Sharee, CTR, WSO-BRAC <Sharee.Brent.ctr@wso.whs.mil>
To: Meyer, Jennifer, CIV, WSO-BRAC <Jennifer.Meyer@wso.whs.mil>
Sent: Fri Jul 22 16:36:43 2005
Subject: FW: LETTER FROM ADMIRAL NATHMAN

Here's the letter.

From: Duffy, Ellen H LCDR FFC N002/N022 [mailto:Ellen.Duffy@navy.mil]
Sent: Friday, July 22, 2005 4:10 PM
To: sharee.brent.ctr@wso.whs.mil
Subject: FW: LETTER FROM ADMIRAL NATHMAN
Importance: High

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

From: Duffy, Ellen H LCDR FFC N002/N022
Sent: Friday, July 22, 2005 16:07
To: 'sharee.brent.ctr@wso.whs.mil'
Subject: LETTER FROM ADMIRAL NATHMAN
Importance: High

Ms. Brent, I am forwarding a letter for Mr. Principi from Admiral Nathman, Commander, U.S Fleet Forces Command. Have a great weekend.

VR/LCDR Ellen Duffy
Flag Secretary
Fleet Forces Command
(757) 836-3650

<<Principi Ltr.pdf>>

DCN: 12277



DEPARTMENT OF THE NAVY
COMMANDER,
U.S. FLEET FORCES COMMAND
1582 MITSCHER AVE, SUITE 250
NORFOLK, VA 23551-2487

22 July 2005

The Honorable Anthony J. Principi
Chairman, Defense Base Closure and
Realignment Commission
2521 South Clark Street
Arlington, VA 22202

Dear Chairman Principi:

Recent correspondence to you, and associated media reports, have characterized certain information pertaining to Naval Submarine Base New London as having been provided by me. Since erroneous conclusions might be drawn from that characterization, I thought it was important for me to convey to you what my role was in the Department of the Navy's BRAC 2005 process, and my position on the proposed closure of SUBASE New London.

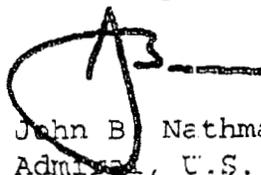
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Sincerely,

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John B. Nathman
Admiral, U.S. Navy

Date: 02 JUL 05	
Number of pages including cover sheet: 3	
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Remarks:	

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<<Principi Ltr.pdf>>

DCN: 12277

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**DEPARTMENT OF THE NAVY**

COMMANDER,
U.S. FLEET FORCES COMMAND
1562 MITSCHER AVE, SUITE 250
NORFOLK, VA 23551-2487

22 July 2005

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Chairman, Defense Base Closure and
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2521 South Clark Street
Arlington, VA 22202

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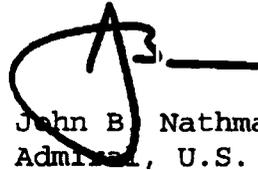
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Sincerely,



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Admiral, U.S. Navy

MAX BAUCUS
DCN 1277
MONTANAWASHINGTON, DC
(202) 224-2651MONTANA TOLL FREE NUMBER
1-800-332-8108

United States Senate

WASHINGTON, DC 20510-2602

INTERNET.
max@baucus.senate.gov
<http://www.senate.gov/~baucus>

June 1, 2005

Anthony J. Principi
Chairman, Base Realignment and Closure Commission
2521 South Clark Street, Suite 600
Arlington, VA 22202

Dear Chairman Principi:

The Air National Guard in Great Falls, Montana was on the Department of Defense's BRAC list and has been slated for realignment. This recommendation greatly concerns me since it will remove the F-16 flying mission out of Montana and leave the entire state without a single flying mission to protect it.

The national security implications of DoD's decision are vast. As you know, Montana is a northern border state, and as security is tightened on the southern border, the northern border has become more vulnerable. I believe that the military should be looking to expand in our state, not make cuts. I am also baffled by the process that led to the decision to put the Great Falls Air Guard Base on the BRAC list, particularly since our F-16s are to be realigned to a base with lower military value.

In my years of working to protect the military in Montana through many BRAC processes, I have never seen the state more united and unanimous in their concern than this year. That is why I would like to invite you to come to my Washington, D.C. office on June 9, 2005 to meet with me. I have invited the entire Congressional delegation of Montana, the Governor, and the Mayor of Great Falls to be present as well. We would appreciate any amount of time that you or other available members of your commission could give us that day. We are particularly interested in meeting with General Lloyd Newton.

Please contact me at 202 224-2651 if you will be able to join me. I look forward to hearing from you.

Sincerely,

MSB/LW



MAX BAUCUS
MONTANA 277WASHINGTON, DC
(202) 224-2651MONTANA TOLL FREE NUMBER
1-800-332-8108

United States Senate

WASHINGTON, DC 20510-2602

INTERNET.
max@baucus.senate.gov
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United States Senate

WASHINGTON, DC 20510-2602

INTERNET:
max@baucus.senate.gov
http://www.senate.gov/~baucus

June 1, 2005

Anthony J. Principi
Chairman, Base Realignment and Closure Commission
2521 South Clark Street, Suite 600
Arlington, VA 22202

Dear Chairman Principi:

The Air National Guard in Great Falls, Montana was on the Department of Defense's BRAC list and has been slated for realignment. This recommendation greatly concerns me since it will remove the F-16 flying mission out of Montana and leave the entire state without a single flying mission to protect it.

The national security implications of DoD's decision are vast. As you know, Montana is a northern border state, and as security is tightened on the southern border, the northern border has become more vulnerable. I believe that the military should be looking to expand in our state, not make cuts. I am also baffled by the process that led to the decision to put the Great Falls Air Guard Base on the BRAC list, particularly since our F-16s are to be realigned to a base with lower military value.

In my years of working to protect the military in Montana through many BRAC processes, I have never seen the state more united and unanimous in their concern than this year. That is why I would like to invite you to come to my Washington, D.C. office on June 9, 2005 to meet with me. I have invited the entire Congressional delegation of Montana, the Governor, and the Mayor of Great Falls to be present as well. We would appreciate any amount of time that you or other available members of your commission could give us that day. We are particularly interested in meeting with General Lloyd Newton.

Please contact me at 202 224-2651 if you will be able to join me. I look forward to hearing from you.

Sincerely,



MSB/LW

D R A F T

June 3, 2005

The Honorable Donald Rumsfeld
Secretary of Defense
The Department of Defense
Washington, DC 20301

Dear Secretary Rumsfeld:

We are writing once again to seek the Department of Defense's production of documents that are critical to ensuring the integrity and transparency of the BRAC process. The documents we seek go to the essence of how the Department arrived at its list of base closure and realignment recommendations. If the Department does not agree, by Monday at noon, to provide us with the documents we have requested pursuant to the authority provided to us as Chairman and Ranking Member of the Homeland Security and Governmental Affairs Committee, we will compel production of those documents by subpoena.

On May 27, 2005, we wrote to demand that the Department comply with its statutory obligation to disclose to Congress all the information underlying its recent recommendations for military base closures and realignments. On June 1, 2005, Acting Deputy Secretary of Defense Gordon England responded, referring us to classified materials made available for viewing in a secure facility in Crystal City, Virginia. Secretary England, however, did not address the specific information requested in our prior letter.

Our May 27, 2005 letter makes it plain that we are requesting more than the data and formal decisional material referenced in Secretary England's response. We are seeking the documentation of the internal workings of the process itself to ensure its propriety and compliance with legal standards. Specifically, we wrote:

To be clear about our understanding of the Department's statutory obligations, we believe that the text of the statute - "all information used by the Secretary to prepare the recommendations" - means literally all information. We therefore expect that the information disclosed by the Department in fulfillment of its statutory obligation will include not only all documents (e.g., email traffic, memoranda, spreadsheets, analyses, raw data, handwritten notes, and telephone logs) related to the Department's decision-making process as set forth in the Act but also all documents that might reflect the

The Honorable Donald Rumsfeld
Secretary of Defense
Page 2

influence or consideration of factors not authorized in that Act. Only a complete disclosure will suffice to begin restoring public confidence in the Department's decision-making process.

Committee staff have been to the Crystal City reading room and saw no evidence of the sort of emails, handwritten notes, and other internal decisional materials referenced above.

We believe that the information we have requested, which resides at the core of what is meant to be a transparent BRAC process, must be produced to Congress pursuant to the Defense Base Closure and Realignment Act of 1990, as amended. But to the extent you would argue otherwise, let us be clear that we are requesting these documents under our Committee's oversight authority, irrespective of whether they are encompassed within the information required to be provided to Congress under the Act.

Committee staff have repeatedly reached out to your staff to discuss and clarify the information we seek to ensure the integrity of the BRAC process. To date, their offers have been met with silence.

Time runs short in the course of this accelerated process. And so, if we do not receive by noon on Monday the assurances that we have requested above, we will proceed to issue the subpoena.

If you have any questions about this matter, please have your staff contact the Committee's Majority Staff Director, Michael Bopp, at (202) 224-4751, or the Committee's Minority Staff Director, Joyce Rechtschaffen, at (202) 224-2627.

Sincerely,

Susan M. Collins
Chairman

Joseph I. Lieberman
Ranking Member



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600

Arlington, VA 22202

Telephone: 703-699-2950

October 13, 2005

Congressman Adam Smith
227 Cannon House Office Building
Washington, DC 20515

Dear Congressman Smith:

Thank you for your letter of October 5, 2005 in which you seek clarification of Commission Recommendation 146 (Headquarters & Support Activities 41) Joint Basing. I will respond separately to Senators Cantwell and Murray and Representative Dicks.

The additional statement adopted by the Commission that related to Secretary of Defense's Recommendation 146 is as titled a "statement" and not an amendment to the recommendation. It was not proffered as, nor meant to be, an amendment. Rather, even though it sounds directive, it is akin to dictum in a court opinion -- declarative and hortative, but not directive or binding. Consequently, the statement is not included in the text of the recommendation. The Commission's amendment to Recommendation 146 altered only the language regarding the Naval Research Laboratory. It did not alter the language in the recommendation regarding Fort Lewis and McChord Air Force Base or any of the other listed installations. The Commission statement was, however, directed at "the entire Joint Basing recommendation."

The full text of Motion 146-3A, which amended Recommendation 146 and is contained on the Commission website (www.brac.gov), is set forth below. The operative part of the amendment is the first paragraph. The two paragraphs that follow are the "statement" reflecting the views of the Commission concerning implementation of the recommendation, as amended.

I move:

- that the Commission find that when the Secretary of Defense made Headquarters and Support Activities Joint Cross Service Group Recommendation 41, Joint Basing, he substantially deviated from Final Selection Criteria 1 and 4 and the Force Structure Plan;
- that the Commission strike the language "-Naval Research Laboratory (NRL)," where it appears in paragraph "d", Chapter V, Section 146 of the Bill, and;
- that the Commission find this change and the recommendation as amended are consistent with the Final Selection Criteria and Force Structure Plan.

