

BRAC/GC/dch  
June 17, 2005

MEMORANDUM FOR THE CHAIRMAN AND COMMISSIONERS  
DEFENSE BASE CLOSURE AND REALIGNMENT (BRAC) COMMISSION

Sub: COMMISSIONER PARTICIPATION IN DELIBERATIONS, REGIONAL AND  
OTHER HEARINGS, AND SITE VISITS

Ref: (a) Defense Base Closure and Realignment Act of 1990 (as  
amended)

Encl: (1) Procedural Rules of the 2005 Defense Base Closure and  
Realignment Commission  
(2) Memorandum to Commissioners of May 19, 2005  
(3) Adding Installations to the Secretary's List for  
Consideration and Review  
(4) BRAC definitions  
(5) Partial transcript of Commission May 19, 2005 hearing  
(6) Ethics agreement signed by all commissioners

1. The following discussion is provided to assist in a  
more complete and common understanding of the roles and  
responsibilities of the commissioners in the BRAC process.

**KEY STATUTORY PROVISIONS**

2. Principal guidance for BRAC proceedings is contained in  
reference (a), which provides, relevant to this discussion, the  
following:

- The Commission shall be composed of nine members (the 1988  
BRAC Commission had 12 members; other BRAC Commissions had  
eight members).
- The Commission may make changes in any of the recommenda-  
tions made by the Secretary if the Commission determines  
that the Secretary deviated substantially from the force-  
structure plan and final criteria in making his  
recommendations.
- The Commission may not consider making a change in the  
recommendations of the Secretary that would add a military  
installation to the Secretary's list of installations  
recommended for closure or realignment unless . . . the  
decision to add the installation for Commission

consideration is supported by at least seven members of the Commission.

- The Commission may not make a change in the recommendations of the Secretary that would close a military installation not recommended for closure by the Secretary, would realign a military installation not recommended for closure or realignment by the Secretary, or would expand the extent of the realignment of a military installation recommended for realignment by the Secretary unless the decision of the Commission to make the change . . . is supported by at least seven members of the Commission.

#### VOTING

3. With the exception of the seven-of-nine vote requirement (unique to the 2005 BRAC), no guidance is provided in the statute for voting - what constitutes a quorum, majority, etc. At its May 19, 2005 hearing, the 2005 BRAC Commission, following the practice of prior BRAC Commissions, adopted the procedural rules contained at enclosure (1). The rules have changed very little in the succession of BRAC Commissions. Addition of the seven-of-nine vote requirement to consider and add bases to the Secretary's list has been the only significant modification to the rules.

a. Highlights of the rules are:

- The Commission can meet at the call of the chairman or at the request of a "majority of the commissioners then serving."
- One or more commissioners can hold a public hearing, but five of nine "commissioners serving at that time" would have to be present to act on any closure or realignment recommendation.
- Seven of nine "commissioners serving at that time" would have to be present to consider and act to close an installation not recommended for closure by the Secretary, realign an installation not recommended for closure or realignment by the Secretary, or expand the extent of the realignment of an installation recommended for realignment by the Secretary.

- Any other issues that may arise during Commission meetings or hearings (motion to adjourn, extend time, etc.) are resolved "by a simple majority of commissioners present."

b. The first three situations described above specify that the number of commissioners required to act is:

- a "majority of the commissioners then serving" or
- five of nine "commissioners serving at that time" or
- seven of nine "commissioners serving at that time."

The fourth situation described above requires "a simple majority of commissioners present."

c. "Majority of the commissioners then serving" and "commissioners serving at that time" can only be understood to mean the full complement of commissioners, which is nine commissioners. Accordingly, so long as there are nine commissioners serving (the number eligible to vote is not relevant), the votes of at least five commissioners are always required to approve or disapprove recommendations by the Secretary or Commission.

d. If there is not a vote of five commissioners to approve a Secretary or Commission recommendation, the recommendation does not go forward to the President. A synopsis of the rules provided to the commissioners prior to their adoption at the Commission hearing of May 19, 2005 is contained at enclosure (2).

4. The seven-of-nine vote requirement only applies to "adds." "Adds" are additions to the Secretary's list of recommendations for closure or realignment, not changes to the recommendations that result in additions to the manpower, materiel or missions of an installation.

5. The seven-of-nine vote requirement comes into play only when the Commission recommends a greater loss (including closure) to a given installation than the Secretary recommended. (Those are "adds" in the statutory parlance.) That is, seven of nine votes are required when:

- closing an installation not recommended for closure by the Secretary,
- reducing the operations on a given base to a greater extent than was recommended by the Secretary, or

- reducing operations at a given base that was not recommended for reduction by the Secretary.

6. An installation involved in the "adds" process that is not recommended for either closure or realignment - but is in fact a "gainer," requires only five, not seven of nine votes. A summary of the "adds" process is contained at enclosure (3).

7. Certain actions that were either taken or considered in the past that no longer have relevance to the BRAC process include: disestablishment, redirection, relocation, reopening and moth-balling. These and other words important to understanding past and present BRAC processes are defined in enclosure (4).

#### **RECUSALS**

8. To avoid even the appearance of lack of impartiality and enhance the public's confidence in the BRAC process, four of our nine commissions have disqualified themselves by reason of real or perceived prejudice or conflict of interest from deliberating and voting on matters directly relating to installations in their home states.

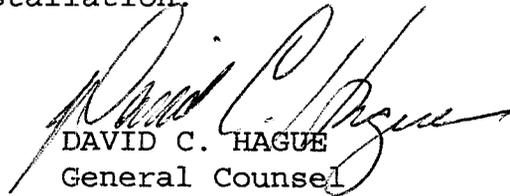
9. Commissioners Bilbray, Coyle, Gehman, and Hansen recused themselves at the Commission's May 19, 2005 hearing in order to place the impartiality of the Commission beyond question. (The applicable portion of the transcript from the hearing is contained at enclosure (5).) Commissioners Bilbray and Hansen recused themselves for reasons identical to those that prompted Senator Dixon to recuse himself in 1995 when he served as Chairman of that BRAC Commission. Commissioners Coyle and Gehman recused themselves as a consequence of a binding ethics agreement that all commissioners signed during the vetting process associated with their nominations. A copy of the agreement is contained at enclosure (6).

10. Commissioners Coyle and Gehman recused themselves because of their participation in BRAC-related activity in California and Virginia respectively. Commissioners 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 others states that are substantially affected by closures and realignments of installations in their home states.

11. Adopting a policy that controlled in past BRACs, the Chairman has determined that:

"When it is determined by the Commission's General Counsel that a commissioner has a potential conflict of interest and the recommended remedial measure is recusal in regards to a base, to avoid a conflict of interest or perception of a conflict, the Commission will adopt the following policy: the commissioners shall be prohibited from participation in any and all discussions, debate and actions regarding the base in question. Additionally, commissioners will not participate in any discussions, debate or actions involving bases that are being considered as substitutes to the first base in question. The prohibition regarding substitute bases will take effect the moment the additional base(s) is/are being considered as substitute(s) to the original base."

12. The Chairman has also determined as a matter of policy that we will make the greatest reasonable effort to minimize the number of direct and indirect conflicts but permit conflicted commissioners as necessary to participate in regional hearings (and site visits when the conflicted commissioner is not the only commissioner visiting). Participation is allowed even though the recused commissioners will be unable to deliberate and vote on all of the installations discussed at the hearings (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 at the hearing and staff will also gather data, so there is no real possibility that the recused commissioner(s) could be seen as filtering the Commission's view of an installation.

  
DAVID C. HAGUE  
General Counsel

## Procedural Rules of the 2005 Defense Base Closure and Realignment Commission

Rule 1. The Defense Base Closure and Realignment Commission ("Commission") was established by the Defense Base Closure and Realignment Act of 1990, Part A of Title XXIX of Public Law 101-510, as amended by Title XXX of the National Defense Authorization Act for Fiscal Year 2002, Public Law 107-107, and further amended by Section 2822, Subtitle C, Title XXVIII, Division B, of Public Law 108-136 ("Act"). The Commission's operations shall comply with that Act, as amended, and with these Procedural Rules.

Rule 2. The Commission's meetings, other than meetings in which classified information is to be discussed, shall be open to the public. In other respects, the Commission shall comply with the Federal Advisory Committee Act, Title 5, United States Code, Appendix 2, and the Federal Advisory Committee Management Final Rule, 41 Code of Federal Regulations Parts 101-6 and 102-3.

Rule 3. The Commission shall meet only during calendar years 2005 and 2006.

Rule 4. The Commission shall meet at the call of the Chairman or the request of a majority of the Commissioners serving at that time.

Rule 5. When the Commission meets to consider (a) the recommendations of the Secretary of Defense ("Secretary") submitted to the Commission in accordance with the Act, (b) the Commission's report to the President in accordance with the Act, or (c) a revised list of recommendations in accordance with the Act, a quorum shall consist of a majority of the members then serving. When the Commission meets to consider the closure of an installation not recommended by the Secretary for such action, or to consider the realignment of an installation that would result in a reduction in the force structure at that installation that was not recommended by the Secretary, a quorum shall consist of seven of the members then serving. When the Commission meets to conduct public hearings to receive public comment on the recommendations of the Secretary or the proceedings of the Commission, a quorum shall consist of one or more members designated by the Chairman.

Rule 6. When the Commission meets to consider (a) the recommendations of the Secretary submitted to the Commission in accordance with the Act, (b) the Commission's report to the President in accordance with the Act, or (c) a revised list of recommendations in accordance with the Act, and a quorum is present, a vote shall be required of the Commission to dispense with any of the above responsibilities or to ratify any acts of the Commission. The adoption of any action taken by the Commission with regard to (a) the recommendations of the Secretary submitted to the Commission in accordance with the Act, (b) the Commission's report to the President in accordance with the Act, or (c) a revised list of recommendations in accordance with the Act, will be by a majority of the members serving at that time. In the event of a tie vote on the adoption of any such action, the motion fails for lack of a majority. The adoption of any action taken by the Commission with regard to the closure of an installation not recommended by the Secretary for such action, or to consider the realignment of an installation that would

ENCL (1)

result in a reduction in the force structure at that installation that was not recommended by the Secretary, will be by seven of the members then serving. The resolution of all other issues arising in the normal course of Commission meetings or hearings shall be by a simple majority of Commissioners present. The Commissioners shall vote in person, except when a proxy is exercised under Rule 9.

Rule 7. The Chairman shall preside at meetings and public hearings of the Commission when he is present. In the Chairman's absence, he or she shall designate another member of the Commission to preside.

Rule 8. The Chairman, or in his absence, the presiding Commissioner, shall have the authority to ensure the orderly conduct of the Commission's business. This power includes, without limitation, recognizing members of the public to speak, imposing reasonable limitations on the length of time a speaker may hold the floor, determining the order in which members of the Commission may question witnesses, conducting votes of members of the Commission, and designating Commissioners for the conduct of public hearings.

Rule 9. One Commissioner may designate another Commissioner to vote and otherwise act for the first member when he or she will be absent, but only where the first Commissioner has previously issued a written proxy to the second stating the specific, limited purpose for which the proxy is to be exercised. Where the margin of decision would be supplied by a proxy vote, the proxy shall be considered invalid and the matter under consideration shall be considered to have failed.

Rule 10. These rules may be amended by a majority vote of the Commissioners serving at the time.

BRAC/GC/dch  
May 19, 2005

MEMORANDUM FOR THE COMMISSIONERS  
BASE CLOSURE AND REALIGNMENT COMMISSION

Subj: PROCEDURAL RULES OF THE 2005 DEFENSE BASE CLOSURE AND  
REALIGNMENT COMMISSION

Encl: (1) Subject rules (proposed)

1. The enclosed procedural rules have been modified from the rules used by prior BRACs to include the most recent statutory changes, specifically the seven vote requirement to 1) consider adding an installation to the Secretary's list of installations recommended for closure or realignment and 2) actually place a proposed installation on the list to the President. The rules will at the direction of the Chairman be presented for adoption by the Commission at the administrative meeting to be conducted at the conclusion of the Thursday morning hearing.
2. The rules are brief and straightforward. This memorandum discusses several key points about them.

**a. Quorums**

For hearings held to receive public comment, a quorum shall consist of one or more members designated by the Chairman.

When the Commission meets to consider:

- the recommendations of the Secretary of Defense
- the Commission's report to the President, or
- a revised list of recommendations for closures and realignments (except "additions" discussed below)

a quorum shall consist of a majority of members serving at that time.

Discussion

One or more Commissioners can hold a hearing, but at least five (5) of nine (9) Commissioners must be present for the Commission to consider and act on any closure or realignment recommendation, except for "additions." An "addition" to the Secretary's list is the closure of an installation not recommended by the Secretary for such action or the realignment of an installation that would result in a reduction in the force structure of that installation that was not recommended by the Secretary. In such cases, a quorum shall consist of seven (7) of the members then serving.

**b. Voting**

The rules require that when the Commission meets to consider:

- the recommendations of the Secretary of Defense

ENCL (2)

- the Commission's report to the President, or
- a revised list of recommendations for closures and realignments

Once a quorum has been established, "a vote shall be required of the Commission to dispense with any of the above responsibilities or to ratify any actions of the Commission."

The rules continue to provide that any action taken by the Commission concerning these three areas of the Commission responsibilities "will be by a majority vote of the Commission serving at that time." (Except as discussed above for "additions.")

The rules allow for any other issues that may arise during Commission meetings or hearings to be resolved by a "simple majority of Commissioners present."

The rules allow for Commissioner to vote in person or by proxy. (See discussion on proxies below.)

### Discussion

The votes of a majority of the Commissioners are required to make any changes to the Secretary's list, except "additions," for which seven (7) votes are required. A tie vote on a motion to drop an installation from the Secretary's list or otherwise change his recommendations means that the motion would fail, and the Secretary's recommendations would prevail.

### **c. Proxies**

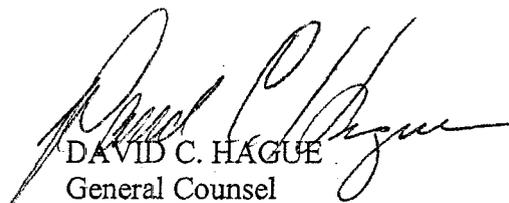
The rules allow proxy voting.

Under Rule 9, a Commissioner may designate another member to vote and otherwise act for the first member when he or she will be absent. However, the absent Commissioner must "issue a written proxy stating the specific or limited purposes for which the proxy can be exercised." Rule 9 also provides that "Where the margin of decision would be supplied by proxy vote, the proxy shall be considered invalid and the matter under consideration shall be considered to have failed."

### Discussion

The rule on proxy voting allows a Commissioner who might be ill or for other compelling reasons unable to attend a meeting to cast a vote. There is no indication in BRAC records that proxy votes have ever been cast.

Blanket proxies are not allowed. The rule requires "a written proxy stating the specific or limited purpose for which the proxy can be exercised." An absent Commissioner cannot give to another Commissioner the ability to vote a proxy on an issue in any way the Commissioner determines appropriate at the time.

  
DAVID C. HAGUE  
General Counsel

## **ADDING INSTALLATIONS TO THE SECRETARY'S LIST FOR CONSIDERATION AND REVIEW**

The steps below apply to changes by the Commission to the Secretary of Defense's list of military installations recommended for closure or realignment that would add an installation for closure and/or realignment or expand the extent of a realignment already recommended by the Secretary.

If, after review and analysis of certified data received from the Department of Defense, information obtained during base visits and regional hearings, and other public input, and consideration of the Comptroller General's report submitted on 1 July, there are quantifiable reasons that the Commission wants to consider and review making changes in the recommendations of the Secretary of Defense that would add military installations to the Secretary's list of installations recommended for closure or realignment, then, according to controlling law:

- The Secretary of Defense is notified of the possible additions to his list and is given 15 days to submit an explanation why the installations were not on it.
- Commissioners vote in public session after receiving input from the Secretary of Defense and if seven commissioners vote to add installations then they are added to the Secretary's list.
- Notice of proposed additions to the Secretary's list is published in the Federal Register at least 45 days before 8 Sep 2005.
- At least two commissioners conduct installation visits and public hearings on the proposed additions.

Then the Commission must, in order to actually place the proposed additions on the list to the President:

Determine that the Secretary deviated substantially from the force-structure plan and final selection criteria, and

Determine that the additions being considered are consistent with the force-structure plan and final selection criteria.

Furthermore, the following applies:

- Commissioners vote in final deliberations on each installation, including additions.
- Seven commissioners must agree on additions.
- Only a simple majority (of the members serving) is required for approval and disapproval of closures and realignments recommended by the Secretary.
- A quorum (that is the number of commissioners required to be present for the Commission to vote and transact other business) is five commissioners.

Encl (3)

## BRAC DEFINITIONS

Closure -- defined by DoD as "All missions of the installation have ceased or have been relocated; personnel positions (military, civilian and contractor) have either eliminated or relocated, except for personnel required for caretaking, conducting any ongoing environmental cleanup, and disposal of the base, or personnel remaining in authorized enclaves." In a closure, all missions carried out at a base either cease or relocate.

Realignments -- defined in the BRAC statute as "includes any action which both reduces and relocates functions and civilian personnel positions but does not include a reduction in force resulting from workload adjustments, reduced personnel or funding levels, or skill imbalances." In realignment, a base remains open but loses and sometimes gains mission.

Disestablishments and relocations refer to missions; those disestablished cease operations, while those relocated are moved to another base.

Redirections refer to cases in which the BRAC Commission changes the recommendation of a previous commission. (Unlikely with us, since the last commission was in 1995.)

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

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

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

Encl (5)

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.

ENCL (6)



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





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## Base Realignment and Closure (BRAC)

### BRAC 2005

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In July 2001, the Department of Defense announced an Efficient Facilities Initiative (EFI). This consolidation was projected to save an estimated \$3.5 billion annually. EFI will enable the US military to match facilities to forces. EFI ensures the primacy of military value in making decisions on facilities and harnesses the strength and creativity of the private sector by creating partnerships with local communities. All military installations will be reviewed, and recommendations will be based on the military value of the facilities and the structure of the force. The EFI will encourage a cooperative effort between the President, the Congress, and the military and local communities to achieve the most effective and efficient base structure for America's Armed Forces. It will give local communities a significant role in determining the future use of facilities in their area by transferring closed installations to local redevelopers at no cost (provided that proceeds are reinvested) and by creating partnerships with local communities to own, operate, or maintain those installations that remain.



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In mid-December 2001 House and Senate negotiators authorized a new round of military base closings, but delayed any action until 2005. While the Bush administration and the Senate had wanted the base-closing process to begin in 2003, the House had been opposed. Under the compromise plan, the Secretary of Defense will submit a force structure plan and facility inventory, with a certification that proposed closings were justified by the force structure plan and that they would produce net savings. The closings would also consider environmental costs and community impact. Seven of the nine commission members could vote to add bases to the Pentagon's proposed closure list, but a simple majority would suffice to drop bases from the closure plan. The Bush administration has estimated that 20 percent to 25 percent of military bases are surplus, and that the Pentagon could save \$3 billion a year by eliminating surplus

facilities.

In August 2002 Phil Grone, principal assistant deputy undersecretary of defense for installations and the environment, estimated the next round of base closures in 2005 could save \$6 billion a year, even if it cut only 12 percent of DoD's military infrastructure. One 1998 study suggested that 20 to 25 percent of the military's infrastructure could be considered surplus. Grone indicated that an analysis to "shed excess capacity" would be completed in 2004, before the Pentagon decided how many bases must be closed in the 2005 BRAC round.

On January 6, 2004, the Department of Defense announced that it had requested commanders of installations in the United States, territories and possessions to gather information about their installations as part of the 2005 round of BRAC. All installations are to participate in these calls, and every base and military installation in the United States are doing internal assessments of their operations, land, personnel, and facilities. While none of the questions or data associated with the questions will be released to the public prior to the department's recommendations being forwarded to the independent Defense Base Closure and Realignment Commission and with all questions and data to be publicly available once the Commission receives them.

The nine members named to serve on the 2005 BRAC Commission will be submitted by the President and congressional leaders for Senate confirmation in March, 2005. In May, 2005, the Department of Defense will submit to the BRAC Commission and the Congressional Defense Committees a list of bases that the Department has selected for closure or realignment. Communities across the nation with a military installation are gearing up for BRAC 2005.

The Base Realignment and Closure (BRAC) process had its origins in the 1960s. Understanding that the Department of Defense (DOD) had to reduce its base structure that had been created during World War II and the Korean War, President John F. Kennedy directed Secretary of Defense Robert S. McNamara to develop and implement an extensive base realignment and closure program to adjust to the realities of the 1960s. The Office of the Secretary of Defense (OSD) subsequently established the criteria to govern the selection of bases without consulting Congress or the military. Under McNamara's guidance DOD closed sixty bases early in the 1960s without Congress or other government agencies being involved.

In view of the political and economic ramifications of the closures, Congress decided that it had to be involved in the process and passed legislation in 1965 that required DOD to report any base closure programs to it. However, President Lyndon B. Johnson vetoed the bill. This permitted DOD to continue realigning and closing bases without congressional oversight throughout the rest of the 1960s.

Economic and political pressures eventually forced Congress to intervene in the process of realigning and closing bases and to end DOD's independence on the matter. On 1 August 1977 President Jimmy Carter approved Public Law 95-82. It required DOD to notify Congress when a base was a candidate for reduction or closure; to prepare studies on the strategic, environmental, and local economic consequences of such action; and to wait sixty days for a congressional response. Codified as Section 2687, Title 10, United States Code, the legislation along with the requirements of the National Environmental Policy Act (NEPA) permitted Congress to thwart any DOD proposals to initiate base realignment and closure studies unilaterally by refusing to approve them and gave it an integral role in the process.

