

# Defense Base Closure and Realignment Commission

# EARLY



# BIRD

October 25, 2005

## Department of Defense Releases

N/A

## National News Articles

[BRAC, Which Once Stirred Passions, Now Has Few Foes](#)

[Recent Developments Related to Recommended Base Closures and Realignments - Holland & Knight LLP](#)

## Local News Articles

[Chamber's BRAC chairman to deliver presentation to court \(Texarkana, TX\)](#)

[New International Trade Route Forged Between the U.S. and Mexico; Port of San Antonio Created at Military Base Scuttled by BRAC \(San Antonio, TX\)](#)

[Otis Air National Guard Base May Acquire Jobs in Intelligence Unit \(Boston, MA\)](#)

[Guard proposes swapping new armory site for old \(Quad City, IA\)](#)

## Opinions/Editorials

[Beach council should take its cues from Fla. Mayor \(Hampton Roads, VA\)](#)

## Additional Notes

N/A

## Department of Defense Releases

N/A

## National News Articles

**BRAC, Which Once Stirred Passions, Now Has Few Foes**

Congress Daily  
Megan Scully  
October 24, 2005

Despite fervent efforts this summer to shield military installations from closure, the House is expected later this week to overwhelmingly reject a joint resolution disapproving the independent base-closing commission's final recommendations. The resolution, sponsored by Rep. Ray LaHood, R-Ill., has received little support, even among lawmakers affected by the decisions, bringing a quiet end to a noisy process. LaHood's legislation is a last-ditch effort to stop this base-closure round before the recommendations become law. Similar attempts in three previous rounds during the 1990s failed by wide margins.

The resolution has picked up nine co-sponsors, and LaHood said today that it would be unlikely to attract any more. "I'm going against the whole defense establishment, I'm going against the whole administration, I'm going against the whole Armed Services Committee," LaHood said. "I'm smart enough to know I'm swimming upstream on this one." LaHood said he plans to argue that the military should not close domestic bases while fighting a war.

A congressional source said the commission's decision to strike many of the Pentagon's most sweeping closure recommendations cooled opposition on Capitol Hill. "A lot of members that were really screaming jumped off," the source said. "It really speaks to how parochial everybody's anguish was. As soon as they were not in the hot seat, it was like, I got mine." One base-closure lobbyist said fears that Pentagon leaders would push for more base closures in a few years if this round is stopped might have prompted members to accept the fate handed to them by the commission. "Members of Congress don't want to go through this again," said Paul Hirsch, president of Madison Government Affairs and a staff member of the 1991 commission. "While it may not be perfect, you're better off acquiescing and moving forward." All but one of the nine co-sponsors are affected by the base-closure round. Rep. Neil Abercrombie, D-Hawaii, does not stand to lose any bases but has been an opponent of trimming the military's domestic infrastructure.

During the House Armed Services Committee's markup of the LaHood resolution last month, Abercrombie argued that minimal projected cost savings -- \$15 billion over 20 years -- did not justify the "grief and suffering" that comes with closing bases and laying off or relocating thousands of workers. The committee voted 43-14 in late September to reject the LaHood legislation and report it to the floor unfavorably.

LaHood has been particularly opposed to plans that would take aircraft from Air National Guard units, including those belonging to the 183rd Fighter Wing in his district. Illinois lawmakers and others affected by the Air Guard recommendations have lost a series of legal battles that hinged on whether the Pentagon has the authority to take aircraft from the state-run units. Under the base-closure law, the House will debate the legislation for two hours, with both Republicans and Democrats getting one hour. If it does succeed, it will then go to the Senate for a vote. Congress has until the end of the month to pass the resolution, or the commission's recommendations will become law. President Bush said he supported the

recommendations when he sent the list to Congress Sept. 15.