Chairman: Anthony J. Principi

Commissioners: The Honorable James H. Bilbray, the Honorable Philip E. Coyle II, Admiral Harold W. Gehman Jr., USN (Ret), the Honorable Jim Hansen, General James T. Hill, USA (Ret), General Lloyd Newton, USAF (Ret), the Honorable Samuel K. Skinner, Brigadier General Sue Ellen Turner, USAF (Ret)

Executive Director: Charles Battaglia

And, that further, the Commission makes the additional statement: "NRL is a Secretary of the Navy Working Capital Fund Activity. Real property and BCS functions integral to the research and industrial functions at NRL will remain with the Commanding Officer. Because

of Navy's centralization of installation management functions, Naval District Washington provides non-mission related services to NRL already, such as Morale, Welfare, and Recreation and food services. This is not intended to alter that relationship."

And further, as pertains to the entire Joint Basing recommendation, the Commission states that, "Manpower savings shall not be directed, as they are in the DoD proposal, but must be derived from standard manpower and functional analysis studies, and cooperative joint determinations between the affected installations. Moreover, the Department of Defense must provide DoD-wide standards for delivery of services and common definitions for those services before installation management functions are relocated from the losing activities."

With regard to Recommendation 171 (Medical 9) McChord Air Force Base, WA about which you commented in your letter, the Commission adopted an amendment that altered language contained in the Secretary of Defense's recommendation. That change in language is an integral part of the recommendation and not a statement and is therefore reflected in the Commission's finding and recommendation.

The full text of Motion 171-4B, which amended Recommendation 171 and is also contained on the Commission website, is:

I move:

- that the Commission find that when the Secretary of Defense made Medical Joint Cross Service Recommendation 9, McChord Air Force Base, Washington, he substantially deviated from Final Selection Criteria 2, 3 and 4 and the Force Structure Plan;*
- that the Commission strike the language "Realign McChord Air Force Base, WA, by relocating all medical functions to Fort Lewis, WA." and insert in its place "Realign McChord Air Force Base, WA, by reorganizing medical functions under Madigan Army Medical Center, Fort Lewis, WA. McChord Air Force Base medical functions will be reorganized and relocated as directed by the Commander, Madigan Army Medical Center.", and;*
- that the Commission find this change and the recommendation as amended are consistent with the Final Selection Criteria and Force Structure Plan.*

The Department of Defense has in the past given considerable weight to the views of BRAC Commissions expressed in report language, especially statements made in connection with amendments to recommendations. I have no reason to believe that practice will not continue, especially considering the underlying logic and persuasiveness of the Commission's position on implementation of the Joint Basing recommendations.

Thank you for your expression of appreciation for the work of the Commission. The labor has been long and intense but gratifying to us all. I will ensure your comments are conveyed to the other Commissioners and staff.

Sincerely,

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Anthony J. Principi
Chairman



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600

Arlington, VA 22202

Telephone: 703-699-2950

October 13, 2005

Senator Patty Murray
173 Russell Senate Office Building
Washington, DC 20510

Dear Senator Murray:

Thank you for your letter of October 5, 2005 in which you seek clarification of Commission Recommendation 146 (Headquarters & Support Activities 41) Joint Basing. I will respond separately to Senator Cantwell and Representatives Dicks and Smith.

The additional statement adopted by the Commission that related to Secretary of Defense's Recommendation 146 is as titled a "statement" and not an amendment to the recommendation. It was not proffered as, nor meant to be, an amendment. Rather, even though it sounds directive, it is akin to dictum in a court opinion -- declarative and hortative, but not directive or binding. Consequently, the statement is not included in the text of the recommendation. The Commission's amendment to Recommendation 146 altered only the language regarding the Naval Research Laboratory. It did not alter the language in the recommendation regarding Fort Lewis and McChord Air Force Base or any of the other listed installations. The Commission statement was, however, directed at "the entire Joint Basing recommendation."

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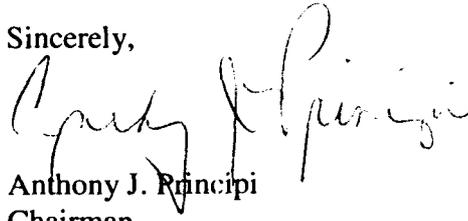
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Thank you for your expression of appreciation for the work of the Commission. The labor has been long and intense but gratifying to us all. I will ensure your comments are conveyed to the other Commissioners and staff.

Sincerely,

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Anthony J. Principi
Chairman



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600

Arlington, VA 22202

Telephone: 703-699-2950

October 13, 2005

Congressman Norm Dicks
2467 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Dicks:

Thank you for your letter of October 5, 2005 in which you seek clarification of Commission Recommendation 146 (Headquarters & Support Activities 41) Joint Basing. I will respond separately to Senators Cantwell and Murray and Representative Smith.

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Skinner, Brigadier General Sue Ellen Turner, USAF (Ret)

Executive Director: Charles Battaglia

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Anthony J. Principi
Chairman



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600

Arlington, VA 22202

Telephone: 703-699-2950

October 13, 2005

Senator Maria Cantwell
717 Russell Senate Office Building
Washington, DC 20510

Dear Senator Cantwell:

Thank you for your letter of October 5, 2005 in which you seek clarification of Commission Recommendation 146 (Headquarters & Support Activities 41) Joint Basing. I will respond separately to Senator Murray and Representatives Dicks and Smith.

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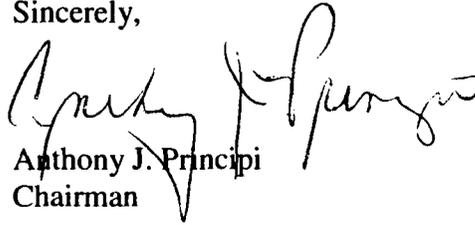
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Anthony J. Principi
Chairman

BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET, SUITE 600
ARLINGTON, VA 22202
PHONE: 703-699-2950
FAX: 703-699-2735



FACSIMILE TRANSMITTAL SHEET

TO: Senator Patty Murray	FROM: General David Hague
COMPANY: Russell Senate Office Building	DATE: OCTOBER 13, 2005
FAX NUMBER: 202-224-0238	TOTAL NO. OF PAGES INCLUDING COVER: 3 pages
PHONE NUMBER: 202-224-2621	SENDER'S TELEPHONE NUMBER: 202-699-2953
RE:	SENDER'S FAX NUMBER:

BRAC Commission

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

**BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET, SUITE 600
ARLINGTON, VA 22202
PHONE: 703-699-2950
FAX: 703-699-2735**



FACSIMILE TRANSMITTAL SHEET

TO: Congressman Norm Dicks	FROM: General David Hague
COMPANY: Rayburn House Office Building	DATE: OCTOBER 13, 2005
FAX NUMBER: 202-226-1176	TOTAL NO. OF PAGES INCLUDING COVER: 3 pages
PHONE NUMBER: 202-225-5916	SENDER'S TELEPHONE NUMBER: 202-699-2953
RE:	SENDER'S FAX NUMBER:

BRAC Commission

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET, SUITE 600
ARLINGTON, VA 22202
PHONE: 703-699-2950
FAX: 703-699-2735



FACSIMILE TRANSMITTAL SHEET

TO: Senator Maria Cantwell	FROM: General David Hague
COMPANY: Russell Senate Office Building	DATE: OCTOBER 13, 2005
FAX NUMBER: 202-228-0514	TOTAL NO. OF PAGES INCLUDING COVER: 3 pages
PHONE NUMBER: 202-224-3441	SENDER'S TELEPHONE NUMBER: 202-699-2953
RE:	SENDER'S FAX NUMBER:

BRAC Commission

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET, SUITE 600
ARLINGTON, VA 22202
PHONE: 703-699-2950
FAX: 703-699-2735



FACSIMILE TRANSMITTAL SHEET

TO:	Congressman Adam Smith	FROM:	General David Hague
COMPANY:	Cannon House Office Building	DATE:	OCTOBER 13, 2005
FAX NUMBER:	202-225-5893	TOTAL NO. OF PAGES INCLUDING COVER:	3 pages
PHONE NUMBER:	202-225-8901	SENDER'S TELEPHONE NUMBER:	202-699-2953
RE:		SENDER'S FAX NUMBER:	

BRAC Commission

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600

Arlington, VA 22202

Telephone: 703-699-2950

September 16, 2005

The Honorable Pete V. Domenici
United States Senate
328 Hart Senate Office Building
Washington, DC 20510

Dear Senator Domenici:

Thank you for your and Senator Bingaman's letter of September 13, 2005, expressing appreciation for the work of the Commission. I will convey your sentiments to the other commissioners and staff.

You have expressed concern in your letter about the affect of commissioner recusals on matters relating to Cannon Air Force Base, New Mexico. I understand and share your concerns about the soundness, correctness, and integrity of the BRAC process. Your earlier letter in which you questioned the wisdom of recusals prompted me to closely re-examine Commission practice and procedures. I discussed matters at length with my executive director, general counsel, and counsel from the Senate Armed Services Committee. Others contributed to the dialogue, including several individuals who were intimately involved with the most recent amendments to the BRAC statute and past BRAC Commissions. The review assured me that the Commission was on the right course and acting consistently with legal precedent, past BRAC practice, and statutory imperatives.

Four commissioners recused themselves from participation in matters relating to installations in their home states. Commissioners Coyle and Gehman recused themselves, in accordance with ethics agreements they signed during the nomination process, because of their prior BRAC-related activity in California and Virginia respectively. Commissioner Bilbray recused himself because of his long-time representation of Nevada in the Congress and other public offices. Commissioner Hansen recused himself with regard to Utah for the same reason.

The recusals were made publicly at a Commission hearing held on May 19, 2005. As a result of their recusals, the commissioners could not deliberate or vote on matters relating to installations in their home states or to installations in other states that were substantially affected by closures and realignments or installations in their home states. Commissioners Bilbray and Hansen understood that their recusals were voluntary and not required by the ethics rules or statutes.

Chairman: Anthony J. Principi

Commissioners: The Honorable James H. Bilbray, the Honorable Philip E. Coyle III, Admiral Harold W. Gehman Jr., USN (Ret), the Honorable Jim Hansen, General James T. Hill, USA (Ret), General Lloyd Newton, USAF (Ret), the Honorable Samuel K. Skinner, Brigadier General Sue Ellen Turner, USAF (Ret)

Executive Director: Charles Battaglia

Page 2

The Honorable Pete V. Domenici

I know that we are of like mind that the Commission and its individual members must be above reproach and free from any real or perceived bias. The actions of Commissioners Bilbray, Coyle, Gehman, and Hansen in limiting their participation in certain Commission actions reflect the importance they place on their personal integrity and the public trust. Their actions can only have served to enhance the reality and perception of the Commission as independent, open, and honest.

You have asked about an "alternative [Commission] approach" with regard to Cannon Air Force Base that you believe would have mitigated the effect of recusals on votes that affected the base. I am unaware of any approach that would have produced that result. The Secretary of Defense's recommendation that Cannon Air Force Base be closed and its aircraft distributed to locations that included Nevada and Utah was the starting point for any action by the Commission. No approach would have altered that fact. Consequently, as long as Commissioners Bilbray and Hansen felt bound by the terms of their recusals, they remained unable to vote on Cannon-related matters.

Thank you again for your friendship and support.