As economic pressures mounted, the drive to realign and close military installations intensified. In 1983 the President's Private Sector Survey on Cost Control (the Grace Commission) concluded in its report that economies could be made in base structure and simultaneously recommended the creation of a nonpartisan, independent commission to study base realignment and closure. Although nothing came of this recommendation, the defense budget that had been declining since 1985 and that was predicted to continue to decrease in coming years prompted the Secretary of Defense to take decisive action.

In 1988 the Secretary of Defense recognized the requirement to close excess bases to save money and therefore chartered the Commission on Base Realignment and Closure in 1988 to recommend military bases within the United States for realignment and closure.

Congress has enacted two laws since 1988 that provide for the closure, in part or in whole, and the realignment of facilities. Since 1988, there have been four successive bipartisan Defense Base Closure and Realignment Commissions (BRAC) that recommended the closure of 125 major military facilities and 225 minor military bases and installations, and the realignment in operations and functions of 145 others. By another accounting, the four BRAC rounds achieved

97 base closings and 55 major realignments. This resulted in net savings to taxpayers of over \$16 billion through 2001, and over \$6 billion in additional savings annually.

The principal mechanism for implementing the policy in both statutes has been an independent, bipartisan commission. Two of the most pressing issues are providing assistance to local communities economically impacted by base closures and establishing a cost-effective program of environmental clean-up at bases prior to their disposition.

During the decade of the 1980's, no major military bases were closed, largely because of procedural requirements established by Congress. After several legislative efforts to break the deadlock failed, Congress introduced a new base closure procedure in P.L. 100-526, enacted October 24, 1988. The original base-closing law was designed to minimize political interference. The statute established a bipartisan commission to make recommendations to Congress and the Secretary of Defense on closures and realignments. Lawmakers had to accept or reject the commission's report in its entirety. On December 28, 1988, the commission issued its report, recommending closure of 86 installations, partial closure of 5, and realignment of 54 others. The Secretary of Defense approved its recommendation on January 5, 1989.

Since the commission approach adopted by Congress was successful, new base closure legislation was introduced which also relied on the services of an independent commission. Congress refined the process in 1990 with another law (PL 101-510) that charged the Defense Department with drawing up an initial list of bases for consideration by the commission. This commission, in accordance with a statutory provision, met in 1991, 1993, and 1995. The Defense Base Closure and Realignment of 1990 (1990 Base Closure Act), Public Law 101-510 established the process by which Department of Defense (DOD) installations would be closed and/or realigned.

From 1989 to 1997, the Department of Defense reduced total active duty military end strength by 32 percent, and that figure will grow to 36 percent by 2003 as a result of the 1997 Quadrennial Defense Review [QDR]. After four base closing rounds, only 21 percent of the military installations in the continental United States have been reduced. By 1997 the Department of Defense had already reduced its overseas base structure by almost 60 percent. Before the first base closure round, there were approximately 500 domestic military bases. When all of the bases from the first four BRAC rounds are closed, there will be about 400 bases. Ninety-seven major bases have been closed in the United States. The overseas basing structure has been further reduced, ceasing operations at over 960 facilities. The Army in Europe alone has closed the equivalent of 12 United States major maneuver bases.

The 1997 QDR concluded that additional infrastructure savings were required to begin to reduce the share of the defense budget devoted to infrastructure. Retaining excess base infrastructure is unnecessary with a smaller military force, and wastes scarce defense resources that are essential to future military modernization. Base closings are an integral part of this plan. The QDR found that the Department has enough excess base structure to warrant two additional rounds of BRAC, similar in scale to 1993 and 1995. The Department estimated that two additional base closure rounds would result in savings of approximately \$2.7 billion annually.

The BRAC 1995 commission recommended that the Congress authorize another Base Closure Commission for the year 2001, giving military services time to complete the current closures in an orderly fashion. Implementing the BRAC actions in the first four rounds would result in \$23 billion in one-time implementation costs, offset by savings of \$36.5 billion, for a total net savings of \$13.5 billion between 1990 and 2001 when the implementation of the first four rounds was supposed to be concluded. DOD has not included the total cost of environmental cleanup beyond 2001 in the net savings figures. Approximately half the savings which DOD assumes will come from BRAC during the implementation are due to assumed savings in operation and maintenance costs. Much of those assumed savings are due to reductions in civilian personnel.

Under the BRAC process, the Secretary of Defense makes recommendations to a commission, nominated by the President, confirmed by the Senate. The commission, after being confirmed by the Senate, reviews these recommendations and makes their own recommendations to the President. The President then reviews the recommendation, either sends those back to the commission for additional work or forwards them, without changes, to the Congress, and then the recommendations of the commission go into effect unless disapproved by a joint resolution of the Congress.

In 1995 the BRAC commission recommended closing two maintenance depots - McClellan Air Logistics Center near Sacramento, CA, and Kelly Air Logistics Center in San Antonio, TX. As an

alternative to shutting the depots in the two politically powerful states, President Bill Clinton proposed having private contractors take over maintenance work at the sites. The 1995 Base Closure Commission did not recommend or authorize 'privatization-in-place' at Kelly or McClellan. Concern was raised about the integrity of the BRAC process in light of this attempt to privatize-in-place the work at the Air Logistics Centers at Kelly Air Force Base in Texas and McClellan Air Force Base in California. Republicans charged that Clinton could not be trusted to respect the apolitical nature of the process.

Following Clinton's action, lawmakers did not agree until 2001 to schedule another round of base closings. Before it was resolved, the dispute held up a conference agreement on the fiscal 2002 defense authorization bill (PL 107-107) and led Bush to threaten to veto the bill if it did not allow a new round in 2005.

Defense Secretary Donald H. Rumsfeld and Army Gen. Henry H. Shelton, chairman of the Joint Chiefs of Staff, told the House Armed Services Committee in July 2001 that the Pentagon maintained 25 percent more facilities than it needs, even after four rounds of base closings in the 1990s. By some accounts, the excess military bases annually cost taxpayers an estimated \$3.5 billion.

The armed services are focusing on improvement of installation operations, and the OSD are examining efficiencies that could be obtained by such actions as consolidation of functions on installations, regionalization of support, base realignments and closures, and creation of joint installations where facilities are shared by active forces, National Guard, and Reserve components of all the services. At the installation level, better understanding of what facilities (and their condition) exist on an installation permits more efficient use of the space that is available, and is a first step for any base planning. The Army and the Navy have been using procedures that permit them to lease unneeded facilities on their installations to neighboring communities or commercial organizations. In turn, the lessee provides some form of in-kind support to the installation (e.g. construction or operation of a needed facility) or payment to the government.

Transformation of the force structure and the return of forces from overseas to the United States will require full analysis of space availability at installations, and forecasts of not only what will be needed for the current force structures, but also for force structures that involve units and weapons systems still on the drawing boards. In forming the Army IMA and the Navy CNI, regional offices were established to coordinate the activities of installations within the regions and to determine where analysis indicates efficiencies of any kind can be generated by combining regional activities such as contracting, cross-leveling of assets, etc.

The increased use of National Guard and Reserve components during the Iraq War has pointed out the close links between the installation needs of the Guard and Reserve and the active force and has opened the question of how best to provide support for these units in the future.

Some have indicated that BRAC 2005 and concurrent OSD guidance could eventually lead to consolidation of or joint operation of military facilities in areas where there are numerous separate activities. These range from consolidation of contiguous facilities such as Pope Air Force Base, NC and Fort Bragg, NC, to joint control over the numerous military facilities in such areas as Tidewater Virginia. Actions resulting from BRAC can be expected to place a major burden on the services and installations to deal rapidly with the recommendations of the BRAC Commission and to develop well-substantiated, GIS-based plans in response.

### **BRAC 2005**

- March 15: President Bush to name members of the fifth Base Realignment and Closure (BRAC) commission.
- May 16: Defense Secretary Donald H. Rumsfeld to give the BRAC commission and Congress the Pentagon's recommendations for military facilities that should be closed.
- Sept. 8: BRAC commission to make its own base closure recommendations.
- Sept. 23: Presidential decision on whether to accept or reject the BRAC recommendations in their entirety — the White House's only options. If Bush accepts the plan, it becomes final within 45 legislative days, unless Congress passes a joint resolution to block the entire package.
- Oct. 20: If Bush rejects the BRAC recommendations, the commission has until this date to submit a revised list of proposed closures.
- Nov. 7: President to approve or disapprove the revised recommendations.

- April 15, 2006: The commission terminates

**Commissioners**

- Anthony J. Principi, former Secretary of Veterans Affairs (2001-2005)
- James H. Bilbray, a former Democratic House member from Nevada (1987-95)
- Philip Coyle of California, a former assistant secretary of Defense
- Ret. Adm. Harold W. Gehman of Virginia, a former NATO Supreme Allied Commander
- James V. Hansen of Utah, a former Republican House member (1981-2003)
- Ret. Army Gen. James T. Hill of Florida
- Ret. Army Lt. General Claude M. Kicklighter of Georgia
- Samuel Knox Skinner of Illinois, a former Secretary of Transportation
- Ret. Air Force Brigadier General Sue Ellen Turner of Texas
- \*\*\*NOTE - Commissioners have not been approved by the Senate yet

**1988  
Commission  
16 Major  
Closures**

- Army Material Tech Lab, MA
- Cameron Station, VA
- Chanute AFB, IL
- Fort Douglas, UT
- Fort Sheridan, IL
- George AFB, CA
- Jefferson Proving Ground, IN
- Lexington Army Depot, KY
- Mather AFB, CA
- Naval Station Brooklyn, NY
- Naval Station Lake Charles, LA
- Naval Station, Galveston, TX
- Norton AFB, CA
- Pease AFB, NH
- Philadelphia Naval Hospital, PA
- Presidio of

**1991 Commission  
26 Major Closures**

- Bergstrom AFB, TX (Active Component Only)
- Carswell AFB, TX
- Castle AFB, CA
- Chase Field NAS, TX
- Eaker AFB, AR
- England AFB, LA
- Fort Benjamin Harrison, IN
- Fort Devens, MA
- Fort Ord, CA
- Grissom AFB, IN
- Hunters Point Annex, CA
- Loring AFB, ME
- Lowry AFB, CO
- Moffett NAS, CA
- Myrtle Beach AFB, SC
- NAV ElecSysEngrCtr, San Diego, CA
- Naval Station Long Beach, CA
- Naval Station Philadelphia, PA
- Naval Station Puget Sound, WA
- Philadelphia Naval Shipyard, PA
- Richards-Gebaur ARS, MO
- Rickenbacker AGB, OH
- Sacramento Army Depot, CA
- Tustin MCAS, CA

**1993  
Commission  
28 Major  
Closures**

- Charleston Naval Shipyard, SC
- Defense Per. Support Center, PA
- Gentile Air Force Station, OH (DESC)
- Homestead AFB, FL
- K.I. Sawyer AFB, MI
- Mare Island Naval Shipyard, CA
- MCAS El Toro, CA
- Naval Air Station Agana, Guam
- Naval Air Station Barbers Point, HI
- Naval Air Station Cecil Field, FL
- Naval Air Station Dallas, TX
- Naval Air Station Glenview, IL
- Naval Air Station Alameda, CA
- Naval Aviation

**1995  
Commission  
27 Major  
Closures**

- Bayonne Military Ocean Terminal, NJ
- Bergstrom Air Reserve Base, TX
- Defense Dist. Depot Memphis, TN
- Defense Distribution Depot Ogden, UT
- Fitzsimons Army Medical Center, CO
- Fleet Industrial SU. Center Oakland, CA
- Fort Chaffee AR
- Fort Holabird, MD
- Fort Indiantown Gap, PA
- Fort McClellan, AL
- Fort Pickett VA
- Fort Ritchie MD
- McClellan AFB, CA
- Naval Air Facility, Adak, AK
- Naval Air Station,

San Francisco, CA

- Williams AFB, AZ
- Wurtsmith AFB, MI

- Depot Alameda, CA
- Naval Aviation Depot Norfolk, VA
- Naval Aviation Depot Pensacola, FL
- Naval Hospital Oakland, CA
- Naval Station Charleston, SC
- Naval Station Mobile, AL
- Naval Station Staten Island, NY
- Naval Station Treasure Island, CA
- Naval Training Center Orlando, FL
- Naval Training Center San Diego, CA
- NESEC, St. Inigoes, MD
- Newark AFB, OH
- O'Hare IAP ARS, IL
- Plattsburgh AFB, NY
- Vint Hill Farms, VA

- South Weymouth, MA
- Naval Air Warfare Center, Aircraft Division, Indianapolis, IN
- Naval Shipyard, Long Beach, CA
- NAWC, Aircraft Div Warminster, PA
- NAWC, Crane Division Detachment Louisville, KY
- NSWC, Dahlgren Division Detachment White Oak, MD
- Oakland Army Base, CA
- Ontario IAF Air Guard Station, CA
- Resse AFB, TX
- Roslyn Air Guard Station, NY
- Savanna Army Depot Activity, IL
- Seneca Army Depot, NY
- Ship Repair Facility, Guam

**1988 Commission 11 Realignments**

- Fort Bliss, TX
- Fort Devens, MA
- Fort Dix, NJ
- Fort Holabird, MD
- Fort

**1991 Commission 19 Realignments**

- Aviation Systems Command/Troop Support Command, MO
- Beale Air Force Base, CA
- Fort Chaffee, AR
- Fort Polk, LA
- Letterkenny Army Depot, PA

**1993 Commission 13 Realignments**

- Anniston Army Depot, AL
- Fort Belvoir, VA
- Fort Monmouth, NJ
- Griffiss Air

**1995 Commission Realignments REALIGN**

- Charles E. Kelly Support Center
- Defense Contract Management Command International

- |  |   |  |  |
|--|---|--|--|
| <ul style="list-style-type: none"> <li>Huachuca, AZ</li> <li>■ Fort McPherson, GA</li> <li>■ Fort Meade, MD</li> <li>■ Fort Monmouth, NJ</li> <li>■ Naval Station Puget Sound, WA</li> <li>■ Pueblo Army Depot, CO</li> <li>■ Umatilla Army Depot, OR</li> </ul> | <ul style="list-style-type: none"> <li>■ MacDill Air Force Base, FL</li> <li>■ Naval Air Development Center, Warminster, PA</li> <li>■ Naval Air Engineering Center, Lakehurst, NJ</li> <li>■ Naval Air Propulsion Center, Trenton, NJ</li> <li>■ Naval Avionics Center, Indianapolis, IN</li> <li>■ Naval Coastal Systems Center, Panama City, FL</li> <li>■ Naval Ordnance Station, Indian Head, MD</li> <li>■ Naval Ordnance Station, Louisville, KY</li> <li>■ Naval Surface Weapons Center, White Oak, MD</li> <li>■ Naval Undersea Warfare Engineering Station, Keyport, WA</li> <li>■ Naval Weapons Center, China Lake, CA</li> <li>■ Naval Weapons Support Center, Crane, IN</li> <li>■ Pacific Missile Test Center, Point Mugu, CA</li> <li>■ Rock Island Arsenal, IL</li> </ul> | <ul style="list-style-type: none"> <li>Force Base, NY</li> <li>■ Letterkenny Army Depot, PA</li> <li>■ March Air Force Base, CA</li> <li>■ Marine Corps Logistics Base Barstow, CA</li> <li>■ Naval Air Station Memphis, TN</li> <li>■ Naval Education and Training Center, Newport, RI</li> <li>■ Naval Surface Warfare Center (Dahlgren)</li> <li>■ Naval Weapons Station Seal Beach, CA</li> <li>■ Ogden Air Logistics Center, Hill Air Force Base, UT</li> <li>■ Tooele Army Depot, UT</li> <li>■ White Oak Detachment, White Oak, MD</li> </ul> | <ul style="list-style-type: none"> <li>Dayton</li> <li>■ Defense Distribution Depot Columbus</li> <li>■ Eglin Air Force Base</li> <li>■ Fort Dix</li> <li>■ Fort Lee</li> <li>■ Grand Fork Air Force Base</li> <li>■ Guam Flee and Industrial Supply Center</li> <li>■ Guam Naval Activities</li> <li>■ Guam Publ Works</li> <li>■ Hill Air Force Base (Utah Training and Test Range)</li> <li>■ Kelly Air Force Base</li> <li>■ Naval Air Station Corpus Christi</li> <li>■ Naval Air Station Key West</li> <li>■ Naval Information Systems Management Center, Arlington</li> <li>■ Naval Undersea Warfare Center Keyport</li> <li>■ Red River Army Depo</li> </ul> |
|--|---|--|--|

## REDIRECT

- Defense Contract Management District West, El Segundo
- Griffiss Air Force Base (485th Engineering Installation Group)
- Griffiss Air Force Base [Airfield]

- Support for  
10th Infantr  
(Light  
Division]
- Homestead  
Air Force  
Base (301s  
Rescue  
Squadron)
- Homestead  
Air Force  
Base (726th  
Air Control  
Squadron)
- Lowry Air  
Force Base
- MacDill Air  
Force Base
- Marine  
Corps Air  
Station El  
Toro
- Marine  
Corps Air  
Station  
Tustin
- Naval Air  
Facility  
Detroit
- Naval Air  
Station  
Agana
- Naval Air  
Station  
Alameda
- Naval Air  
Station  
Barbers  
Point
- Naval Air  
Station Cecil  
Field
- Naval  
Aviation  
Depot  
Pensacola
- Naval  
Recruiting  
Command  
Washington
- Naval  
Recruiting  
District San  
Diego
- Naval Sea  
Systems  
Command,  
Arlington
- Naval  
Security  
Group  
Detachmen  
Potomac  
Washington
- Naval

- Shipyard, Norfolk Detachment Philadelphia
- Naval Training Center Orlando
- Naval Training Center San Diego
- Navy Nuclear Power Propulsion Training Center, Naval Training Center, Orlando
- Office of Naval Research
- Space and Naval Warfare Systems Command, Arlington
- Tri-Service Project Reliance, Army Bio-Medical Research Laboratory, Fort Detrick

**DoD RECOMMENDATIONS REJECTED BY PREVIOUS COMMISSIONS**

**1988**

**Commission**

Because the 1988 Commission was the sole authority for recommending closure and realignments to the Secretary of Defense there were no recommendations made that were not accepted by the Secretary of Defense.

**1991**

**Commission**

<u>Installation</u>	<u>Recommended Action</u>	<u>Commission Action</u>
<i>Army</i>		
Fort McClellan, AL	Close	Open
Fort Dix, NJ	Close	Realign
Fort Chaffee, AR	Close	Realign
Army Corps of Engineers	None	Realign
<i>Navy</i>		
Naval Air Station Whidbey	Close	Open

Island, WA		
Naval Training Center Orlando, FL	Close	Open
RDT&E & Fleet Support Activities	Close 10/Realign 16	Close 7/Realign 17
<u>Air Force</u>		
Moody AFB, GA	Close	Open
<b>1993</b>		
<b><u>Commission</u></b>		
<u>Army</u>		
Fort McClellan, AL	Close	Open
Letterkenny Army Depot, PA	Realign	Open
Presidio of Monterey Annex, CA	None	Realign
<i>Changes to Previously Approved 88/91 Recommendations Affecting Army</i>		
Presidio of San Francisco, CA	Send 6th Army to Ft Carson	Keep 6th Army at Presidio of SF
Letterkenny Army Depot, PA	Send functions to Rock Island	Realign Keep Functions at Letterkenny
<u>Navy</u>		
Naval Air Station Agana, Guam	None	Close
Naval Air Facility Martinsburg, WV	None	Close
Naval Air Facility Johnstown, PA	None	Close
Naval Hospital, Charleston, SC	Close	Open
Naval Air Station Meridian, MS	Close	Open
Naval Air Station South Weymouth, MA	Close	Open
Naval Supply Center Charleston, SC	Disestablish	Realign
Naval Supply Center Oakland, CA	Close	Open
Naval Submarine Base New London, CA	Realign	Open
Aviation Supply Office, PA	Close	Open
Naval Air Technical Services Facility, Philadelphia, PA	Close	Open
Naval Electronic Security Systems Engineering Center, Charleston, SC	Disestablish	Open
Naval Electronic Systems Engineering Center, Portsmouth, VA	Receive	Close
Naval Surface Warfare Center-Carderock,	Disestablish	Open

Annapolis Detachment, Annapolis, MD		
Navy and Marine Corps Reserve Center, Lawrence, MA	None	Close
Naval Reserve Center, Chicopee, MA	None	Close
Naval Reserve Center, Quincy, MA	None	Close

*Changes to Previously Approved BRAC 88/91 Recommendations*

Marine Corps Air Station, Tustin, CA	None	Realign
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*Air Force*

Plattsburgh AFB, NY	None	Close
Homestead AFB, FL	Close	Realign
McGuire AFB, NJ	Realign	Open

*Changes to Previously Approved BRAC 88/91 Recommendations*

Bergstrom AFB, TX	Redirect	Open
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*Defense Logistics Agency*

Defense Industrial Supply Center, PA	Relocate	Open
Defense Reutilization & Marketing Service, MI	Disestablish	Open

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

**Chairman:**  
**The Honorable Anthony J. Principi**

**Commissioners:**  
**The Honorable James H. Babbay**  
**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



ADMINISTRATION AND  
MANAGEMENT

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

May 20, 2005

MEMORANDUM FOR MAJOR DANIEL J. COWHIG, U.S. ARMY  
DESIGNATED FEDERAL OFFICER  
DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

SUBJECT: Exception to Policy – DFO Attendance at Committee and Subcommittee Meetings

Due to the Defense Base Closure and Realignment Commission's aggressive schedule and the statutory time constraints that the Commission must operate under, your request for an exception to the policy pertaining to the DFO's attendance at Committee and Subcommittee Meetings is approved.