### **Recent Developments Related to Recommended Base Closures and Realignments - Holland & Knight LLP**

Mondaq Business Briefing  
Stephen D. Niles  
October 24, 2005

From August 24, 2005, through August 27, 2005, the Base Realignment and Closure (BRAC) Commission held a final vote on the recommendations of the Department of Defense (DoD) to close or realign various military installations throughout the country. The Commission's votes on these matters will likely have a substantial impact, economic and otherwise, on many communities throughout the country. The Commission's decisions will also provide a number of significant development opportunities for interested parties.

The Commission's vote included, among other things, a vote to close the following major base facilities:

- Walter Reed Army Medical Center, Washington, D.C., moving most of its mission to a new Walter Reed National Medical Center that would be constructed in nearby Bethesda, MD, current site of the National Naval Medical Center
- Fort Monmouth, NJ
- Fort Gillem, GA
- Fort McPherson, GA
- Fort Monroe, VA
- U.S. Army Garrison, Selfridge, MI

Almost 400 Navy Reserve, Army Reserve and National Guard facilities including, among others, Otis Air National Guard Base, MA; and Willow Grove Naval Air Station, PA (and creating joint centers)

- Naval Station Pascagoula, MS
- Naval Air Station Atlanta, GA
- Naval Station Ingleside, TX
- Naval Air Station Corpus Christi, TX
- Brooks City-Base, TX
- Wilford Hall Medical Center, Lackland Air Force Base, TX, consolidating medical operations for the region at a new San Antonio Regional Medical Center at nearby Fort Sam Houston
- Onizuka Air Force Station, CA
- Galena Airport Forward Operation Location, AK

The Commission's list of base closures and realignments was presented to the President in early September, 2005. The President must accept the Commission's decisions, reject them in their entirety or send them back to the Commission for revisions. If the list is approved by the President, and Congress fails to pass a joint resolution thereafter rejecting the list, it will become law.

The Commission also voted, after much debate, to keep open the following bases, among others:

- Submarine Base, New London, CT
- Portsmouth Naval Shipyard, ME
- Hawthorne Army Depot, NV
- Defense Language Institute, Monterey, CA
- Ellsworth Air Force Base, SD

The Commission also voted on other matters, including to:

- wait until March 31, 2006, before deciding whether to close Oceana Naval Air Station,

VA, in order to give local and state authorities time to make proposed changes to limit residential encroachment on the base

- move thousands of defense jobs from leased space in Northern Virginia to Fort Belvoir, VA; Marine Corps Base Quantico, VA; and Fort Meade, MD
- move thousands of DoD personnel to Aberdeen Proving Ground, MD
- realign, rather than close, Red River Army Depot, TX
- keep open the Navy Broadway Complex, San Diego, CA, subject to satisfaction of certain conditions
- consolidate 26 Defense Finance and Accounting Service offices into five offices located in Limestone, ME; Rome, NY; Columbus, OH; Indianapolis, IN; and Alexandria, VA
- block the move of active-component combat aircraft from Eielson Air Force Base, AK
- order a study of the practicality of converting a chemical weapons incinerator to incinerate conventional munitions before deciding whether to close Deseret Chemical Depot, UT
- stop the move of about 1,000 jobs to Hanscom Air Force Base, MA

The Base Redevelopment and Realignment Manual

Additionally, in August, 2005, DoD issued its proposed rule, entitled "Revitalizing Base Closure Communities and Addressing Impacts of Realignment," for the purpose of establishing certain policies and assigning certain responsibilities relating to the closure and realignment of installations during the 2005 BRAC round. The proposed rule also authorizes DoD's publication of a "Base Redevelopment and Realignment Manual." (This manual was

referred to as the "Base Reuse Implementation Manual" (BRIM) in prior BRAC rounds.)