Sincerely,

Anthony J. Principi
Chairman

*Mr. Domenici,
I would like to
to meet with you to
discuss the proposed
(1/09)*

DCN: 12277

United States Senate

WASHINGTON, DC 20510

June 27, 2005

Anthony J. Principi
Chairman
The Base Realignment and Closure Commission
The Polk Building, Suite 600 & 625
2521 South Clark Street
Arlington, VA 22202

Dear Chairman Principi:

It was a pleasure seeing you in Portland at the Base Realignment and Closure (BRAC) hearing on June 17, 2005. We hope you enjoyed your stay in the Pacific Northwest.

We wish to reiterate our strong support for the Oregon National Guard's 142nd Fighter Wing and their continued deployment at the Portland International Airport. The realignment of F-15's stationed in Portland would significantly compromise the safety of the Pacific Northwest.

In this era of heightened threats from terrorists and rogue nations, the first priority of the federal government, and particularly the Department of Defense, is to ensure the safety of our fellow citizens from conventional and unconventional threats. The 142nd Fighter Wing plays a crucial role in protecting the entire Northwest Pacific region. Realigning the 142nd Fighter Wing throughout the country would make the citizens of the Pacific Northwest more vulnerable to such threats.

Our best wishes as you chair the BRAC Commission and address the complexities of this process. Should you need any further information or have any questions, please do not hesitate to contact us. We appreciate your consideration of this issue.

Sincerely,



Ron Wyden
United States Senate



Gordon H. Smith
United States Senate

Cc:

James H. Bilbray, BRAC Commission Member
Philip Coyle, BRAC Commission Member
James V. Hansen, BRAC Commission Member

DCN: 12277



DEPARTMENT OF THE NAVY

COMMANDER,
U.S. FLEET FORCES COMMAND
1562 MITSCHER AVE, SUITE 250
NORFOLK, VA 23551-2437

22 July 2005

The Honorable Anthony J. Principi
Chairman, Defense Base Closure and
Realignment Commission
2521 South Clark Street
Arlington, VA 22202

Dear Chairman Principi:

Recent correspondence to you, and associated media reports, have characterized certain information pertaining to Naval Submarine Base New London as having been provided by me. Since erroneous conclusions might be drawn from that characterization, I thought it was important for me to convey to you what my role was in the Department of the Navy's BRAC 2005 process, and my position on the proposed closure of SUBASE New London.

The process established by the Secretary of the Navy for the BRAC 2005 was designed to be an equitable, analytical process based upon certified data and comprehensive analysis evaluated by senior leadership. As detailed in the SECNAV Note governing the process, the entity charged with developing recommendations regarding closure and realignment of DON military installations was the Infrastructure Evaluation Group (IEG). As the Vice Chief of Naval Operations, I was the Co-Chair of the IEG from September 9, 2004 to 17 March 2005, when I departed to assume duties as the Commander, Fleet Forces Command. Accordingly, I chaired the IEG during the period in which most of the major DON recommendations were being developed, analyzed and approved by the Secretary.

The IEG was specifically charged with ensuring that factors of concern to the Navy and Marine Corps operational commanders were considered in any recommendations that affected DON installations. We accomplished that in various ways: the membership of the IEG included representation from Fleet Forces Command, data calls requested input on operational impacts, the views of major commands were sought, and briefings specifically noted issues and concerns identified during the analysis. Most, if not all, of the concerns raised were addressed within the process. By so doing, the Secretary of the Navy's process sought to ensure that the senior leadership who ultimately had to forward recommendations to the Secretary of Defense had the full view from their staff about the benefits and risks of any recommendation.

The analysis of SUBASE New London for closure occurred while I was the Co-Chair of the IEG. Concerns expressed by Fleet Forces Command about potential impacts due to changes in ways of doing business were fully discussed at deliberative meetings and were identified to the Chief of Naval Operations and the Secretary of the Navy when this recommendation was briefed to them. While this closure will be difficult, particularly because of our long history in Connecticut, I was convinced then - and remain so today - that it is the right decision for the Navy. Not only will the savings contribute to the recapitalization of the Navy, we will also be able to build right-sized facilities that support the submarine fleet in the 21st century.

Vice Admiral Cosgriff, my Deputy, was the Fleet Forces Command representative on the IEG during the scenario development and analysis process. If you would like to discuss with him the details of the Fleet Forces Command input provided and how that input was addressed, I encourage you to call him. I too, of course, would be happy to discuss any issues regarding any Navy BRAC recommendations.

Sincerely,



John B. Nathman
Admiral, U.S. Navy

Date: <u>20 JUL 05</u>	
Number of pages including cover sheet: <u>3</u>	
To: <u>ATTN: SHARAF BRENOT</u>	Phone: _____
Fax #: <u>703-699-0735</u>	
From: <u>FLEET FORCES COMMAND FRAGDT OFFICE</u>	Phone: _____
Fax #: <u>(UNCLAS) 757-836-5887</u>	
Subject: _____	
Remarks: _____	

FAX COVER SHEET

Commander, U.S. Fleet Forces Command
 1562 Mischer Ave, Suite 250
 Norfolk, VA 23551-2487

BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET, SUITE 600
ARLINGTON, VA 22202
PHONE: 703-699-2950
FAX: 703-699-2735



FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
<i>The Honorable Mark Warner</i>	<i>Anthony J. Principi</i>
COMPANY:	DATE:
<i>The State of VA</i>	<i>August 9, 2005</i>
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
<i>804-371-6357</i>	<i>2</i>
PHONE NUMBER:	SENDER'S TELEPHONE NUMBER:
<i>804-706-2211</i>	<i>703-699-2950</i>
RE:	SENDER'S FAX NUMBER:
	<i>703-699-2735</i>

URGENT
 FOR REVIEW
 PLEASE COMMENT
 PLEASE REPLY
 PLEASE RECYCLE

NOTES/COMMENTS:

The Chairman's response to the Governor's letter regarding Cecil Field and NAS Oceana.

Original to arrive by FedEx.



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600

Arlington, VA 22202

Telephone: 703-699-2950

August 8, 2005

*The Honorable Mark Warner
State Capitol
Richmond, VA 23219*

Dear Governor Warner:

Thank you for your letter of August 5, 2005 expressing your concerns that Florida may be accorded a hearing to present a proposal that Cecil Field be considered as an alternative to NAS Oceana.

While the Commission is not restricted on hearing dates, places, witnesses and hearing agenda, it is not according Florida or any other state the opportunity to testify on alternatives to Oceana NAS. On July 22, 2005, the Florida delegation did provide testimony at the regional hearing in New Orleans on Cecil Field. This testimony can be found on our website.

Nonetheless, Commission policy is to permit communities wishing to do so to meet with Commissioners and staff on an informal basis. As an alternative to a hearing that Governor Bush has requested, we have suggested that he meet informally with Commissioners and staff. The results of these meetings are summarized and posted on our website.

Sincerely,

A handwritten signature in black ink, appearing to read 'AJ Principi', written over a vertical line.

*Anthony J. Principi
Chairman*

Chairman: Anthony J. Principi

Commissioners: The Honorable James H. Bilbray, The Honorable Philip E. Coyle III, Admiral Harold W. Gehman Jr., USN (Ret), The Honorable Jim Hansen, General James T. Hill, USA (Ret), General Lloyd Newton, USAF (Ret), The Honorable Samuel K. Skinner, Brigadier General Sue Ellen Turner, USAF (Ret)

Executive Director: Charles Battaglia

Executive Correspondence
USA Alaska
DCN 4669

MAJORITY DEPUTY WHIP

COMMITTEES:

ENERGY AND NATURAL RESOURCES
CHAIRMAN, SUBCOMMITTEE ON
WATER AND POWER

FOREIGN RELATIONS
CHAIRMAN, SUBCOMMITTEE ON
EAST ASIAN AND PACIFIC AFFAIRS

ENVIRONMENT AND PUBLIC WORKS
INDIAN AFFAIRS

Received

JUL 14 2005

United States Senate

WASHINGTON, DC 20510-0203

(202) 224-6665
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July 13, 2005

The Honorable Anthony J. Principi

Chairman

Defense Base Closure and Alignment Commission

2521 South Clark Street

Arlington, Virginia 22202

Dear Mr. Principi:

As the 2005 BRAC round proceeds, I am increasingly concerned about the effect that recusals by several members of the Defense Base Realignment and Closure (BRAC) Commission will have upon the Commission's ability to fulfill the important public trust responsibilities expected of them under applicable laws and regulations. By way of example, I understand that one Commissioner may have to abstain from most of the votes but his failure to fully participate will not affect the requirement that a majority of the seated Commissioners must affirmatively vote to take a base off of the BRAC list. Other Commissioners have expressed their intention to abstain from specific votes. It is in the public's interest that every Commissioner participates in the deliberations of the BRAC Commission as fully as the law allows. Ideally, no BRAC Commissioner should be forced to recuse him or herself from participating in any issue before the Commission.

At the Commission's public meeting on May 19, 2005, Commissioners Bilbray, Coyle, Gehman and Hansen announced that they would recuse themselves from certain decisions of the BRAC Commission. It is my understanding that Commissioners Coyle and Gehman engaged in certain activities related to the 2005 BRAC round prior to their appointment to the BRAC Commission that required each to recuse himself under an Ethics Agreement that all of the Commissioners signed as a condition of appointment. There seems to be little controversy over their decisions given the circumstances.

Commissioners Bilbray and Hansen, on the other hand, appear to have recused themselves from decisions involving their home states solely because they formerly served in elective office from those states. I am particularly concerned about the voluntariness of Commissioner Bilbray's decision.

Letter from Anthony J. Principi, Chairman, BRAC Commission to the Honorable Ted Stevens, United States Senate, June 17, 2005 and enclosed Extract of Transcript of the May 19, 2005 Public Meeting of the BRAC Commission, March 8, 2005. Commissioner Hansen indicated that he would recuse himself from

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540 Water Street, Suite 101
Ketchikan, AK 99901-6378
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851 East Westport Drive, Suite 307
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(907) 378-7865

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311 Willow Street, Building 3
Bethel, AK 99559-1030
(907) 543-1838

Executive Correspondence
DCN 4669

-2-

Media accounts indicate that Commissioner Bilbray made this decision after consultation with the BRAC Commission's counsel.² However, one article suggests that Commissioner Bilbray was given little choice in the matter. This article quotes Commissioner Bilbray as stating, "I was kind of shocked when our counsel advised me to recuse." Commissioner Bilbray spoke to the reporter who wrote this story immediately after the May 19th Commission meeting at which he announced his recusal.³

Questions about the voluntariness of Commissioner Bilbray's recusal arose once again at the BRAC Commission's Alaska Regional Hearing on June 15, 2005. An article that appeared the day prior to the hearing cast doubt on whether the Commissioner's recusal applied to the proposed removal of fighter aircraft from Eielson AFB to Nellis AFB. In that article, Bilbray was quoted as follows:

I'm going to do what's right for the country...I think the people in Alaska will find that I'll be very fair in this matter. And if I don't think those planes should go to Nellis, I'll be one of the first to say that.