You may use the two individuals identified in your May 19, 2005 e-mail to fulfill all your Committee and Subcommittee Meeting responsibilities, except for approving the agenda for all Committee and Subcommittee Meetings. As the appointed DFO for the Commission you will still have to approve in advance the agenda for all Meetings.

A handwritten signature in cursive script, appearing to read "Frank M. Wilson".

Frank M. Wilson

Committee Management Officer  
for the Department of Defense



# OBSERVATION POST

by Tom Philpott

## BRAC: Another Round

THIS MONTH, DOD UNVEILS its first list in a decade of military bases it wants closed or downsized, this time to streamline facilities and acreage for forces in transformation. The bases are said to represent excess capacity approaching 25 percent and, while they remain open, force the services to waste billions of dollars a year on installation operations, maintenance, and personnel. But for military retirees, reservists, and their families who live near the named bases, the list represents support systems that are under attack. Some will lose access to on-base health care. Many more will lose access to free prescription drugs, discount shopping, and affordable clubs.

Policymakers have had base closings in mind while shaping various personnel initiatives. The prospect of closing more bases helped spur initiatives to strengthen TRICARE Standard, the military's traditional fee-for-service health insurance and an alternative to TRICARE Prime, the managed care program that revolves around full use of base hospitals and clinics. This will be the fifth round of base realignment and closures (BRAC) since the Cold War ended. Rounds in 1988, 1991, 1993, and 1995 produced \$29 billion in net savings through September 2003 and a stream of annual savings of \$7 billion, according to the GAO.

In March 2004, President George W. Bush named the nine-member BRAC commission tasked to review and finalize the closure list. The commission will hold public hearings and review arguments for and against continuing operation of individual bases before making a final list. A vote of seven commissioners can add an installation, but a simple majority of five can remove a base. When the commissioners complete their review, the president may approve the list and forward it to Congress or send it back for reconsideration. Neither Congress nor the president can make changes to the list. If the president accepts the list, Congress will have 45 days to vote it down or it becomes law.

The release of the draft list intensifies public debate and local hand wringing, but this BRAC round actually began with passage of the FY 2002 National Defense Authorization Act in fall 2001, which authorized a new BRAC round. Following that, base commanders began sending current data about their installations for



analysis, and under selection criteria published in December 2003, the services ranked closure candidates based on overall military value, current and future mission capability, and operational readiness impact, including future training and mobilizations.

Each BRAC round has been controversial, sparking efforts from politicians and community leaders to save their base and protect local jobs, businesses, and property values. This round could be more divisive than usual, occurring

during a global war on terrorism and with the services ordered to execute a major pullback of forces from Cold War-era bases overseas, especially in Europe. That will have communities arguing not only that closing their base will roil the local economy, but also that it will endanger U.S. security by concentrating too many forces in too few locales. The GAO's assessment of past BRAC rounds avoids issues of geopolitics or the strategic benefits of force dispersal. But it attacks head-on the more common arguments of BRAC opponents: Closing bases costs more money than it saves or creates economic disasters for affected communities.

The past four BRAC rounds closed 97 major bases and reduced or realigned hundreds of smaller facilities. About 72 percent of the land involved (a total of 364,000 acres) already has been transferred, mostly to the control of state or local authorities but also to other federal agencies. Eighteen percent (91,000 acres) has been leased. Only 10 percent of the land still is held by the military while it completes environmental cleanup.

The GAO identifies "substantial" net savings from past BRAC rounds and hefty continuing annual savings, and auditors say most BRAC communities "have recovered or are recovering" from base closures, as measured by unemployment rates and per capita income growth. These key economic indicators show BRAC communities "generally faring well" compared with the rest of the country. Not addressed by congressional auditors, however, has been the effect of past BRAC rounds on military retirees, reservists, or their families — those who have the most to lose.

**Tom Philpott** is a freelance writer and syndicated news columnist. His column, "Military Update," appears in 48 daily newspapers throughout the United States and overseas.



Rumu FYI

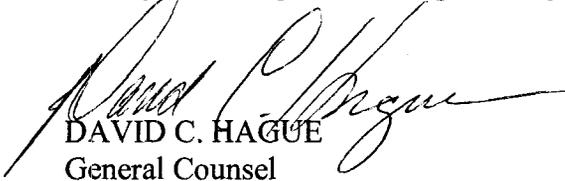
BRAC/GC/dch  
May 16, 2005**MEMORANDUM FOR THE COMMISSIONERS OF THE BASE  
CLOSURE AND REALIGNMENT COMMISSION**

Subj: COMMISSION PRACTICES AND PROCEDURES; GENERAL COUNSEL OFFICE

Encl: (1) Procedures for adding installations with memo to Chairman from GC  
(2) Memo to Chairman from GC regarding BRAC recusal process  
(3) Ethics agreement executed by Commissioners prior to confirmation

1. The enclosures are provided for your information.
2. Enclosure (1) describes the steps to be taken to consider adding installations to the Secretary of Defense's list of installations recommended for closure or realignment and to add them to the Commission's list to the President. The enclosure also contains information about quorum, tie votes, and voting to drop installations from the Secretary's list. Rules of Procedure that the Commission will consider and adopt this week will provide further information about the conduct of Commission business.
3. Enclosure (2) explains and describes the constraints under which BRAC 2005 will operate with regard to members for whom recusal or other remedial action is necessary.
4. Enclosure (3) is the ethics agreements that all Commissioners and the Chairman executed prior to confirmation.
5. The General Counsel's Office consists of three attorneys, all of whom are available to assist you at any time. Major Dan Cowhig, USA, Deputy General Counsel, is the BRAC Designated Federal Officer (DFO). In accordance with the Federal Advisory Committee Act, as the DFO, he is required to:
  - Call, attend, and adjourn commission meetings
  - Approve the agenda
  - Maintain required records on cost and membership
  - Ensure efficient operations
  - Maintain records for availability to the public, and
  - Provide copies of commission reports to the Library of Congress

He also swears in witnesses at hearings and performs other duties. Ms. Rumu Sarkar, Associate General Counsel, working with the DoD General Counsel and the Office of Government Ethics, will review the financial holding of each member and advise the members whether recusal or other remedial action (divesture or waiver) is necessary. Ms. Sarkar, who was General Counsel for the Overseas Basing Commission, will, like Major Cowhig and I, also provide general legal advice and counsel.



DAVID C. HAGUE  
General Counsel

BRAC/GC/deh  
May 10, 2005

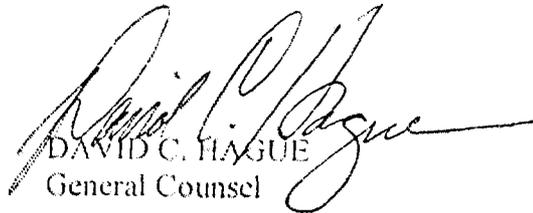
MEMORANDUM FOR THE CHAIRMAN OF THE DEFENSE BASE  
CLOSURE AND REALIGNMENT COMMISSION

Via: DIRECTOR OF STAFF

Subj: PROCEDURES FOR ADDING INSTALLATIONS TO THE SECRETARY'S  
LIST FOR CONSIDERATION AND REVIEW

Encl: (1) Subject procedures

1. Enclosure (1) reflects the statutory requirements for review and recommendation by the BRAC Commission of the list of military installations recommended for closure or realignment by the Secretary of Defense, including the newly added limitations on authority to consider additions to the list.

  
DAVID C. HAGUE  
General Counsel

## ADDING INSTALLATIONS TO THE SECRETARY'S LIST FOR CONSIDERATION AND REVIEW

The steps below apply to changes by the Commission to the Secretary of Defense's list of military installations recommended for closure or realignment that would add an installation for closure and/or realignment or expand the extent of a realignment already recommended by the Secretary.

If, after review and analysis of certified data received from the Department of Defense, information obtained during base visits and regional hearings, and other public input, and consideration of the Comptroller General's report submitted on 1 July, there are quantifiable reasons that the Commission wants to consider and review making changes in the recommendations of the Secretary of Defense that would add military installations to the Secretary's list of installations recommended for closure or realignment, then, according to controlling law:

- The Secretary of Defense is notified of the possible additions to his list and is given 15 days to submit an explanation why the installations were not on it.
- Commissioners vote in public session after receiving input from the Secretary of Defense and if seven commissioners vote to add installations then they are added to the Secretary's list.
- Notice of proposed additions to the Secretary's list is published in the Federal Register at least 45 days before 8 Sep 2005.
- At least two commissioners conduct installation visits and public hearings on the proposed additions.

Then the Commission must, in order to actually place the proposed additions on the list to the President:

Determine that the Secretary deviated substantially from the force-structure plan and final selection criteria, and

Determine that the additions being considered are consistent with the force-structure plan and final selection criteria.

Furthermore, the following applies:

- Commissioners vote in final deliberations on each installation, including additions.
- Seven commissioners must agree on additions.
- Only a simple majority is required for approval and disapproval of closures and realignments recommended by the Secretary.
- In the event of a tie vote (if only six or eight commissioners are voting because of recusals or other incapacity) a vote to drop an installation from the list fails.
- A quorum (that is the number of commissioners required to be present for the Commission to vote and transact other business) is five commissioners.

BRAC/GC/dch  
13 May 2005

MEMORANDUM FOR THE CHAIRMAN

Via: DIRECTOR OF STAFF *[Handwritten signature]* *[Handwritten note: I recommend approval]*

Subj: BRAC RECUSAL PROCESS

1. The General Counsel is responsible for ensuring that all members of the Commission are free of financial and other conflicts of interest. The members' financial disclosure statements (SF 278) must be carefully reviewed and compared with the list of contracts at the bases under consideration for closure and realignment. Members must be asked about matters not revealed on the SF 278, including homes and other non-rental property. Since all members signed an ethics agreement prior to their confirmation, its provisions as they relate to the Secretary's list must be reviewed. The concluding paragraph of that agreement provides:

"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."

2. In prior BRAC rounds several members recused themselves from the consideration of certain installations. Other members were granted waivers of the statutory constraints because of the nature and breadth of their holdings. Still others were required to divest certain holdings, and at least one member resigned because he was unwilling to divest himself of certain interests.

3. In a letter dated February 22, 1993, the BRAC Commission Chairman provided the following information regarding operation of the recusal process:

"When it is determined by the Commission's General Counsel that a Commissioner has a potential conflict of interest and the recommended remedial measure is recusal in regards to a base, to avoid a conflict of interest or perception of a conflict, the Commission will adopt the following policy: the Commissioners shall be prohibited from participation in any and all discussions, debate and actions regarding the base in question. Additionally, Commissioners will not participate in any discussions, debate or actions involving bases that are being considered as substitutes to the first base in question. The prohibition regarding substitute bases will take effect the moment the additional base(s) is/are being considered as substitute(s) to the original base"

4. I recommend BRAC 2005 operate under similar constraints with regard to members who are deemed unqualified or recuse themselves from consideration of particular bases.

*[Handwritten signature]*  
*[Handwritten initials]*

*[Handwritten signature]*  
DAVID C. HAGUE  
General Counsel  
5/14/05  
DCH

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.

BRAC/GC/dch  
13 May 2005

MEMORANDUM FOR THE CHAIRMAN

Via: DIRECTOR OF STAFF *5/14/05* *Recommend approval*

Subj: BRAC RECUSAL PROCESS

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*Gregory J. Penning*  
APPROVED

*David C. Hague*  
DAVID C. HAGUE  
General Counsel  
5/14/05  
DATE

## Procedural Rules of the 2005 Defense Base Closure and Realignment Commission

Rule 1. The Defense Base Closure and Realignment Commission ("Commission") was established by the Defense Base Closure and Realignment Act of 1990, Part A of Title XXIX of Public Law 101-510, as amended by Title XXX of the National Defense Authorization Act for Fiscal Year 2002, Public Law 107-107, and further amended by Section 2822, Subtitle C, Title XXVIII, Division B, of Public Law 108-136 ("Act"). The Commission's operations shall comply with that Act, as amended, and with these Procedural Rules.

Rule 2. The Commission's meetings, other than meetings in which classified information is to be discussed, shall be open to the public. In other respects, the Commission shall comply with the Federal Advisory Committee Act, Title 5, United States Code, Appendix 2, and the Federal Advisory Committee Management Final Rule, 41 Code of Federal Regulations Parts 101-6 and 102-3.

Rule 3. The Commission shall meet only during calendar years 2005 and 2006.

Rule 4. The Commission shall meet at the call of the Chairman or the request of a majority of the Commissioners serving at that time.

Rule 5. When the Commission meets to consider (a) the recommendations of the Secretary of Defense ("Secretary") submitted to the Commission in accordance with the Act, (b) the Commission's report to the President in accordance with the Act, or (c) a revised list of recommendations in accordance with the Act, a quorum shall consist of a majority of the members then serving. When the Commission meets to consider the closure of an installation not recommended by the Secretary for such action, or to consider the realignment of an installation that would result in a reduction in the force structure at that installation that was not recommended by the Secretary, a quorum shall consist of seven of the members then serving. When the Commission meets to conduct public hearings to receive public comment on the recommendations of the Secretary or the proceedings of the Commission, a quorum shall consist of one or more members designated by the Chairman.

Rule 6. When the Commission meets to consider (a) the recommendations of the Secretary submitted to the Commission in accordance with the Act, (b) the Commission's report to the President in accordance with the Act, or (c) a revised list of recommendations in accordance with the Act, and a quorum is present, a vote shall be required of the Commission to dispense with any of the above responsibilities or to ratify any acts of the Commission. The adoption of any action taken by the Commission with regard to (a) the recommendations of the Secretary submitted to the Commission in accordance with the Act, (b) the Commission's report to the President in accordance with the Act, or (c) a revised list of recommendations in accordance with the Act, will be by a majority of the members serving at that time. In the event of a tie vote on the adoption of any such action, the motion fails for lack of a majority. The adoption of any action taken by the Commission with regard to the closure of an installation not recommended by the Secretary for such action, or to consider the realignment of an installation that would

result in a reduction in the force structure at that installation that was not recommended by the Secretary, will be by seven of the members then serving. The resolution of all other issues arising in the normal course of Commission meetings or hearings shall be by a simple majority of Commissioners present. The Commissioners shall vote in person, except when a proxy is exercised under Rule 9.

Rule 7. The Chairman shall preside at meetings and public hearings of the Commission when he is present. In the Chairman's absence, he or she shall designate another member of the Commission to preside.

Rule 8. The Chairman, or in his absence, the presiding Commissioner, shall have the authority to ensure the orderly conduct of the Commission's business. This power includes, without limitation, recognizing members of the public to speak, imposing reasonable limitations on the length of time a speaker may hold the floor, determining the order in which members of the Commission may question witnesses, conducting votes of members of the Commission, and designating Commissioners for the conduct of public hearings.

Rule 9. One Commissioner may designate another Commissioner to vote and otherwise act for the first member when he or she will be absent, but only where the first Commissioner has previously issued a written proxy to the second stating the specific, limited purpose for which the proxy is to be exercised. Where the margin of decision would be supplied by a proxy vote, the proxy shall be considered invalid and the matter under consideration shall be considered to have failed.

Rule 10. These rules may be amended by a majority vote of the Commissioners serving at the time.



**STATEMENT OF  
HONORABLE GORDON ENGLAND  
SECRETARY OF THE NAVY  
BEFORE THE  
BRAC COMMISSON  
17 MAY 2005**

## **Introduction**

This is an overview of the Department of the Navy's Report to the Base Realignment and Closure Commission, provided as a roadmap with which to review the report. The report constitutes our response to the requirements of the Base Closure Act for the 2005 round of base realignment and closure (BRAC 2005). The Department of the Navy employed a multi-pronged strategy for BRAC 2005 that sought to rationalize and consolidate infrastructure capabilities to eliminate unnecessary excess; balance the effectiveness of Fleet concentrations with anti-terrorism / force protection desires for dispersion of assets and redundancy of facilities; leverage opportunities for total force laydown and joint basing; accommodate changing operational concepts; and facilitate the evolution of force structure and infrastructure organizational alignment.

In developing BRAC 2005 recommendations, the Department of the Navy (DON) adhered to the principles that the recommendations must eliminate excess capacity, save money, improve operational readiness and jointness, and maintain quality of service. Developing recommendations in BRAC 2005 was challenging given that the recommendations must be based on a 20-year Force Structure Plan, a much longer range view than has been done before. This requirement to fully consider the future and its inherent uncertainties resulted in retaining more infrastructure than analysis supported, in order to ensure we do not eliminate anything we thought we might need in the future.

## **General comments about the BRAC process**

The purpose of the Base Closure Act is to provide a fair process that will result in the timely closure and realignment of military installations inside the United States.

- Statutorily mandated process
- Recommendations objectively based on selection criteria
- 20-year Force Structure Plan focus

The BRAC 2005 proposal is the most comprehensive approach to BRAC thus far.

Like all previous BRAC rounds, elimination of excess physical capacity is one of the objectives for BRAC 2005.

BRAC 2005 also serves to rationalize infrastructure with defense strategy.

BRAC 2005 is the means for reconfiguring the current infrastructure into one in which operational capacity maximizes war-fighting capability and efficiency.

A focus is to examine and implement opportunities for greater joint activity. Therefore, BRAC 2005 analysis was divided in two pieces:

- Joint Cross-Service Groups analyzed common business-oriented functions
- Military Departments analyzed all Service unique functions.

### **Department of Navy Report**

The Department of the Navy report describes the Department of the Navy process to analyze Service unique functions, the analyses from which its recommendations were derived, and the considerations that led to particular decisions.

### **Department of the Navy Process and Methodology**

The Department of the Navy built its process and methodology to support its BRAC 2005 strategy.

- Scrupulously followed the process laid out in the Base Closure Act
- Conducted a fair and unbiased analysis of each installation
- Based on future force structure requirements and certified data
- Most in-depth and inclusive BRAC process ever utilized by the Department of the Navy

### **Legal Requirements**

- All installations were considered equally
- Only certified data was used in our analysis
- Recommendations were based on the 20-year Force Structure Plan
- Recommendations were based on the legally mandated selection criteria

### **Leadership and Organizations**

To satisfy the responsibility for making sound and timely base closure and realignment recommendations to the Secretary of Defense that were in compliance with the Base Closure Act and Department of Defense (DoD) guidance, the Department of the Navy established several BRAC organizations:

- Infrastructure Evaluation Group
  - Nine members
  - Assistant Commandant of the Marine Corps, Vice Chief of Naval Operations, and the Special Assistant for BRAC were designated as Co-Chairs
  - Members had experience in logistics, planning, requirements, and / or operations
  - Developed closure and realignment recommendations for approval by the Secretary of the Navy
  - Ensured concerns of operational commanders were considered in any recommendations
- Department of the Navy (DON) Analysis Group
  - Eleven members
  - Special Assistant for BRAC was designated as Chair

- Conducted analyses of Department of the Navy unique functions and developed closure and realignment recommendations for consideration by the Infrastructure Evaluation Group
- Ensured concerns of operational commanders were considered in any recommendations
- Functional Advisory Board
  - Membership consisted of Navy and Marine Corps principal members of the seven Joint Cross-Service Groups
  - Ensured Department of the Navy leadership was thoroughly briefed and prepared on Joint Cross-Service Group matters
  - Coordinated with the Infrastructure Evaluation Group to ensure that the Department of the Navy position on common business-oriented support functions was clearly articulated and understood
  - Established to ensure the Navy and Marine Corps vision of the future, based on the 20-year Force Structure Plan, was clearly articulated, understood, and supported throughout the BRAC 2005 Joint Cross-Service Group process
- Infrastructure Analysis Team
  - Provided staff support to the Infrastructure Evaluation Group and DON Analysis Group
  - Composed of military and civilian analysts and supporting staff from throughout the Department of the Navy and from the Center for Naval Analysis
  - Team members represented a broad spectrum of expertise and capability, with emphasis on senior officers with operational experience

### **Scope of Effort**

The first step in the process was to categorize and aggregate activities for analysis. For BRAC 2005, the Secretary of Defense directed that the analysis would be divided into two categories of functions with seven Joint Cross-Service Groups analyzing common business-oriented support functions and the Military Departments analyzing all Service unique functions.

- Department of the Navy Unique Functions
  - Operations (Surface / Subsurface Operations, Aviation Operations, Ground Operations, and Munitions Storage and Distribution)
  - Education and Training (Recruit Training, Officer Accessions Training, and Department of the Navy Unique Professional Military Education)
  - Headquarters and Support (Reserve Centers, Recruiting Districts / Stations, and Regional Support Activities)
  - Other Support (Organizational Followers, Dependent Activities, Stand Alone Activities, and Specialized Functions Activities).

- 889 activities in the Navy and Marine Corps Universe
  - 469 analyzed by one or more of the Joint Cross-Service Groups
  - 590 analyzed by the Department of the Navy
  - Some activities analyzed by Department of the Navy and one or more Joint Cross-Service Groups
  - Every activity fell under the analytic purview of either the Department of the Navy or a Joint Cross-Service Group
  - Totality of activities analyzed covered the universe of Department of the Navy bases.