The manual, which DoD officials now indicate should be published by the end of 2005, will provide a detailed explanation of the DoD procedures that will be followed to implement the 2005 BRAC round. While the proposed rule is relatively brief, it provides a few insights with respect to DoD's thinking for the 2005 BRAC round. Just as a few examples, the proposed rule:

- discusses the role and responsibilities of local redevelopment authorities (also known as LRAs) in the 2005 BRAC round
- recognizes the statutory preference for DoD to obtain the fair market value for properties transferred by means of economic development conveyances (EDCs)
- indicates that "no cost" EDCs will be available under certain very limited circumstances
- reiterates the statutory purpose of job creation for EDCs
- expressly adopts the Uniform Appraisal Standards for Federal Land Acquisition (published by the Appraisal Institute in cooperation with the U.S. Department of Justice) for purposes of preparing estimates of fair market value for EDCs
- emphasizes that leasing property to non-federal entities is only intended to secure final disposition of the real property
- addresses, without providing much detail, certain environmental issues relating to (1) indemnification under Section 330 of the National Defense Authorization Act for Fiscal Year 1993; (2) decontamination of potentially explosive materials; (3) the National Environmental Policy Act; and (4) historic preservation

Mr. Niles would like to thank Richard Green, a legal clerk in the Washington, D.C. office of Holland & Knight, for his assistance with this BRAC summary.

The content of this article does not constitute legal advice and should not be relied on in that way. Specific advice should be sought about your specific circumstances.

### Local News Articles

#### **Chamber's BRAC chairman to deliver presentation to court**

Texarkana Gazette (Texarkana, TX)  
Greg Bischof  
October 24, 2005

NEW BOSTON, Texas—While Red River Army Depot has survived its latest listing on the Base Realignment and Closure Commission, the effects of this year's BRAC-attack are still being felt.

For this reason, Jerry Sparks, chairman of the Texarkana Chamber of Commerce's BRAC Advisory Committee will deliver a presentation to the Bowie County Commissioner Court during their meeting at 10 a.m. today.

Specifically, the commissioners, who will meet in their courtroom on the courthouse's second floor, will listen to Sparks review the year's BRAC-related events as well as the way things worked out for local area.

The court also plans to renew a five-year contract with the Texas State Attorney General's office, whereby the county allows the AG's Office to lease 5,680 square feet of space of a local office for \$5,680 per month.

The agreement will take effect as of July 1, of next year and continue through June 30, 2011, according to county records.

Commissioners further plan to cancel the AG Office's current annual maintenance grant contract for the fiscal year 2006 Victim Information and Notification Everyday (VINE)

Program in favor of a new contract which will carry through to Feb. 28 of next year rather than to Aug. 31 of 2006. This will allow the AG's Office extra time to do some vendor re-certification since the current vendor's contract expires Dec. 29.

The state assures the county that it will honor all obligations to maintain the program's service after March 1 of next year, according to a letter from the AG's office.

The court is also looking at issuing a statement of support for Gov. Rick Perry's proclaiming of next month as the official Home Care and Hospice Month.

In other business, the commissioners will consider opening bids from companies seeking to sell one or more semi-tractors for Precincts 3 and 4. They also plan to open bids from companies seeking to buy a semi-tractor from Precinct 3 and three of the same items from Precinct 4.

### **New International Trade Route Forged Between the U.S. and Mexico; Port of San Antonio Created at Military Base Scuttled by BRAC**

San Antonio Business wire (San Antonio, TX)  
October 24, 2005

An agreement to facilitate increased international cargo trade between the United States and Mexico was signed by Mexico's Secretary of Communications and Transportation, D. Aaron Dychter, Assistant Secretary of Transportation and officials representing the Port of San Antonio.

The signing ceremony took place at the Plaza San Antonio Hotel courtyard, the site of another international trade milestone, the signing of the North American Free Trade Agreement (NAFTA) more than 10 years ago.

With representatives of more than 30 Mexico businesses, federal and state agencies in attendance, the letter of intent establishes the

mechanisms for moving air, rail and ground cargo principally from Asia and South America through Mexico and into the U.S. through KellyUSA, a multimodal port and industrial park created on the site of the former Kelly Air Force Base, which was closed in the first round of Base Realignment and Closure Commission in 2001.