The article goes on to quote Commissioner Bilbray as follows, "I think Nellis needs more planes like a hole in the head; they've got so many there already."⁴

The following day, Commissioner Bilbray said he would recuse himself from BRAC Commission votes related to the proposed transfer of F-16 aircraft to Nellis AFB, again on the advice of the Commission's counsel. However, he continued to insist that he had no intention of favoring his home state in his work on the BRAC Commission. Quite the contrary, Commissioner Bilbray suggested that he was favorably disposed to keeping the F-16 aircraft at Eielson AFB.

I've been leaning against the recommendation to realign Eielson...I could very well have been a 'no vote' that they cancelled out.

I feel bad for the people of Alaska...I've been very sympathetic to those bases.⁵

substantial participation in any portion of the BRAC Commission that would affect any installation in the State of Utah on the grounds that he has held public office in Utah for forty-two years, 22 of which as a member of Congress. Commissioner Bilbray indicated that he was recusing himself from any work "in regard to the State of Nevada in these particular deliberations," "in advice of the Ethics Council (sic) to our Commission."

² Sam Bishop, Bilbray Mulls Recusal for Eielson Votes, Fairbanks Daily News-Miner, June 14, 2005.

³ Samantha Young, Ex-Congressman Quits Work Involving State Military Sites, Las Vegas Review-Journal, May 20, 2005.

⁴ See, note 2.

⁵ R.A. Dillon, BRAC Commission to Take Second Look at Recusals, Fairbanks Daily News-Miner, June 16, 2005. (Emphasis added)

Executive Correspondence
DCN 4669

-3-

These news media accounts also suggest that the BRAC Commission staff was confused about the applicable ethics rules. On June 14, Commission spokesman Jim Schaefer was quoted as saying that he didn't believe Commissioner Bilbray needed to recuse himself on the Eielson issue. Schaefer said, "From what I've heard he's not planning to."⁶

On June 15th, Schaefer is quoted as saying that "Commission bylaws mandate that commissioners abstain from voting on issues that directly affect their home states." Bilbray, on the other hand, contended that the recusal decision followed questions from the media about his impartiality.⁷

You were quoted in the June 15 story as indicating that "the Commission would meet with its legal counsel [the following week] to review the recusal process." That article also quotes you as saying that "If we keep recusing people every time there's a potential minor conflict we're going to run into trouble."⁸ I fully expected that this meeting would include all of the Commissioners. I was disappointed to learn that you were the only Commissioner present.⁹

On June 21, 2005, following the meeting with counsel, you wrote Senators Stevens and Warner that the previously announced recusals would remain in effect.¹⁰ My counsel, who was briefed on the outcome of the meeting by the BRAC Commission's General Counsel, informs me that the recusals by Commissioners Bilbray and Hanson were not withdrawn in deference to a precedent established by former Senator Dixon from Illinois who served on a prior BRAC Commission that has since sunsetted.

However worthy the precedent, and that in itself is debatable, it is not the law. I am informed that BRAC Commission is a chartered federal advisory committee, subject to the Federal Advisory Committee Act. The Commission's charter specifies that the Commissioners are "Special Government Employees" (SGEs). Contrary to the statements of the Commission's spokesperson, neither the Commission's charter, the procedural rules it has adopted, nor the Commission's principal governing legislation, the Defense Base Closure and Realignment Act of 1990, specify the conflict of interest or impartiality rules governing members of the BRAC Commission.

BRAC Commissioners, as SGEs, are subject to the mandates of federal ethics laws and the US Office of Government Ethics (OGE) government-wide ethics regulations. The OGE government-wide ethics regulations require that SGEs abstain from voting on matters before federal advisory committees on which they cannot cast an

⁶ See, note 2.

⁷ See, note 5.

⁸ Id. (Emphasis added)

⁹ See, note 1.

¹⁰ Letter from Anthony J. Principi to the Honorable John W. Warner, United States Senate, June 21, 2005.

impartial vote.¹¹ However, these regulations define partiality in terms that would not require Commissioner Bilbray to abstain from any decision solely because his home state might win or lose in the vote.

The regulations require that an SGE abstain from participating in "particular matters" in which the SGE, a member of his or her household, or a person with which he or she has a "covered relationship" has a "direct and predictable financial interest." These matters must involve "specific parties"¹² Moreover, the SGE must only abstain if "a reasonable person with knowledge of the relevant facts would question his impartiality." These regulations do not require that an individual disqualify himself simply because a member of the press or the public might subjectively believe he is partial.¹³

Recognizing that it is impossible to predict all conceivable fact situations in regulations, the OGI encourages SGEs who are concerned that other circumstances would raise a question of impartiality to consult an Ethics Counsel.¹⁴ The regulations enumerate a series of factors to be considered by the Ethics Counsel in determining whether an individual's participation in a government decision "outweighs the concern that a reasonable person may question the integrity of the agency's programs and operations."¹⁵ These Ethics Counsel is expected to weigh the appearance that the government employee's decisions will be driven by his or her financial interest (or the financial interests of a related party) against the need for the employee to participate in the decision.¹⁶

The government-wide ethics regulations provide a roadmap for evaluating questions of impartiality, real or perceived. These regulations do not require a person to abstain from the performance of his or her official duties absent a showing that the individual, a family member or a close associate will benefit financially from the government employee's decisions. To the best of my knowledge, nobody has suggested that Commissioner Hilbray, his family members, or those associated with him, have any financial stake in the outcome of the BRAC Commission's deliberations.

Commissioner Bilbray's protestations in the media do not inspire confidence that he was offered the choice of following the government-wide ethics regulations or electing

¹¹ 5 C.F.R. 2635.501 - 502 (2005).

¹² See, 5 C.F.R. 2637.102(a) (7) (2005) for definitions of "specific matters" and "specific parties". DoD

guidance, note 13, observes that "DoD advisory committees usually focus on policy-level issues and do not consider particular matters involving specific parties."

¹³ See, Standards of Conduct Office, DoD General Counsel, Keeping Committees Clear of Ethical

Problems: An Ethics Guide for Designated Federal Officials of DoD Advisory Committees (February 10,

2004)(discussion of conflicts of interest), An Advisory Guide for Consultants and Advisory Committee

Members at the Department of Defense (February 10, 2004) (discussion of impartiality), Employees' Guide

to the Standards of Conduct (October 2002) at 8.

¹⁴ 5 C.F.R. 2637.501(a) (2005)

¹⁵ 5 C.F.R. 2635.502(d) (2005)

¹⁶ 5 C.F.R. 2635.502(d) (1)-(5).

a more restrictive position as a matter of conscience. Weeks after reading Commissioner Bilbray's comments in the newspaper, I am still troubled by the Commissioner's protest that his possible voice against the realignment of Eljelson AFB - a vote against the interests that supposedly disqualified him - would be "cancelled out," presumably by the Commissioner's attorneys.¹⁷ I am left with the impression that the Commissioner's attorneys characterized the decision made by Senator Dixon some years back as the applicable law and "advised" Commissioner Bilbray to follow it.

Section 5(b) (3) of the Federal Advisory Committee Act sets forth Congress' expectation that the advice and recommendations of the advisory committee "will not be inappropriately influenced by the appointing authority... but will instead be the result of the advisory committee's independent judgment."¹⁸ The arbitrary exclusion of committee members from participation in Commission decisions by staff members who are employed by the supporting agency necessarily raises an inference of interference.

The General Services Administration's Federal Advisory Committee Act regulations, at the suggestion of OGE,¹⁹ enumerate the specific responsibilities of an agency that supports an advisory committee to assure that the committee functions in an ethical fashion. These responsibilities include, "assur[ing] that the interests and affiliations of advisory committee members are reviewed for conformance with applicable conflict of interest statutes, regulations issued by the... OGE, including any supplemental agency requirements, and other Federal ethics rules."²⁰

While advisory committees are also subject to other applicable laws, regulations and agency policies,²¹ my staff has not identified any authority to support the proposition that a BRAC Commissioner who once served, but no longer serves in elective office, must abstain from decisions that possibly could benefit or burden his home state.

Following the Commission's return from Fairbanks, my counsel suggested to the BRAC Commissioner's General Counsel that it might be helpful to seek a written "second opinion" on this critically important issue from the OGE or the Office of Legal Counsel of the United States Department of Justice. I think this is a fine suggestion and hope that you are taking advantage of the opportunity to have a fresh pair of eyes evaluate whether the advice given to Commissioner Bilbray, and perhaps to other Commissioners, was

¹⁷ See, note 5.

¹⁸ 5 U.S.C. Appendix. Although the language of Section 5(b)(3) establishes standards for legislation to create new advisory committees, the General Services Administration (which promulgates government-wide standards for the operation of federal advisory committees under authority granted in Section 7(c)) has interpreted it as a congressional mandate that advisory committees function independently of their appointing authorities. See, Final Rule, Federal Advisory Committee Management, 66 Fed. Reg. 37731 (July 19, 2001).

¹⁹ Id.

²⁰ 41 C.F.R. 102-3.105(h) and Appendix A to Subpart C (Point IV).

²¹ 41 C.F.R. 102-3.125(c) and Appendix A to Subpart C (Point VI).

Executive Correspondence
DCN 4669

-6-

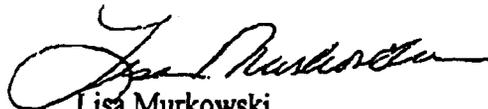
unjustifiably restrictive. This written opinion needs to be completed before the Commissioners begin reviewing the staff recommendations.

Please understand that I share the Commission's desire to operate above reproach and free from any real or perceived bias. However, I would respectfully submit that it is just as egregious to arbitrarily exclude an unbiased Commissioner from full participation as it is to permit a Commissioner with a direct and substantial financial interest in the outcome of a decision to fully participate.

In formulating this letter I found the observations of Jack Maskell, a Legislative Attorney for the Congressional Research Service, in a report entitled, "Entering the Executive Branch of Government: Potential Conflicts of Interest With Previous Employments and Affiliations" (March 23, 2003), quite illuminating, and I have enclosed a copy of the report for your review. I would specifically direct your attention to the "Note on General 'Impartiality,' Alleged 'Bias,' and Past Affiliations or Activities" which begins on page CRS-17 and concludes on page CRS-19. Mr. Maskell's analysis, which defines impartiality as the absence of a financial conflict of interest, suggests that the Commission's attorneys got this decision wrong in a very big way.

I appreciate your thoughtful consideration of this views expressed in this letter and look forward to your reply.