### **Data Collection**

The next step in the BRAC 2005 process was the development of requests for information, or data calls, for the purpose of collecting all types of information required for development of the base structure database and use in subsequent analyses.

- Data calls went to DON activity level
- Joint Cross-Service Groups and Military Departments developed joint capacity data call that was sent to all Department of the Navy activities
- Supplemental capacity data calls were issued to targeted Department of the Navy activities
- A second series of data calls was issued to targeted activities to obtain information necessary for military value and other selection criteria analyses
- Most Department of the Navy activities received multiple data calls
- Additional data calls were issued during the scenario analysis phase
- Department of the Navy BRAC Information Transfer System (DONBITS) was used for the distribution of data calls and collection of activity responses and supporting documentation

DONBITS, a secure web-based data collection and management tool, was the sole and authoritative base structure database.

- Served as the baseline for evaluation of all Department of the Navy installations
- Only certified data could be entered into DONBITS
- Data was certified as accurate and complete by the officer or civilian employee who initially generated data in response to a request for information, and then at each succeeding level in an established certification chain

### **Capacity Analysis**

Capacity analysis compared the current Department of the Navy base structure to the future force structure requirements to determine whether excess base structure capacity existed within a given functional area.

- Capacity analysis was conducted on a functional basis (e.g., ship berthing) rather than by installation category (e.g., Naval Stations)

- Measures of capacity were selected which reflected the appropriate "metric" for that function
- If total current capacity in a function was greater than the capacity required to support the future force structure, excess capacity was deemed to exist

### **Military Value Analysis**

Except for a limited number of activities, each activity performing a given function was subjected to a military value analysis.

- Used a quantitative methodology that was as objective as possible
- Foundation of the analysis was the military value selection criteria
- Assessed relative military value of activities performing a given function
- Enabled comparison of one activity within a function against another in that function

### **Configuration Analysis**

The purpose of configuration analysis was to identify for each function that set of activities that best meets the needs of the Navy and Marine Corps in light of future requirements, while eliminating the most excess capacity.

- Configuration analysis used a mixed-integer linear programming solver
- Generated multiple solutions for an optimization model
- Allowed DON Analysis Group to explore tradeoffs between eliminating excess capacity and retaining sites having high military value

### **Scenario Development**

The configuration analysis solutions were used by the DON Analysis Group as the starting point for the development of potential closure and realignment scenarios that would undergo analysis to determine return on investment.

- Iterative process in which results of the Cost of Base Realignment Actions (COBRA) analyses and inputs from senior Defense leadership were used to generate additional options
- The Fleet, major claimants (including the System Commands), and the Department of the Navy civilian leadership played integral part of scenario development
- The DON Analysis Group/Infrastructure Evaluation Group developed and analyzed 187 scenarios involving 344 activities

### **Scenario Analysis**

COBRA analyses were conducted on all of these scenarios, using certified responses to scenario data calls from affected installations and their tenants.

- COBRA used as a tool to ensure that Department of the Navy recommendations were cost effective
- DON Analysis Group aggressively challenged cost estimates to ensure both their consistency and reasonableness
- DON Analysis Group ensured that out year requirements were appropriately reduced in terms of personnel, facilities, and capacities of remaining facilities
- DON Analysis Group and the Infrastructure Evaluation Group sensitive to up-front costs and the length of time required to obtain a return on investment
- Significant majority of the Department of the Navy recommendations will obtain a return on investment within four years, with savings offsetting costs of closure within the closure implementation period

Economic impact on the local economic area for each Department of the Navy installation considered for closure or realignment was assessed during the scenario analysis process

- Economic Impact Tool provided a uniform methodology for estimating the total direct and indirect job changes associated with a closure or realignment scenario
- Department of the Navy made every effort to fully understand the economic impacts its recommendations might have on local communities

The Department of the Navy also considered the ability of the infrastructure of both the existing and potential receiving communities to support forces, missions, and personnel

- Reviewed ten community attributes: demographics, child care, cost of living, education, employment, housing, medical providers, safety / crime, transportation, and utilities
- No significant community infrastructure impacts were identified for any of the Department of the Navy proposed closure or realignment actions

Environmental impacts of different closure and realignment scenarios were also considered

- Reviewed ten environmental resource areas: air quality; cultural, archeological, or tribal resources; dredging; land use constraints or sensitive resource areas; marine mammals, resources, or sanctuaries; noise; threatened and endangered species or critical habitat; waste management; water resources; and wetlands
- Summary of Scenario Environmental Impacts provided an overview of the certified data, including the costs related to potential environmental restoration, waste management, and environmental compliance activities, and summarized the environmental impacts associated with a particular scenario
- Summary of Cumulative Environmental Impacts was prepared for each gaining installation
- Environmental impact analysis permitted the Department of the Navy to obtain a comprehensive picture of the potential environmental impacts arising from the recommendations for closure and realignment

- No environmental impacts that would preclude implementation were identified for any scenario

The DON Analysis Group and the Infrastructure Evaluation Group utilized two assessment tools at two different points during the scenario development and analysis process to frame their deliberative discussions.

- Alignment Assessment graphically portrayed how well a scenario aligned with the Department's BRAC strategy and compared it against the military value for the activity being evaluated, allowing the deliberative bodies to discuss whether a scenario was consistent with the capacity and military value analyses prior to issuance of a scenario data call
- Candidate Recommendation Risk Assessment provided a mechanism for the DON Analysis Group and the Infrastructure Evaluation Group to logically discuss Selection Criteria 5 through 8 analyses to assess warfighting / readiness risks, to compare alternative recommendations, and to assess whether the recommendations should be forwarded to the Secretary of the Navy for consideration

## Results

Build upon the substantial reductions in infrastructure resulting from prior rounds of BRAC and the organizational changes made in the years since BRAC 1995.

Will allow us to better afford the capital investments and modernization required in the future.

Recommendations both reduce excess capacity and balance force and base structure in a way that will foster operational flexibility, synergistic readiness support, and joint opportunities wherever possible.

The proposals in BRAC 2005 balance base structure to support future force structure in the following ways:

### Operational Bases

- Maintain sufficient flexibility to meet future military commitments while effectively utilizing existing capacity
- Recommendations result in retention of capacity to house more ships and aircraft squadrons than will exist in our future force structure in order to retain the capability to adjust to operational tempo changes and to achieve the desired strategic laydown and presence
- Our analysis led to the determination that there is no significant excess capacity in Department of the Navy ground force bases, particularly given the planned increase in Marine Corps force structure
- Recommendations maintain Fleet dispersal and viable anti-terrorism/force protection capability while simultaneously supporting optimal power projection, rapid force deployment and expeditionary force reach-back

Close Submarine Base New London, Connecticut. Relocate its assigned submarines, Auxiliary Repair Dock and Nuclear Research Submarine to Submarine Base Kings Bay, Georgia and Naval Station Norfolk, Virginia. Relocate the intermediate submarine repair function to Shore Intermediate Repair Activity Norfolk, at Naval Shipyard Norfolk, Virginia and Trident Refit Facility Kings Bay, Georgia. (Refer to page A-7 of the DON Report).

- Existing berthing capacity at surface / subsurface installations exceeds the capacity required to support Force Structure Plan
- Closure reduces excess capacity while increasing the average military value of the remaining bases
- Sufficient capacity and fleet dispersal is maintained with the East Coast submarine fleet homeports of Naval Station Norfolk and Submarine Base Kings Bay
- Total estimated one-time cost to implement this recommendation is \$679.64 million with net present value (NPV) savings to the Department over 20 years of \$1.58 billion

Close Naval Station Pascagoula, Mississippi. Relocate its ships to Naval Station Mayport, Florida. Relocate the ship intermediate repair facility to Shore Intermediate Maintenance Activity Mayport, Florida. (Refer to page A-9 of the DON Report).

- Reduce excess berthing capacity while allowing for consolidation of surface ships in a fleet concentration area
- Sufficient capacity and fleet dispersal is maintained with East Coast surface fleet homeports of Naval Station Norfolk and Naval Station Mayport
- Gulf Coast presence can be achieved as needed with available Navy ports at Naval Air Station Key West, Florida and Naval Air Station Pensacola, Florida
- Guided Missile Cruisers (CG-47 Class) at Naval Station Pascagoula scheduled for decommissioning prior to FY 2006 will not relocate
- Total estimated one-time cost to this recommendation is \$17.94 million with NPV savings to the Department over 20 years of \$665.69 million

Close Naval Station Ingleside, Texas. Relocate its ships to Naval Station San Diego, California. Relocate ship intermediate repair function to Shore Intermediate Maintenance Activity San Diego. Consolidate Mine Warfare Training Center Justification with Fleet Anti-submarine Warfare Training Center, San Diego, California. Realign Naval Air Station Corpus Christi, Texas. Relocate Commander Mine Warfare Command and Commander Mobile Mine Assembly Group to Fleet Anti-Submarine Warfare Center, Point Loma, California. Relocate Helicopter Mine Countermeasures Squadron (HM-15) to Naval Station Norfolk, Virginia. (Refer to page A-11 of the DON Report).

- Moves mine warfare surface and aviation assets to major fleet concentration areas and reduces excess capacity
- Gulf Coast presence can be achieved as needed with available Navy ports at Naval Station Key West, Florida and Naval Air Station Pensacola, Florida
- Minehunter Coastal ships at Naval Station Ingleside are scheduled for decommissioning between FY 2006 and FY 2007 and will not relocate

- US Coast Guard presence is expected to remain in the Gulf Coast region
- Creates a center of excellence for Undersea Warfare in San Diego area
- Single sites all Mine Warfare aircraft in a Fleet Concentration Area
- Total estimated one-time cost to implement this recommendation is \$178.39 million with NPV savings to the Department over 20 years of \$822.23 million

Close Naval Air Station Atlanta, Georgia. Relocate its aircraft to Naval Air Station Joint Reserve Base New Orleans, Louisiana; Naval Air Station Joint Reserve Base Fort Worth, Texas; and Robins Air Force Base, Robins, Georgia. (Refer to page C-9 of the DON Report).

- Reduces excess capacity while maintaining reserve forces in regions with favorable demographics
- Aviation assets will be located closer to theater of operations and / or will result in increased maintenance efficiencies and operational synergies
- Total estimated one-time cost to implement this recommendation is \$43.03 million with NPV savings to the Department over 20 years of \$910.87 million

Realign Naval Air Station Brunswick, Maine to a Naval Air Facility and relocate its aircraft to Naval Air Station Jacksonville, Florida. Consolidate Aviation Intermediate Maintenance with Fleet Readiness Center Southeast Jacksonville, Florida. (Refer to page C-11 of the DON Report).

- Reduces operation costs while single siting the East Coast Maritime Patrol community at Naval Air Station Jacksonville
- Retains an operational airfield in the northeast to support the homeland defense mission, as needed, and maintains strategic flexibility.
- Total estimated one-time cost to implement this recommendation is \$147.16 million with NPV savings to the Department over 20 years of \$238.77 million

Close Naval Air Station Joint Reserve Base Willow Grove, Pennsylvania. Relocate all Navy and Marine Corps squadrons to McGuire Air Force Base, Cookstown, New Jersey. Realign Cambria Regional Airport, Johnstown, Pennsylvania, by relocating Marine Light Attack Helicopter Squadron 775 Detachment A to McGuire Air Force base. (Refer to page C-13 of the DON Report).

- Reduces excess capacity while creating new joint opportunities in the McGuire Air Force Base / Fort Dix / Naval Aviation Engineering Station Lakehurst military concentration area
- Leverages maintenance and operational efficiencies within Marine Corps Reserve Aviation and maintains reserve forces in areas with favorable demographics
- Realignment of Cambria Regional Airport allows the assets currently housed there to be collocated with a Major Marine Reserve Aviation Headquarters at McGuire Air Force Base
- Total estimated one-time cost to implement this recommendation is \$125.25 million with NPV and savings to the Department over 20 years of \$714.97 million

Close the Inland area of Naval Weapons Station Seal Beach Detachment, Concord, California. The Tidal area of Naval Weapons Station Seal Beach Detachment Concord, along with the retained portion of the Inland area, will be transferred to the Army. (Refer to page D-7 of the DON Report).

- Department of the Navy weapons stations have no excess capacity for loading and distribution of munitions
- Department of the Navy weapons stations have excess munitions storage capacity.
- Inland magazine field has been in a reduced operating status since 1999
- Inland area is excess to Department of the Navy / DoD needs and is severable
- Closure of the Inland area will save money and have no impact on mission capability
- City of Concord requested closure of both the Inland and Tidal portions of Naval Weapons Station Seal Beach Detachment Concord
- Transfer of the property to the Army aligns with property holder with the property user
- Total estimated one-time cost to implement this recommendation is \$13.95 million with NPV savings to the Department over 20 years of \$199.72 million

#### Education and Training activities

- Recommendations retain capacity and flexibility to meet current and future force structure and surge requirements
- Department of the Navy—unique professional military education activities were determined to be properly sized and sited to support their target populations
- Retention of two Marine recruit training depots is considered necessary to maintain flexibility sufficient to accommodate surge and increased operational tempo
- Prior rounds of BRAC concentrated on the consolidation of Navy recruit training. BRAC 2005 sought to extend that consolidation effort to Navy officer accession training

Realign Naval Air Station Pensacola, Florida by relocating Officer Training Command Pensacola, Florida to Naval Station Newport, Rhode Island and consolidating with Officer Training Command Newport, Rhode Island. (Refer to page E-13 of the DON Report).

- Consolidation of Officer Training Commands at Officer Training Command Newport will reduce inefficiencies inherent in maintaining two sites for similar training
- Supports the Department of the Navy initiative to create a center for officer training at Naval Station Newport
- Total estimated one-time cost to implement this recommendation is \$3.5 million with NPV savings to the Department over 20 years of \$10.0 million

Reserve activities

- Overriding objective was to maintain a demographically sound Reserve establishment while providing balanced recruiting opportunities
- Sought to consolidate reserve units to active-duty or joint Service Centers where they could more effectively support the Fleet without impacting recruiting demographics
- Facilitate the downsizing of the Department of the Navy Reserve infrastructure by consolidating Navy and Marine Corps Reserve Centers while maintaining a geographically appropriate structure

Close Navy Reserve Centers in Tuscaloosa, Alabama; St Petersburg, Florida; Pocatello, Idaho; Forest Park, Illinois; Evansville, Indiana; Cedar Rapids and Sioux City, Iowa; Lexington, Kentucky; Bangor, Maine; Adelphi, Maryland; Duluth, Minnesota; Cape Girardeau, Missouri; Lincoln, Nebraska; Glens Falls, Horseheads and Watertown, New York; Asheville, North Carolina; Central Point, Oregon; and in Lubbock and Orange, Texas. Also, close the Navy Reserve Facility in Marquette, Michigan and the Navy Marine Corps Reserve Centers in Grissom Air Reserve Base, Peru, Indiana and Tacoma, Washington. (Refer to page F-7 of the DON Report).

- Reduces excess capacity through the consolidation of 23 Navy Reserve Centers / Navy Reserve Facilities and Navy Marine Corps Reserve Centers with other reserve centers in the effected areas
- Reserve centers will close and their drilling population supported by other existing centers thereby reducing management overhead
- Sufficient capacity for drilling reserves is maintained throughout the United States, and all states will continue to have at least one Navy Reserve Center / Navy Marine Corps Reserve Center
- Total estimated one-time cost to implement this recommendation is \$1.97 million with NPV savings to the Department over 20 years of \$236.51 million

Close Navy Marine Corps Reserve Centers in Encino and Los Angeles, California; Moundsville, West Virginia; Reading, Pennsylvania; Akron and Cleveland, Ohio; Madison and Lacrosse Wisconsin; Dubuque, Iowa; Baton Rouge, Louisiana; Tulsa, Oklahoma; and Mobile, Alabama. Close Inspector-Instructor Rome, Georgia and Inspector-Instructor West Trenton, New Jersey. (Refer to page F-15 of the DON Report).

- Reduces excess capacity through the consolidation of 12 Navy Reserve Centers and Navy Marine Corps Reserve Centers with other reserve centers in the effected areas or into Armed Forces Reserve Centers
- Relocates two Inspector-Instructor activities to existing reserve facilities aboard active duty bases
- Sufficient capacity for drilling reserves is maintained throughout the United States, and all states will continue to have at least one Navy / Navy Marine Corps Reserve Center
- Total estimated one-time cost to implement this recommendation is \$62.39 million with NPV savings to the Department over 20 years of \$76.87 million

### Recruiting

- Focused on the elimination of excess management capacity and reduction of lease costs
- Maintains sufficient recruiting management oversight to support Department of the Navy accession requirements

Close Navy Recruiting Districts in Montgomery, Alabama; Indianapolis, Indiana; Kansas City, Missouri; Omaha, Nebraska; and Buffalo, New York. (Refer to page G-7 of the DON Report).

- Achieves economies of scale and scope by reducing excess capacity in management overhead and physical resources in the Navy Recruiting District functional area
- Recommendation is consistent with the Commander, Navy Recruiting Command's Transformation Plan, which envisions consolidation of active and reserve recruiting functions and supports the reallocation of management oversight over all Navy recruiting functions
- Does not impact the storefront recruiting offices currently assigned to the closing Navy Recruiting Districts
- Total estimated one-time cost to implement this recommendation is \$2.44 million with NPV savings to the Department over 20 years of \$214.5 million

### Regionalized support structure

- Recommendations continue the move toward a regionalized support structure
- Reducing the number of Installation Management Regions
- Aligns other service commands to those Regions saving costs relating to facilities and fostering beneficial consolidations and efficiencies planned for the future

Realign Naval Air Station Pensacola, Florida by consolidating Navy Region Gulf Coast, with Navy Region Southeast at Naval Air Station Jacksonville, Florida. Realign Naval Air Station Corpus Christi, Texas by consolidating Navy Region South with Navy Region Midwest at Naval Station Great Lakes, Illinois and Navy Region Southeast at Naval Station Jacksonville, Florida. (Refer to page H-9 of the DON Report).

- Reduces the number of Installation Management regions from twelve to eight, streamlining the regional management structure and allowing for opportunities to collocate other regional entities to further align management concepts and efficiencies
- Sufficient Installation Management capability resides within the remaining regions
- Navy Reserve Forces Command installation management function and Navy Region Northeast are also consolidated into the remaining regions as part of the closures of Naval Support Activity New Orleans, Louisiana and Submarine Base, New London, Connecticut
- Supports the Department of the Navy establishment of Commander, Navy Installations in order to align shore assets in support of Navy requirements
- Total estimated one-time cost to implement this recommendation is \$3.21 million with NPV savings to the Department over 20 years of \$34.55 million

Close Naval Facilities Engineering Field Division South leased space in Charleston, South Carolina. Consolidate Naval Facilities Engineering Field Division South, Charleston with Naval Facilities Engineering Field Activity Southeast, Jacksonville, Florida at Naval Air Station Jacksonville; Naval Facilities Midwest, Great Lakes, Illinois at Naval Station Great Lakes; and Naval Facilities Atlantic, Norfolk, Virginia at Naval Station Norfolk. Close Naval Facilities Engineering Field Activity Northeast leased space in Lester, Pennsylvania. Consolidate Naval Facilities Engineering Field Activity Northeast, Philadelphia, Pennsylvania with Naval Facilities Atlantic, Norfolk at Naval Station Norfolk and relocate Navy Crane Center Lester, Pennsylvania to Norfolk Navy Shipyard, Norfolk, Virginia. (Refer to page H-11 of the DON Report).

- Enhances the Navy's long-standing initiative to accomplish common management and support on a regionalized basis by consolidating and collocating Naval Facilities commands with the installation management Regions in Jacksonville, Great Lakes and Norfolk
- Collocation aligns management concepts and efficiencies and may allow for further consolidation in the future
- Achieves savings by moving from leased space to government-owned space
- Increases average military value for the remaining Naval Facilities Engineering Field Division / Engineering Field Activity activities
- Relocates the Navy Crane Center to a site with functional synergy
- Total estimated one-time cost to implement this recommendation is \$37.85 million with NPV savings to the Department over 20 years of \$81.81 million

Realign Naval Air Station Joint Reserve Base Fort Worth, Texas by consolidating Navy Reserve Readiness Command South with Naval Reserve Readiness Command Midwest at Naval Station Great Lakes, Illinois. Realign Naval Station Newport, Rhode Island and the Washington Navy Yard, Washington, DC by consolidating Naval Reserve Readiness Command Northeast with Naval Reserve Readiness Command Mid-Atlantic and relocating the consolidated commands to Naval Station, Norfolk, Virginia. (Refer to page H-13 of the DON Report).

- Enhances Navy's long-standing initiative to accomplish common management and support on a regionalized basis, by consolidating and collocating reserve readiness commands with the installation management Regions
- Aligns management concepts and efficiencies and ensures a reserve voice at each region as well as enabling future savings through consolidation of like functions
- Increases average military value for the remaining Naval Reserve Readiness Commands and ensures that each of the installation management Regions has an organization to manage reserve matters within the region
- Total estimated one-time cost to implement this recommendation is \$2.56 million with NPV savings to the Department over 20 years of \$91.69 million

### Other Support

Realign Naval Station Newport, Rhode Island by relocating the Navy Warfare Development Command to Naval Station Norfolk, Virginia. (Refer to page I-9 of the DON Report).