"What we are saying today with this agreement is that we are joining forces with Mexico to develop multimodal corridors that will be mutually beneficial to each partner," said Greater Kelly Development Authority CEO Bruce Miller. "We're establishing synergies, origin and destination systems, facilitating access to international markets and creating new pathways for producers, importers and exporters to access the global market. All of which means economic gains for everyone involved."

Because of its land, sea and air connectivity, Mexico's transportation system provides a crucial link to the principal commercial trade blocks of the world. The Mexico/KellyUSA agreement will facilitate coordination of the various authorities and agents involved throughout distribution and supply chains and will play a fundamental role in the increase of interior and exterior trade competitiveness.

"We understand that we have the most dynamic border in the world and that border crossings through Texas are precisely the ones that account for more than 70% of the over land commercial exchange between the United States and Mexico," said Dr. Aaron Dychter.

Within 30 days following the signing of the document, a representative will be named to create a work schedule for implementation of objectives outlined in the letter of intent and to begin making necessary arrangements for coordinating and facilitating the shipping of merchandise between NAFTA corridor regions.

### **Otis Air National Guard Base May Acquire Jobs in Intelligence Unit**

The Boston Globe (Boston, MA)  
Matt Viser

October 25, 2005

The commander of the Massachusetts Air National Guard is recommending that Otis Air National Guard Base take over an intelligence unit that could add as many as 500 people and offset the jobs that will be lost in two years when the base's F-15s are moved across the state.

Brigadier General Michael D. Akey told the Boston Globe Monday that he doubts the base will lose personnel under a reconfiguration plan that the National Guard Bureau plans to unveil Dec. 1.

The intelligence unit, which would assimilate data from unmanned Predator aircraft, would include 200 to 500 people, Akey said, and could involve building a new Air National Guard outpost somewhere inside the Interstate 495 area.

Akey's proposal, which he submitted last week to his superiors, fits into the state's overall the goal of trying to transform its military force from one that builds and maintains ships and aircraft into one geared toward technology and innovation.

Otis's future was thrown into doubt by the federal Base Realignment and Closure Commission, which recommended earlier this year that all 15 of the F-15s currently stationed at Otis be sent to Barnes Municipal Airport Air Guard Station in Westfield. President Bush approved the commission recommendations last month.

Since that recommendation, Bay State politicians and National Guard officials have been scrambling to replace the 505 jobs associated with the 102d Fighter Wing at Otis. Now, their attention is turning to the National Guard Bureau, which is making its own assessment on the future of Otis and other Guard units in the country.

The aim, Akey said Monday, is to add missions that will help Otis draw on the strengths in the region, much as Hanscom Air Force Base in

Bedford and the Army's Soldier Systems Center in Natick have fashioned themselves as bases drawing on research and development.

### **Guard proposes swapping new armory site for old**

Quad City Times (Quad City, IA)

Peter Rugg

October 24, 2005

MUSCATINE, Iowa — If an agreement is finalized with the city, the Iowa National Guard likely will build a new armory on the southeast end of the Muscatine Municipal Airport while the city will get the Guard's old armory.

According to City Administrator A.J. Johnson, the city has been in talks with Guard representatives to trade land. The Guard would get land to build an armory, and the city would receive the old armory, located on Park Avenue, and all the remaining facilities.

"You could take the existing facilities and buildings, or if you're not interested in that, you can sell it off," said Col. Vince Reefer, the Guard's legislative liaison.

Under current regulations, the cost of building the new facility would not involve any city money; 25 percent of the cost would be paid by state funds with the remaining 75 percent by federal funds. If, however, the 2005 Base Realignment and Closure Commission, or BRAC, bill set to be voted on by Congress on Nov. 8 is approved, the full cost would be paid by the federal government.