Sincerely,



Lisa Murkowski
United States Senator

Enclosure

cc: BRAC Commission Members

Executive Correspondence
DCN 4669

703 699 2735

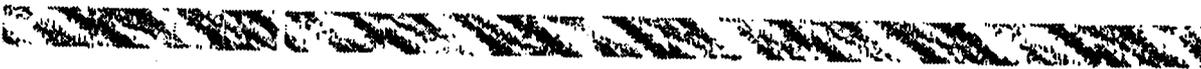


BRAC Commission

JUL 14 2005

Received

Office of Senator Lisa Murkowski
Fax Transmission



Fax: (202) 224-5301 • Voice: (202) 224-6665



TO: Hon. ANTHONY J. PRINCIPAL
C/O CHARLES J. BATTAGLIA

FROM: NATHAN BERGERBEST FOR SEN. MURKOWSKI

PAGES: 28

MESSAGE: URGENT



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET
ARLINGTON, VA 22202
TELEPHONE: (703) 699-2950

Chairman: The Honorable Anthony J. Principi
Commissioners: The Honorable James H. Bilbray • The Honorable Philip E. Coyle III • Admirable Harold W. Gehman, Jr., USN (Ret.) • The Honorable James V. Hansen
General James T. Hill, USA (Ret.) • General Lloyd W. Newton, USAF (Ret.) • The Honorable Samuel K. Skinner • Brigadier General Sue Ellen Turner, USAF (Ret.)
Executive Director: Charles Battaglia

May 25, 2005

Chairman:
The Honorable Anthony J. Principi
Commissioners:
The Honorable James H. Bilbray
The Honorable Philip E. Coyle III
Admiral Harold W. Gehman, Jr., USN (Ret.)
The Honorable James V. Hansen
General James T. Hill, USA (Ret.)
General Lloyd W. Newton, USAF (Ret.)
The Honorable Samuel K. Skinner
Brigadier General Sue Ellen Turner, USAF (Ret.)
Executive Director:
Charles Battaglia

The Honorable John W. Warner
United States Senate
225 Russell Office Building
Washington, D.C. 20510

Dear Senator Warner:

The ethics review mandated by statute and regulation of the members of the Defense Base Closure and Realignment (BRAC) Commission has been completed. Appropriate ethics waivers have been made in consultation with the Office of Government Ethics and the Department of Defense's Office of the General Counsel. Except as noted below, all Commission members are able to participate fully in the BRAC process.

During an open hearing on May 19, 2005, four members recused themselves from participation in matters relating to installations in their home states. In each instance, those recusals extend to installations in other states that are affected by closures and realignments of installations in the commissioner's home state. The commissioners took these actions to avoid any appearance of a lack of impartiality and to enhance the public's confidence in the integrity of the BRAC process.

Commissioners Coyle and Gehman recused themselves because of their participation in BRAC-related activity in California and Virginia respectively. Commissioner Bilbray and Hansen recused themselves because of their long-time representation in the Congress and other public offices of Nevada and Utah respectively. As a result of their recusals, the commissioners cannot deliberate or vote on matters relating to installations in their home states or to installations in other states that are substantially affected by closures and realignments of installations in their home states.

The commissioners' financial statements were first reviewed incident to their confirmation by the Department of Defense General Counsel. I thoroughly reviewed them again after receiving the list of recommended closures and realignments from the Secretary of Defense.

I focused primarily on (1) real estate holdings in locations that may be affected by potential BRAC-related realignments or closures; (2) holdings in environmental remediation companies that may have long-term contractual relationships with potential BRAC locations; (3) financial holdings and interests in companies with active contracts on military installations that were listed by the Secretary of Defense for possible realignments and/or closures that may give rise to a financial conflict of interest; and (4) personal and business relationships that may cause an actual or apparent loss of impartiality. I will conduct a similar review with regard to installations not on the Secretary's list that the Commission might consider, and inform you accordingly.

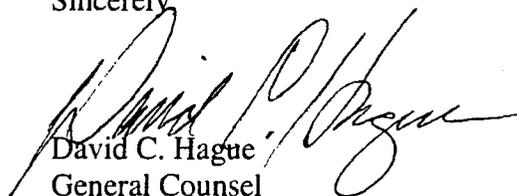
The Commissioners who recused themselves from certain matters will not participate in the deliberation or voting regarding those matters. Even so, it is not expected that the Commission will ever lack the quorum necessary to conduct its business, including the possible addition of installations to the Secretary's list, an action that as you know would require seven votes.

A rigorous ethics review and training program of all Commission staff members has also been completed. Continued vigilance and self-reporting will ensure that if any additional conflicts of interest arise with the Commissioners or staff members they will be quickly identified and appropriate remedial action will be taken.

You may be assured that the public integrity requirements of the Commission have been fully met.

Senator Levin has been informed by separate correspondence of the satisfactory completion of the ethics review of the members of the BRAC Commission.

Sincerely



David C. Hague
General Counsel



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET
ARLINGTON, VA 22202
TELEPHONE: (703) 699-2950

Chairman: The Honorable Anthony J. Principi
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Executive Director: Charles Battaglia

May 25, 2005

Chairman:
The Honorable Anthony J. Principi
Commissioners:
The Honorable James H. Bilbray
The Honorable Philip E. Coyle III
Admiral Harold W. Gehman, Jr., USN (Ret.)
The Honorable James V. Hansen
General James T. Hill, USA (Ret.)
General Lloyd W. Newton, USAF (Ret.)
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Brigadier General Sue Ellen Turner, USAF (Ret.)
Executive Director:
Charles Battaglia

The Honorable Carl Levin
United States Senate
269 Russell Office Building
Washington, D.C. 20510

Dear Senator Levin:

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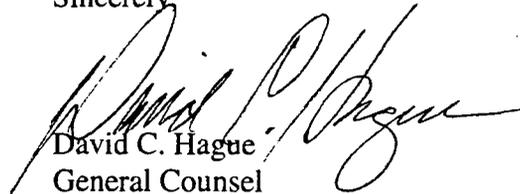
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You may be assured that the public integrity requirements of the Commission have been fully met.

Senator Levin has been informed by separate correspondence of the satisfactory completion of the ethics review of the members of the BRAC Commission.

Sincerely,



David C. Hague
General Counsel



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION
2521 SOUTH CLARK STREET, SUITE 600
ALEXANDRIA, VA 22202
TELEPHONE: 703-699-2950
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Chairman:
The Honorable Anthony J. Principi

Commissioners:
The Honorable James H. Bilbray
The Honorable Philip E. Coyle III
Admiral Harold W. Gehman, Jr., USN (Ret.)
The Honorable James V. Hansen
General James T. Hill, USA (Ret.)
General Lloyd W. Newton, USAF (Ret.)
The Honorable Samuel K. Skinner
Brigadier General Sue Ellen Turner, USAF (Ret.)

Executive Director:
Charles Battaglia

The Honorable Alberto R. Gonzales
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Ave., N.W.
Washington, D.C. 20530-0001

Dear Attorney General Gonzales:

As Chairman of the Base Closure and Realignment Commission I request your opinion regarding the legal authority of the Secretary of Defense to effect changes to National Guard and Air National Guard units and installations. The Commission is severely constrained in formulating its recommendations to the President as to which military installations should be closed or realigned without a clear understanding of the Secretary's authority.

Title 10, United State Code, Section 18238 and Title 32, United States Code, Section 104 (c) require permission of the governors of the states in which National Guard and Air National Guard units and installations are located before they may be "changed" or "relocated or withdrawn." I am not aware of any authority that clearly indicates contrariwise.

I ask for your opinion on this issue: does the Federal government, acting through the Defense Base Closure and Realignment Act of 1990, as amended, possess the authority to carry out the proposed realignments and closures of Army National Guard and Air National Guard installations in the absence of a consultative process with the governors of the various states? If not, what measures would be necessary to satisfy the consultation requirement?

We need to know whether the National Guard and Air National Guard units and installations that the Secretary has recommended be closed or realigned will, if the Commission concurs with those recommendations, be closed or realigned within the statutory time limits. Will the litigation being contemplated by various state attorneys

general, or other intervening legal proceedings, delay the process or abort it completely?

In order that we might fulfill our duty under the Defense Base Closure and Realignment Act of 1990, as amended, we must test the recommendations of the Secretary of Defense against the selection criteria and force-structure plan that he used in developing his list of military installations to be closed or realigned. Upon determining that the Secretary deviated substantially from the selection criteria and force-structure plan we can remove installations from his list. After making the same determination and meeting other statutory requirements we can add installations to his list. We are also authorized to make other changes to the list, such as privatization-in-place, as alternatives to actions proposed by the Secretary.

While all installations must be evaluated independently, many decisions that the Commission must make are interrelated. The process is involved and complex. Timely action is critical for the expected military value on which the closure or realignment is based to be realized. The legal opinion I have requested of you will provide the Commission the reasonable certainty needed to make informed decisions regarding not only the National Guard and Air National Guard installations being considered for closure or realignment, but also the many other installations affected by those decisions.



Anthony J. Principi
Chairman

**DEPARTMENT OF THE NAVY**

COMMANDER, NAVY REGION NORTHEAST
BOX 101 NAVAL SUBMARINE BASE NEW LONDON
GROTON, CT 06349-5101

IN REPLY REFER TO:

5000
Ser D00/
31 May 2005

From: Commander, Navy Region Northeast
To: Honorable Anthony J. Principi, Base Realignment and
Closure Commission (BRAC)

Subj: NAVAL SUBMARINE BASE NEW LONDON BRAC BRIEFING

1. After our presentation to your BRAC Commission members, the group met to review. I am concerned that we may have left the impression that we believe that Submarine Base New London could accept additional submarines without additional infrastructure investment. To clarify Submarine Base New London would be able to accommodate additional submarines given investment in support infrastructure such as barracks, MWR facilities, etc.


ROBIN M. WATTERS
RDML USNR
Deputy



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

2521 South Clark Street, Suite 600

Arlington, VA 22202

Telephone: 703-699-2950

September 19, 2005

The Honorable Charles E. Grassley
135 Hart Senate Office Building
United States Senate
Washington, DC 20510-1501

Dear Senator Grassley:

Thank you for your letter of September 12, 2005, requesting clarification of the Commission's decisions as they affected Rock Island Arsenal, Illinois. Your questions with responses are provided below.

1. Please confirm whether this [document provided with the letter] is the COBRA run used by the BRAC staff in making its analysis and recommendation to the Commission. If not, please provide a copy of the COBRA run that was used by the Commission.

Answer 1: The complete COBRA run used by the Commission in its analysis and formulation of a recommendation regarding Rock Island Arsenal, which consisted of 165 pages, is enclosed (Attachment 1). Any assessment or evaluation of the costs and savings of this recommendation, or a specific action within the recommendation, must be made using the complete COBRA run. This ensures an appropriate contextual framework is maintained during the evaluation of the costs and savings. Mr. Bob Cook, Deputy Director, Review & Analysis, is available to provide assistance in navigating through and better understanding Attachment 1.

2. Based on the data used by the BRAC staff for its analysis, what is the cost or savings of the move of TACOM Rock Island to Detroit Arsenal considered separately from the 10 other components of the Depot-Level Repairable Management Consolidation recommendation and the move of inventory control point functions to DLA?

Answer 2: The cost (in terms of 20-Year Net Present Value) of the move of TACOM from Rock Island to Detroit Arsenal, when considered separately from the other components of the Depot-Level Repairable Management Consolidation recommendation and the move of inventory control point functions to DLA, is \$128.23 million.

3. In the public deliberations of the BRAC Commission, why did the BRAC staff omit the community's concerns about the net long-term cost of the TACOM move?

Answer 3: The Commission considered the community's concerns regarding the net

Chairman: Anthony J. Principi

Commissioners: The Honorable James H. Bilbray, the Honorable Philip E. Coyle III, Admiral Harold W. Gehman Jr., USN (Ret), the Honorable Jim Hansen, General James T. Hill, USA (Ret), General Lloyd Newton, USAF (Ret), the Honorable Samuel K. Skinner, Brigadier General Sue Ellen Turner, USAF (Ret)

Executive Director: Charles Battaglia

long-term cost of the TACOM move and in fact presented an issue regarding this concern (Attachment 2). However, the impact of the move on the net present value was minimal and the Commission's recommendation, as a whole, will increase military value (as described in selection criteria 1-4) and support transformation.