- Navy Warfare Development Command performs the functions of warfare innovation, concept development, fleet and joint experimentation, and the synchronization and dissemination of doctrine
- Relocation to Norfolk better aligns the Navy's warfare development organization with those of the other joint force components and Joint Forces Command, as well as places it in better proximity to Fleet Forces Command and the Second Fleet Battle Lab it supports
- Total estimated one-time cost to implement this recommendation is \$11.75 million with NPV savings to the Department over 20 years of \$2.06 million

### **Fenceline Closures**

The Joint Cross-Service recommendations impacted numerous Department of the Navy activities and installations. In some instances, the Joint Cross-Service recommendation resulted in a realignment of the Department of the Navy installation. In other cases, the recommendation or series of recommendations removed the primary missions / functions and the majority of personnel from the installation allowing for closure of the installation fenceline, thereby generating additional savings and reductions in excess capacity. The Department of the Navy evaluated a number of fenceline closures that led to recommendations.

Realign Marine Corps Logistics Base Barstow, California. Disestablish the depot maintenance of Aircraft Other Components, Aircraft Rotary, and Strategic Missiles. Consolidate depot maintenance of Engines / Transmissions, Alabama. Consolidate the depot maintenance of Conventional Weapons, Engines / Transmissions, Material Handling, Powertrain Components, Starters / Alternators / Generators, Test Measurement Diagnostic Equipment, and Wire at Marine Corps Logistics Base Albany, Georgia. Consolidate depot maintenance of Electronic Components (Non-Airborne), Electro-Optics / Night Vision / Forward-Looking-Infrared, Generators, Ground Support Equipment, Radar, and Radio at Tobyhanna Army Depot, Pennsylvania. Consolidate depot maintenance of Tactical Missiles at Letterkenny Army Depot, Pennsylvania. Realign Fleet Support Division Maintenance Center Barstow and Marine Corps Logistics Base Barstow operations to increase efficiencies and reduce infrastructure. Refer to page J-3 of the DON Report).

- Full closure was evaluated but disapproved in order to maintain a west coast depot maintenance presence at Marine Corps Logistics Base Barstow to provide west coast operating forces with a close, responsive source for depot maintenance support
- Required capacity to support workloads and core requirements for the DoD is relocated to other DoD Centers of Industrial and Technical Excellence, thereby increasing the military value of depot maintenance performed at these sites

- Results in utilization of DoD capacity to facilitate performance of interservice workload
- Optimizes the depot maintenance operations at Marine Corps Logistics Base Barstow
- Total estimated one-time cost to implement this recommendation is \$26.02 million with NPS savings to the Department over 20 years of \$230.61 million

Close Naval Support Activity Corona, California. Relocate Naval Surface Warfare Division Corona to Naval Base Ventura County (Naval Air Station Point Mugu), California. (Refer to page J-5 of the DON Report).

- Naval Surface Warfare Center Division Corona performs three required missions for Department of the Navy (Independent Assessment Capability, Metrology and Calibration Laboratories, and Tactical Aircrew Combat Training System Ranges)
- Relocation of Naval Surface Warfare Center Division Corona to Naval Air Station Point Mugu collocates it with other Research, Development and Acquisition, and Test and Evaluation activities and with fleet assets at Naval Air Station Point Mugu
- Provides a more efficient organization with greater synergies and increased effectiveness. Total estimated one-time cost to implement this recommendation is \$70.18 million with NPV savings to the Department over 20 years of \$0.36 million

Close the naval installation at Athens, Georgia. Relocate the Navy Supply Corps School and the Center for Service Support to Naval Station Newport, Rhode Island. (Refer to page J-7 of the DON Report).

- Closes a single-function installation and relocates its activities to a multi-function installation with higher military value
- Naval Station Newport has the capacity to support the Navy Supply Corps School training mission with existing infrastructure, making relocation of Navy Supply Corps School to Naval Station Newport desirable and cost efficient
- Supports Department of the Navy initiative to create a center for officer training at Naval Station Newport
- Center for Service Support is relocated to Naval Station Newport with the Naval Supply Corps School to capitalize on existing resource and personnel efficiencies
- Total estimated one-time cost to implement this recommendation is \$23.79 million with NPV savings to the Department over 20 years of \$21.80 million

Close Naval Support Activity New Orleans, Louisiana. Relocate the Navy Reserve Personnel Command and the Enlisted Placement and Management Center to Naval Support Activity Mid-South, Millington, Tennessee and consolidate with the Naval Personnel Command. Relocate the Naval Reserve Recruiting Command to Naval Support Activity Mid-South, Millington and consolidate with the Navy Recruiting Command. Relocate the Navy Reserve Command to Naval Support Activity Norfolk, Virginia. Relocate Headquarters, Marine Forces Reserve to Naval Air Station Joint Reserve Base New Orleans, Louisiana and consolidate with Marine Corps Reserve Support Command element of

Mobilization Command, which is relocating from Marine Corps Support Activity, Kansas City, Missouri. (Refer to page J-9 of the DON Report).

- Collocation of the Navy Reserve Personnel Command, the Enlisted Placement Management Center, and the Naval Reserve Recruiting Command at Naval Support Activity Mid-South, Millington creates a Navy Human Resources Center of Excellence, improves personnel life-cycle management, and furthers active and reserve component total force integration and effectiveness
- Consolidates Reserve personnel and recruiting headquarters with like active component functions in a single location and eliminates stand-alone headquarters
- Relocation of the Navy Reserve Command to Naval Support Activity, Norfolk with its active component headquarters will enhance internal active and reserve component interoperability, significantly increase interaction between the two components, and produce a reduction in force size by eliminating duplicative staff
- Relocation of Headquarters, Marine Forces Reserve and Marine Corps Reserve Support Command element of Louisiana maintains a central location for management of widely-dispersed Marine Corps reserve elements and allows consolidation of Marine reserve management functions
- Total estimated one-time cost to implement this recommendation is \$164.59 million with NPV savings to the Department over 20 years of \$276.42 million

Close the Naval Shipyard Portsmouth, Kittery, Maine. Relocate the ship depot repair function to Naval Shipyard Norfolk, Virginia; Naval Shipyard and Intermediate Maintenance Facility Pearl Harbor, Hawaii; and Naval Shipyard Puget Sound, Washington. Relocate the Submarine Maintenance, Engineering, Planning and Procurement Command to Naval Shipyard Norfolk. (Refer to page J-13 of the DON Report).

- Retains one nuclear-capable shipyard on each coast, plus sufficient shipyard capacity to support forward deployed assets
- There are four Naval Shipyards performing depot-level ship refueling, modernization, overhaul and repair work and there is sufficient excess capacity in the aggregate across the four shipyards to close either Naval Shipyard Pearl Harbor or Naval Shipyard Portsmouth
- There is insufficient excess capacity to close any other shipyard or combination of shipyards
- Naval Shipyard Portsmouth was selected for closure, rather than Naval Shipyard Pearl Harbor, because it is the only closure that could both eliminate excess capacity and satisfy retention of strategically placed shipyard capability
- Planned force structure and force positioning adjustments reflected in the 20-year Force Structure Plan led to the selection of Naval Shipyard Portsmouth as the preferred closure candidate between the two sites
- Naval Shipyard Portsmouth had a low military value compared to operational homeports and, its berthing capacity is not required to support the Force Structure Plan
- Total estimated one-time cost to implement this recommendation is \$448.43 million with NPV savings to the Department over 20 years of \$1.26 billion

Close Marine Corps Support Activity, Kansas City, Missouri. Relocate Marine Corps Reserve Support Command element of Mobilization Command to Naval Air Station Joint Reserve Base New Orleans, Louisiana and consolidate with Headquarters, Marine Forces Reserve. Retain an enclave for the 9<sup>th</sup> Marine Corps District and the 24<sup>th</sup> Marine Corps Regiment. (Refer to page J-15 of the DON Report).

- Relocation of Marine Corps Reserve Support Command and its parent command, Headquarters, Marine Forces Reserve to Naval Air Station Joint Reserve Base New Orleans maintains a central location for management of widely dispersed Marine Corps Reserve elements and allows consolidation of Marine Reserve Management functions
- Consolidation with its headquarters will significantly increase interaction and operational efficiency as well as eliminate duplicative staff
- Location of this consolidated headquarters at a joint reserve base will enhance joint service interoperability concepts
- Total estimated one-time cost to implement this recommendation is \$23.28 million with NPV savings to the Department over 20 years of \$49.83 million

### **Joint Cross-Service Group Contributions**

A primary objective of BRAC 2005 was to examine and implement opportunities for greater joint activity. In this regard, BRAC 2005 is strategic. It is the next step in implementation of the principles set forth by Congress in the Goldwater-Nichols Act.

The inclusion of the joint cross-service process in the BRAC 2005 evaluations allowed the Department of the Navy to explore numerous innovative and transformational alternatives to current configurations of business lines and locations.

Joint Cross-Service Groups analyzed common business-oriented functions and evaluated them for ways to consolidate and eliminate excess infrastructure. We support their recommended actions and look forward to realizing the benefits they will provide to the Department of the Navy.

The recommendations developed by the Joint Cross-Service Groups benefit the Department of the Navy in the following ways:

#### **Headquarters and support activities**

- Develop joint enterprise-wide solutions for civilian personnel, correctional facilities, mobilization, investigative / adjudication and media activities, and establish joint basing arrangements affecting ten naval installations
- Virtually eliminate all Department of the Navy requirements for leased space near the Pentagon, thereby enhancing anti-terrorism / force protection posture and reducing leased space costs
- Relocate Navy and Marine Corps Reserve, personnel, recruiting, and training commands to optimize organizational alignment and location

Industrial activities

- Recommendations yield a smaller industrial base that is appropriately sized and positioned, flexible and multi-functional
- Complete ship maintenance consolidation in Fleet concentration areas
- Initiate aviation intermediate and depot maintenance consolidation into Aviation Fleet Readiness Centers

Education and training activities

- Recommendations create several joint schools
- Establish a joint initial training site for the Joint Strike Fighter
- Better align Service training functions, increase joint training
- Reduce infrastructure costs

Medical activities

- Recommendations leverage civilian opportunities by privatizing inpatient service facilities
- Optimize regional healthcare and joint healthcare options
- Consolidate enlisted medical education
- Create integrated full-spectrum research centers of excellence

Technical activities

- Recommendations build upon prior BRAC rounds to create integrated full-spectrum centers of excellence in functional areas
- Collapse major platform domains into integrated research, development, acquisition, test and evaluation centers for air, ground, sea, and space domains
- Eliminate redundancy

Supply and Storage activities

- Transition traditional military logistics linear processes to a networked, force-focused construct, which minimizes the number of sites and reduces excess capacity
- Provides for increased jointness, enhanced supply chain efficiency and leveraged DoD buying power

## Conclusion

Recommendations support Total Force operational flexibility and readiness sustainability.

Taken in conjunction with the substantial closures and realignments in prior rounds of BRAC, these recommendations:

- Align the infrastructure of the Department of the Navy with the forces it must support
- Identify savings that can be used for recapitalization and force structure investments



**Base**

**Realignment and Closure**

**2005**

**Revised**

**Force Structure Plan**

**2 March 2005**

**UNCLASSIFIED**  
Version

## INTRODUCTION

The Chairman of the Joint Chiefs of Staff provided a long-term force structure plan for the Defense Department based on its analysis of current and future threats, challenges, and opportunities and on the President's national strategy to meet such circumstances. In accordance with Section 2912 of the Defense Base Closure and Realignment Act of 1990, Public Law 101-510, as amended, the force structure plan for Base Realignment and Closure (BRAC) 2005 is based on the probable threats to national security for a 20-year period, from 2005 to 2024. In previous BRAC rounds, this projection ran only 6 years into the future. It is important to note that this report focuses on a snapshot of force structure through Fiscal Years 2011 due to security classifications. However, this snapshot is a realistic representation of future force structure.

An unclassified portion of the force structure plan is included in this report. The entire plan is classified and available through restricted distribution. The force structure plan does not reflect temporary adjustments to the force structure of one or another military service that the Secretary of Defense may make from time to time in response to unique but transient conditions. The Secretary of Defense submitted the force structure plan to Congress in March 2004 per Public Law 101-510. This submission is a revision to that plan.

### **Strategy and Force Development**

The President's National Security Strategy and the Secretary of Defense's Strategy provide a new focus for US military forces. These strategies require that US forces, by their presence and activities, assure friends and allies of the United States resolve and ability to fulfill commitments. Military forces must dissuade adversaries from developing dangerous capabilities. In addition, forces must provide the President with a wide range of options to deter aggression and coercion, and if deterrence fails, forces must have the ability to defeat any adversary at the time, place, and in the manner of US choosing.

Based on detailed analysis since the Secretary's 2001 Quadrennial Defense Review, the Department of Defense has updated its strategic thinking, incorporating lessons learned from recent military operations.

The Department's planning has informed decisions to date on the force's overall mix of capabilities, size, posture, patterns of activity, readiness, and capacity to surge globally. Just as strategy is constantly updated to incorporate and account for a changing global security environment, force planning standards also are adaptive and dynamic over time.

The Department's force planning framework does not focus on specific conflicts. It helps determine capabilities required for a range of scenarios. The Department analyzes the force requirements for the most likely, the most

dangerous, and the most demanding circumstances. Assessments of US capabilities will examine the breadth and depth of this construct, not seek to optimize in a single area. Doing so allows decision makers to identify areas where prudent risk could be accepted and areas where risk should be reduced or mitigated.

The defense strategy requires the creation of new forms of security cooperation to support US efforts to swiftly defeat an adversary with modest reinforcement. Specifically, security cooperation will underpin diversified, operational basing access and training opportunities for forward stationed forces, and strengthen US influence with potential partners that could provide coalition capabilities for future contingencies. Security cooperation efforts will focus on activities to build defense relationships that promote US and allied security interests, develop allied and friendly military capabilities for self-defense and coalition operations, and provide US forces with peacetime and contingency access and en route infrastructure.

### **Transformation To A Capabilities-Based Approach**

Continuous defense transformation is part of a wider governmental effort to transform America's national security institutions to meet 21st-century challenges and opportunities. Just as our challenges change continuously, so too must our military capabilities.

The purpose of transformation is to extend key advantages and reduce vulnerabilities. We are now in a long-term struggle against persistent, adaptive adversaries, and must transform to prevail.

Transformation is not only about technology. It is also about:

- Changing the way we think about challenges and opportunities;
- Adapting the defense establishment to that new perspective; and,
- Refocusing capabilities to meet future challenges, not those we are already most prepared to meet.

Transformation requires difficult programmatic and organizational choices. We will need to divest in some areas and invest in others.

Transformational change is not limited to operational forces. We also want to change long-standing business processes within the Department to take advantage of information technology. We also are working to transform our international partnerships, including the capabilities that our partners and we can use collectively.

Derivative of a transformational mindset is adoption of a capabilities-based planning methodology. Capabilities-based planning focuses more on how adversaries may challenge us than on whom those adversaries might be or where we might face them. It focuses the Department on the growing range of

capabilities and methods we must possess to contend with an uncertain future. It recognizes the limits of intelligence and the impossibility of predicting complex events with precision. Our planning aims to link capabilities to joint operating concepts across a broad range of scenarios.

The Department is adopting a new approach for planning to implement our strategy. The defense strategy will drive this top-down, competitive process. Operating within fiscal constraints, our new approach enables the Secretary of Defense and Joint Force Commanders to balance risk across a range of areas.

We seek to foster a culture of innovation. The War on Terrorism imparts an urgency to defense transformation; we must transform to win the war.

### **Addressing Capabilities Through Force Transformation**

The Department's transformation strategy will balance near-term operational risk with future risk in investment decisions. It will invest now in specific technologies and concepts that are transformational, while remaining open to other paths towards transformation. Capabilities will be developed, supported by force transformation, which will allow us to meet the defense strategy while remaining open to explore new and essential capabilities. This force transformation will allow us to create a new/future force structure, which will move from its current platform-centric condition to a more capabilities-based and network-centric philosophy that addresses the full spectrum of conflict. It will allow the US military to create conditions for increased speed of command and opportunities for coordination across the battlespace.

## **PROBABLE THREATS TO NATIONAL SECURITY**

**Range of Challenges.** Uncertainty is the defining characteristic of today's strategic environment. We can identify trends but cannot predict specific events with precision. While we work to avoid being surprised, we must posture ourselves to handle unanticipated problems – we must plan with surprise in mind.

We contend with uncertainty by adapting to circumstances and influencing events. It is not enough to react to change. We must safeguard US freedoms and interests while working actively to forestall the emergence of new challenges.

The US military predominates in the world in traditional forms of warfare. Potential adversaries accordingly shift away from challenging the United States through traditional military action and adopt asymmetric capabilities and methods. An array of traditional, irregular, catastrophic, and disruptive capabilities and methods threaten US interests.

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These categories overlap. Actors proficient in one can be expected to try to reinforce their position with methods and capabilities drawn from others.

Indeed, recent experience indicates that the most dangerous circumstances arise when we face a complex of such challenges. For example, our adversaries in Iraq and Afghanistan presented both traditional and irregular challenges. Terrorist groups like al Qaida pose irregular threats but also actively seek catastrophic capabilities. The government of North Korea at once poses traditional, irregular, and catastrophic challenges. In the future, the most capable opponents may seek to combine truly disruptive capacity with traditional, irregular, and catastrophic forms of warfare.

**Traditional challenges** come largely from states employing recognized military capabilities and forces in well-known forms of military competition and conflict. While traditional forms of military competition remain important, trends suggest that these challenges will receive lesser priority in the planning of adversaries vis-à-vis the United States. This can be attributed, in part, to US and allied superiority in traditional forms of warfare and the enormous cost to develop, acquire, and maintain conventional capabilities. But it is also explained by the increasing attractiveness of irregular methods, as well as the increasing availability of catastrophic capabilities. Even where adversaries possess considerable capacity in traditional domains, they often seek to reinforce their position with catastrophic, irregular, and disruptive methods and capabilities. Therefore, some strictly traditional or hybrid challenges require the active maintenance of sufficient combat overmatch in key areas of traditional military competition.

**Irregular challenges** are characterized as “unconventional” methods employed by state and non-state actors to counter the traditional advantages of stronger opponents. Irregular methods of increasing sophistication – including terrorism, insurgency, civil war, and third-party coercion – will challenge US security interests to a greater degree than they have in the past. Our adversaries are likely to exploit a host of irregular methods in an attempt to erode US influence, power, and national will over time.

Two factors in particular have intensified the rapid growth and potential danger of irregular challenges: the rise of extremist ideologies and the erosion of traditional sovereignty. Worldwide political, religious, and ethnic extremism continue to fuel deadly and destabilizing conflicts. Particularly threatening are those extremist ideologies that sanction horrific violence targeted at civilians and noncombatants. Areas in Central and South America, Africa, the Middle East, and South, Central, and Southeast Asia have provided havens for terrorists, criminals, insurgents, and other groups that threaten global security. Many governments in these areas are unable or unwilling to extend effective control over their territory, thus increasing the area available to hostile exploitation. Irregular challenges in and from these areas will grow more

intense over time and are likely to challenge the security of the United States and its partners for the indefinite future.

Our ongoing War on Terrorism and our resulting operational experience call for a reorientation of our military capabilities to contend with these challenges more effectively.

**Catastrophic challenges** involve the acquisition, possession, and use of weapons of mass destruction (WMD) or methods producing WMD-like effects. A number of state and non-state actors are vigorously seeking to acquire dangerous and destabilizing catastrophic capabilities. States seek these capabilities to offset perceived regional imbalances or to hedge against US military superiority. Terrorists seek them because of the potential they hold for greater physical and psychological impact on targeted audiences.

Porous international borders, weak controls over weapons-related materials and expertise, and ongoing revolutions in information technology are increasingly enabling this trend. Particularly troublesome is the nexus of transnational terrorists, WMD proliferation, and rogue states. Unchecked, this confluence raises the prospect of direct WMD employment against the United States or our allies and partners. Indeed, many would-be adversaries likely believe the best way to check American reach and influence is to develop the capability to threaten the US homeland directly. Catastrophic attacks could arrive via a number of delivery means ranging from rogue use of WMD-armed ballistic missiles to surreptitious delivery through routine commercial channels to innovative attacks like those undertaken on 9/11.

Elements of the US national infrastructure are vulnerable to catastrophic attack. The interdependent nature of the infrastructure <sup>creates</sup> ~~creates~~ more vulnerability because attacks against one sector – the electric power grid for instance – would impact other sectors as well. Parts of the defense-related critical infrastructure are vulnerable to a wide range of attacks, especially those that rely on commercial sector elements with multiple single points of failure.

The continuing illicit proliferation of WMD technology and expertise makes contending with catastrophic challenges an enduring necessity. A single catastrophic attack against the United States is an unacceptable prospect. The strategic effect of such an attack transcends the mere economic and social costs. It represents a more fundamental, existential threat to our nation, our institutions, and our free society. Thus, new emphasis must be applied to capabilities that enable us to dissuade acquisition of catastrophic capabilities, deter their use, and finally, when necessary, defeat them prior to their posing direct threats to us and our partners.

**Disruptive challenges** are those posed by competitors employing breakthrough technology that might counter or negate our current advantages

in key operational domains. In doing so, competitors seek to provide new military options that offset our advantages in niche areas and threaten our ability to operate from the strategic commons – space, international waters and airspace, and cyberspace. Such developments will afford opponents only temporary advantage. In a few instances, however, the United States could confront technological breakthroughs that would fundamentally alter our approach to security. These might include, but are not limited to, breakthroughs in biotechnology, cyber-operations, space, directed-energy, and other emerging fields. Although such developments are unpredictable, we must be attentive to the consequences that such possibilities hold, and plan and invest accordingly.