Guard Col. Scott Ayres said the new facility would be 33,000 square feet, and cost an estimated \$7 million. If approved, the Guard hopes to have it completed by 2008.

Guard representatives said a new armory on airport land would not affect any flight regulations or alter the amount of air traffic.

Ayres said the Guard was looking into a new facility because the Park Avenue location, opened in the 1950s, no longer meets all the

needs and requirements of today's Guard. About 130 soldiers would use the new armory, which Ayres likened to a high school in terms of facilities and layout.

"It's make it most like a high school because that's where we get most of our recruits," Ayres said.

The City Council voted 5-2 for the city to map out an agreement on the swap, with council members Jerry Lange and Anne Lesnet dissenting. They're concerned that the city should not proceed with an exchange unless appraisals of the Park Avenue location and airport land were completed.

"I would like to get an evaluation of both sides," Lesnet said. "I think it would be prudent and wise to understand the value of what we're swapping."

The other council members felt an evaluation was unnecessary.

"I think it's safe to say we're getting a pretty good deal on this," council member Phil Fitzgerald said.

### **Opinions/ Editorials**

#### **Beach council should take its cues from Fla. mayor**

The Virginian-Pilot (Hampton Roads, VA)  
Kerry Dougherty  
October 25, 2005

I probably shouldn't be telling you this, but for the past few days I've been having weird fantasies about John Peyton.

In my private moments, I've been dreaming about how marvelous it would be to lure the mayor of Jacksonville to the Beach on a perfect, not-too-hot, not-too-humid summer day. In my mind, I see him so smitten with the Resort City that he abandons Jacksonville and becomes our mayor.

Crazy, I know. But the man did do something astonishing last week.

He boldly carried out the wishes of the folks who elected him. In the process, he risked angering the powerful – and powerfully well-connected – Gov. Jeb Bush.

In case you missed it,

Peyton declared that the city of Jacksonville didn't want Cecil Field reopened after all. After members of the community howled about living beside a master jet base, the mayor said he would bow to public opinion.

Astounding.

Makes you wonder what Virginia Beach would look like if its elected officials paid a little more attention to the public.

In fairness, no one really knows how Beach residents feel about Oceana after BRAC.

In the past, there always seemed to be overwhelming support for a master jet base in the heart of Virginia Beach. Oceana is the city's largest employer and only an unpatriotic fool or a jet noise whiner wanted the Navy to leave town.

But ever since BRAC dropped a load of outrageous and expensive demands on the Beach this summer, lots of residents cleared their throats and dared to suggest that the cost of keeping Oceana alive may now be too steep.

There is also the real possibility that the city could spend hundreds of millions of dollars buying up homes and development rights around the base only to see Oceana realigned – or shuttered – in a few years.

"The future of naval aviation is not in Virginia Beach," we were warned during the BRAC hearings.

Has that changed? The Beach has a right to know.

Seems that before the city spends any more dough – it blew \$15 million a few weeks ago trying to undo one of its worst zoning decisions – or passes any new restrictions on growth, officials ought to at least try to gauge public opinion.

If ever the city needed a referendum, this is the time.

But as far as some on the council are concerned, there's no time for public input. In a breathless attempt to make amends for decades of boneheaded zoning, the council has scheduled a vote for tonight on new development restrictions aimed at placating the Navy.

Geez. Slow down and take a breath. After months of powerlessness, the city is suddenly in a much stronger position. The Navy may not want to keep its jets at Oceana, but it has no other place to put them right now.

Councilman Peter W. Schmidt has the right idea. He wants to postpone the development vote until November, after the council sees the results of a study on the economics of keeping the base.

“It doesn't cost us a penny to put another month under our belts,” Schmidt told me Monday.

He's absolutely right.

Instead of acting in haste, the City Council should wait until all the data is in to make a rational decision on growth.

Then, in addition to weighing the economic effects, the politicians should take something else into consideration: the will of the people.

For a change.

### **Additional Notes**

N/A