4. When asked by Commissioner Skinner about the payback for the TACOM move, why did the BRAC staff not reply with the payback for that specific action taken by itself?

Answer 4: Commissioner Skinner's question did not address the costs/savings of the specific action of the relocation of TACOM from Rock Island to Detroit Arsenal, but rather the impact of the increased military construction costs on the overall payback. Commissioner Skinner's response to the analyst's assessment of the impact confirms that the intent of the question was to ensure the revised military construction requirements were accounted for and did not have a significant impact on the payback of the recommendation, as confirmed in the transcript of the August 24, 2005, BRAC Commission hearing, afternoon session. A copy of the relevant portion of the transcript is enclosed (Attachment 2, page 119).

5. What information, if any, was provided to the Commission about the specific cost of the TACOM move before the vote on that issue? With your response, please provide a copy of the briefing paper given to the commissioners that included that TACOM Rock Island move.

Answer 5: Only verbal briefings were provided to the Commissioners prior to final deliberations and the briefings covered all issues associated with a given recommendation. These briefings always included the cost implications, as depicted within the COBRA model, for the recommendation as a whole. This approach was done for TACOM as part of the overall BRAC recommendation 176, Depot Level Reparable Procurement Management Consolidation (S&S 7).

6. On what basis did the Commission conclude in its report to the President that "... the overall Rock Island portion of this recommendation remained sound from a military value standpoint, as well as being cost effective"?

Answer 6: The Commission supported DoD's reasoning for this action since the impact of the move on the net present value was minimal and the recommendation, as a whole, will increase military value (as described in selection criteria 1-4) and support transformation.

7. In light of these facts, was DFAS Rock Island considered as one of the DFAS sites to remain open or gain personnel?

8. Why did the BRAC staff ultimately decide not to recommend DFAS Rock Island as a receiving site?

Answers 7 and 8: All of the DFAS Rock Island information provided to the Commission was considered in the final analysis. However, ultimately, DFAS Rock Island was not selected as a receiving site based on a determination guided by the final selection criteria and force structure plan.

9. Did the Commission receive any revised numbers for Depot Level Maintenance at Rock Island?
10. Was the Commission staff aware that the Army had revised numbers available?
11. If the Commission staff was aware of the revised numbers, why was this not mentioned in response to questions from commissioners?

Answers 9, 10, and 11: The Commission received revised answers to data call questions obtained from installations by DoD; however, this information updated the depot level maintenance workload only. The DoD recommendation addressed personnel numbers associated with capacity and capability, not just workload. The Commission considered all information received and attempted to address it appropriately.

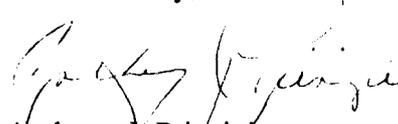
12. Why was the same logic and reasoning used for the Rock Island Arsenal CPOC recommendation not applied to the other recommendations that were made when it was assumed that the Rock Island Arsenal was going to close?

Answer 12: Each of the actions cited was developed and briefed by separate Joint Cross Service Groups supporting different initiatives. The Commission carefully considered the military value (as described in selection criteria 1-4) of the Rock Island Arsenal compared to other potential gaining installations throughout the process of review, analysis, and consultation.

Please note that the final report, hearing transcripts, briefing books and all correspondence received by the Commission may be reviewed in their entirety on our web page, www.brac.gov. Prior to the actual deliberations, the Commissioners received detailed information about Rock Island Arsenal and other military installations being considered for closure or realignment. This information came through DoD certified sources, base visits, regional hearings and, meetings with Community members. Additionally, each Commissioner was fully informed regarding the major issues in each recommendation through multiple exhaustive consultations with BRAC staff analysts.

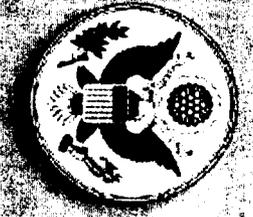
I trust you will find this information responsive to your request and useful in your evaluation of the Commission's recommendations. We remain available and look forward to the opportunity to be of continuing assistance to you.

Sincerely,


Anthony J. Principi
Chairman

Attachment:

- 1) COBRA run ICW Recommendation 176
- 2) Final deliberation briefing slide
- 3) Excerpts from Aug. 24, 2005 BRAC Commission Final Deliberations



Sec. 176: Depot Level Repairable Procurement Management Consolidation

Issues

- C1.
 - Rock Island Arsenal Military Value higher than gaining site Detroit Arsenal
 - Discrepancies in number of positions DOD recommended to transfer from TACOM-Rock Island to Detroit Arsenal
 - Cryptologic Systems Group (CPSG) at Lackland AFB will be disestablished under four separate recommendations
 - Taken separately the recommendations do not capture the mission value of the CPSG
- C2.
 - Concerns on the availability of buildable space at Detroit Arsenal
- C3.
 - RIA Community concern Detroit Arsenal unable to meet force protection requirements
- C4.
 - CPSG at Lackland AFB
 - Taken separately the recommendations do not represent fairly the costs associated with the CPSG and the collective functions of CPSG
- C5.
 - Cost underestimated based on discrepancy in number of positions identified to transfer from Rock Island Arsenal
 - CPSG at Lackland AFB
 - The extent and timing of potential costs outweigh potential savings with no payback of investment

DEFENSE BASE REALIGNMENT AND CLOSURE COMMISSION

AFTERNOON SESSION

Wednesday, August 24, 2005

1:02 PM

Regency Room C

Hyatt Regency Crystal City

2799 Jefferson Davis Highway

Arlington, Virginia

COMMISSIONERS:

HON. ANTHONY J. PRINCIPI, presiding

JAMES H. BILBRAY

HON. PHILIP E. COYLE

ADMIRAL HAROLD W. GEHMAN, USN-Ret.

JAMES V. HANSEN

GENERAL JAMES T. HILL, USA-Ret

GENERAL LLOYD W. NEWTON, USAF-Ret.

SAMUEL K. SKINNER

BRIGADIER GENERAL SUE TURNER, USAF-Ret.

CHAIRMAN:

ANTHONY PRINCIPI

MS. SARKAR: I'm sorry. I'll correct the vote, I'm sorry, Mr. Chairman.

CHAIRMAN PRINCIPI: Thank you.

MR. VAN SAUN: Thank you, Mr. Chairman. That completes chapter 6 of the industrial Cross Service Group. I'd like to move to one small chapter for one more item to finish this out for today. That item is in chapter 9 from the supply and storage cross-service group, 176 of the bill, depot level reparable procurement management consolidation.

(Slide.)

This recommendation proposes the consolidation of DLR procurement and the management of consumable items into one DOD agency, Defense Logistics Agency, DLA. There are 11 specific realignments and you see that on this slide and the next slide.

(Slide.)

We lost the slide. I will lead the realignments. Realign Lackland Air Force Base, Texas; realign Soldier Systems Center, Natick, Massachusetts; realign Detroit Arsenal, Michigan; realign Rock Island Arsenal, Illinois; realign Fort Huachuca, Arizona; realign Naval Support Activity Mechanicsburg, Pennsylvania; realign Marine Corps Base, Albany, Georgia; realign Naval Support Activity, Pennsylvania; Tinker Air Force Base, Oklahoma; Hill Air

Force Base, Utah; and Robins Air Force Base, Georgia;
realign Redstone Arsenal, Alabama; realign Wright Patterson
Air Force Base, Ohio; realign Fort Belvoir, Virginia.

Next slide.

(Slide.)

This proposal moves select inventory control
point functions to DLA. A number of the inventory control
functions will remain by the services to maintain the
appropriate critical mass to perform requirements and
engineering.

I'd like to introduce Valerie Mills again to
further discuss this item.

MS. MILLS: Thank you, Dave.

The Department of Defense justified this
recommendation on the basis of assigning the responsibility
for consumable and depot level repairable item management
across the Department of Defense to a single DOD agency.
COBRA represents a one-time cost of \$127 million to
implement this recommendation. The net present value of
this recommendation through 2025 is \$1,889.6 million.

This recommendation eliminates approximately 130
positions.

Slide.

(Slide.)

This slide summarizes the key issues developed

during analysis of this recommendation and are grouped by their associated selection criteria. Rock Island issues. The installation was concerned that Detroit Arsenal's military value was lower and the number of positions to transfer from Rock Island was incorrect. The Commission staff found there were discrepancies in the number of positions identified and the costs associated. A rerun of COBRA reduced the total recommendation net present value by 3 percent.

Lackland issues. Lackland issues involving the Cryptology Systems Group were previously discussed under section 161.

Mr. Chairman, this concludes my prepared presentation. The staff is prepared to answer any questions you may have prior to any motions you might have.

CHAIRMAN PRINCIPI: Thank you.

Any discussion, any questions for staff?

Secretary Skinner.

COMMISSIONER SKINNER: Yes. Ms. Mills, you visited Rock Island and I think you also visited Detroit Arsenal. At least I did, and I think you've been there.

MS. MILLS: Yes, sir.

COMMISSIONER SKINNER: As you know, there's other recommendations to move from Rock Island to the Detroit Arsenal. The buildable space issue, maybe you can explain

that. It's my understanding that in the other recommendation that we'll probably get to tomorrow it deals with moving the surface, the vehicle combat -- not the combat vehicles, but the motor vehicles.

What is the exact situation as is currently proposed and will be proposed tomorrow as it deals with the Detroit Arsenal and its capacity, because that was an issue when we visited Rock Island together?

MS. MILLS: Yes, sir. What you have just explained affects this recommendation right here. That was also one of the concerns, was did Detroit have enough buildable space to accommodate the additional people moving from Rock Island to Detroit. We visited Detroit and we were -- it was confirmed by the installation that they do have the required space to accommodate the 1100 people that would be moving in from Rock Island.

As a result, we did rerun COBRA. There are additional military costs associated with those additional 300 people moving.

COMMISSIONER SKINNER: Well, it's my understanding that when we say they have space, they have land inside a perimeter that they're going to have to build a new building.

MS. MILLS: That's correct, sir.

COMMISSIONER SKINNER: One or more buildings.

MS. MILLS: Yes, sir.

COMMISSIONER SKINNER: And this is tied indirectly. Without that new building, they don't have enough space for this.

MS. MILLS: That's correct.

COMMISSIONER SKINNER: With this new building and the tank efforts that are moving there, they will have additional space to build a new building. But all I'm saying is that if they don't build a new building and we don't approve the one tomorrow, then there won't be any space to move in there and that's not on the agenda. So that's one of these things that kind of ties in, because it almost has to be conditional disapproval on this aspect of it -- Rock Island has to be conditional on approval of the one tomorrow that will allow them to build that new building. Is that correct or am I misunderstanding it?

MS. MILLS: The one that you're referring to is this particular recommendation right here. This is the recommendation that has Rock Island to move originally 740 people to Detroit. This is the recommendation here.

COMMISSIONER SKINNER: And this is now -- and we also thought there was maybe 900 instead of 700. There was some kind of a disconnect on people.