The goal of our transformation is to contend effectively with these challenges and channel future security competition in ways favorable to the United States and its international partners. We accomplish this by assuring our allies and friends – demonstrating our resolve to fulfill defense commitments and protect common interests; dissuading potential adversaries from adopting threatening capabilities and ambitions; deterring aggression and coercion by maintaining capable and rapidly deployable military forces. Finally, at the direction of the President, we will defeat adversaries at the time, place, and in the manner of our choosing – setting the conditions for future security.

#### **The Unclassified Force Structure Plan**

The following table shows the programmed force structure, manning, and funding for the Army, Navy, Marine Corps, and Air Force for Fiscal Years 2005, 2007, 2009, and 2011. When reviewing this plan, it should be noted that it depicts only Service force units; that is, not all of the force structure is identified. For example, the unclassified version does not account for Army non-divisional units including its associated assets like aviation and special operations; Navy non-carrier-based aircraft and construction battalions; and Air Force airlift, special operation, tankers, and missiles.

UNCLASSIFIED  
**Deliberative Document – For Discussion Purposes Only**  
**Do Not Release Under FOIA**  
**Service Force Units**

	<u>FY05</u>	<u>FY07</u>	<u>FY09</u>	<u>FY11</u>
<b>Army UEx</b>				
Active	6	11	13	13
Reserve	1	5	8	8
<b>Army Divisions</b>				
Active	5			
Reserve	7	3		
<b>Aircraft Carriers</b>	12	11	11	11
<b>Carrier Air Wings</b>				
Active	10	10	10	10
Reserve	1	1	1	1
<b>Battle Force Ships</b>	324	325	337	342
<b>Air Force AEFs</b>				
	10	10	10	10
<b>USMC Divisions</b>				
Active	3	3	3	3
Reserve	1	1	1	1

End-strength (k)

	<u>FY05</u>	<u>FY07</u>	<u>FY09</u>	<u>FY11</u>
<b>USA*</b> AC	482	482	482	482
RC	555	555	555	555
<b>USN</b> AC	366	345	345	345
RC	83	71	70	70
<b>USMC*AC</b>	175	175	175	175
RC	40	40	40	40
<b>USAF</b> AC	360	356	350	350
RC	183	182	182	183

\* The Army projects it will end FY05 with end strength of 511,800 or 29,400 above the baseline of 482,400. The Marine Corps projects it will end FY05 with end strength of 177,675 or 2,675 above the baseline of 175,000. The FY05 Supplemental request includes \$1.7 billion to support these overstrengths. In FY06, the Army and Marine Corps plan to exceed the funded end strength levels by at least 30,000 and 3,000 end strength, respectively. Both Services plan to seek Supplemental funding for any additional end strength above the baseline in support of the War on Terrorism.

**Anticipated Level of Funding (\$B)**

	<u>FY05</u>	<u>FY07</u>	<u>FY09</u>	<u>FY11</u>
<b>USA</b>	115	110.1	120.3	125.6
<b>USN</b>	103.7	110.5	122.7	131.5
<b>USMC</b>	18.9	18.5	20.6	21.9
<b>USAF</b>	119.6	133.3	138.7	146.8



DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION  
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**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 23, 2005

**Chairman:**  
The Honorable Anthony J. Principi  
**Commissioners:**  
The Honorable James H. Bilbray  
The Honorable Philip E. Coyle III  
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The Honorable Samuel K. Skinner  
Brigadier General Sue Ellen Turner, USAF (Ret.)  
**Executive Director:**  
Charles Battaglia

MEMORANDUM

**TO:** Chairman and Commissioners  
**FROM:** Rumu Sarkar, Associate General Counsel  
**SUBJECT:** Ethics Guidance Materials

A handwritten signature in black ink, appearing to be 'Rumu Sarkar', written over the 'FROM:' line of the memorandum.

As the Ethics Official for the BRAC Commission, I am providing you with certain ethics materials for your review and use. First, a letter of conflict of interest determination issued by David C. Hague, General Counsel to the BRAC Commission, and an accompanying Ethics Conflict of Interest Analysis Sheet that provides waivers and/or recusals, as appropriate, have been sent to each of you individually. Secondly, a short memorandum entitled, "Ethics Rules for BRAC Commissioners," a document entitled, "Post-Employment Rules for BRAC Commissioners," and an Office of Government Ethics (OGE) publication, "The Revolving Door," have also been included. The last three items provide guidance on post-employment issues, and electronic copies of them have been attached to this message. Hard copies of all these materials are being sent to you via U.S. mail.

Please be advised that all travel will be scheduled by the BRAC Commission's travel office, and you will be issued a government credit card to facilitate your travel needs. Further, Section 1116 of the National Defense Authorization Act for Fiscal Year 2002 (P.L. 107-107), permits a federal traveler who receives a promotional item such as frequent flyer miles, upgrades, or access to carrier clubs or facilities received as a result of using travel or transportation services obtained at federal government expense, or accepted under section 1353 of title 31, United States Code, to retain the promotional item for personal use, if the promotional item is obtained under the same terms as those offered to the general public and at no additional cost to the federal government. This includes all benefits earned, including those earned before enactment of the Act. These mileage points may be used to obtain upgrades (including to first class) at your



PREPARED TESTIMONY OF U.S. SECRETARY OF DEFENSE  
DONALD H. RUMSFELD  
BEFORE THE SENATE ARMED SERVICES COMMITTEE  
GLOBAL POSTURE  
SEPTEMBER 23, 2004

Mr. Chairman, members of the Committee:

We thank you for the opportunity to discuss our work of some 3½ years to transform the Department of Defense.

History is traced by major events. It is important to learn from them. As we look back now on the wars of the last few centuries, we see the key moments, the turning points, and the statesmen and legislative leaders who played critical roles in helping to make our world more secure and allowing freedom to spread.

I am not certain that our work, together with this Committee and the Congress, in carrying out the President's vision for transforming of our military is one of those milestones.

But it could prove to be so.

I hope it is. Indeed, it is important that that be the case.

Today I will mention some of the elements of reform – even revolution – that fit under the somewhat pedestrian term of “transformation” or “transforming.” We all can look back with some satisfaction on how much has been achieved, and look forward with encouragement, as we seek to do still more.

We meet as the brave men and women in uniform are defending the American people against those who seek to terrorize and intimidate civilized societies and to attack our freedoms. The folks in uniform represent the best our country has to offer. They have not wavered in meeting the tough challenges we face.

While I know the Committee agrees that our responsibility is to ensure that they have the tools they need to fight this war, and a military structure that helps them win it, we need to do still more.

Rearranging our global posture, the subject of today's hearing, is essential to our success. General Jim Jones, Admiral Thomas Fargo, and General Leon LaPorte are here today with Chairman of the Joint Chiefs of Staff, General Dick Myers, to discuss these important proposals.

It is important to note that rearranging our global posture is only part of our considerably broader set of undertakings. What we are doing is changing mindsets and perspectives.

Essential to this is transforming our military into a more agile, more efficient force that is ready and able to combat the asymmetric challenges of this new and uncertain time.

This is a sizable undertaking. It is said that Abraham Lincoln once equated reorganizing the Army with “bailing out the Potomac River with a teaspoon.” He was expressing the truth that change is not easy.

But history has long warned great nations of the perils of seeking to defend themselves by using the successful tactics and strategies of the last war. The French experienced this with the Maginot Line.

Throughout our history, Americans have shown a talent for innovation and invention, and the providence of finding the right leaders for the times. General Ulysses S. Grant made skillful use of the rifle, the telegraph, and railroads to win the Civil War. At the turn of the 20th Century, President Theodore Roosevelt recognized the potency of deterrence and used naval power to project American strength.

After World War I, visionaries like Billy Mitchell predicted the rise of air power as critical to future battles. And Patton and Eisenhower's awareness of the importance of the tank and armored warfare helped to prepare for World War II.

In Afghanistan, our forces utilized a creative combination of cutting edge satellite technology and old-time cavalry charges to liberate that country with a minimal loss of life.

America today remains the world's preeminent military power because our leaders have properly challenged assumptions and the status quo, invested in and made use of new technologies, and abandoned old certainties and strategies when freedom's defense required it. Ours are the military forces that have been on the cutting edge of new ideas. And so we must be today.

Members of the Committee, we do not propose changes to our defense strategies lightly or precipitously. They are part of a broad strategy that, as this Committee knows, has been years in the making. These proposals will take place over the next six to eight years. There will be no grand announcement. This administration has consulted extensively with our allies – new and old – on a multitude of levels, every step of the way. We have sought the advice of the Congress. We recognize that no one has a monopoly on wisdom.

The course we have charted is not novel or sudden. Key points were designated by the President, before he was even elected.

In a 1999 speech at the Citadel, then-Governor Bush warned of the rise of terrorism, the spread of missile technology, and the proliferation of weapons of mass destruction – a “world of terror and missiles and madmen.”

Calling for a “new spirit of innovation,” he outlined ambitious goals: “to move beyond marginal improvements – to replace existing programs with new technologies and strategies. Our forces in the next century must be agile, lethal, readily deployable, and require a minimum of logistical support. We must be able to project our power over long distances, in days or weeks, rather than months.”

Mr. Chairman, I realize these goals are not new to you or to this Committee. We have been working on these changes together for a number of years.

But let me set out where we are at this point of our journey:

- We have increased the size of the U.S. Army and are re-organizing it into more agile, lethal and deployable brigades – light enough to move quickly on short notice, but also with enough protection, firepower and logistics assets to sustain themselves;
- We are retraining and restructuring the Active and Reserve components to achieve a more appropriate distribution of skill sets, to improve the total force's responsiveness to crises, and so that individual reservists and guardsmen will mobilize less often, for shorter periods of time, and with somewhat more predictability. Already the services have rebalanced some 10,000 military spaces both within and between the Active and Reserve components in 2003, and are projected to rebalance 20,000 more during 2004.
- We are increasing the jointness between the services. Instead of simply de-conflicting the armed services and members of the intelligence community we are integrating them to interact as seamlessly as possible.
- We are improving communications and intelligence activities. This includes, for example, the development of Space Based Radar (SBR) to monitor both fixed and mobile targets deep behind enemy lines and over denied areas, in any kind of weather. We also are at work on the Transformational Communications Satellite (TSAT) to provide our joint warfighter with unprecedented communication capability. To give you an idea of the speed and situational awareness the TSAT will provide, consider this: transmitting a Global Hawk image over a current Milstar II, as we do today, takes over 12 minutes. With TSAT it will take less than a second.
- The Department is constructing three new state-of-the-art guided missile destroyers to patrol the seas; 42 new F/A-18 fighter aircraft to guard the skies; and new C-17 strategic air lifters, which will improve our ability to move forces quickly over long distances.

- We have significantly expanded the capabilities and missions of Special Operations. SOCOM has moved from exclusively a “supporting” command to both a “supporting” and a “supported” command, with the authority to plan and execute missions in the global war on terror.
- We have established new commands and restructured old ones:
  - the Northern Command, dedicated to defending the homeland;
  - the Joint Forces Command, to focus on continuing transformation; and
  - the Strategic Command, responsible for early warning of and defense against missile attack, and the conduct of long-range attacks.
- We are working with NATO in an effort to make the Alliance more relevant and credible in this post-Cold War era, shedding redundant headquarters and creating a new rapid response force.
- It used to be that operational and contingency plans were developed, then placed on the shelf for years. We're working to maintain a regular review of plans, challenging our own assumptions and keeping the plans fresh and relevant.
- The Department is changing its approach to infrastructure and installations. When the Administration arrived, facilities were funded at a rate and level that reflected an expectation that they would be replaced only every 175 to 200 years. Our goal was and remains to cut it down to a more realistic recapitalization rate closer to 70 years.
- We are making progress in changing the culture in the Department and the military from one of “risk avoidance” to one that rewards achievement and innovation.

Let me mention another example of an activity underway that on its own may seem minor, but is crucial to the process of transforming.

Today we have tens of thousands of uniformed people doing what are essentially non-military jobs. And yet we are calling up Reserves to help deal with the global war on terror. The same benefit as we achieve with an increase in military personnel is already coming from converting some of these jobs filled by uniformed personnel to positions supported by DoD civilians or contractors. The Department has identified over 50,000 positions to begin such conversion and plans to carry out this conversion at a rate of about 10,000 positions per year. We are also continuing to review thousands of other positions for possible conversion.

To support this, we are working with the Congress and the unions to improve our civilian personnel systems so we can fill these converted positions expeditiously. This is an enormously complicated matter and there is a great deal more work to be done. But when fully implemented, the National Security Personnel System, should:

- Expedite the hiring process for civilian employees;
- Recognize and reward outstanding civilian individuals;
- Make it easier to provide merit-based promotions and reassignments; and
- Streamline the complex webs of rules and regulations that currently frustrate efficient management of the Department.

When we talk about changes to our country's global posture, it is important to look at those changes – as part of the broader transforming of our way of doing things. One cannot succeed without the other.

If our goal is to arrange the Department and our forces so we are prepared for the challenges of this new century – the newer enemies and the more lethal weapons – it is clear that our existing arrangements are seriously obsolete.

We have entered an era where enemies are in small cells scattered across the globe. Yet America's forces continue to be arranged essentially to fight large armies, navies, and air forces, and in support of an approach – static deterrence – that does not apply to enemies who have no territories to defend and no treaties to honor.



and pre-positioned equipment, and to gain access to a broader range of facilities with little or no permanent U.S. presence, but with periodic service or contractor support.

In Asia, our ideas build upon our current ground, air, and naval access to overcome vast distances, while bringing additional naval and air capabilities forward into the region. We envision consolidating facilities and headquarters in Japan and Korea, establishing nodes for special operations forces, and creating multiple access avenues for contingency operations.

In Europe, we seek lighter and more deployable ground capabilities and strengthened special operations forces – both positioned to deploy more rapidly to other regions as necessary – and advanced training facilities.

In the broader Middle East, we propose to maintain what we call “warm” facilities for rotational forces and contingency purposes, building on cooperation and access provided by host nations during Operations Enduring Freedom and Iraqi Freedom.

In Africa and the Western Hemisphere, we envision a diverse array of smaller cooperative security locations for contingency access.

And, of course, we welcome comments and suggestions as negotiations with potential host countries proceed.

One additional benefit to our proposed new arrangements is that they will significantly improve the lives of U.S. military families. This is important. Over the coming period of years, we plan to transfer home, to American soil, up to 70,000 troops and some 100,000 family members and civilian employees. In addition, deployments of the future should be somewhat shorter, families should experience somewhat fewer permanent changes of station, and thus less disruption in their lives.

#### Base Realignment and Closure (BRAC)

The global posture decision process and Base Realignment and Closure (BRAC) are tightly linked, indeed they depend on each other. They are both key components of the President’s transformation agenda, and they both will be critical instruments for stability in the lives of service members and their families. Together, they will help to provide more predictability in assignments and rotations.

The progress made to date on global posture enables DoD to provide specific input on overseas changes for BRAC 2005. That input will allow domestic implications of the global posture review – with forces and personnel either returning to or moving forward from U.S. territory – to be accounted for as effectively as possible within the BRAC decision-making process.

Finally, as was the case with previous BRAC rounds, the U.S. will retain enough domestic infrastructure to provide for difficult-to-reconstitute assets to respond to surge needs, and to accommodate significant force reconstitution as necessary, including all forces based within or outside the United States.

Any initiative as complex as the proposed global posture realignment will stimulate questions – especially in an election year.

I appreciate this opportunity to address a few of the myths and misconceptions that seem to be lingering out there about what is contemplated.

*For example, will reducing overall force levels in Korea reduce our ability to come to its defense?*

In fact, our partnership with the Republic of Korea is a good example of what we hope to accomplish. The Defense Department has been investing in and making arrangements for improved capabilities – such as long range precision weaponry – to be available on the Korean peninsula. As a result, as we are increasingly able to transfer responsibility to Korean forces, we will be able to reduce U.S. troop levels. The combined capabilities of the U.S. and the Republic of Korea will make our defense of Korea stronger than before.

As in Western Europe, the situation in Korea is different from what it was 50 years ago, back when South Korea was impoverished and virtually destroyed. Today South Korea is an economic powerhouse, with a modern military force of some 600,000, and a GDP per capita of 18 times that of North Korea. Our proposed global force posture initiatives make it clear that the U.S. and the Republic of Korea are working together as partners, each bringing important capabilities to our shared challenges.

*Has the Administration prepared the public – and informed Congress – about these changes?*

As I mentioned, these concepts were outlined years ago – first in a 1999 speech before President Bush took office and then a number of times since.

The global posture review had its origins in the 2001 Report of the statutory Quadrennial Defense Review. On November 25, 2003, President Bush announced that the U.S. would intensify consultations with friends, allies, and partners overseas.

We have made significant progress during 2003-2004, and these proposals have been shared frequently with the Congressional leadership, committee leadership and members, and with committee staffs.

I'm told that in the past two years the Department of State and this Department have provided at least:

- Four briefings to House committee staffs and one each to members of the House Armed Services Committee and House Appropriations Committee – Defense Subcommittee;
- Four briefings to individual Senators;
- Nine briefings to Senate committee staffs or members' personal staffs; and
- This year alone, I took part in five breakfast meetings on the subject with Congressmen and Senators, including one on April 29, 2004 with Chairman Warner and Senator Levin.

*Should we have given earlier warning to our allies?*

In fact, we have met with officials in foreign governments on a variety of levels on these concepts. Secretary Powell and I have spoken many times with our counterparts abroad, as have our staffs.

The results of multiple consultations by Under Secretary of Defense Feith, his State Department colleague Marc Grossman, and others at NATO and in key European, Asian and other capitals helped to create understanding and cooperation regarding our posture realignment.

Our foreign counterparts have appreciated that their input was sought before key decisions were made and they understood our global, long-term view and the strategic rationale for conducting the review at this time.

*Does realigning our posture send a dangerous message to North Korea about our commitment to the South?*

The answer is an emphatic "no." We know that sheer numbers of people are no longer appropriate measures of commitment or capabilities. As I have noted earlier, our capabilities in defending the Republic of Korea are increasing, not decreasing.

Senator Joe Lieberman said it well in an interview a few weeks ago. He noted that: "Kim Jong Il ... is not under any misconceptions. We have enormous power at sea, in the air, on the ground, in the Asian Pacific region and on the Korean peninsula. And if he tries to take aggressive action against the South Koreans, he will pay a very, very heavy price." The Senator is correct.

*Will sending more troops home from theaters in Europe weaken our ability to surge quickly to trouble spots?*

Actually, the opposite is closer to the truth. Presence is important, but forward stationing does not mean optimal stationing. Forces in Europe, for example, are only closer to the Middle East if they can deploy rapidly to the south. If those same forces have to deploy to the north, through the Baltic and North Seas, then to the Atlantic and Mediterranean, then we can move roughly as fast from the United States. We do not expect our forces to fight where

they are stationed. We know that our forces will need to move to the fight, wherever it is. That means that command structures and capabilities must be expeditionary. We need well-developed transportation networks. And we need materiel and supplies along transportation routes.

So, if there are legal or political restrictions on the movement of our troops where they are stationed, the difficulties in using them quickly multiply.

Additionally, the more flexible arrangements we are seeking with our allies will allow us to make changes as changes are needed. Area commanders don't own forces. Our country does. We have no hesitation in moving forces from one region to another as circumstances change and require – and we do frequently.

Critics of these proposed moves seem trapped in the thinking of the last century. In some ways, that is understandable. It is difficult to part with thoughts that one has harbored for decades. But the world changes and updated thinking is needed.

We owe an up-to-date defense posture to our troops in the field and the generations that may be called to battle in the future.

This week, I had the privilege of participating in one of our regular meetings in Washington with the combatant commanders, some of whom are here today. They are impressive. They follow in the footsteps of the visionary military leaders of the past. And this plan was undertaken with the benefit of their military advice.

One day future generations will look back at them with gratitude for what they have accomplished in the last few years in the struggle against global extremists.

And our task is to see that one day historians and generations will look back at what is being done today, at what is being accomplished, and say that our actions also helped to make the world more peaceful, our military more formidable, and our freedom more secure.

Thank you, Mr. Chairman.

##



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Director of Central Intelligence

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## SPEECHES AND TESTIMONY

**Global Intelligence Challenges 2005:  
Meeting Long-Term Challenges with a Long-Term Strategy**

**Testimony of Director of Central Intelligence  
Porter J. Goss  
Before the Senate Select Committee on Intelligence**

**16 February 2005  
(as prepared for delivery)**

Good morning, Mr. Chairman, Mr. Vice Chairman, Members of the Committee.

It is my honor to meet with you today to discuss the challenges I see facing America and its interests in the months ahead. These challenges literally span the globe. My intention is to tell you what I believe are the greatest challenges we face today and those where our service as intelligence professionals is needed most on behalf of the US taxpayer.

We need to make tough decisions about which haystacks deserve to be scrutinized for the needles that can hurt us most. And we know in this information age that there are endless haystacks everywhere. I do want to make several things clear:

- Our officers are taking risks, and I will be asking them to take more risks--justifiable risks--because I would much rather explain why we did something than why we did nothing,
- I am asking for more competitive analysis, more collocation of analysts and collectors, and deeper collaboration with agencies throughout the Intelligence Community. Above all, our analysis must be objective. Our credibility rests there.
- We do not make policy. We do not wage war. I am emphatic about that and always have been. We do collect and analyze information.

With respect to the CIA, I want to tell you that my first few months as Director have served only to confirm what I and Members of Congress have known about CIA for years. It is a special place--an organization of dedicated, patriotic people. In addition to taking a thorough, hard look at our own capabilities, we are working to define CIA's place in the restructured Intelligence Community--a community that will be led by a new Director of National Intelligence--to make the maximum possible contribution to American security at home and abroad. The CIA is and will remain the flagship agency, in my view. And each of the other 14 elements in the community will continue to make their unique contributions as well.

DCN: ~~12082~~, I turn to threats. I will not attempt to cover everything that could go wrong in the year ahead. We must, and do, concentrate our efforts, experience and expertise on the challenges that are most pressing: defeating terrorism; protecting the homeland; stopping proliferation of weapons of mass destruction and drugs; and fostering stability, freedom and peace in the most troubled regions of the world. Accordingly, my comments today will focus on these duties. I know well from my 30 years in public service that you and your colleagues have an important responsibility with these open sessions to get information to the American people. But I also know all too well that as we are broadcasting to America, enemies are also tuning in. In open session I feel I must be very prudent in my remarks as DCI.

## TERRORISM

Mr. Chairman, defeating terrorism must remain one of our intelligence community's core objectives, as widely dispersed terrorist networks will present one of the most serious challenges to US national security interests at home and abroad in the coming year. In the past year, aggressive measures by our intelligence, law enforcement, defense and homeland security communities, along with our key international partners have dealt serious blows to al-Qa'ida and others. Despite these successes, however, the terrorist threat to the US in the Homeland and abroad endures.

- Al-Qa'ida is intent on finding ways to circumvent US security enhancements to strike Americans and the Homeland.
- It may be only a matter of time before al-Qa'ida or another group attempts to use chemical, biological, radiological, and nuclear weapons (CBRN).
- Al-Qa'ida is only one facet of the threat from a broader Sunni jihadist movement.
- The Iraq conflict, while not a cause of extremism, has become a cause for extremists.

We know from experience that al-Qa'ida is a patient, persistent, imaginative, adaptive and dangerous opponent. But it is vulnerable and we and other allies have hit it hard.

- Jihadist religious leaders preach millennial aberrational visions of a fight for Islam's survival. Sometimes they argue that the struggle justifies the indiscriminate killing of civilians, even with chemical, biological, radiological, or nuclear weapons.

Our pursuit of al-Qa'ida and its most senior leaders, including Bin Ladin and his deputy, Ayman al-Zawahiri is intense. However, their capture alone would not be enough to eliminate the terrorist threat to the US Homeland or US interests overseas. Often influenced by al-Qa'ida's ideology, members of a broader movement have an ability to plan and conduct operations. We saw this last March in the railway attacks in Madrid conducted by local Sunni extremists. Other regional groups--connected to al-Qa'ida or acting on their own--also continue to pose a significant threat.

- In Pakistan, terrorist elements remain committed to attacking US targets. In Saudi Arabia, remnants of the Saudi al-Qa'ida network continue to attack US interests in the region.
- In Central Asia, the Islamic Jihad Group (IJG), a splinter group of the Islamic Movement of Uzbekistan, has become a more virulent threat to US interests and local governments. Last spring the group used female operatives in a series of bombings in Uzbekistan.
- In Southeast Asia, the Jemaah Islamiyah (JI) continues to pose a threat to US and Western interests in Indonesia and the Philippines, where JI is colluding with the Abu Sayyaf Group and possibly the MILF.

- In Europe, Islamic extremists continue to plan and cause attacks against US and local interests, some that may cause significant casualties. In 2004 British authorities dismantled an al-Qa'ida cell and an extremist brutally killed a prominent Dutch citizen in the Netherlands.

Islamic extremists are exploiting the Iraqi conflict to recruit new anti-US jihadists.

- These jihadists who survive will leave Iraq experienced in and focused on acts of urban terrorism. They represent a potential pool of contacts to build transnational terrorist cells, groups, and networks in Saudi Arabia, Jordan and other countries.
- Zarqawi has sought to bring about the final victory of Islam over the West, and he hopes to establish a safe haven in Iraq from which his group could operate against "infidel" Western nations and "apostate" Muslim governments.

Other terrorist groups spanning the globe also pose persistent and serious threats to US and Western interests.

- Hizballah's main focus remains Israel, but it could conduct lethal attacks against US interests quickly upon a decision to do so.
- Palestinian terrorist organizations have apparently refrained from directly targeting US or Western interests in their opposition to Middle East peace initiatives, but pose an ongoing risk to US citizens who could be killed or wounded in attacks intended to strike Israeli interests.
- Extremist groups in Latin America are still a concern, with the FARC--the Revolutionary Armed Forces of Colombia--possessing the greatest capability and the clearest intent to threaten US interests in the region.
- Horn of Africa, the Sahel, the Mahgreb, the Levant, and the Gulf States are all areas where "pop up" terrorist activity can be expected.

## AFGHANISTAN

Mr. Chairman, Afghanistan, once the safe haven for Usama bin Ladin, has started on the road to recovery after decades of instability and civil war. Hamid Karzai's election to the presidency was a major milestone. Elections for a new National Assembly and local district councils--tentatively scheduled for this spring--will complete the process of electing representatives.

President Karzai still faces a low-level insurgency aimed at destabilizing the country, raising the cost of reconstruction and ultimately forcing Coalition forces to leave.

- The development of the Afghan National Army and a national police force is going well, although neither can yet stand on its own.

## IRAQ

Low voter turnout in some Sunni areas and the post-election resumption of insurgent attacks--most against Iraqi civilian and security forces--indicate that the insurgency achieved at least some of its election-day goals and remains a serious threat to creating a stable representative government in Iraq.

DCN: 02162  
Self-determination for the Iraqi people will largely depend on the ability of Iraqi forces to provide security. Iraq's most capable security units have become more effective in recent months, contributing to several major operations and helping to put an Iraqi face on security operations. Insurgents are determined to discourage new recruits and undermine the effectiveness of existing Iraqi security forces.

- The lack of security is hurting Iraq's reconstruction efforts and economic development, causing overall economic growth to proceed at a much slower pace than many analysts expected a year ago.
- Alternatively, the larger uncommitted moderate Sunni population and the Sunni political elite may seize the post electoral moment to take part in creating Iraq's new political institutions if victorious Shia and Kurdish parties include Sunnis in the new government and the drafting of the constitution.

## PROLIFERATION

Mr. Chairman, I will now turn to the worldwide challenge of proliferation. Last year started with promise as Libya had just renounced its WMD programs, North Korea was engaged in negotiations with regional states on its nuclear weapons program, and Iran was showing greater signs of openness regarding its nuclear program after concealing activity for nearly a decade. Let me start with Libya, a good news story, and one that reflects the patient perseverance with which the Intelligence Community can tackle a tough intelligence problem.

### LIBYA

In 2004 Tripoli followed through with a range of steps to disarm itself of WMD and ballistic missiles.

- Libya gave up key elements of its nuclear weapons program and opened itself to the IAEA.
- Libya gave up some key CW assets and opened its former CW program to international scrutiny.
- After disclosing its Scud stockpile and extensive ballistic and cruise missile R&D efforts in 2003, Libya took important steps to abide by its commitment to limit its missiles to the 300-km range threshold of the Missile Technology Control Regime (MTCR).

The US continues to work with Libya to clarify some discrepancies in the declaration.

### NORTH KOREA

On 10 February 2005, Pyongyang announced it was suspending participation in the six-party talks underway since 2003, declared it had nuclear weapons, and affirmed it would seek to increase its nuclear arsenal. The North had been pushing for a freeze on its plutonium program in exchange for significant benefits, rather than committing to the full dismantlement that we and our partners sought.

- In 2003, the North claimed it had reprocessed the 8,000 fuel rods from the Yongbyong reactor, originally stored under the Agreed Framework, with IAEA monitoring in 1994. The North claims to have made new weapons from its reprocessing effort.
- We believe North Korea continues to pursue a uranium enrichment capability drawing on

DCN: 12182 the assistance it received from A.Q. Khan before his network was shutdown.

North Korea continues to develop, produce, deploy, and sell ballistic missiles of increasing range and sophistication, augmenting Pyongyang's large operational force of Scud and No Dong class missiles. North Korea could resume flight-testing at any time, including of longer-range missiles, such as the Taepo Dong-2 system. We assess the TD-2 is capable of reaching the United States with a nuclear-weapon-sized payload.

- North Korea continues to market its ballistic missile technology, trying to find new clients now that some traditional customers, such as Libya, have halted such trade.

We believe North Korea has active CW and BW programs and probably has chemical and possibly biological weapons ready for use.

## IRAN

In early February, the spokesman of Iran's Supreme Council for National Security publicly announced that Iran would never scrap its nuclear program. This came in the midst of negotiations with EU-3 members (Britain, Germany and France) seeking objective guarantees from Tehran that it will not use nuclear technology for nuclear weapons.

- Previous comments by Iranian officials, including Iran's Supreme Leader and its Foreign Minister, indicated that Iran would not give up its ability to enrich uranium. Certainly they can use it to produce fuel for power reactors. We are more concerned about the dual-use nature of the technology that could also be used to achieve a nuclear weapon.

In parallel, Iran continues its pursuit of long-range ballistic missiles, such as an improved version of its 1,300 km range Shahab-3 MRBM, to add to the hundreds of short-range SCUD missiles it already has.

Even since 9/11, Tehran continues to support terrorist groups in the region, such as Hizballah, and could encourage increased attacks in Israel and the Palestinian Territories to derail progress toward peace.

- Iran reportedly is supporting some anti-Coalition activities in Iraq and seeking to influence the future character of the Iraqi state.
- Conservatives are likely to consolidate their power in Iran's June 2005 presidential elections, further marginalizing the reform movement last year.
- Iran continues to retain in secret important members of Al-Qai'ida-the Management Council-causing further uncertainty about Iran's commitment to bring them to justice.

## CHINA

Beijing's military modernization and military buildup is tilting the balance of power in the Taiwan Strait. Improved Chinese capabilities threaten US forces in the region.

- In 2004, China increased its ballistic missile forces deployed across from Taiwan and rolled out several new submarines.
- China continues to develop more robust, survivable nuclear-armed missiles as well as conventional capabilities for use in a regional conflict.

DCN: 12182 Taiwan continues to promote constitutional reform and other attempts to strengthen local identity. Beijing judges these moves to be a "timeline for independence". If Beijing decides that Taiwan is taking steps toward permanent separation that exceed Beijing's tolerance, we believe China is prepared to respond with various levels of force.

China is increasingly confident and active on the international stage, trying to ensure it has a voice on major international issues, secure access to natural resources, and counter what it sees as US efforts to contain or encircle China.

New leadership under President Hu Jintao is facing an array of domestic challenges in 2005, such as the potential for a resurgence in inflation, increased dependence on exports, growing economic inequalities, increased awareness of individual rights, and popular expectations for the new leadership.

## **RUSSIA**

The attitudes and actions of the so-called "siloviki"--the ex-KGB men that Putin has placed in positions of authority throughout the Russian government--may be critical determinants of the course Putin will pursue in the year ahead.

- Perceived setbacks in Ukraine are likely to lead Putin to redouble his efforts to defend Russian interests abroad while balancing cooperation with the West. Russia's most immediate security threat is terrorism, and counterterrorism cooperation undoubtedly will continue.
- Putin publicly acknowledges a role for outside powers to play in the CIS, for example, but we believe he is nevertheless concerned about further encroachment by the US and NATO into the region.
- Moscow worries that separatism inside Russia and radical Islamic movements beyond their borders might threaten stability in Southern Russia. Chechen extremists have increasingly turned to terrorist operations in response to Moscow's successes in Chechnya, and it is reasonable to predict that they will carry out attacks against civilian or military targets elsewhere in Russia in 2005.

Budget increases will help Russia create a professional military by replacing conscripts with volunteer servicemen and focus on maintaining, modernizing and extending the operational life of its strategic weapons systems, including its nuclear missile force.

- Russia remains an important source of weapons technology, materials and components for other nations. The vulnerability of Russian WMD materials and technology to theft or diversion is a continuing concern.

## **POTENTIAL AREAS FOR INSTABILITY**

Mr. Chairman, in the MIDDLE EAST, the election of Palestinian President Mahmud Abbas, nevertheless, marks an important step and Abbas has made it clear that negotiating a peace deal with Israel is a high priority. There nevertheless are hurdles ahead.

- Redlines must be resolved while Palestinian leaders try to rebuild damaged PA infrastructure and governing institutions, especially the security forces, the legislature, and the judiciary.
- Terrorist groups, some of who benefit from funding from outside sources, could step up

In AFRICA, chronic instability will continue to hamper counterterrorism efforts and pose heavy humanitarian and peacekeeping burdens.

- In Nigeria, the military is struggling to contain militia groups in the oil-producing south and ethnic violence that frequently erupts throughout the country. Extremist groups are emerging from the country's Muslim population of about 65 million.
- In Sudan, the peace deal signed in January will result in de facto southern autonomy and may inspire rebels in provinces such as Darfur to press harder for a greater share of resources and power. Opportunities exist for Islamic extremists to reassert themselves in the North unless the central government stays unified.
- Unresolved disputes in the Horn of Africa--Africa's gateway to the Middle East--create vulnerability to foreign terrorist and extremist groups. Ethiopia and Eritrea still have a contested border, and armed factions in Somalia indicate they will fight the authority of a new transitional government.

In LATIN AMERICA, the region is entering a major electoral cycle in 2006, when Brazil, Colombia, Costa Rica, Ecuador, Mexico, Nicaragua, Peru, and Venezuela hold presidential elections. Several key countries in the hemisphere are potential flashpoints in 2005.

- In Venezuela, Chavez is consolidating his power by using technically legal tactics to target his opponents and meddling in the region, supported by Castro.
- In Colombia, progress against counternarcotics and terrorism under President Uribe's successful leadership, may be affected by the election.
- The outlook is very cloudy for legitimate, timely elections in November 2005 in Haiti--even with substantial international support.
- Campaigning for the 2006 presidential election in Mexico is likely to stall progress on fiscal, labor, and energy reforms.
- In Cuba, Castro's hold on power remains firm, but a bad fall last October has rekindled speculation about his declining health and succession scenarios.

In SOUTHEAST ASIA, three countries bear close watching.

- In Indonesia, President Yudhoyono has moved swiftly to crackdown on corruption. Reinvigorating the economy, burdened by the costs of recovery in tsunami-damaged areas, will likely be affected by continuing deep-seated ethnic and political turmoil exploitable by terrorists.
- In the Philippines, Manila is struggling with prolonged Islamic and Communist rebellions. The presence of Jemaah Islamiyah (JI) terrorists seeking safe haven and training bases adds volatility and capability to terrorist groups already in place.
- Thailand is plagued with an increasingly volatile Muslim separatist threat in its southeastern provinces, and the risk of escalation remains high.

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## ***ETHICS RULES FOR BRAC COMMISSIONERS***

### Introduction

This summary has been prepared primarily for members appointed to serve on the 2005 Base Realignment and Closure (BRAC) Commission. If you have questions on any of the topics covered in this guidance, attorneys in the General Counsel's Office are always available to answer them.

### Definition of a Special Government Employee (SGE)

As a Commissioner, you have been appointed as an "SGE," or "special Government employee." An SGE is an officer or employee in the executive branch of the Federal Government who is appointed to perform temporary duties, with or without compensation, for a period not to exceed 130 days during any period of 365 consecutive days. 18 U.S.C. 202(a).

Even if you exceed the 130 days, you will still be considered to be an SGE for the remainder of that 365-day period. All days you work (whether paid or unpaid), and even if you do not work the entire day, counts towards the 130 day limit. The 365-day period begins the day you start working (not the day you were appointed to the BRAC Commission). The SGE status is important because the ethics rules for SGEs are somewhat less restrictive than the rules for other Federal employees and officials.

### Financial Disclosure Reporting Requirements

All BRAC Commissioners have been appointed as SGEs, and are required under the Ethics in Government Act, as amended by the Ethics Reform Act of 1989, and 5 C.F.R. Part 2634, to file a financial disclosure report (SF-278 form) when first appointed. Commissioners will also be required to update the information on the SF-278 financial disclosure report before each meeting throughout their term of appointment as well as file a termination report.

The information reported is used to determine the matters for which a Commissioner must be disqualified under the criminal financial conflict of interest statute, 18 U.S.C. 208(a), and the matters for which a Commissioner may be granted a waiver under 18 U.S.C. 208(b). Complete reporting is essential to protect the Commissioner from inadvertently violating any of the criminal conflict of interest statutes, and to assure the public that the advice provided by the BRAC Commission is free from any real, or perceived, conflicts of interest.

The information reported by Commissioners is confidential. However, once you have worked for 60 days or more for the BRAC Commission in any period of 365 consecutive days, this SF-278 form may be released upon an appropriate request. However, the SF-278 form may not be released under Freedom of Information (FOIA) requests.



## Procedural Rules of the 2005 Defense Base Closure and Realignment Commission

Rule 1. The Defense Base Closure and Realignment Commission ("Commission") was established by the Defense Base Closure and Realignment Act of 1990, Part A of Title XXIX of Public Law 101-510, as amended by Title XXX of the National Defense Authorization Act for Fiscal Year 2002, Public Law 107-107, and further amended by Section 2822, Subtitle C, Title XXVIII, Division B, of Public Law 108-136 ("Act"). The Commission's operations shall comply with that Act, as amended, and with these Procedural Rules.

Rule 2. The Commission's meetings, other than meetings in which classified information is to be discussed, shall be open to the public. In other respects, the Commission shall comply with the Federal Advisory Committee Act, Title 5, United States Code, Appendix 2, and the Federal Advisory Committee Management Final Rule, 41 Code of Federal Regulations Parts 101-6 and 102-3.

Rule 3. The Commission shall meet only during calendar years 2005 and 2006.

Rule 4. The Commission shall meet at the call of the Chairman or the request of a majority of the Commissioners serving at that time.

Rule 5. When the Commission meets to consider (a) the recommendations of the Secretary of Defense ("Secretary") submitted to the Commission in accordance with the Act, (b) the Commission's report to the President in accordance with the Act, or (c) a revised list of recommendations in accordance with the Act, a quorum shall consist of a majority of the members then serving. When the Commission meets to consider the closure of an installation not recommended by the Secretary for such action, or to consider the realignment of an installation that would result in a reduction in the force structure at that installation that was not recommended by the Secretary, a quorum shall consist of seven of the members then serving. When the Commission meets to conduct public hearings to receive public comment on the recommendations of the Secretary or the proceedings of the Commission, a quorum shall consist of one or more members designated by the Chairman.

Rule 6. When the Commission meets to consider (a) the recommendations of the Secretary submitted to the Commission in accordance with the Act, (b) the Commission's report to the President in accordance with the Act, or (c) a revised list of recommendations in accordance with the Act, and a quorum is present, a vote shall be required of the Commission to dispense with any of the above responsibilities or to ratify any acts of the Commission. The adoption of any action taken by the Commission with regard to (a) the recommendations of the Secretary submitted to the Commission in accordance with the Act, (b) the Commission's report to the President in accordance with the Act, or (c) a revised list of recommendations in accordance with the Act, will be by a majority of the members serving at that time. In the event of a tie vote on the adoption of any such action, the motion fails for lack of a majority. The adoption of any action taken by the Commission with regard to the closure of an installation not recommended by the Secretary for such action, or to consider the realignment of an installation that would

result in a reduction in the force structure at that installation that was not recommended by the Secretary, will be by seven of the members then serving. The resolution of all other issues arising in the normal course of Commission meetings or hearings shall be by a simple majority of Commissioners present. The Commissioners shall vote in person, except when a proxy is exercised under Rule 9.

Rule 7. The Chairman shall preside at meetings and public hearings of the Commission when he is present. In the Chairman's absence, he or she shall designate another member of the Commission to preside.

Rule 8. The Chairman, or in his absence, the presiding Commissioner, shall have the authority to ensure the orderly conduct of the Commission's business. This power includes, without limitation, recognizing members of the public to speak, imposing reasonable limitations on the length of time a speaker may hold the floor, determining the order in which members of the Commission may question witnesses, conducting votes of members of the Commission, and designating Commissioners for the conduct of public hearings.

Rule 9. One Commissioner may designate another Commissioner to vote and otherwise act for the first member when he or she will be absent, but only where the first Commissioner has previously issued a written proxy to the second stating the specific, limited purpose for which the proxy is to be exercised. Where the margin of decision would be supplied by a proxy vote, the proxy shall be considered invalid and the matter under consideration shall be considered to have failed.

Rule 10. These rules may be amended by a majority vote of the Commissioners serving at the time.



BRAC/GC/dch  
May 19, 2005

MEMORANDUM FOR THE COMMISSIONERS  
BASE CLOSURE AND REALIGNMENT COMMISSION

Subj: PROCEDURAL RULES OF THE 2005 DEFENSE BASE CLOSURE AND  
REALIGNMENT COMMISSION

Encl: (1) Subject rules (proposed)

1. The enclosed procedural rules have been modified from the rules used by prior BRACs to include the most recent statutory changes, specifically the seven vote requirement to 1) consider adding an installation to the Secretary's list of installations recommended for closure or realignment and 2) actually place a proposed installation on the list to the President. The rules will at the direction of the Chairman be presented for adoption by the Commission at the administrative meeting to be conducted at the conclusion of the Thursday morning hearing.
2. The rules are brief and straightforward. This memorandum discusses several key points about them.