MS. MILLS: That's correct, sir. There are an additional 300 people that are moving. The entire TACOM

Rock Island organization is moving, or proposed.

COMMISSIONER SKINNER: Would you -- with the new numbers that you've put in there for the cost of the new building, which was about twice, as I recall, what they initially had in there, how does that come out from a payback viewpoint?

MS. MILLS: Karl, would you like to answer that?

MR. GINGRICH: Commissioner Skinner, military construction costs are about 45, just under \$46 million at the new revised military construction, and it does affect the net present value, but insignificantly. Payback with the new scenario, new MILCON, is \$1.8 billion savings over 20 years, still a large saving.

COMMISSIONER SKINNER: Okay, good. I just want to make sure that we got that new cost structure, which was twice. What you're saying is, given its personnel savings, it really doesn't affect the payback in the long run.

MR. GINGRICH: Commissioner Skinner, that's a correct statement.

COMMISSIONER SKINNER: Okay.

CHAIRMAN PRINCIPI: General Hill.

COMMISSIONER HILL: Sir, I have a motion based upon the cryptological unit that I'd like to submit. I move that the Commission find that when the Secretary of Defense made supply and storage Joint Cross Service

recommendation 7, depot level reparable procurement and management consolidation, he substantially deviated from Final Selection Criteria 1, 3, 4, and 5, and the Force Structure Plan; that the Commission -- I read the wrong thing, excuse me -- that the Commission strike paragraph A, chapter 9, section 176 of the bill; and that the Commission find this change and the recommendation as amended are consistent with the Final Selection Criteria and Force Structure Plan.

CHAIRMAN PRINCIPI: Is there a second?

COMMISSIONER NEWTON: Second.

CHAIRMAN PRINCIPI: Secretary Skinner?

COMMISSIONER SKINNER: I just have a question. Could you explain the economics of the removal of paragraph A, similar to what you did? Maybe General Hill's going to address that. But I didn't see in your presentation a lot of discussion about this. I did see a lot about Rock Island. I may have missed it.

MS. MILLS: What happened when we removed Lackland from out of this recommendation, it affected the net present value overall by 3 percent, I think it was, either 3 or 1 percent. It was a really small percent that was affected from this recommendation.

COMMISSIONER SKINNER: And the basis for that?

MS. MILLS: Was because that was the cryptology

section that was --

COMMISSIONER HILL: The basis of that is that this unit needs to stay together.

MS. MILLS: Yes.

COMMISSIONER HILL: It makes no sense to do any of us anywhere but within that cryptological unit.

COMMISSIONER SKINNER: Now I understand. I got that now. Thank you.

CHAIRMAN PRINCIPI: Is there any further discussion?

(No response.)

CHAIRMAN PRINCIPI: Are there any recusals on this motion?

(A show of hands.)

CHAIRMAN PRINCIPI: There are two recusals. All in favor of the Motion 176-3a, so indicate.

(A show of hands.)

CHAIRMAN PRINCIPI: All opposed?

(No response.)

MS. SARKAR: Thank you, Mr. Chairman. The vote is seven nays, zero nays, two abstentions. The motion carries. It's adopted.

With your indulgence, Mr. Chairman, I'd like to report back on two previous votes for the sake of clarity of the record, if that would be all right. The previous

vote to accept Motion 163 as amended was adopted -- that concerns Deseret -- at 7-1-1, meaning 7 yeas, 1 nay, and 1 abstention. With regard to previous Motion 165 as amended, it has been adopted by a vote of 7 yeas, zero nays, and 2 abstentions.

Thank you, Mr. Chairman.

CHAIRMAN PRINCIPI: Thank you for the clarification.

On this recommendation, are there any further motions to amend?

(No response.)

CHAIRMAN PRINCIPI: Hearing none, we vote to -- we are voting to approve the Secretary's recommendation as amended and find that it is consistent with the Final Selection Criteria and the Force Structure Plan. Is there a second?

COMMISSIONER NEWTON: Second.

CHAIRMAN PRINCIPI: All in favor?

(A show of hands.)

CHAIRMAN PRINCIPI: All opposed?

(No response.)

MS. SARKAR: Mr. Chairman, the vote is seven yeas, zero nays, and two abstentions. It carries. Thank you.

CHAIRMAN PRINCIPI: Thank you.

Are there any further recommendations to come before the Commission?

MR. VAN SAUN: Mr. Chairman, just as a quick summary, we completed today Joint Cross Service Group chapter 6 for industrial chapter 7 for intel, chapter 9 for supply and storage. Tomorrow morning we'll address chapter 4, education and training; chapter 5, support activities; chapter 8, medical; and chapter 10, technical.

CHAIRMAN PRINCIPI: Thank you very much. My thanks to the entire Joint Cross Service Team for their presentation and their hard work.

Before we recess for the day, I want to alert all interested communities that we may take up the Air Force recommendations as early as tomorrow afternoon, Thursday. We had previously announced Friday as the Air Force start date and on Thursday morning, as Mr. Van Saun indicated, we will begin and hope to complete our deliberations on the Joint Cross Service Group recommendations.

Are there any other matters Commissioners wish to bring before the Commission today?

(No response.)

CHAIRMAN PRINCIPI: We'll stand in recess until 8:00 a.m. tomorrow.

(Whereupon, at 4:38 p.m., the Commission was recessed, to reconvene at 8:00 a.m. on Thursday, August 25,

CRATER PLANNING DISTRICT COMMISSION

Monument Professional Building • 1964 Wakefield Street • Post Office Box 1808 • Petersburg, Virginia 23805
PHONE: (804) 861-1666 • FAX: 804-732-8972 • E-MAIL: craterpd@cpd.state.va.us • WEBSITE: www.craterpd.state.va.us
Dennis K. Morris, Executive Director

June 27, 2005

Mr. Anthony Principi,

Chairman

2005 Base Realignment and Closure Commission
2521 South Clark Street, Suite 600
Arlington, Virginia 22202

Dear Chairman Principi,

The Fort Lee Area communities are pleased that the Secretary of Defense has recognized the high degree of military value of Fort Lee and has seen fit to capitalize on that military value by expanding Fort Lee's missions. According to the BRAC DOD Recommendations, Fort Lee ranks 96 out of 334 entities in regard to military value as determined by the major Administration Headquarters Military Value Model.

The six jurisdictions surrounding Fort Lee are the cities of Colonial Heights, Hopewell, and Petersburg and the counties of Chesterfield, Dinwiddie, and Prince George. The communities formed the Tri-Cities Area BRAC Policy Initiative over three years ago in order to ensure that the region would speak with one voice in regard to all BRAC-related issues.

Our concept all along has been to enhance the military value of Fort Lee by making it the "School House". The BRAC DOD Recommendations certainly support that concept by recommending that Fort Lee become:

1. A Combat Service Support Center
2. The Joint Center for Consolidated Transportation Management Training
3. A Joint Center of Excellence for Culinary Training
4. The location for the consolidation of all components of the Defense Commissary Agency (DeCA)
5. The location of the Defense Contract Management Agency Headquarters

Mr. Anthony Principi
June 27, 2005
Page Two

Again, according to the BRAC DOD Recommendations, in all cases there are no significant issues regarding the ability of the infrastructure of the Fort Lee area communities to support Fort Lee's missions, forces, or personnel. In addition, there are no known community infrastructure impediments to implementation of all recommendations affecting Fort Lee.

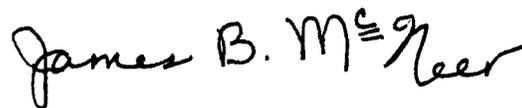
Fort Lee is an ideal platform for National Defense Logistics Training for the 21st Century.

We recognize that the decision-making process is not complete until the Base Realignment and Closure Commission completes its assessment and evaluation of the Secretary's recommendations. We are confident that his determination of the military value of Fort Lee and its potential to further contribute to our National Defense is well founded and will be upheld.

For those who may join the Fort Lee community, we welcome them and commit to assist in their transition.

On behalf of the Fort Lee area communities, we look forward to working with Fort Lee to see that all of the BRAC DOD Recommendations concerning Fort Lee are fully implemented.

Sincerely,



Dr. James B. McNeer
Chairman
Tri-Cities Area BRAC Policy Initiative

President
Richard Bland College

CRATER PLANNING DISTRICT COMMISSION



Monument Professional Building
 1964 Wakefield Street
 Post Office Box 1808
 Petersburg, Virginia 23805
 Phone: (804) 861-1666 Fax: (804) 732-8972
 craterpd@cpd.state.va.us

2000 Census Populations

Chesterfield County	259,903
Colonial Heights	16,897
Dinwiddie County	24,533
Emporia	5,665
Greensville County	11,560
Hopewell	22,354
Petersburg	33,740
Prince George County	33,047
Surry County	6,829
Sussex County	12,504

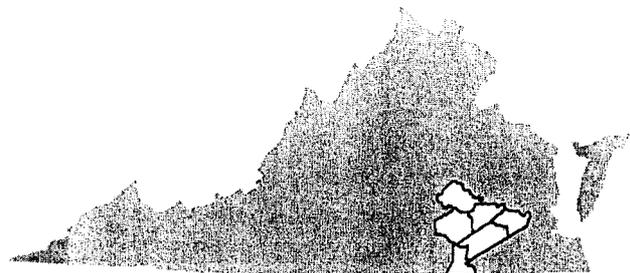
The Crater Planning District is comprised of 10 local governments in south central Virginia. These are: the cities of Colonial Heights, Emporia, Hopewell and Petersburg, and the counties of Chesterfield, Dinwiddie, Greensville, Prince George, Surry and Sussex.

The Commission was established in May, 1970, after the Virginia General Assembly adopted the Virginia Area Development Act and divided the state into 22 planning districts.

The policy board is comprised of twenty-six individuals representing the member local governments. Thirteen of those members are local elected officials. The other members are citizens, some of whom serve on the staffs of the local governments.

The Commission's purpose, as stated in the Charter, is to, "promote the orderly and efficient development of the physical, social and economic elements of the Planning District by planning, and encouraging and assisting governmental subdivisions to plan for the future."

The major focus of the Commission's Work Program is economic, industrial and small business development, reflecting the priorities established by the member localities. Another important work area involves environmental issues, in response to local needs, as well as increasing state regulation. These include: Chesapeake Bay Preservation Act – local ramifications, air quality standards and solid waste management. The Commission also addresses regional transportation issues and assists localities in their transportation planning efforts.