**a. Quorums**

For hearings held to receive public comment, a quorum shall consist of one or more members designated by the Chairman.

When the Commission meets to consider:

- the recommendations of the Secretary of Defense
- the Commission's report to the President, or
- a revised list of recommendations for closures and realignments (except "additions" discussed below)

a quorum shall consist of a majority of members serving at that time.

Discussion

One or more Commissioners can hold a hearing, but at least five (5) of nine (9) Commissioners must be present for the Commission to consider and act on any closure or realignment recommendation, except for "additions." An "addition" to the Secretary's list is the closure of an installation not recommended by the Secretary for such action or the realignment of an installation that would result in a reduction in the force structure of that installation that was not recommended by the Secretary. In such cases, a quorum shall consist of seven (7) of the members then serving.

**b. Voting**

The rules require that when the Commission meets to consider:

- the recommendations of the Secretary of Defense

- the Commission's report to the President, or
- a revised list of recommendations for closures and realignments

Once a quorum has been established, "a vote shall be required of the Commission to dispense with any of the above responsibilities or to ratify any actions of the Commission."

The rules continue to provide that any action taken by the Commission concerning these three areas of the Commission responsibilities "will be by a majority vote of the Commission serving at that time." (Except as discussed above for "additions.")

The rules allow for any other issues that may arise during Commission meetings or hearings to be resolved by a "simple majority of Commissioners present."

The rules allow for Commissioner to vote in person or by proxy. (See discussion on proxies below.)

### Discussion

The votes of a majority of the Commissioners are required to make any changes to the Secretary's list, except "additions," for which seven (7) votes are required. A tie vote on a motion to drop an installation from the Secretary's list or otherwise change his recommendations means that the motion would fail, and the Secretary's recommendations would prevail.

### **c. Proxies**

The rules allow proxy voting.

Under Rule 9, a Commissioner may designate another member to vote and otherwise act for the first member when he or she will be absent. However, the absent Commissioner must "issue a written proxy stating the specific or limited purposes for which the proxy can be exercised." Rule 9 also provides that "Where the margin of decision would be supplied by proxy vote, the proxy shall be considered invalid and the matter under consideration shall be considered to have failed."

### Discussion

The rule on proxy voting allows a Commissioner who might be ill or for other compelling reasons unable to attend a meeting to cast a vote. There is no indication in BRAC records that proxy votes have ever been cast.

Blanket proxies are not allowed. The rule requires "a written proxy stating the specific or limited purpose for which the proxy can be exercised." An absent Commissioner cannot give to another Commissioner the ability to vote a proxy on an issue in any way the Commissioner determines appropriate at the time.

  
DAVID C. HAGUE  
General Counsel

## Procedural Rules of the 2005 Defense Base Closure and Realignment Commission

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Rule 10. These rules may be amended by a majority vote of the Commissioners serving at the time.





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## MILITARY

**Section:** Defense Base Closure and Realignment Commission 1995 Report to the President

**Subsection:** Chapter 4

# 1

## Previous Base Closure Rounds

**Date Composed:** 07/18/1995 **Date Modified:** 07/28/1995

### Chapter 4

#### Previous Base Closure Rounds

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### HISTORY OF BASE CLOSURE

Closing military installations has always been a difficult process. Whether closures are designed to reduce military overhead, enhance readiness and modernization, or reflect the realities of changing international threats, the impact of these decisions on local communities can be dramatic and painful. Additionally, the decision-making process itself has had a controversial history, punctuated with accusations of political interference and retribution.

In the early 1960s, President Kennedy concluded that the large defense base structure developed during World War II and the Korean conflict was no longer necessary. At the Presidents direction, Secretary of Defense Robert McNamara developed and implemented a base closure program. The criteria governing the selection process were established primarily within the Office of the Secretary of Defense, with minimal consultation with the military departments or Congress. Hundreds of base closures and realignments took place during this period, and more than 60 major bases were closed. Despite these accomplishments, charges that base closures were used



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by the Executive Branch to punish uncooperative legislators were prevalent.

In 1965, Congress passed legislation setting up reporting requirements designed to involve itself in any DoD base closure program. The legislation was vetoed by President Johnson, further exacerbating the growing confrontation between the Executive and Legislative Branches of government. Despite this

antagonistic situation, the Department of Defense was able to complete base realignments and closures routinely throughout the 1960s.

During the 1970s, however, DoD found it increasingly difficult to realign or close installations due to continued attempts by Congress to regulate the base closure process and to limit or deny base closure funding. In 1976, the Military Construction Authorization Bill contained a provision prohibiting any base closure or reduction of more than 250 civilian employees until the Department had notified Congress of the proposed actions, assessed the personnel and economic impacts, followed the study provisions of the National Environmental Policy Act (NEPA), and waited nine months. This bill was vetoed by President Ford, and the Congressional veto override effort failed.

An important turning point in the struggle between Congress and the Executive Branch occurred in 1977. In that year, Congress succeeded in enacting legislation which severely restricted DoD's ability to close military bases. This statute -- Title 10, United States Code, Section 2687 -- required the Department of Defense to notify Congress if an installation became a closure or realignment candidate. The law also subjected all proposed closure actions to the lengthy environmental evaluation requirements of the NEPA process, as well as to local economic and strategic consequence reports. In addition, DoD was required to wait 60 days for Congress to respond to its recommendations. These and other procedural requirements established in Section 2687, combined with Congressional reluctance to close military bases, effectively halted base closures (Section 2687 appears in Appendix C of this Report).

For a decade following the passage of Section 2687, all attempts at closing major installations failed, and proposed realignments of small military units were often thwarted. At the same time, the 1980s witnessed a dramatic increase in defense spending and rapid military expansion, reaching its peak in 1985. As the defense budget declined in subsequent years, the size of the U.S. armed forces changed, yet the base structure remained unaltered. As a result, readiness was being threatened as the services struggled to pay the operating costs of unneeded bases and infrastructure.

## THE 1988 COMMISSION

By 1988, the Defense budget had declined for three straight years and was predicted to decline further. To ensure that scarce DoD resources would be devoted to the most pressing operational and investment needs rather than maintaining unneeded property, facilities, or overhead, Secretary of Defense Frank Carlucci chartered the Defense Secretary's Commission on Base Realignment and Closure on May 3, 1988 (see Appendix D). The Commission sought to close obsolete military bases and bring the base structure in line with the declining force structure. Enacted into law in October, 1988, Public Law 100-526 provided the statutory basis for this one-time approach. The law also provided relief from certain statutory impediments to closures, such as a partial exemption from NEPA, delegated property disposal authority, and an expedited process for Congressional review of BRAC recommendations (Public Law 100-526 appears in Appendix E).

The 1988 Commission was co-chaired by former Senator Abraham Ribicoff and former Congressman Jack Edwards. Other commissioners appointed by the Secretary of Defense were Louis W. Cabot; W. Graham Claytor, Jr.; Donald F. Craib, Jr.; Thomas F. Eagleton; Martin R. Hoffmann; Bryce Poe II; William H. Rowden; James C. Smith II; Donn A. Starry; and Russell E. Train. The 1988 Commission issued its report on December 29, 1988. It recommended the closure of 86 military facilities and the realignment of 59 others, with an estimated savings of \$693.6 million annually. The 1988 Commission's recommendations represented a reduction of approximately 3 percent of the domestic base structure. The 1988 Commission's authority expired after the submission of its final report (a complete list of the 1988 recommendations are contained in Appendix L on a state-by-state basis, and in Appendix M by military service).

Major base closure and realignment recommendations of the 1988 Commission include:

### 16 Closures

George Air Force Base, CA  
Mather Air Force Base, CA  
Norton Air Force Base, CA  
Presidio of San Francisco, CA  
Chanute Air Force Base, IL

Fort Sheridan, IL  
Jefferson Proving Ground, IN  
Lexington Bluegrass Army Depot, KY  
Naval Station Lake Charles, LA  
Army Material Tech Lab, MA  
Pease Air Force Base, NH  
Naval Station Brooklyn, NY  
Philadelphia Naval Hospital, PA  
Naval Station Galveston, TX  
Fort Douglas, UT  
Cameron Station, VA

### 11 Realignments

Fort Huachuca, AZ  
Pueblo Army Depot, CO  
Fort McPherson, GA  
Fort Devens, MA  
Fort Holabird, MD  
Fort Meade, MD  
Fort Dix, NJ  
Fort Monmouth, NJ  
Umatilla Army Depot, OR  
Fort Bliss, TX  
Naval Station Puget Sound, WA

Public Law 100-526 required Secretary Carlucci to accept or reject the 1988 Commissions recommendations in its entirety. In January, 1989, he accepted all of the recommendations. The law provided Congress with the same accept or reject in full option. In May, 1989, the Congressional review period expired without the enactment of a joint resolution of disapproval. As a result, the Commissions 1988 recommendations went into effect and have the force of law.

Implementation of the 1988 Commissions recommendations was required to start by January, 1990, and to be completed by October, 1995. As of June, 1995, 14 of the 16 installations recommended for closure have been closed.

Enactment of P.L. 100-526 constituted a recognition that consolidation in the military basing structure could be a way to realize savings in the defense budget, while not impairing the ability of the armed forces to carry out their missions. Although designed to break the stalemate and balance the prerogatives

of the two branches of government, the Congressional response was reminiscent of the base closing activities of the early 1960s. Congressional critics claimed that the list unfairly targeted districts represented by certain members of Congress. The 1988 Commission was appointed by, and reported directly to, the Secretary of Defense. It generated its own list of recommended closures and realignments. All hearings and votes were conducted in closed sessions. Little information about how the Commission arrived at its recommendations was made available to the public.

### **CHANGING WORLD SITUATION**

The end of the Cold War fundamentally altered the international political landscape. The late 1980s and early 1990s saw the fall of the Berlin Wall, the demise of the Warsaw Pact, and the breakup of the Soviet Union. These events dramatically changed U.S. military requirements. It became clear that our national defense posture could be strengthened, and costs reduced, through a more efficient military base structure. At the same time, the rapidly growing national debt became an increasingly urgent political issue. Thus, base closures and realignments became a part of each Military Department's budget strategy for balancing their base structure with their declining force structure.

Public Law 100-526, however, established a one-time only Commission, which expired on December 31, 1988. Consequently, closing bases was once again governed by the procedures mandated by Section 2687 of Title 10, United States Code -- procedures that had prevented base closures for over a decade.

To address the problem of excess infrastructure, in January, 1990, Secretary of Defense Richard Cheney unilaterally proposed the closure of 35 additional bases and the realignment or reduction of forces at more than 20 other bases. The Office of the Secretary of Defense, however, had failed to provide specific written guidance to the military services and defense agencies on how to evaluate bases for possible closure or realignment. The services, consequently, all used different processes to come up with their recommendations.

As in the past, the 1990 recommendations submitted by Secretary Cheney were met with Congressional protests that

the list was politically influenced. And, as in the past, Congress was criticized for being institutionally incapable of making decisions that were good for the country but painful for some congressional districts. Recognizing the need to further reduce the defense base structure, and to ensure a fair process, Congress passed the Defense Base Closure and Realignment Act of 1990 (Title XXIX of Public Law 101-510). This law effectively halted all closures based on the Secretary's January, 1990, list and required new procedures for closing or realigning bases (Title XXIX of P.L. 101-510, as amended, appears in Appendix F).

### **P.L. 101-510: THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION**

Signed by President Bush on November 5, 1990, P.L. 101-510 created an independent, five-year Defense Base Closure and Realignment Commission (DBCRC) with closure rounds in 1991, 1993, and 1995. The act outlines procedures, roles, and time lines for the President, Congress, Department of Defense, General Accounting Office, and the Commission to follow.

The 1990 legislation required that all bases be compared equally against the Department of Defense's current force structure plan and Congressionally approved selection criteria. For each of the three DBCRC rounds, the services and DoD agencies submit their candidates for closure and realignment to the Secretary of Defense for his review. After reviewing service candidates, the Secretary submits his recommendations to DBCRC for its review.

The Commission has four months to scrutinize and analyze the Secretary's recommendations. In addition, the Commission possesses the authority to add, delete, or modify the Secretary's list. On July 1, the Commission submits its report and recommendations to the President for his consideration. The President has 15 days to either accept or reject the Commission's recommendations in their entirety; if he rejects them, the Commission can give the President a revised list of recommendations. If the President accepts the Commission's recommendations, he forwards the list to the Congress. The law provides Congress with only two options: do nothing and accept the list, or reject it in full by passing a joint resolution of disapproval. If such a resolution is passed by both Houses of Congress, it would be subject to a veto by the President. In the

absence of a joint resolution of disapproval, the Commissions recommendations have the force of law.

The DBCRC was created to provide a fair process that will result in the timely closure and realignment of military installations inside the United States. Established as an independent Presidential Commission, lawmakers intended DBCRC to be a model of open government. Public Law 101-510 required each Commission to conduct public hearings on the Secretary of Defenses list of closures and realignments and on any proposed changes to those recommendations. In addition, its records are open to public scrutiny.

Procedurally, the 1988 DoD Commission and the Defense Base Closure and Realignment Commission differ substantially. The 1988 Commission, working for the Secretary of Defense, generated its own list of recommended closures and realignments. Under the current law, the Defense Base Closure and Realignment Commission independently reviews and analyzes the Secretary of Defenses recommendations and submits its findings and recommendations directly to the President. To ensure an independent process, the law requires the General Accounting Office (GAO) to provide the Commission a detailed analysis of the Secretary of Defenses recommendations and selection process. The GAO also assists the Commission in its analysis of the Secretary's recommendations.

The process by which the DBCRC operates is also uniquely open and insulated from partisan politics. The Commission meets only during the non-election years of 1991, 1993, and 1995. All meetings and hearings are open to the public. The DBCRC provides numerous opportunities to receive testimony and viewpoints from interested parties, as well as community and Congressional leaders. Transcripts of hearings, correspondence, and other data received by the Commission are available for public review. Every major site proposed for closure is visited by at least one commissioner, in order to gain a firsthand look at the installations, as well as to provide the public with an opportunity to explain the economic and other impacts a closure would have on the local community.

### **THE 1991 COMMISSION**

As provided in the statute, the DBCRC consists of eight

members appointed by the President, with the advice and consent of the Senate. In selecting individuals to be nominated for membership on the Commission, the President is directed to consult with the Speaker of the House of Representatives concerning the appointment of two members, the majority leader of the Senate concerning the appointment of an additional two members, and the minority leaders of both Chambers for one member each. The final two appointments are made independently by the President.

The 1991 Commission was chaired by former Representative Jim Courter. Other commissioners were William L. Ball, III; Howard H. Callaway; General Duane H. Cassidy, USAF (ret.); Arthur Levitt, Jr.; James C. Smith II; Robert D. Stuart, Jr.; and Alexander B. Trowbridge (Commissioner Trowbridge resigned from the Commission on May 17, 1991).

The Commission received Secretary of Defense Cheney's recommendations on April 12, 1991. It held 47 base visits, 14 regional hearings, and 9 investigative hearings in Washington, D.C. The Commission sent its report to the President on July 1, 1991, recommending the closure of 34 bases and the realignment of 48 others. These actions generated an estimated FY 1992-1997 net savings of \$2.3 billion and recurring savings of \$1.5 billion annually after a one-time cost of \$4.1 billion. This represented a reduction of approximately 5.4 percent of the domestic base structure.

The President accepted all of the Commissions recommendations on July 11, 1991, and forwarded the Commissions report with his approval to the Congress. On July 30, 1991, by a vote of 60 to 364, the House rejected a resolution of disapproval. Consequently, the recommendations of the 1991 Commission have the force of law.

Major base closures and realignments of the 1991 Commission include:

#### 26 Closures

Eaker Air Force Base, AR  
Williams Air Force Base, AZ  
Castle Air Force Base, CA  
Fort Ord, CA  
Hunters Point Annex, CA  
Moffett Naval Air Station, CA

Naval Electronic Systems Engineering  
Center, San Diego, CA  
Naval Station Long Beach, CA  
Sacramento Army Depot, CA  
Tustin Marine Corps Air Station, CA  
Lowry Air Force Base, CO  
Fort Ben Harrison, IN  
Grissom Air Force Base, IN  
England Air Force Base, LA  
Fort Devens, MA  
Loring Air Force Base, ME  
Wurtsmith Air Force Base, MI  
Richards-Gebaur Air Reserve Station, MO  
Rickenbacker Air Guard Base, OH  
Naval Station Philadelphia, PA  
Philadelphia Naval Shipyard, PA  
Myrtle Beach Air Force Base, SC  
Bergstrom Air Force Base, TX  
Carswell Air Force Base, TX  
Chase Field Naval Air Station, TX  
Naval Station Puget Sound, WA

#### 19 Realignments

Fort Chaffee, AR  
Beale Air Force Base, CA  
Naval Weapons Center, China Lake, CA  
Pacific Missile Test Center, Point Mugu, CA  
Naval Coastal Systems Center, Panama City, FL  
MacDill Air Force Base, FL  
Rock Island Arsenal, IL  
Naval Avionics Center, Indianapolis, IN  
Naval Weapons Support Center, Crane, IN  
Naval Ordnance Station, Louisville, KY  
Fort Polk, LA  
Naval Ordnance Station, Indian Head, MD  
Naval Surface Weapons Center, White Oak, MD  
Aviation Systems Command/Troop Support Command, MO  
Letterkenny Army Depot, PA  
Naval Air Development Center, Warminster, PA  
Naval Air Engineering Center, Lakehurst, NJ  
Naval Air Propulsion Center, Trenton, NJ  
Naval Undersea Warfare Engineering Station, Keyport, WA

The 1991 closures and recommendations were required to begin in July, 1993 and must be completed by July, 1997. As of June, 1995, 19 of the 26 major installations have been closed and two more are scheduled for closure by the end of FY 1995 (a complete list of the 1991 recommendations are contained in Appendix L on a state-by-state basis, and in Appendix M by military service).

## **THE 1993 COMMISSION**

The second Defense Base Closure and Realignment Commission to operate under P.L. 101-510 was again chaired by former Representative Jim Courter, the 1991 Commission chair. Other commissioners included Captain Peter B. Bowman, USN (ret.); Beverly B. Byron; Rebecca G. Cox; General Hansford T. Johnson, USAF (ret.); Arthur Levitt, Jr.; Harry C. McPherson, Jr.; and Robert D. Stuart, Jr. (Commissioner Levitt, who also served as a commissioner during the 1991 round, resigned from the Commission on May 4, 1993, following his appointment by President Bill Clinton to be Chairman of the Securities and Exchange Commission).

The Commission received Secretary of Defense Aspin's recommendations for base closures and realignments on March 12, 1993. The Commission held 125 base visits, 17 regional hearings, and 16 investigative hearings in Washington, D.C. It submitted its report to the President on July 1, 1993, recommending the closure of 130 bases and the realignment of 45 others. Estimated FY 1994-1999 net savings was approximately \$3.8 billion after one-time costs of approximately \$7.43 billion. The savings from these actions are estimated to total approximately \$2.33 billion annually. These approved closures and realignments represent a further reduction of approximately 6.2 percent of the domestic base structure.

Major base closures and realignments of the 1993 Commission include:

### 28 Closures

Naval Station Mobile, AL  
Mare Island Naval Shipyard, CA  
Marine Corps Air Station El Toro, CA  
Naval Air Station Alameda, CA

Naval Aviation Depot Alameda, CA  
Naval Hospital Oakland, CA  
Naval Station Treasure Island, CA  
Naval Training Center San Diego, CA  
Homestead Air Force Base, FL  
Naval Air Station Cecil Field, FL  
Naval Aviation Depot Pensacola, FL  
Naval Training Center Orlando, FL  
Naval Air Station Agana, GU  
Naval Air Station Barbers Point, HI  
Naval Air Station Glenview, IL  
O'Hare International Airport Air Reserve Station, IL  
Naval Electronic Systems Engineering Center, St. Inigoes, MD  
K.I. Sawyer Air Force Base, MI  
Naval Station Staten Island, NY  
Plattsburgh Air Force Base, NY  
Defense Electronics Supply Center, OH  
Newark Air Force Base, OH  
Defense Clothing Factory, PA  
Charleston Naval Shipyard, SC  
Naval Station Charleston, SC  
Naval Air Station Dallas, TX  
Naval Aviation Depot Norfolk, VA  
Vint Hill Farms, VA

### 13 Realignments

Anniston Army Depot, AL  
March Air Force Base, CA  
Marine Corps Logistics Base Barstow, CA  
Naval Weapons Station Seal Beach, CA  
Letterkenny Army Depot, PA  
Naval Surface Warfare Center (Dahlgren)  
White Oak Detachment, White Oak, MD  
Griffiss Air Force Base, NY  
Fort Monmouth, NJ  
Naval Education and Training Center, Newport, RI  
Naval Air Station Memphis, TN  
Ogden Air Logistics Center, Hill Air Force Base, UT  
Tooele Army Depot, UT  
Fort Belvoir, VA

The President accepted all of the Commissions recommendations on July 2, 1993, and forwarded the

Commissions report with his approval to the Congress. On September 20, 1993, by a vote of 12-83, the Senate rejected a resolution of disapproval of the Commissions recommendations. Consequently, the recommendations of the 1993 Commission have the force of law. The 1993 recommendations are required to begin by July, 1995, and must be completed by July, 1999. As of June 1995, four of the 1993 major closures have occurred, and another four are scheduled for closure by the end of FY 1995. (A complete list of the 1993 Commissions recommendations are contained in Appendix L on a state-by-state basis, and in Appendix M by Military Service).



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