Day Care Centers and Family Day Homes
Licensed by the VA Department of Social Services

	<u>No. of Centers</u>	<u>No. of Slots</u>	<u>No. of Homes</u>	<u>No. of Slots</u>
Chesterfield Co.	66	6,652	57	635
Colonial Heights	7	632	0	0
Dinwiddie Co.	1	175	7	72
Hopewell	9	767	7	81
Petersburg	17	1,077	14	137
Prince George Co.	6	533	3	33
Surry Co.	4	136	1	12
Sussex Co.	2	60	1	10
Richmond	94	8,904	74	801
Henrico Co.	91	11,878	78	556
Hanover Co.	21	3,312	11	116
Amelia Co.	3	228	1	12
Nottoway Co.	3	184	2	20
Southampton Co.	2	228	0	0
New Kent Co.	4	392	1	12
Charles City Co.	3	247	0	0
James City Co.	3	340	1	8
TOTALS:				
30 Mile Radius	336	35,745	258	2,505
15 Mile Radius	60	5,231	55	603

Fort Lee

15 & 30 Mile Radius with Zip Code Boundaries

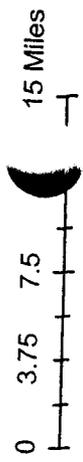
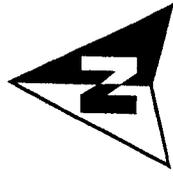
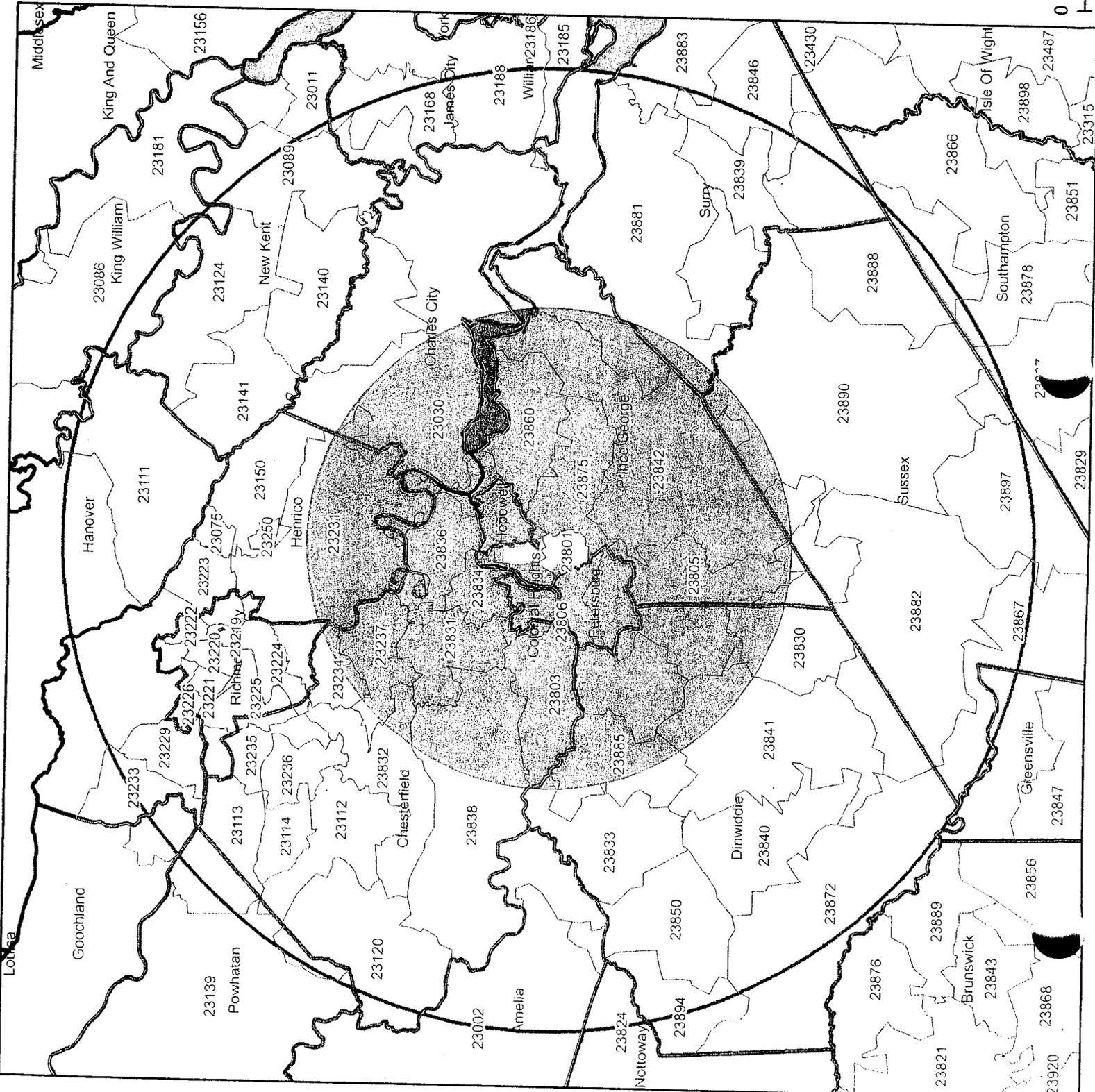
N: 12277

Fort Lee 15 & 30 Mile Radius

Buffer Distance



Fort Lee



CRATER PLANNING DISTRICT COMMISSION

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Dennis K. Morris, Executive Director

PRESS RELEASE

FROM: Dennis K. Morris
Executive Director
PHONE: (804) 861-1666
DATE: October 19, 2004

Tri-Cities Area Extends Financial Support to Fort Lee

At its meeting on October 14th, the Tri-Cities Area Metropolitan Planning Organization (MPO), the transportation planning arm of the Crater Planning District Commission, approved \$652,500 in regional surface transportation funds to assist Fort Lee with upgrades to State Route 36. These funds will provide the required access into the installation as Fort Lee's main entrance will be moved from Lee Avenue to Sisisky Boulevard. The chair of the MPO, Chesterfield Supervisor Renny Bush Humphrey, stated that "the six communities that comprise the Tri-Cities Area are making this major investment not only because Fort Lee is the economic engine of this region, but also because Fort Lee has a critical mission in the defense posture of our country. This action displays the great working relationship that exists between Fort Lee and the surrounding communities. We look forward to Fort Lee's successes as we approach the upcoming base closure round in 2005".

This priority project will enhance the Department of Defense Strategic Highway Network, as well as ensure Fort Lee's fire and emergency services access to surrounding communities as part of its cooperative services agreements. In addition, this project will aid Fort Lee in meeting Homeland Security requirements.

Members of the Tri-Cities Area MPO are: the cities of Colonial Heights, Hopewell and Petersburg; Chesterfield, Dinwiddie and Prince George Counties; plus representatives of the Virginia Department of Transportation, Federal Highway Administration, Crater Planning District Commission and Petersburg Area Transit.

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staff reports

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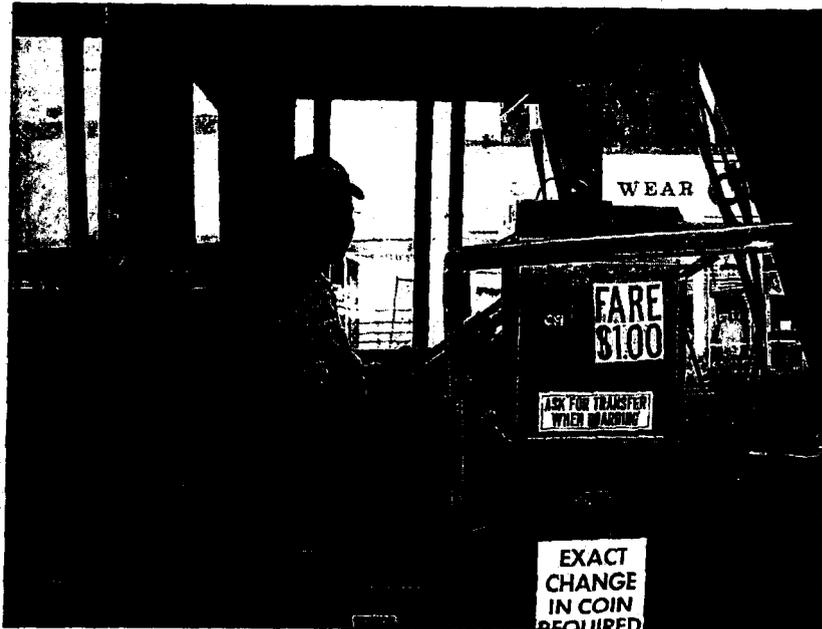
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JULIE BUCHANAN/STAFF PHOTO

Petersburg bus drivers like Patrick Barbour will have to learn some new routes come July 1. An additional 1,200 soldiers coming to Fort Lee has expanded Petersburg Area Transit routes to provide more transportation options for military families.

Buses: Cost is \$150,000, no increase on fares

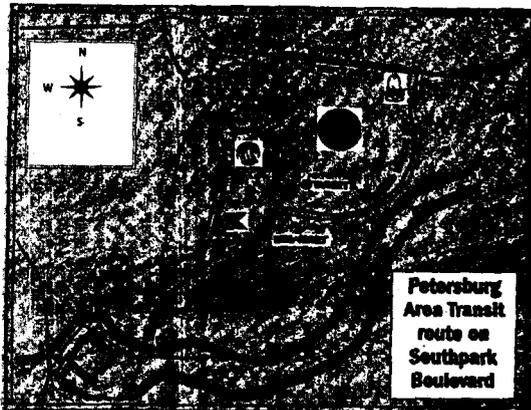
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\$150,000. The Virginia Department of Rail and Public Transportation is covering \$135,000 of that cost, and bus fares will pay for the rest. Fares will remain at \$1 per adult.

Colonial Heights city officials have already approved the new routes and look forward to partnering with Petersburg and Fort Lee, said Colonial Heights City Manager Richard A. Anzolut Jr. "I think it's a win-win scenario," Anzolut said. "We're happy to accommodate the Petersburg transportation needs. And we certainly realize that military families have transportation needs. We're giving them those retail options [in Colonial Heights]."

Petersburg Mayor Annie M. Mickens expects positive changes out of the partnership. Petersburg buses once traveled to Colonial Heights, but that service ended in 1981 because of a lack of funding.

"We expected and hoped that approval would come



CONTRIBUTED GRAPHIC

from Colonial Heights," Mickens said. "It'll be a benefit to Petersburg even though we'll be providing transportation to soldiers. It will give us a networking connection with Fort Lee and Colonial Heights."

No legislative action was needed for Colonial Heights to approve the bus routes, Anzolut said.

Expanded transportation options and additional soldiers are expected to increase the value of Fort Lee, as it faces the Base

Realignment and Closure process. The BRAC, 10 years in the making, will cut \$7 billion from the Department of Defense budget with cutbacks and closings of military bases worldwide.

A list of bases on the BRAC hitlist will be released this week.

Fort Lee contributes about \$860 million to the economy of the Tri-Cities and surrounding areas.

Julie Buchanan may be reached at 722-5155.

Two second-grade girls found stabbed to death in Illinois park

ZION, ILL. (AP) — The two girls were best friends, sometimes crowding onto the same bicycle to ride around, visiting neighbors and schoolmates.

On Sunday, Laura Hobbs, 8, and Krystal Tobias, 9, disappeared after going on a bike ride on Mother's Day. Less than 12 hours after their parents reported them missing, the girls were found stabbed to death near a bike path in a heavily wooded area of a park. "They were best friends. When one left,

the other left. They were always together," said Laura Unrein, who lives near the park.

Police Chief Doug Malcolm said no weapons were found and there was no evidence of sexual assault. A girl's bicycle was found nearby. He said police had not identified any suspects and that there were "no solid leads that we're focusing on."

"This is a heinous crime. It was a crime not only against those kids but against all of us," Malcolm said.

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